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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 approve the Minutes of October 29, 1997, and November 5, 1997, as presented.

Commissioner Gwin seconded the Motion.

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

VOTE

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

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

RETIREMENT

A. PRESENTATION OF RETIREMENT CLOCK TO RICHARD KIMMINAU, DEPUTY SHERIFF, SHERIFF'S DEPARTMENT.

Mr. Joe Cotton, Assistant Director, Personnel Department, greeted the Commissioners and said, "Richard Kimminau, Deputy Sheriff with the Sheriff's Department, will retire December 1, 1997, after 24 ½ years of service. Richard was hired May 21, 1973, as a Patrolman."

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“He became a Traffic Investigator in October of 1977, and a Deputy Sheriff in January of 1984. Richard plans to spend time with his sister and niece in Lawrence. Both have new homes and have asked him to help wallpaper and so forth. He plans to take his father fishing and his mother and wife to auctions. He now can devote time to travel to different states for fishing, Missouri, Texas, and Nebraska.

“Richard has always worked in the Sheriff’s Department. He says he has met many people, including people in the courts and the Clerk’s Office. He describes his period of employment as interesting, sometimes fun, sometimes frustrating, but now glad to be able to do with his wife things they both like. Richard.”

Chairman Winters said, “Richard, on behalf of the Board of County Commissioners, we would like to present you with this clock as a token of our appreciation and of the appreciation of the citizens of Sedgwick County. I believe probably one of the most important services that we provide citizens as local government has to do with public safety. We are very concerned about the well being of our citizens and those who work in law enforcement are often at the very forefront of dealing with citizens in all kinds of situations, some life threatening. We appreciate the effort that law enforcement plays in Sedgwick County. On behalf of the Board of County Commissioners we’d like to present this clock to you and say thank you for your years of service to Sedgwick County.”

Mr. Richard Kimminau said, “Thank you very much.”

Chairman Winters said, “Would you like to make a comment or two?”

Mr. Kimminau said, “Just that I’m glad to retire. I have my family with me, my mother and father, my brother, wife, and mother-in-law. I get to do the things now that I need to do and enjoy doing. Thank you very much.”

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

PUBLIC HEARING

B. PUBLIC HEARING REGARDING A PETITION FOR DETACHMENT OF BOEING COMPANY PROPERTY FROM THE OAKLAWN IMPROVEMENT DISTRICT.

Mr. Richard Euson, County Counselor, greeted the Commissioners and said, “Before you this morning is a petition to de-annex certain land from the Oaklawn Improvement District.

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“This petition was filed on November 5, and notice of this hearing was published as required by statute on November 17 and November 24. This hearing date is within the 6 days of the required statutory time. I might tell you that this requires a public hearing and if the Board of County Commissioners finds that the improvement district has not provided any services to the land proposed to be detached within one year preceding the date of the filing of the petition, then it is required that the Board of County Commissioners enter an order and resolution detaching such land. I am available for questions if there are any. I believe Mr. Melgren, who is the Attorney for the Boeing Company, is prepared to present this item to you.”

Chairman Winters said, “Thank you Mr. Euson. Do we need to open the public hearing and take Mr. Melgren’s comments in the public hearing, or do we need to hear from him and then open the public hearing?”

Mr. Euson said, “I believe it would be appropriate to open the public hearing first.”

Chairman Winters said, “All right. At this time, we will open the public hearing regarding our agenda Item B, this morning. If there is anyone here who would like to speak to the Board of County Commissioners, please come forward.”

Mr. Eric Melgren, Attorney for Boeing Company, Wichita, Kansas, greeted the Commissioners and said, “As Rich Euson just explained, I am the Attorney for the Boeing Company and presenting this petition. At the suggestion of the County Counselor’s Office, I brought an overhead to sort of give a geographic feel for the area. I’ll explain this, it is color coded so you can track it somewhat.

SLIDE PRESENTATION

“The diagonal line, running through the middle of the graph, is Highway K-15. The east west line that you see running across the graph, there is a red line that runs down part of it, is 47th Street, to kind of give you a positioning of the geographic area. Then the green shaded area, if you can tell that over more towards the left end is the Oaklawn neighborhood. On the right end, the blue shaded area just to the north of that, is the Boeing plant. Just south of that is the Deer Trails Estate area. I’ll be brief and explain what the petition involves.

“The Oaklawn Improvement District is an improvement district that was formed sometime in the post World War II area to provide services to residential developments that had occurred out there.

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“It is normally I think thought of as in conjunction with the Oaklawn neighborhood although frankly the Oaklawn Improvement District does provides services to some additional areas beyond what is considered the Oaklawn neighborhood. Historically, it has provided services in addition to sewer service but I think in the last 15 plus years, it has principally ran the sewer service lines out there.

“In the 1980s, two vacant parcels of land, the areas shaded in blue on the right hand side of the map, were added to the improvement district at the request of their then owner who planned to build a small warehouse development on them and needed access to sewer service in order to support his proposed development there. The Oaklawn Improvement District, at that time, was the closest provider of sewer service and so it was requested and was granted permission to annex that land into the Oaklawn Improvement District. He did not, in fact, proceed with this development. Actually, I think there were two owners Commissioners, but those parcels were in a period of three or four years sold still vacant and unimproved to the Boeing Company for a large industrial complex expansion that it proposed to do on the south end of its plant. As you all are probably aware, that plant expansion did occur and there are now numerous buildings, which this aerial photo shows that have been developed by the Boeing Company on that land.

“At the time the Boeing Company made these developments or improvements, it was determined that additional sewer service would need to be provided there. So separate sewer lines, not from the Oaklawn Improvement District, were run and provided to support the development that occurred on the land. The sewer service that exists there now is not and has never been provided by the Oaklawn Improvement District. In fact, no other improvement type services have been provided by the Oaklawn Improvement District to that land currently or really at any time.

“Earlier this year, the Kansas Legislature passed an amendment to the improvement district statutes to create a provision which through oversight or whatever reason had not existed before which would permit land to be detached from an improvement district. There were instances or procedures by which of course land could be annexed into an improvement district and normally once land is annexed into an improvement district or city or some other municipality and services are provided to that, you would go forward and the issue of detachment would not arise, but there are those unusual circumstances and so to address that issue, the Kansas Legislature did amend the relevant statute to create a procedure whereby the County Commission can detach lands.

“Your Counselor can certainly address the legal issues on that, but briefly put, the Legislation provides that if the land within the improvement district has not received any of the services from the improvement district within the past year, then the land shall be detached from the improvement district.

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“Now the effect of detachment is that on a going forward basis, number one the land would no longer be a part of the improvement district and number two, any financial obligations in the future that the improvement district might incur, that land would not be responsible for. But I do want to stress this morning that current bond indebtedness that the Oaklawn Improvement District has incurred and which the land here in question presented for detachment was of course liable, will remain an encumbrance on that property and for the life of the existing bonds, that property will continue to be liable for those bond payments. This is also consistent with the legislation passed earlier this year by the legislature. In fact, principally this is going to speak to some large sewer improvement bonds that the Oaklawn Improvement District incurred which I think run until about the year 2010, roughly. This land will remain liable for those and it will not effect the bond indebtedness.

“Boeing’s petition this morning is that its land be detached from the improvement district. The reason it was annexed into the improvement district never came to pass. There has been no other reason and there is no other reason that the land should be in the improvement district and pursuant to the statute, the Improvement District has not provided services to that land within the past year or really ever on a consistent basis. So it is our request that the property be detached and it is our belief pursuant to the legislation passed that this action would be appropriate. That’s all I have Mr. Chairman. I’d be happy to take any questions if there are any.”

Chairman Winters said, “Okay. Commissioner Gwin has a question.”

Commissioner Gwin said, “Thank you, Mr. Chairman. Let me make it clear for myself then. When legislation is written, sometimes it is written in permissive language, sometimes it is written in mandatory language. Did I understand you to say that the legislation says that if services were not provided within the previous one year that the detachment shall, that is mandatorily be detached, and not discretionary.”

Mr. Melgren said, “That would be my understanding of the legislation Commissioner. I believe it is written in mandatory language.”

Commissioner Gwin said, “All right, I wanted to make that clear.”

Chairman Winters said, “Okay. Mr. Melgren, I see no other questions. Thank you very much. Is there anyone else here this morning that would like to speak to the Board of County Commissioners regarding this petition for detachment of the Boeing Company from the Oaklawn Improvement District? Please come forward. Give you name and address please.”

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Mr. Rocky Sisco, 4308 Deerfield, Wichita, Kansas, said, "I've got something here that I'd like to pass out to you. I'm President of the Oaklawn Improvement District Board of Directors. I'm here today to speak on behalf of that Board concerning Boeing's petition to be de-annexed from the Oaklawn Improvement District.

"In that regard, we realize that the Sedgwick County Commission has no choice other than to grant Boeing's petition to be de-annexed from our community. Therefore, our reason for appearing before you today is not to attempt to persuade you that the petition should not be granted. We understand that the time for our voice to be heard would have been during the 1997 state legislative session when House Bill 2218 was before the legislature. House Bill 2218 is the bill that was enacted by the legislature upon which Boeing's petition for de-annexation is based. However, we as a board were not advised that the House was considering passage of the bill. Even though the Bill contained provisions that were directly aimed at the Oaklawn Improvement District. As a result of not having this knowledge, we were unable to appear before the legislature to explain the effect passage of the bill would have on the Oaklawn community. Our purpose in appearing before you today is to inform the Board of County Commissioners and the general public of the major impact that passage of this bill and the subsequent de-annexation of Boeing property will have upon the Oaklawn community.

"First, it needs to be understood that not all of the Wichita Boeing property is within the District. Approximately 114 acres is located inside our boundaries. This property was annexed by Oaklawn in 1982, at the request of the property owner at that time. The property was purchased by Boeing in 1984. At the time the property was purchased, one has to assume that Boeing knew the property was located within the Oaklawn Improvement District.

"My community for the most part consists of single family residences are, on the average, appraised at a value of \$20,000. It was originally built after World War II to provide housing for Boeing workers. Over the years, Oaklawn has seen a decline within the neighborhood of the housing stock. In the last few years, with the assistance from Sedgwick County, this has been reversed and great strides have been made in improving the quality of life and the pride of being a homeowner has returned.

"The effort to improve the community cost money. We, as a District, receive funding from two separate sources. One source is its sewer revenue fund. I need to take a minute."

Chairman Winters said, "Sure, take a minute. Fred, perhaps you can get Mr. Sisco a glass of water. I'm sure this is a very emotional time when you have a sincere interest about something. We can take a pause here. We do appreciate having written comments because that makes it easier for us and for you. So whenever you are ready to proceed, that's fine."

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Mr. Sisco said, "Okay. The income from the sewer revenues must be spent on items that relate to the cost of operating the Oaklawn sewer system. The other funding source for the District is the general fund. Under the law, this fund is limited to a levy of five mills. The income from the general fund has been used to improve the Oaklawn community. For example, a building has been purchased for the purpose of providing a meeting place for senior citizens and the areas organizations. The Oaklawn Improvement District is in the process of making improvements to this building from the five mill general levy funds. It was anticipated that this building would be a gathering place for the whole community. The loss of Boeing property from the District tax base will place a community building project in jeopardy. The funding of the cost of operating the building in future years will also be in jeopardy. This is just one project that will be affected by the loss of the Boeing property from the tax base. There is a long list of others, like youth programs, and a park project. There is no question, that the improvements realized by the Oaklawn community in the last few years and many services that go along with these improvements will suffer once the Boeing property is de-annexed.

"With the Boeing property the five mill levy will produce approximately \$130,000 of revenue for the 1998 tax year. Without Boeing, this mill levy will produce only \$20,000. Obviously, this large of a reduction to the general fund will result in the need to eliminate many programs. The elimination of these programs will have a direct impact on the residents of the Oaklawn community, young and old. It will touch everybody.

"In closing, we realize that the Board of County Commissioners has no alternative other than to grant the Boeing petition. We, however, hope that you and the community at large understand the great impact this action will have on the lives of the citizens who reside within the Oaklawn Improvement District. We, as a community, want to keep moving forward, keeping the progress that has been made on track. We also want to take this opportunity to thank the Commissioners and staff for the support that has been shown to the Oaklawn community in the past. We ask that in our upcoming time of greater needs due to this action this support continues. Thank you."

Chairman Winters said, "Thank you, Mr. Sisco, we appreciate your being here. Is there anyone else in the audience who would like to address the Board of County Commissioners on this Item B? Is there anyone else who would like to address the Board of County Commissioners concerning the petition for the detachment of the Boeing Company petition from the Oaklawn Improvement District. Seeing no one, we'll close the public hearing. Commissioner Schroeder."

Commissioner Schroeder said, "Mr. Chairman. Rocky, thank you for being here today and Debbie and the rest of you. I appreciate your being here to support the Oaklawn Improvement District.

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“When I found out about this, I wasn’t surprised by the fact that Boeing would make that request because it makes good business sense to them to do that. But the part that really bothers me is the typical way the legislature deals with and acts upon these kinds of problems. If this is one of these issues where someone does not receive, regardless of who it is, a service, it almost seems to me like it should be a clerical kind of change rather than going through a difficult and emotional hearing when the law says you shall make those changes. But, there is nothing we can do about that at this point. The legislature has chosen to take this direction, having as usual the Commission be the one that makes that decision.

“There are a lot of good programs that are ongoing in Oaklawn and the Commission has been very supportive over the years. I want to thank all the Commissioners for everything that you’ve allowed us to do and provided through the budget, the Sheriff’s Office, the Aging Department, all the departments throughout the County that have been involved in the Oaklawn area, working one on one with the leadership in Oaklawn and the residents. It has been a very good relationship and I hope that continues. For one, I know that we will try to find all the funding and monies available that are available today, whether it is through state or federal grants or even something at this level. I know this is going to have a great impact upon you and your community in my district. But I think if we stick together, we can continue some of the great programs that are ongoing in the Oaklawn community and make sure that change occurs that you are looking for and we are in the process of doing that.

“ Like I said earlier, this is strictly a business decision on the part of Boeing. It is something they felt is necessary. I can’t blame them for what they’re doing. I’ve been through the way the law describes it, I am responsible to change this. That’s my responsibility because the law says you shall, but I know Boeing will continue to be a good neighbor as they always have. I’ve had discussions with folks at Boeing and they will continue their good neighbor relationship as much as possible within reason to help your community so that we have a strong Oaklawn community and Boeing relationship. I know that will continue. We’ll do all that we can to help in the process also. Rocky, thank you again for coming today and making those comments. I did hear a little today that I had not known before, was that the original owner already had petitioned Oaklawn for the sewer improvements and then Boeing purchased the property afterwards. I was not aware of those transactions and how they occurred. But regardless, the law is pretty specific. I wish there was something I could do for you. Thank you.”

Chairman Winters said, “Thank you. Commissioners, other questions or comments? If not, what action does the Board propose to take?”

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MOTION

Commissioner Gwin moved to enter an order approving the petition for detachment and adopt a Resolution declaring the new boundaries of the Oaklawn Improvement District.

Commissioner Miller seconded the Motion.

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

VOTE

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

Chairman Winters said, "Thank you all for being here who were here today regarding this item. Madam Clerk, would you call the next item."

PLANNING DEPARTMENT

C. METROPOLITAN AREA PLANNING DEPARTMENT (MAPD).

- 1. CASE NUMBER SCZ-0751 - ZONE CHANGE FROM "LC" LIMITED COMMERCIAL TO "GC" GENERAL COMMERCIAL ON PROPERTY GENERALLY LOCATED SOUTH OF K-96 HIGHWAY, ½ MILE EAST OF 263RD STREET WEST.**

Mr. Marvin Krout, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, "Three zoning items on your agenda today.

SLIDE PRESENTATION

"This shaded area is a tract of 1 ½ acres. It is on the south side of K-96, which if you've been driving there recently, you know this is in the process of improvement. It is ½ mile east of 263rd Street, which is also the east boundary line for the City of Mount Hope. So the zoning request is in Mount Hope's zoning area of influence. The case did go to their Planning Commission.

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“It was a service station site. It was before there was county wide zoning. So when there was county wide zoning, it was zoned as Limited Commercial category and operated until recently, when the property was basically condemned because of KDOT’s requirement to provide full access control between mile line roads as part of the improvement of K-96 in this area. The owner has since converted it to a storage lot for impounded vehicles. County Code Enforcement, driving by this site, noticed that the use was incurring in violation of the County zoning resolution which requires General Commercial zoning for outside storage. The owner was told that the way to deal with the situation was either to remove the cars or to apply for the general commercial category and that is what the applicant’s, Mr. & Mrs. Tucker have done, who operated the service station in the past. Their intention is to screen the cars, which is a requirement of the zoning code.

“This case first went to Mount Hope, who was sympathetic, but looking for some sort of special Conditional Use Permit or other way to make sure it wasn’t just outright General Commercial zoning and it really took two meetings until our staff planner told them what we had available for them in order to try to tie down the use more was a protective overlay, which would limit it to the outside vehicle storage and to other uses that are permitted under the current Limited Commercial zoning. While the staff did support an increase in zoning, I think we saw the handwriting on the wall in this case and as I told the Planning Commission, on a scale of zero to ten, this scale probably wasn’t even visible on our radar and so we weren’t strongly opposed to this. The Mount Hope Planning Commission, with no opposition, recommended approval. The Planning Commission, also by unanimous vote, has recommended approval of this case. There was no opposition at the Planning Commission hearing either and no written protests, so it just requires a simple majority to approve.

“This is the aerial photograph and you can see now the access has to come basically half a mile off of 263rd Street, so it has very limited potential because of the indirect access. I’m sorry this doesn’t show up very well, but there are a couple of accessory buildings on the site and the cars are amongst those. You can see that a little bit better. This is at the far end of that road and then at about this location, which you can see here, this is the yard area in between and this is the home of Mr. & Mrs. Tucker. We’re looking now along that access road back towards 263rd Street. This is the right-of-way of K-96. Again, this is the right-of-way of K-96 with the access road on the left hand side. It is beautiful isn’t it, really nice. This is looking north across the road. There is no other development in the vicinity for at least a half mile. This is looking to the east and looking to the south and the west. Back to the aerial photograph. You can see that the area is basically agricultural in character. I’ll be glad to answer any questions if you have any. The applicants are here also if they want to speak or if you have any questions.”

Chairman Winters said, “Just to again, Mount Hope’s Planning Commission voted unanimously to approve this and MAPC voted unanimously to approve this, is that correct?”

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Mr. Krout said, "Yes."

Chairman Winters said, "Okay, thank you. Is there anyone here who would like to address the Board of County Commissioners either in support of or not in support of this? Is there anyone who would like to speak to the Board of County Commissioners? Seeing no one, we'll restrict comments to Commission and staff. Commissioners, based on the recommendation of the Mount Hope Planning Commission and the Metropolitan Planning Commission, I'm certainly going to be supportive of this."

MOTION

Chairman Winters 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; adopt the Resolution and authorize the Chairman to sign; and instruct the MAPD to withhold publication until all conditions have been complied with.

Commissioner Gwin seconded the Motion.

Chairman Winters said, "Commissioner Hancock."

Commissioner Hancock said, "I've just got some questions. In the information provided in the back-up, it said repossessed cars. Will there be parts or anything sold out of these?"

Mr. Krout said, "No, it is just storage. To run a salvage yard, where you would be dismantling and selling parts and all that, would require another zoning category. That would basically require industrial zoning and a Conditional Use Permit. That is not going to be permitted. It really is restricted through this protective overlay to outside vehicle storage. It doesn't necessarily have to be impounded vehicles, but vehicles."

Commissioner Hancock said, "Is there other parts to this that are storage, where they store things besides cars?"

Mr. Krout said, "Not that I'm aware of. I don't think they have the intention to store anything besides cars. They had an RV and they had a boat, and that would fit under this category."

Commissioner Hancock said, "So it is just a general vehicle, whether it is land or water, storage."

Mr. Krout said, "Yes."

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Commissioner Hancock said, "Okay. Thank you Mr. Chairman."

Chairman Winters said, "Thank you. Is there any further discussion? We have a Motion. Madam Clerk, please call the vote."

VOTE

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

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

- 2. CASE NUMBER SCZ-0753 - ZONE CHANGE FROM "RR" RURAL RESIDENTIAL TO "MH" MANUFACTURED HOUSING, LOCATED NORTH OF 119TH STREET SOUTH, EAST OF 143RD STREET EAST.**

SLIDE PRESENTATION

Mr. Krout said, "Commissioners, this concerns three lots that are five acres. Two lots here and one lot here. It is in the far southeast mile section of Sedgwick County. This is in the far southeast corner of Sedgwick County. You can see Sumner County here and Butler County here. This is 119th Street and 143rd Street. This is part of an 80 acre parcel that extends about this size, that has a recorded division of land on it and it has been developed with a road up the middle and 16 five-acre lots on either side of that road. I'll have some pictures of it in a minute.

"The development is substantially complete. I think there are nine or ten homes up there and they are all mobilehomes. They are all homes that don't meet the standard of being double wide manufactured homes on permanent foundations. They were installed under the old code where properties in this far part of the County that were over five acres in size were allowed to have those by right. Recently, the amendment to the Zoning Code requires a zoning hearing for manufactured housing that isn't double wide on a permanent foundation throughout the County, if it is going to be on lots of anything less than 20 acres. So the developer of this 80 acres sold these lots.

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“The owners didn’t get their building permits before the effective date of that new zoning amendment so he is applying for the manufactured housing category in order to fill in this development and put manufactured homes on this lot. The applicant indicated that actually these are supposedly modular homes but they won’t be on permanent foundations and the reason supposedly is that the owners intend to move them temporarily and then in the future to build basements under the homes and so they don’t meet the code requirements, the building code or zoning code requirements of having to be on permanent foundations.

“The staff recommended approval based upon the character of the area, which as you will see is all similar types of mobile homes, mostly single wide. I think a combination of single wide and double wide mobile homes. We recommended approval though subject to these property owners providing a street easement for the future for emergency access and so that, you can see that there is a half mile road that doesn’t have any other access, that was part of the unplatted recorded division, something that we would probably wouldn’t have supported if it had been done as a subdivision plat, but they were able to get these owners to agree to an easement so that at some point there could be future secondary access for emergency purposes if and when the area to the east develops. The Planning Commission had a public hearing. There was no one in opposition at that public hearing and the Planning Commission’s vote was unanimous to recommend approval of the MH zoning subject to this street easement being dedicated.

“This is the aerial photograph. You can see one of the lots, two of the lots. This is the 80 acres that was divided into 16 five-acre lots with a street easement running up the middle. You can see the darker dots are lagoons. Some of those lagoons were placed out there ahead of the development. This is the recorded division. This is not a plat. This is a record division that shows the easement up the middle of the road and we’re talking about, I think it is these two lots and this lot, that are requested to fill in the development. Now we’re looking from the south to the north up this street easement. You can see that basically the west side of the road, which is pretty well filled out with manufactured homes and there are a couple on the east side. We’re looking at the area between these two lots and also on this side of that house as being the three lots that are in question. We’re now looking at the east side of the road, the existing homes fill in here and I think here. This is one of the areas that is requested for mobile homes between two existing homes. Again, looking up the road to the north. This is looking on the west side of the road at one of the manufactured homes already in place. This is looking at another one. I don’t believe this is a lagoon. We do require complete siding along the base of the mobile homes, even if they are allowed as manufactured homes and not as dwelling units. So that really is something that needs to be corrected. This is at the north end of the cul-de-sac, partially developed. Again, the cul-de-sac and the home that was installed to the east. We’re looking from the north end to the south. Again, you can see substantially developed along the east side. This is one of the homes that has been placed on the west side of the road.

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“Not one of my favorite development types but it certainly is in character with the developed nature of the area, so that is why the staff recommended approval. Be glad to answer any questions that you have.”

Chairman Winters said, “Thank you Marvin. I see Commissioner Miller has a question.”

Commissioner Miller said, “Thank you Mr. Chairman. Marvin, will this be a development where there will be a mixture of the single wide and the double wide and anything else?”

Mr. Krout said, “I think you saw that there were one or two double wides in there. Most of them were single wides. I doubt that anyone will build a site built house, although these property owners apparently indicate that they want to build a basement and place these units on permanent foundations. But most of them are not on permanent foundations today. I think this will substantially be a manufactured housing subdivision.”

Commissioner Miller said, “But could they? So it could be a mixed housing development.”

Mr. Krout said, “Yes. On any lot that you can place a manufactured house on, you can also place a site built house by the zoning.”

Commissioner Miller said, “Thank you. Thank you Mr. Chairman.”

Chairman Winters said, “Thank you. Commissioner Gwin.”

Commissioner Gwin said, “Thank you Mr. Chairman. Marvin, what do our rules and regs say about the length of a road?”

Mr. Krout said, “The subdivision regulations say that roads are supposed to be, even in rural areas, no more than 1,200 feet long. This was one of those properties that was exempt from the subdivision regulations under your old rules. You have since changed the regulations so that now any plat of five acres like this, five acre lots, will have to come in for platting. I will tell you that there has been continued discussion with the County Engineer and the County Fire Department and the Subdivision Committee about standards for these roads. We have, when subdivisions come to us, required a limitation like that or an extension if there is secondary access. But that means secondary access not at some unknown time in the future, but an actual secondary access.

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“As an alternative, the County Fire Department and County Engineering are looking at a standard that would allow you to go more than 1,200 feet, it would be about this point, the quarter mile point, would allow you to go further if the whole road was built to a standard which was I think 36 feet wide of gravel. A hard and wide surface that would allow for the kind of movements that fire trucks need. They actually have a need at some points in time to have a truck and another truck parked next to it to transfer water, then the ability to get by those two trucks in order to get to a fire. So we’re looking at the standards for regulations, but technically, if this had come through as a plat, the rule would be 1,200 feet except possibly make an exception if there was secondary access.”

Commissioner Gwin said, “I’ll tell you, my concern about it today is exactly that secondary access. I may not support this until I see a secondary access constructed. I think the length of the road is not appropriate and there is no secondary access and that concerns me greatly for the well being of the people who build out there.”

Mr. Krout said, “I can tell you this isn’t an isolated incident and that is one of the main reasons we’re interested in getting the subdivision regulations to apply to tracts like this. It would be very difficult for the owner, the developer, who doesn’t own any of the property any more. He is just doing this in behalf of these lot owners that he bought the property for. It would be difficult for him to, he’d have to go to this owner basically and try to deal with that owner to provide some secondary access. We do have other situations like this that are built out and approved. The exemption for already reported divisions will allow other divisions to continue to occur because they were laid out and recorded like this.”

Commissioner Gwin said, “That doesn’t mean I have to like it.”

Mr. Krout said, “No.”

Commissioner Gwin said, “Thank you Mr. Chairman.”

Chairman Winters said, “Commissioner Hancock.”

Commissioner Hancock said, “Marvin, this road we’re talking about, is it a township road?”

Mr. Krout said, “No, that is another issue. Because it wasn’t platted, it is a private easement. It is going to be maintained or not maintained by the owners in common of these lots. That is how he was able to get 16 lots if because he was able to claim the right-of-way, which wasn’t dedicated as part of the 5 acre lots. This is a good example of all the reasons why we suggested the subdivision regulations were appropriate for tracts like this.”

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Commissioner Hancock said, "Would you go back to the picture showing the road? I can't tell with this light on. I wish they'd turn this overhead light off so I could see the picture, but are there any ditches there?"

Mr. Krout said, "If there are, they are very shallow. This is not a road built to County . . ."

Commissioner Hancock said, "It's a cow path, I understand. Who is going to maintain it?"

Mr. Krout said, "It will be the responsibility of the property owners."

Commissioner Hancock said, "Is Mr. Dings going to pay for any part of the secondary easement? Secondary access?"

Mr. Krout said, "It will just be recorded as an easement, but it won't be improved unless and until the property to the east develops I think is the way we looked at it. We don't know if or when that will ever happen."

Commissioner Hancock said, "I don't know how we can approve anything like this, even now, without any drainage, any mechanism that would for sure . . . I haven't seen any documents that requires anyone to do anything to the road period. How can we approve a zone change and then become responsible for the approval of that zone change when folks can't even get to their house in times of snow or extreme rain, a wet season. I mean I can see it coming now, you approved this zoning and we can't even get to our house and so or so died, or we couldn't get out and froze to death because of the snow and on and on. How can we approve something like this if we can't even get to the place? The seller, the developer, of this has absolutely no responsibility in this whatsoever. He's off the hook and we're on."

Mr. Krout said, "Well, all I can say is that the purpose of the zone change is just to allow the units that is similar to the units that were previously permitted here. It can still be developed with site built homes, even if you turn down the zoning. The development situation is one that we agree with you. This is why subdivision regulations were necessary and hopefully we can avoid these problems in the future. I wish I had this case before to show you a few months ago."

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Commissioner Hancock said, "The problem is that it has affected other cases that were similar in nature but of a lot better quality, that's the problem. I'm not so sure that I want to lump those kinds of things together in one pigeon hole and say yes or no to all of them. I'm just not very happy with what we did with that zone and plat changes. I think the cost now to, the whole point of this Marvin was to have folks to plat and to have some kind of control over the process out there, so that we as Commissioners and you as staff, our Legal Department, and our Public Works Department, wouldn't receive the number of complaints that we've had over the last few years about stupid things that people have done out in the County. Not having experienced living there, and people like this taking advantage of not having experience in the County. I'm not bashful about saying it at all when it comes to this subdivision. Yet the problem is that those with good intentions with good engineers, trying to do some quality work out there, they've been hit right in the head and individuals have too."

"I know I got your memo concerning the cost of plats and I read it but I don't agree with it. I can't find an engineer out there who will do me a \$1,200 plat. It just isn't going to happen. And I'll tell you what, these folks can't afford \$3,000 plats. You're talking about a significant portion of the cost of these lots. The whole point is not to inhibit development out there but to increase the quality of it, not to increase the costs, just increase the quality. I don't think we've done it with this. I'm not happy with this deal at all. As a matter of fact, unless somebody convinces me otherwise, I'm not going to approve this. I don't know how Mr. Dings can possibly sell a lot that you can't get a building permit on. Anyway, you'll have to do a little more convincing that this is the right thing to do. Right now, I'm not convinced this is the right thing to do. I think the developer of this property needs to go back in there and make some improvements. Otherwise, I don't know what handle we have on him. I'm surprised that all those lots were even sold. It wasn't too long ago that none of them were sold, maybe they all are now, I don't know. Anyway, I've had my say. Mr. Chairman, thank you very much."

Chairman Winters said, "Thank you. You can turn the lights back on. Marvin, have these lots been sold? Do individuals own them now expecting to build on them or does the developer still own these lots?"

Mr. Krout said, "These lots have been sold."

Chairman Winters said, "So they are owned now by individuals."

Commissioner Hancock said, "It is just a case of a developer taking advantage of people who just don't know about living in these situations. We have no handle on it."

Chairman Winters said, "Commissioner Miller."

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Commissioner Miller said, "Thank you Mr. Chairman. Marvin, once again, would you explain to myself and to the public what it is that MAPD and MAPC approved, expressly?"

Mr. Krout said, "They recommended approving the rezoning of these three lots to the MH district from the Rural Residential district. That would allow these three lot owners, if it was approved by the County Commission, to not be restricted to building site built houses or double wides on permanent foundations. They would be able to have a double wide that is on anchors or a single wide that is on anchors or a single wide that is on a permanent foundation."

Commissioner Miller said, "So it is structure oriented. The zoning is allowing them to be able to site this type of structure in this subdivision. Thank you. Thank you Mr. Chairman."

Chairman Winters said, "Thank you. Other questions or Marvin? At this time, we'll ask if there is anyone here in the meeting room who would like to address the Board of County Commissioners on this item. Is there anyone here who would like to address the Board of County Commissioners on our Planning Department Item 2? Seeing no one, we'll limit discussion to Commission and staff. Commissioners, what's the will of the Board?"

Mr. David Spears, Director, Bureau of Public Services, said, "Commissioner, I could throw in one thing here."

Chairman Winters said, "Okay, Mr. Spears."

Mr. Spears said, "One possibility on the road is that you could require that it be brought up to County standards and the right-of-way dedicated to the public and if it was brought up to County standards and the right-of-way dedicated to the public then the township would be responsible then to maintain the roads instead of the property owners."

Chairman Winters said, "The question would be who is going to do that?"

Mr. Krout said, "Sixteen lot owners."

Mr. Spears said, "That is a possibility. Just wanted to throw that out."

Chairman Winters said, "Okay. Thank you, I think. All right, Commissioners?"

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Commissioner Hancock said, “Mr. Chairman, I’m going to vote in favor of this application. It isn’t anything I want to do, but I certainly feel sorry for the homeowners who have gone out there in good faith, purchased these lots, expecting to get building permits and allowing them to put mobile homes . . . whatever the case may be, on these lots. I can remember a couple of years ago when the first one of these came down the pike, probably about three years ago. The first person out there that pulled in there couldn’t get a building permit. It has been every since. It has been nothing but trouble with the roads, the sewers, and now the zoning in this particular subdivision. It was convenient for the developer to develop it. He has had absolutely no infrastructure cost in this to speak of and now the home owners and the people who went out there in good faith and bought these are expected to make up the difference for what the developer didn’t provide them. Certainly he didn’t reduce his price to reflect what he didn’t provide. I just want that on record. I’m going to vote for this but I’m going to look for this developer every day when things come across my desk and I certainly won’t approve anything unless everything is right 100% up to snuff with him. I don’t mind saying it. If he wants to take it up with me, he’s certainly welcome. But this is one of the poorest subdivisions I have ever seen and one of the most definitive examples of everything that is wrong with subdivisions of this nature. This defines everything that we have tried to improve out there and change. Thank you Mr. Chairman.”

Chairman Winters said, “Thank you. We’re ready for a Motion if somebody would like to make one.”

MOTION

Commissioner Miller moved to adopt the findings of fact of the MAPC and approve the zone change; adopt the Resolution and authorize the Chairman to sign; and instruct the MAPD to withhold publication until the dedication instrument has been signed and recorded.

Chairman Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	No
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, "Thank you. Next item."

- 3. CASE NUMBER SCZ-0754 - CG INVESTMENTS, INC., C. R. MCBRATNEY, JAMES R. HOTCHKISS (PROPERTY OWNERS/APPLICANTS) AND LARRY WILLIAMS (AGENT) REQUEST ZONE CHANGE FROM "RR" RURAL RESIDENTIAL TO "MH" MANUFACTURED HOUSING, LOCATED APPROXIMATELY 1/4 MILE SOUTH OF 87TH STREET SOUTH, EAST OF I-35.**

Mr. Krout said, "This is also a request for manufactured housing zoning under the new zoning code. I'll tell you that in this part of the County, since I think 1991, because of the proximity to Haysville, we had a conditional use permit requirement, so manufactured housing for some time has had to go through some kind of a public hearing requirement. It wasn't new as of the recent amendment."

SLIDE PRESENTATION

"This property concerns 10.2 acres that is currently zoned rural residential. It is on the east side of the turnpike and about four miles south of 87th Street South, which is here. It is south of Haysville and it is in the Haysville zoning area of influence. It is adjacent, south and east is the Arnett's First Addition. That is an area that was zoned SF-20 to allow one acre lots and it was platted in 1967 and has developed over time mostly with manufactured homes. I think you don't have a map that was part of the package sent to the Planning Commission. I'll pass this map around to you. It is a map that was prepared by the applicant that identifies the specific land uses, where there are single wides and where there are double wides are identified in that Arnett's First Addition. Basically, that area has developed predominantly with manufactured homes on prior to 1991, when the conditional use requirements came into effect on those one acre lots in that area."

"The applicant is planning to divide this 10.2 acres into two five-acre lots. Planning to have an east west easement that would run to a lot that would be located here and then this would be the second lot. There would be two lots just over five acres. It turns out that this is in Haysville's subdivision jurisdiction and we weren't really aware of this until this case came through that Haysville still has a five acre subdivision exemption, meaning that anything over five acres does not have to go through the platting process and Haysville reviewed back in August and gave their consent to this being exempt from platting to divide into two five-acre lots. But in order to have manufactured housing that is not double wide on a permanent foundation requires the application for the MH manufactured housing zoning category."

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“In reviewing the zone case, when we took it to the Haysville Planning Commission, they did recommend approval, but they also requested that . . . this map isn’t quite right. The east line of this tract is actually on the line that you see drawn there, the tract line, which is the center line of this dedicated Lulu Street, and Haysville Planning Commission requested that the applicant dedicate their half of the street of right-of-way. They would only have the west half of the street on their property that they dedicate that 35 feet of right-of-way for possible future connection to this area if it develops in the future. The applicants were agreeable to that condition although we don’t have that dedication instrument yet. The staff of the Haysville Planning Commission and then the MAPC have all recommended approval. These are two manufactured mobile homes that will be placed on two five-acre lots in an area that is closest to an area that is predominantly made up of mobile homes on one acre lots. As you will see in the slides, on the north side of 87th Street, there are site built homes but the immediate vicinity is in predominantly manufactured housing. So your advisory boards have suggested that it would be in appropriate use with the character of the area in this particular case.

“There were several property owners at the Haysville Planning Commission that had various concerns. Some of them not necessarily related to this zoning request. One property owner at the Planning Commission hearing, who lives I believe on this lot in a mobilehome. His concern had to do with drainage that he sees that runs across this site and out to Hydraulic. I will say that even though Haysville has exempted this from subdivision regulations and so there is not a drainage plan requirement, when building permits come into County Public Services for these two lots, they will identify floodway easements that are necessary. The other issue that was raised in the Planning Commission meeting and I’ll show you this in the slides and again this maybe could have been resolved if this area was subject to platting but it is not by Haysville, is that although this street is dedicated, it really terminates something less than halfway through there. So there is no improved road beyond that area. It should have been improved at the time that this plat was in. Haysville in their discussion about it I would assume that would be a township responsibility in the future, but you may want to address that or the applicant may want to address that issue.

“There was also concern about could this become a mobilehome park with a lot of dense mobile homes. The answer is no because there is no public water, there is no public sewer. They are basically limited by the subdivision regulation to the same one acre lot size as these lots. If they went to one acre lot sizes instead of five acre lot sizes, then Haysville would require them to plat the property into anything more than the two lots that they got the exemption for earlier. Again, the Haysville Planning Commission vote was unanimous. The Planning Commission has recommended approval by a ten to two vote. I think that there were some concerns about the drainage issue that they felt were unresolved. There were no written protests that were filed regarding this case so it requires a simple majority to approve.

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“This is the aerial photograph. You can see the Arnett’s Addition development to the south and the east. This is the ten acres in question, the turnpike, 87th Street. We’re now looking at this location at the end of the dedication of Lulu Street, this corner of the tract. There is a hedge row separating that property owner to the south. In the background, you can see the turnpike runs north and south so we’re looking west across one of the lots. The easement that would be established. This is about the same location looking a little bit north and west across the site to the turnpike, the bridge of 87th over the turnpike. This is looking straight north a quarter mile to the north. You don’t see it but 87th Street runs there and then these are site built homes that back up to 87th Street. Again, looking to the north and the east in this case. This is looking east in the background, back of that hedge row would be Hydraulic. Basically undeveloped to the north and the east. This is the one acre lot that is immediately to the south and east of this tract with the tract being in this location. Here is Lulu Street. We’re standing where the property in question starts. You can see Lulu Street is somewhat improved for less than half the lane. Then this portion long ago was part of that Arnett’s Addition and was not improved. This is the hedge row. To the right would be the property in question. This is the immediate property to the south on the west side of Lulu. Again, back to the hedge row and the property in question looking west. Back to . . . we were looking in this direction. Back now to the aerial photograph and the zoning map. I’ll try to answer any questions you have on this case.”

Chairman Winters said, “Okay. Commissioner Hancock.”

Commissioner Hancock said, “Thank you Mr. Chairman. Marvin, we were given this document here. That is pretty much showing what amounts to almost a quarter section, is that about right?”

Mr. Krout said, “Well, I think it was basically . . .”

Commissioner Hancock said, “Well, 40 I guess. How about the upper right hand . . . do you have a copy of that?”

Mr. Krout said, “No, I gave you the only copy in the file.”

Commissioner Hancock said, “I’ll give you one back.”

Mr. Krout said, “Is that double sided? Thank you.”

Commissioner Hancock said, “The upper right hand corner is the corner of Hydraulic and 87th Street. There are two houses that exist there, tract one says house, house. In reading the CG Investments, I’m not sure who that is, but are they preparing or thinking about developing this whole area into tracts and selling it?”

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Mr. Krout said, "No. I think they just prepared a map of the whole quarter section. Only tract 7 is the area that they are interested in developing."

Commissioner Hancock said, "Did anybody ask why they would do that?"

Mr. Krout said, "I think they were just trying to show you what the character of that quarter section was so in support of their request for mobilehome zoning, the nearest homes that are not manufactured homes are a quarter to a half mile away from the tract that is in question. I think that is the reason they prepared this exhibit."

Commissioner Hancock said, "Okay. I didn't know if the staff was really familiar with this. This is kind of a branch of the old Waco slough that goes through there. I see there is a line through the proposed drawing here showing a dedication of some kind. I presume that is going to be for the Waco slough to be straightened out?"

Mr. Krout said, "I think that when they attempt to get a building permit, they will have to work through, if they haven't already, the dedication of a floodway easement across that property. Maybe the applicants have met already with the Public Services and they'll be able to explain that to you. As far as I know there hasn't been a dedication."

Commissioner Hancock said, "Okay, I'd be interested. I don't know where that is going to go. I mean the Waco slough ends at 87th and Hydraulic. We have a drainage problem there now and I would be real interested . . . I'm real sensitive about drainage issues right down there at this time. When I see one of these . . . the turnpike certainly won't let them drain the water off on them and they are landlocked. I know the Arnett Addition there doesn't have any ditches to speak of or culverts. So I am just real curious about how the place is going to drain in the future. Usually it just sits there. That field, in my experience, just retains water."

Mr. Krout said, "That is what the testimony was at the public hearing."

Commissioner Hancock said, "Okay. Last question is, I've been familiar with the Arnett Addition for quite a while. I know the area between it and the turnpike exists there, used to exist there for a reason. As I understood it, the Arnett Addition didn't somehow didn't provide enough land for septic systems. Therefore, that area west of there was to be, it used to be on all the maps, outlined in red and cross hatched as no future development. It doesn't appear on any of your maps anywhere?"

Mr. Krout said, "You're saying that includes the length of it including this property."

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Commissioner Hancock said, "Right there, directly west of the Arnett Addition, between it and the turnpike used to be completely cross hatched for no future developments. It was to be layout property to accommodate the septic systems because the septic systems were too much for the land there in the Arnett Addition."

Mr. Krout said, "To my knowledge, this property isn't encumbered by any development restrictions, but we can ask the applicant when he gets up here."

Commissioner Hancock said, "If the map doesn't exist today, it certainly used to. I'm just curious who changed it. I know it used to, I've seen it. I used to farm that ground right there and at one time was interested in developing it and it was undevelopable quite frankly. I'm just curious what happened, by whose authority that was changed, because that was the deal the Arnett Addition developer made at that time was for them to leave that ground out and never develop it."

Mr. Krout said, "Was it a map that was in Code Enforcement?"

Commissioner Hancock said, "It was on our Code Enforcement maps in the County. As I recall it was even on the quarter section maps. It was in red and cross hatched, do not develop."

Mr. Krout said, "If you feel like maybe this case needs to be deferred for another look at that, we can certainly do that."

Commissioner Hancock said, "I'm prepared to vote for it but I'd like to have that question answered before the applicant goes to try to . . . if the purchase of this land is contingent upon the approval of this, they need to check that one out, to make sure they can get a permit. Two, to make sure they can drain the thing before they go get the permit."

Mr. Krout said, "Again, we are talking about the land use issue with this zoning. Can they do a manufactured home versus a site built home. In order to get his building permit, he is going to have to address those issues."

Commissioner Hancock said, "I'm just trying to be a helpful Commissioner and let them know what they are getting into, okay? That's all I'm trying to do. I don't feel like we can deny this, but I just want to let them know there are problems associated with this problem and they need to understand that. I just happen to be aware of them, that's all. Thank you. Thank you Mr. Chairman."

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

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Commissioner Gwin said, "Thank you Mr. Chairman. Marvin, I'm back talking about roads and streets again. I noticed on this one there is a proposed driveway that goes back to the west. Is that off of what looked like Lulu?"

Mr. Krout said, "Yes, that would be right off the end of Lulu. It would be in this location here to provide access to that second lot."

Commissioner Gwin said, "Okay, so is the applicant going to have to go back and reconstruct or construct the part of Lulu that didn't look like it was a road, but looked like it was a grass patch, and then bring it up to here?"

Mr. Krout said, "That has not been a requirement of Haysville, who has the subdivision jurisdiction. They would be the ones who normally have addressed that issue, but I think from what I understand, I wasn't at the Haysville Planning Commission meeting, but what I understand is that they indicated that they thought that was the townships responsibility since that area has been platted and is dedicated to the township."

Commissioner Gwin said, "Okay."

Commissioner Hancock said, "I don't think it is the township's responsibility to build that road."

Commissioner Gwin said, "I didn't think it would be either."

Commissioner Hancock said, "I really don't. If that road doesn't extend north, Lulu doesn't extend north from that east west street, I don't believe it is their responsibility to build that road."

Mr. Krout said, "That's why I said that I think that is an issue that you could address as part of this. I think it would be within the realm of looking at the zoning case, knowing that Haysville Planning Commission will not look at this as a plat. If they would, that would be the normal time to address this but they won't look at it as a plat because they've exempted it. You could look at a requirement for improvement of the road."

Commissioner Hancock said, "Okay."

Commissioner Gwin said, "We can require that?"

Mr. Krout said, "I think that you can require any condition that is reasonably related to the development of the property."

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Commissioner Gwin said, "Okay. Like I said, I'm still on this same issue. Obviously the length of this one is better for me. It is only 353 feet. But you do have a problem with ingress and egress as I could see it from the photographs anyway coming from the south. The road just doesn't exist."

Mr. Krout said, "I think obviously they can't build the road on the 35 feet here and we would normally make the next property owner responsible for extending the road to serve him if that happened, but I think that you could talk to the applicant about that piece there."

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

Chairman Winters said, "Thank you. I see no more questions for Marvin. Is there anyone here in the audience today who would like to address the Commissioners concerning this zone case? Is there anyone here? Please come forward. Please give your name and address for the record. We're going to try to limit our comments to five minutes."

Mr. James Hotchkiss, 5736 S. Broadway, Lot 3, Wichita, Kansas said, "I'm one of the applicants in the case. I brought copies of this hand out that has been going back and forth. It is primarily the same you had except that I made a copy so that everyone could be looking at it if they care to. You brought up an interesting question on the flooding issue because when we talked to the people in the permit area down there, they told us that there is no flood zone in that area. That is something that I'm going to go back and talk to them about. The area that you talked about at the angle with the cross hatch is a depression that is in the property at the present time, which is where the water tends to run off from both sides and then travel down through there. But this is an area. . . we've visited with them but really haven't got into all that. On the second page, you'll also notice that the extension of Lulu. On our property, we've agreed with the Haysville Planning Commission and the Metropolitan Area Planning department to set aside that 35 feet for the entire length of the east end. Concerning the road improvement, it is a state law that the developer must improve that road to the property if it has not been maintained by the township. So we've agreed to do that as well. I'm here to answer any questions you may have. We just plan on having our places out there. We don't want to add any other mobile homes out there, just two individuals and two different five acre plots there."

Chairman Winters said, "Okay, thank you very much sir. Commissioner Hancock do you have a question?"

Commissioner Hancock said, "Yes. Mr. Hotchkiss, the reason I mentioned the two houses there at 87th and Hydraulic is that both of those houses required map revisions in order to get out of the flood plain."

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Mr. Hotchkiss said, "Okay."

Commissioner Hancock said, "They are in it. I don't think all the field there you're talking about, you're right, it isn't officially in the flood plain. But be aware, that the low area in that field does retain water."

Mr. Hotchkiss said, "I appreciate your comments on that. I made notes on the issue that you're talking about."

Commissioner Hancock said, "I just don't want you to purchase property and then develop it and then be unhappy and have problems you really don't need to have. I'm sorry I'm so, well I probably shouldn't be so harsh about this today but we've had in my district down there nothing but drainage problems. When I see these anymore and forewarn as many folks as I can because in the future if it happens everybody had fair warning."

Mr. Hotchkiss said, "Well, I appreciate your comments."

Commissioner Hancock said, "Good luck out there. Thank you."

Chairman Winters said, "Thank you. We appreciate you being here. Is there anyone else who would like to address the Commissioners on this zone issue? Anyone else? Seeing no one, we'll limit discussion to Commission and staff. Commissioners, any other questions or comments? What's the will of the Board?"

MOTION

Commissioner Hancock moved to adopt the findings of fact of the MAPC and approve the zone change subject to the recommended conditions; adopt the Resolution and authorize the Chairman to sign; and instruct the MAPD to withhold publication until all conditions have been complied with.

Commissioner Gwin seconded the Motion with the understanding that the applicant obviously understands state law and his requirement to provide ingress and egress to this site.

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, "That concludes the Planning Department. Thank you very much Marvin. Appreciate you being here today. Madam Clerk, call the next item please."

NEW BUSINESS

D. BUREAU OF COMPREHENSIVE COMMUNITY CARE (COMCARE).

1. CONTRACT WITH VIA CHRISTI REGIONAL MEDICAL CENTER, INC. TO PROVIDE INPATIENT PSYCHIATRIC SERVICES FOR COMCARE CONSUMERS.

Mr. John Duvall, Director of Operations, COMCARE, greeted the Commissioners and said, "This particular contract is a renewal of an agreement that we've had with Via Christi Regional Medical Center to provide inpatient services for the consumers of COMCARE. The agreement also provides for a psychiatrist. This agreement has worked extremely well with us and so we'll be renewing it for one additional year. Be glad to answer any questions you might have."

Chairman Winters said, "Thank you. Commissioners, questions or comments?"

MOTION

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

Commissioner Hancock 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."

2. ADDENDUM TO LEASE AGREEMENT WITH JAMES JAY RAMSEY PROVIDING RENOVATIONS TO PROPERTY LOCATED AT 940 NORTH WACO TO HOUSE THE WOMEN'S ALCOHOL TREATMENT PROGRAM.

Mr. Duvall said, "This particular addendum is an addendum to an existing lease we have at 940 North Waco. What the addendum sets out is that the owner will do a certain amount of renovation so we will be able to move the Women's Alcohol Treatment center into the alcohol treatment center, which is located there on North Waco. After the renovation is complete, COMCARE will reimburse the owner for the renovation cost. Recommend your approval of the addendum."

MOTION

Commissioner Hancock moved to approve the Addendum to Lease Agreement and authorize the Chairman to sign.

Commissioner Miller seconded the Motion.

Chairman Winters said, "Commissioner Miller."

Commissioner Miller said, "Thank you Mr. Chairman. John, regarding the move of the Women's Alcohol Treatment Center into the larger site, the same amount of space will be maintained? Nothing else is changing except the location?"

Mr. Duvall said, "No. Actually we'll even pick up a few square feet. But you are exactly right, we are not going to down size that. In fact, they will have access to a few more support services that they didn't have at their current location. Hopefully this will really represent an improvement in that particular service."

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Commissioner Miller said, “Okay, thank you. Thank you Mr. Chairman”

Chairman Winters said, “Thank you. Any other questions or comments? 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 very much John. Next item.”

E. KANSAS COLISEUM MONTHLY REPORT.

Mr. John Nath, Director, Kansas Coliseum, greeted the Commissioners and said, “We’ve had a really busy past two months at the Coliseum, however I’ll limit my remarks today to October and cover November next month. In the month of October we’ve had 17 separate events, 44 performances. Net revenues were almost \$240,000. Attendance was 131,000 in 30 days. Highlights of the month of course were the World Wide Pen Horse Congress, which is one of the bigger equestrian shows we do during the year. We had a very successful wrestling event that hadn’t been here for a while, which actually made it in one of the top non-concert grosses as reported that week by the National Trades. Of course we had the Franklin Graham Crusade which was a tremendous success, attended by 68,000 people.

“We speak a lot about delivery of excellent public services and I would just like to highlight an incident that happened in the month of October that really illustrates that. The Sunday, the 25th of October I believe it was, we had the crusade booked in the main arena, the Brett Brown Arena and Pavilion II. Pavilion I was not available that day due to the Poppin Johnnies Tractor Show had already had a contract on that. The situation that morning was that we had a heavy rain. The tractor show had outdoor events scheduled for that day, basically making the ground so wet with the day that their day was ruined, they couldn’t use it. The crusade really could have used that building that day. Frank Griffin, our operation manager, put two and two together, the needs of both the clients, got both the clients together. The tractor people were very happy to move out a day early and the Franklin Graham people were very happy to move in a day early. We filled that building with 7,000 people that night.

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“So what we did was meet the needs of both clients and made them very happy. That was some quick thinking on his part and I think it is a real good demonstration of how we deliver good service to our clients.

“One of the other things I’d like to show you is our Pepsi sponsorship. We do get a can promotion once a year on 800,000 cans in the south central Kansas region. The first promotion is dedicated to Select-A-Seat and how it serves ticket needs for eight separate facilities. Some of the facilities are listed on the can. This is out in the stores right now. It is going to be supported by an in-store display. We’re trying to promote the idea that Select-A-Seat is a very easy way to get tickets. Please call 755-SEAT, it is very convenient. The next promotion, slated for next year, will be dedicated to the 20th Anniversary of the facility. I thought this worked out very well and it is in the market right now. Certainly be happy to answer any questions that you might have at this time.”

Chairman Winters said, “Thanks for your report John. We know just from all the attention the Coliseum is getting in the media with the major events that you’ve had that it has been a busy month. We appreciate the work that you and the staff do, particularly in events like changing the scheduling with the tractor show and Franklin Graham. That worked out great and we’re glad your crew put in the extra effort to make it happen. We know it didn’t happen by accident.”

Mr. Nath said, “It look a lot of work to get that changed over, 7,000 chairs had to be set up.”

Chairman Winters said, “I’m surely it was a Sunday morning of pretty hard work. Commissioners are there other questions or comments? If not, what’s the will of the Board?”

MOTION

Commissioner Hancock moved to receive and file.

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, "Thanks very much John. Next item."

F. COMMUNITY HEALTH DEPARTMENT MONTHLY REPORT.

Mr. Jack Brown, RS, MPA, Acting Director, greeted the Commissioners and said, "During the month of October, it was also a very busy month. Two items that I might mention. Media attention focused on our annual flu immunizations and the Breast Cancer Awareness Month were the two things that we were involved a lot in. The immunization program probably created quite a bit of extra activity. For some reason we did the same media exposure on flu shots and that type of thing but we had about a thousand extra immunizations given this year. So we feel very successful. I know the last time I was here we talked a little bit about the activity in our Health Department sites and I noticed that we had client visits to date is 36,903. That is unduplicated visits to our clinics. The comment was also made that maybe our health is getting poorer because we're having more people use our facilities, but most of the services we provide are preventative services. We feel that actually we can look at this increase in activity as people getting healthier, but very active year to date, 36,903 unduplicated clients served at our health department facility and our outlying stations.

"The tobacco compliance check program that I've mentioned in the past, we've conducted another check in the community. We were able to get some student volunteers and we're improving in terms of facilities that are not selling tobacco to minors. We had a 75% compliance rate which we think is significant and improving over previous figures.

"In the environmental side of things, back a year or so ago, I think it was back in February of last year we had some unusually high winds that caused the excessive dust and we had some violations of air standards on a couple of days, not only here but another monitoring site here in Kansas. We thought we had taken care of that and the EPA informed us that the natural events policy act may require us to do some further education of the public in these kind of occurrences. So I thought I might mention that you might be hearing more about efforts that we'll have to make or anticipating to have to make to have a plan in effect for people with respiratory diseases, asthmatics, those types of individuals, when we have high winds and a lot of dust in the air, allergens and particulates.

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“So the natural events policy act is something that we’ll have to comply with because of those situations. I’ve talked to the State Health Department and we’ll do some discussing on the implementation of that particular policy and how it impacts not only Wichita but the State of Kansas.

“Briefly update you on a number of things. The 57th and North Broadway superfund site is progressing in terms of an investigation. Now these are entirely an EPA lead site. There is some impact on public health from the standpoint of domestic water wells and are in some of the areas where the contamination is apparently moving. A number of years ago we provided public water to that area to protect the citizens from exposure. However, that plume has moved a little further south and west and so we’re looking into, we have now data from the EPA’s consultant and we’re moving rather aggressively toward providing public water supply to that area. It has now moved into an area that is served by the City of Wichita.

“Brooks Landfill remediation is still on schedule. Both the leading system, as I’ve told the Commission before is in place. We anticipate the secondary system to be in place by December 30. The North Industrial Corridor is another one of our major projects, groundwater contamination. Actually we’ll start the investigative phase of that project next month. That concludes my report. If you have any questions, I’d be happy to answer them.”

Chairman Winters said, “All right. Commissioner Gwin.”

Commissioner Gwin said, “Thank you Mr. Chairman. I’d like to thank one of your employees, Gay Lynn Nelson, for her involvement in Breast Cancer Awareness Month. She is a terrific employee and a great good point of information delivery to the public and I think a wonderful representative of the Health Department. My compliments to her.”

Mr. Brown said, “I’ll pass that along.”

Commissioner Gwin said, “Thank you. Thank you Mr. Chairman.”

Chairman Winters said, “Thank you. Commissioner Hancock.”

Commissioner Hancock said, “Thank you Mr. Chairman. Jack, I was going to say thanks too. I had the opportunity to talk to Mike McDonald the other day, I think I sent a profs note to you. She let me know that education activities by the Health Department are available to just about anyone who wants to put a group together and talk about communicable diseases and so forth. I really appreciate the effort on that. I just want to say thanks on that. It is so important these days in a lot of the activities that are going on out there.

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“The other thing is, on the Gilbert and Mosley groundwater contamination area. Do you know when they’ll actually start doing something to clean up that? I know they’ve talked about it but is it pretty close?”

Mr. Brown said, “We’re still in the design phase and still negotiating with potentially responsible parties and looking at source control as well as overall site clean-up. So there are those things that are going on right now. But in terms of the actual clean-up, the most aggressive activity has been by Coleman Company at their facility. So there is some clean-up going on and it has been going on for a number of years but in terms of site wide we’re still ‘a’ designing and ‘b’ looking at specific source control activities and those are under discussion. If I say a date, I’d hate to be held to that. So I’ll just say we’re progressive and the project is still considerably further ahead than it would be if it were under superfund or some other oversight. We would like to see it move faster. I think it is moving along quite well.”

Commissioner Hancock said, “It is a project that the City I know is very proud of. I think those ideas and of course we approved it, but it is such a unique idea in cleaning up potential superfund sites. Certainly don’t want to lose track and want it to go ahead. It would be nice if it would be a model for other parts of the country. I’m sure there are other parts of the country that have the same problem we had.”

Mr. Brown said, “We’re continually receiving requests to look at implementing it in other parts of the Country. I think it is being done. Other localities have a little bit different laws in terms of financing and those types of things they have to address but it is overall probably one of the pioneer sites in the United States.”

Commissioner Hancock said, “Thank you. Thank you Mr. Chairman.”

Chairman Winters said, “Thank you. Any other questions? Commissioners, what’s the wishes of the Board regarding Jack’s report?”

MOTION

Commissioner Hancock moved to receive and file.

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, "Thank you Jack. Next item."

**G. REPORT OF THE BOARD OF BIDS AND CONTRACTS' NOVEMBER 20, 1997
REGULAR MEETING.**

Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, "You have Minutes from the November 20 meeting of the Board of Bids and Contracts. There are 11 items for your consideration this morning."

**(1) SANITARY SEWER IMPROVEMENTS - BUREAU/PUBLIC SERVICES
FUNDING: BUREAU/PUBLIC SERVICES**

"Item one, sanitary sewer improvements for the Bureau of Public Services, Harrison Park 2nd Addition, Phase II. It was recommended to accept the low bid of Mies Construction, in the amount of \$36,569."

**(2) ROAD, DRAINAGE & SIDEWALK IMPROVEMENTS - BUREAU/PUBLIC
SERVICES
FUNDING: BUREAU/PUBLIC SERVICES**

"Item two, road, drainage and sidewalk improvements for the Bureau of Public Services, Rocky Creek Addition, Phase IV. It was recommended to accept the low bid of Ritchie Paving in the amount of \$273,622.50."

**(3) REPLACEMENT OF WINDOWS/JRBR - CAPITAL PROJECT
FUNDING: CAPITAL PROJECT**

"Item three, replacement of winds at Judge Riddel's Boys Ranch for Capital Projects. It was recommended to accept the low bid of Wickham Industries, that is the base bid and alternates one through four, that amount is \$98,440. That is the low bid."

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(4) CLEAN & SEAL STONE SURFACES - BUREAU/CENTRAL SERVICES
FUNDING: BUREAU/CENTRAL SERVICES

“Item four, clean and seal stone surfaces for the Bureau of Central Services. It was recommended to accept the low bid of Restoration and Waterproofing Contractors, that amount is \$11,488.

(5) WEED CHEMICALS - BUREAU/PUBLIC SERVICES
FUNDING: BUREAU/PUBLIC SERVICES

“Item five, various weed chemicals for the Bureau of Public Services, noxious weeds. It was recommended to accept the low total bid of Vegetation Management. The amount is \$49,173.76.

(6) ASPHALT REPLACEMENT & REPAIR - MOTOR POOL
FUNDING: MOTOR POOL

“Item six, asphalt replacement and repair for the Central Motor Pool. It was recommended to accept the low bid of Kansas Paving in the amount of \$25,600.

(7) PLAT SCANNER - GEOGRAPHIC INFORMATION SERVICES
FUNDING: GEOGRAPHIC INFORMATION SERVICES

“Item seven is a plat scanner for Geographic Information Services. Commissioners, if you please, after consultation with the County Manager’s Office, we’d like to defer action on this item for two weeks or until December 10 for additional review.

(8) LUBRICATION & SERVICING PACKAGES - MOTOR POOL
FUNDING: MOTOR POOL

“Item eight, lubrication and servicing packages for the Central Motor Pool. It was recommended to reject the only bid received, re-evaluate the specifications, and re-solicit at a later date.

(9) MOTOR GRADER - MOTOR POOL
FUNDING: MOTOR POOL

“Item nine, a motor grader for the Central Motor Pool and the Bureau of Public Services. It was recommended to accept the proposal of Murphy Tractor & Equipment Company, in the amount of \$123,521.77, that includes some additional options. There are approximately seven pages of tabulation and review provided by the Central Motor Pool.

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(10) JAIL TELEPHONE SYSTEM & WIRING - CAPITAL PROJECT
FUNDING: DETENTION FACILITY ADDITION

“Item ten, jail, Sedgwick County Adult Detention Facility, telephone system and wiring project for Capital Projects and the Sheriff’s Department. It was recommended to accept the low proposal meeting mandatory requirements of Southern Kansas Telephone for the Telephone system in the amount of \$51,577, and the low proposal of Alexander Open Systems, for the Voice and Data cabling, in the amount of \$66,270.81. A grand total for this project of \$117,847.81. There are two pages of tabulation for that item.

(11) PERSONAL COMPUTER HARDWARE & SOFTWARE - JUVENILE DETENTION FACILITY
FUNDING: JUVENILE DETENTION FACILITY

“Item eleven, personal computer hardware and software for the Juvenile Detention Facility. It was recommended to accept the low total bid of Business Computer Center, in the amount of \$25,593.

ITEMS NOT REQUIRING BOCC ACTION

(12) PERSONAL COMPUTER HARDWARE & SOFTWARE - INFORMATION SERVICES
FUNDING: INFORMATION SERVICES

(13) COLOR COPY MACHINE - BUREAU/CENTRAL SERVICES
FUNDING: BUREAU/CENTRAL SERVICES

(14) XEROX 4890 PRINTER - - INFORMATION SERVICES
FUNDING: INFORMATION SERVICES

“There are three items that do not require attention at this particular time. They include personal computer hardware and software for Information Services, those bids are being reviewed. A color copy machine for the Bureau of Central Services and print shop, those bids are also being reviewed. A Xerox 4890 printer for Information Services Department, those proposals are being reviewed. I will be happy to take questions and would recommend approval of the minutes submitted by the Board of Bids and Contracts with the exception of item seven, the plat scanner.”

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

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Commissioner Miller said, "Thank you Mr. Chairman. Darren, on item ten, under the jail phone system and wiring, Alexander Open Systems got the voice . . ."

Mr. Muci said, "The cabling portion, yes."

Commissioner Miller said, "The cabling."

Mr. Muci said, "Yes, is it the voice and data cabling portion."

Commissioner Miller said, "Okay, under installation expenses, what is that?"

Mr. Muci said, "Those are additional fees that they split out in response to their bid. Essentially, other vendors may have if you will, hidden that cost, but they just showed us what the cost would be for those items."

Commissioner Miller said, "I see. I was wondering. The bonding fee is in all of them."

Mr. Muci said, "Yes, that is correct."

Commissioner Miller said, "Very good. Thank you."

Chairman Winters said, "Thank you Commissioner. Are there other questions or comments? If not, what's the will of the Board?"

MOTION

Commissioner Miller moved to approve the recommendations of the Board of Bids and Contracts with the exclusion of item seven.

Commissioner Hancock 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

Mr. Muci said, "Thank you."

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

CONSENT AGENDA

H. CONSENT AGENDA.

- 1. 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>
C95005	\$385.00	\$152.00
C97039	\$272.00	\$275.00
V96061	\$150.00	\$215.00
V96052	\$216.00	\$241.00
V94066	\$448.00	\$481.00
C62017	\$158.00	\$240.00
V94063	\$164.00	\$210.00

- 2. Application for License to Retail Cereal Malt Beverages.**

<u>Applicant Name</u>	<u>d/b/a</u>
Hilton A. King	J. V. Diamond Inc.

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3. **Agreement with Eric Steele Enterprises to provide on-line access to Sedgwick County's electronic data.**
4. **Agreements (eight) with Leticia Aldrete, Kansas Truck Equipment Co., Inc., Heavenly Housecalls Homecare Services, Inc., Catholic Diocese of Wichita Ministry With Persons With Disabilities, Life Patterns, Best Home Health Care Agency, Epimelos Associates and Progressive Home Care Services to provide vendors with Developmental Disability Registered Community Service Provider status.**
5. **Rental Agreement with Cessna Aircraft Company for use of Kansas Coliseum bleachers.**
6. **Order dated November 19, 1997 to correct tax roll for change of assessment.**
7. **Consideration of the Check Register of November 21, 1997.**
8. **Budget Adjustment Requests.**

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
970684	Central Services	Transfer
970685	Capital Projects	Supplemental Appropriation
970686	Legal	Transfer
970687	Sheriff	Transfer
970688	Animal Control	Transfer
970689	Sedgwick County Park	Transfer
970690	Corrections	Transfer
970691	District Court	Transfer
970692	Coroner	Transfer
970693	Emergency	
	Communications	Transfer
970694	Information Services	Transfer
970695	Diversion Drug Testing	Supplemental Appropriation
970696	Capital Projects	Transfer
970697	Detention	
	Facility Expansion	Supplemental Appropriation

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<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
970698	Detention Facility Expansion	Supplemental Appropriation
970699	Risk Management Reserve Fund	Supplemental Appropriation

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, “You have the Consent Agenda before you and I recommend you approve it.”

MOTION

Commissioner Hancock moved to approve the Consent Agenda as presented.

Commissioner Miller seconded the Motion.

Chairman Winters said, “Commissioner Schroeder.”

Commissioner Schroeder said, “Chairman, just a point of here. Out of the 17 requests here on the Consent Agenda, only 7 of them were filled out property. There are 10 of them that are incomplete. I just wanted to make a note that any others that are incomplete or filled out improperly will not be approved on my part. Thank you.”

Chairman Winters said, “Thank you. Commissioners, any other comments or discussion on the Consent Agenda? 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, “Is there other business to come before this Board? We do need to have an Executive Session but we also need a Fire District meeting. Unless there is something at this time in the Regular Meeting, we will recess the Regular Meeting of the Board of County Commissioners.”

Regular Meeting, November 26, 1997

The Board of Sedgwick County Commissioners recessed to the Fire District Meeting at 10:45 a.m. and returned at 10:47 a.m.

Chairman Winters said, "At this time I'll call back to order the Regular Meeting of the Board of County Commissioners, November 26, 1997. Is there other business?"

I. OTHER

MOTION

Commissioner Miller moved that the Board of County Commissioners recess into Executive Session for 60 minutes to consider consultation with Legal Counsel on matters privileged in the attorney client relationship relating to pending claims and litigation, potential litigation, legal advice, and personnel matters of non-elected personnel, and that the Board of County Commissioners return from Executive Session no sooner than 11:45 a.m.

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, "We are recessed into Executive Session."

The Board of Sedgwick County Commissioners recessed into Executive Session at 10:48 a.m. and returned at 12:40 p.m.

Chairman Winters said, "I'll call back to order the Regular Meeting of November 26, 1997. Let the record show that there was no binding action taken in Executive Session. Is there any other business to come before this Board? This meeting is adjourned."

J. ADJOURNMENT

Regular Meeting, November 26, 1997

There being no other business to come before the Board, the Meeting was adjourned at 12:40 p.m.

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

THOMAS G. WINTERS, Chairman
Third District

PAUL W. HANCOCK, Chairman Pro Tem
Second District

BETSY GWIN, Commissioner
First District

MELODY C. MILLER, Commissioner
Fourth District

MARK F. SCHROEDER, Commissioner
Fifth District

ATTEST:

James Alford, County Clerk

APPROVED:

_____, 1997