

**MEETING OF THE BOARD OF COUNTY COMMISSIONERS
SITTING AS THE GOVERNING BODY OF SEWER DISTRICT**

REGULAR MEETING

MAY 14, 1997

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, Sitting as the governing body of the Sewer District, was called to order at 10:11 a.m., Wednesday, May 14, 1997, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters, with the following present: Chairman Pro Tem Paul W. Hancock; Commissioner Betsy Gwin; Commissioner Melody C. Miller; Commissioner Mark F. Schroeder; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Jim Weber, Director, Sewer Operations & Maintenance; Mr. David C. Spears, P.E., Director, Bureau of Public Services; and Ms. Linda M. Leggett, Deputy County Clerk.

ROLL CALL

The Clerk reported, after calling roll, all Commissioners were present.

CONSIDERATION OF MINUTES: **Regular Meeting, April 16, 1997**

The Clerk reported that these Minutes are on the Agenda and have been previously approved and this item requires no action.

Chairman Winters said, "Okay, next item."

NEW BUSINESS

**A. PUBLIC HEARING AND RESOLUTION REGARDING PROPOSED
SPECIAL ASSESSMENTS FOR CERTAIN INTERNAL IMPROVEMENTS
IN THE COUNTY.**

Mr. Joe Norton, Bond Counsel, Gilmore & Bell, P.C., said, "This I call a companion item to the one in the Regular County Commission Agenda with respect to special assessments on thirteen projects for sewer improvements within the County. Again, the procedure is the same. On April 23 of this year you received proposed final cost statements from the Bureau of Public Services and set the time and date of today, at this time for public hearing to receive public comment on these proposed assessments. Notices were mailed to each affected property owner and published in the official County newspaper.

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“Subsequent to the hearing, for your consideration will be a Resolution levying these assessments. Notice of the actual assessments levied will be mailed to affected property owners on May 23 and provide a thirty day time period in which they can pay all or a portion of those assessments in cash. The amount not paid by that time period will be subject of the County’s general obligation bond issue and spread over a 15-year period at substantially level payments at the interest rate achieved by the County on its general obligation bond sale. Those assessments will appear on the tax roles for the first time in November of this year due December 20 and subsequently the second half in June of next year and each succeeding year thereafter for a 15 year period.

“The procedure, again we will go through each of the projects and receive comments individually by project on the sewer improvements and again the procedure would be the same to outline the projects, their general location, the method of assessment and the costs proposed to be assessed and give persons affected an opportunity to be heard if that’s the will of the Chairman.”

Chairman Winters said, “That sounds fine.”

Mr. Norton said, “Project one is a sewer improvement project in Gilder’s Gardens, Gott Addition. That is located on the southeast corner approximately at Greenwich Road and Central. This project was not initiated by petition but by a notice and hearing process which is a result of a Charter Resolution adopted by the County to give additional flexibility to do public improvements. So far to date this is the only project that has been the subject of that Charter Resolution. We had a series of the property owners in this particular area, the most recent one held Monday evening. Commissioner Gwin was present at that meeting. This is also an established area, not one which a developer has petitioned the improvements. A little background for the Commission. This project has been around for a number of years. The County had tried to achieve a variety of federal and state grant assistance for this project and determined that it was not eligible and then the program of grants was suspended by the federal government. The project was initiated and it has been completed.

“There were some differences in the way this project was handled that we can discuss when we see the cost statement, but before you on the screen are the list of parcels that are within the benefit district. As you can see, there are a variety of large parcels on the eastern portion of the district and a variety of smaller parcels more toward the center and the western portion of the district.

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“The indication on the upper land corner of exception, that property is not within the proposed benefit district, it is included within the limits of the City of Wichita and they are providing utility service to that area. Otherwise, the area is bounded by Douglas on the south, Central on the north, Greenwich on the west, and 127th Street on the east.

“Project one, Gilder’s Garden sewers had a net amount to be bonded of \$1,763,448. You will note that the amount of temporary note interest and the cost associated with bond issuance costs have been reduced from the normal amount. Again, there is no County indirect costs. The Commission previously made a decision to waive these fees because of the cost associated with this particular project and the layout being in many cases much higher than a comparable new developments within the County. So the method of assessment has been done on that basis and also has been done on the basis of a residential living unit equivalent. This is the second time we have done an assessment on this basis. As you may recall, last year the West Sedgwick County Sewer District was done on a similar basis, again a developed area where the theory is that each residential living unit would bear an equal amount of the cost of the project regardless of the size of that unit. So if there was one house on a ten acre tract, they would get one assessment. If there were ten houses on a ten acre tract, they would get ten assessments each per residential living unit equivalent.

“We went over this same information Monday evening in the district and received several comments and questions that were addressed at that particular point in time. So now would be the opportunity for any citizen who wishes to make comments to the entire Commission to do so this morning.”

Chairman Winters said, “All right, at this time I will open a public meeting in the sewer district. At this time, if there is anyone here who would like to address the Commissioners concerning the Gilder’s Gardens sewer project. Is there anyone? Please come forward. Please state your name and address for the record and we are going to try to limit our remarks to five minutes.”

Mr. Charles Strecker said, “The original property was underneath my dad, Alton L. Strecker, who is deceased. We have received two separate letters I’ll call them. I’m not really prepared for this because these are the first letters that we have gotten on this sewer system but the main thing is that I have got to object to having to pay \$61,138.98. I do not think that this is appropriate and I do need to talk to someone about this, I guess Mr. Alford or somebody. James Weber, I think is who I need to talk with. We came in last night and got here at one o’clock, so I’m not very well prepared to go over this thing.

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“I need some more information as to what this is all about. How come I am getting \$61,000? I can’t afford this and I don’t know anybody out in that neighborhood who could afford it.”

Chairman Winters said, “All right, thank you Mr. Strecker. Joe, do you or Jim have a comment? Does that number sound right for Mr. Strecker’s property?”

Mr. Norton said, “I’ll speculate and Jim can give you some more information. The amount to be assessed per parcel was slightly less than \$10,000 per residential unit living equivalent so it appears that this gentleman may have six residential unit living equivalents within the boundary of this district to arrive at that particular number. Is that what your notice shows sir?”

Mr. Strecker said, “I’ve got two different assessment letters.”

Mr. Jim Weber, Bureau of Public Services, said, “As Joe had explained, this project is set up on residential living equivalents and this is a parcel that we have known about for a long time. It has got a fourplex on it. It has a house on it and it has an apartment over a garage, which we’ve counted six residential living equivalents and so the assessment will be slightly different from his number because we’ve lowered the number, but that was the way the project was intended to be assessed. This particular property, I happen to know it well, is on this lot right here. For those of you who have been in the neighborhood, right up here there is a really nice looking model of a lunar excursion module in the front yard, so this property would be just to the south of there.”

Commissioner Miller said, “How many other properties within this, oh, had you not finished?”

Commissioner Hancock said, “Are there six separate people living here?”

Mr. Weber said, “As far as we know and we have had conversations with potential buyers, I believe with the property owner as far back as a year ago when we were setting this project up about this particular situation. I can’t tell you for certain that I’ve talked to Mr. Strecker, but we’ve talked to many people, realtors and so on who have been involved in the property and made it quite clear that this was what was going to happen.”

Commissioner Hancock said, “Mr. Strecker, are there six separate living units here?”

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Mr. Strecker said, "How the thing is set up, I have a fourplex apartment and it is all on one unit. I pay for the water and I also got a septic system that is approved by the State. They just came out not too awful long ago and looked at it.

"The house and what he is saying, the garage apartment, it is all one unit and one water. That is the way my dad set it up."

Commissioner Hancock said, "Do you live here?"

Mr. Strecker said, "Well, I'm trying to get here, but I have a house and stuff in Arkansas and I've got to settle up, so I've been running backwards and forth on this several different times."

Commissioner Hancock said, "Do you rent them?"

Mr. Strecker said, "The fourplex is rented, yes."

Commissioner Hancock said, "What about the house?"

Mr. Strecker said, "The house, I'm living in it."

Commissioner Hancock said, "Okay. And then the garage apartment?"

Mr. Strecker said, "The garage apartment has a person in it at the present time but he will be evicted as of today."

Commissioner Hancock said, "Thank you."

Chairman Winters said, "Any other?"

Commissioner Miller said, "Yes, I'd like to finish my line of questioning, thank you."

Chairman Winters said, "I'm sorry."

Commissioner Miller said, "When we have individuals that own property and lease it to others, we assess it per leasing property?"

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Mr. Norton said, "These assessments run to the land not to individuals. So any assessment that is spread is affected on a piece of property and the owner of that property at the time the taxes come out are responsible for those taxes as long as they own the property."

Commissioner Miller said, "Irregardless if there is one owner, there is one parcel of land, but yet there is four, five, six cited living dwellings, so that is what we assess."

Mr. Norton said, "It appears that the gentleman got two letters, one for six units and one for one unit and Jim is trying to figure out now why the two letters are there. It appears there should be one for six residential units based upon the information that the Bureau of Public Services has. I went back and looked at the resolution at the time this project was started and the method of assessment was put together. As we've indicated, a residential living unit equivalent (RLUE) was the basis and that was defined in a variety of four subdivisions. One was called homestead property, that means one living unit on larger than a five-acre tract, two, commercial or industrial property on the basis of water usage. Multi-family dwellings on the basis of one RLUE for each multi-family dwelling where there is one to twelve apartments in a dwelling a unit factor of one. If there is more than thirteen apartments it goes to .9 so in essence each apartment in a fourplex would be charged one residential living unit equivalent. I think the basis on which public services has come up with six, we have one house, one apartment and a fourplex for a total of six residential units, living unit equivalents based upon the Resolution and method of assessment at the time."

Commissioner Miller said, "So when we assess an area that is densely populated by multi-family dwellings, when we go in and we do a project and we assess each of those dwellings are assessed according to that rating that you gave."

Mr. Norton said, "Right. In this particular project yes. This is the second time we've utilized this method in the County."

Commissioner Miller said, "So this is the second time."

Mr. Norton said, "Right. The West Sedgwick County Sewer District which we assessed last year was done on the same basis, the theory there that there was a wide variety of mix use property within the benefit district. Many of the projects that we have before us are newly developing areas and there are X number of single family dwelling unit lots and they all are zoned for single family."

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“Here in this particular context, as was the case in western Sedgwick County, there is a wide variety of sizes of parcels, of sizes of dwelling units, some single family, some multi-family. That is why it was arrived at one living unit equivalent for assessment, regarding of how many units are within a particular structure as a method of assessment. The theory being that the volume of sewage that is assessed would be substantially equal for each residence regardless of the size of that residence.”

Commissioner Miller said, “Okay, thank you.”

Chairman Winters said, “Thank you very much. Is there anyone else here who wishes to speak? Please come forward. We’re talking about Gilder’s Gardens sewer addition.”

Ms. Nelda Strecker said, “I’m also a part owner of the property. At times, there are not always people living in there. Sometimes there are and sometimes there is not. The garage apartment, we’re not planning on even having anyone located in there once we get located here. My husband was originally from Wichita. We’ve been away from here for like thirty years and we now are retired and are trying to get back up here and get moved here. Well, we just get these letters and \$61,000 is real frightening. Like he said, we were not really prepared for this so we don’t know exactly what to say or what to do. These are kind of dumb comments, but it is actually all I know to say today. Maybe we need some help from someone who would know and we may have to do that.”

Chairman Winters said, “Okay, thank you very much. Next speaker.”

Mr. Walt Krolikowski said, “I live at 124 N. Ellson. I bought my house about two years ago and when I bought it I was told by my realtor and everybody that I had checked into this sewer, I was told it was going to cost two to three thousand dollars when I bought my house. Well, since then everything has changed I guess. The question is, the new development on North Ellson, are they on the same sewer system and are they paying the same amount as everyone else?”

Chairman Winters said, “Joe, can you answer that questions?”

Mr. Norton said, “With the respect to the later question on the property, I think that is the area that is excluded from the benefit district. That property is located within the city limits of Wichita. The development by the Church, that’s a City of Wichita project and they’re doing the sewer improvements in there. It is not a part of this particular district.”

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Commissioner Gwin said, "We don't know what the costs are in that one then?"

Mr. Norton said, "No."

Commissioner Gwin said, "That wouldn't be similar to ours since we're not doing it?"

Mr. Norton said, "We have nothing to do with that. With respect to the two or three thousand dollar number, that surprises me. We've been involved with this project for four or five years. I have a sheet in front of me that we presented back at the hearing on Monday night at the district, the latest numbers we have were back in November of 1994 and at that point in time we thought the estimated cost would be \$8,700 per parcel. That is when the project was approved and at one point in time whet up to about \$12,000 before we started whittling costs out of there. So even when the project was in its infancy, we were talking about \$7,000 or \$8,000 per parcel. I'm not sure where the individual got the information."

Chairman Winters said, "Anything else sir?"

Mr. Krolkowski said, "The only other thing I have is when they came through and did all the construction, is that are our properties going to be put back the way they were? I've talked to Mr. Weber and he has taken care of a few things that I've asked him to, but I still think that the construction company didn't put everything back. I've got broken culverts and everything. They used my driveway to haul stuff in and out that wasn't on an easement and those heavy trucks, I have a rock driveway that is now like a flat rock driveway. I just want to know that everything is going to be put back the way it way before."

Chairman Winters said, "Okay, thank you very much. Jim, can you make sure that . . ."

Mr. Norton said, "I think as we indicated at the informational meeting on Monday evening, that is part of the contractor's requirement to put that back in the situation it was before they went in there. We did pass out at that meeting some blue pieces of paper with some information to give to Public Services as to what the particular problems were. I think we could maybe arrange to get one of those sheets to this gentleman and he can fill it out and put it down in writing as to what his problems are and then they can be addressed with the contractor."

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Chairman Winters said, "Okay, thank you. Is there anyone else who would like to address the Commission regarding the Gilder's Garden sewer project? Is there anyone else in the room who would like to address the Commission? Please give your name and address."

Mr. Daylen Finck said, "I live at 134 N. Ellson. The biggest thing I have a concern with is when I bought the house was about eight months ago and they did not give me a price. They said it is going to cost about \$1,500 to hook up to the sewer. This is what they told me. I bought the house.

"They came through my yard with the sewer, which they didn't tell me that, then they send me a bill for \$10,180. and I'm going 'where did this come from?' This is the first time I knew about it. What is the deal?"

Commissioner Gwin said, "Who is they? You said they told you it was going to cost \$1,500 to hook up to the sewer, who is they?"

Mr. Finck said, "My realtor had asked the seller and they said he found out it was going to be about \$1,500. I know I am going to get the short end of it but I don't know what I can do about it. As they went through, they tore up the fence between my neighbor and I. They said yeah, it's fixed. Well, it varied from one foot to another. It is so crooked and they said yeah, it's done. They seeded it. They had tracks running through there. Finally, we called the County Commissioner and they did come out and straighten out the fence and they did level the ground."

Commissioner Gwin said, "Keep an eye on that grass because they'll probably have to come back in the fall and reseed in a lot of those areas if the spring grass doesn't take. You keep us posted on that because it is the contractor's job to make sure that it is the way it should be. I can't really do anything before you because the realtor and the seller told you something that was not accurate. That is probably civil recourse and something between you and the people who gave you that misinformation, but the specials are assessed to you as they are to every other living unit in Gilder's. You're not paying any more than anyone else is. Keep us posted on how your grass is coming back and those kinds of things, okay."

Mr. Finck said, "Okay, thank you."

Chairman Winters said, "Is there anyone here who would like to address the Commission on the Gilder's Garden sewer addition? Anyone else in the meeting room wish to address the Commissioners? I see no one else."

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Commissioner Gwin said, "Did you make a note of Mr. Finck's ongoing concerns?"

Mr. Weber said, "Yes, I did."

Commissioner Gwin said, "Okay."

Mr. Weber said, "I can't tell from here right now. We did send two notices to the Strecker's, one for \$10,000 and one for \$60,000, which would be a total of seven units and I need to go back and double check on that. It may be that it should be six instead of seven or I don't know what happened, but we could be off by one unit in the assessments here. I'm not quite sure if Joe can come up with an eloquent way for you to handle that or not."

Commissioner Gwin said, "Okay. Excuse me, are there any other multi-family unit dwellings in Gilder's? Do you recall any?"

Mr. Weber said, "If you give me just a second, I'll see if we hit anybody else. I thought we had one other one. There is one other one that we hit twice."

Commissioner Gwin said, "Okay, I just want to make sure that we are treating people fair and equitable. If we have determined that residential living unit equivalents are going to be the basis for assessing specials in this area, because it is so diverse, that we are treating everybody the same."

Mr. Weber said, "We have been concerned about that and on the back side of the legal notice of hearing that was sent out, we did in fact send a notice of our meeting which we had Monday night and that notice took, I felt, great pains to explain to people that if you have a vacant lot be sure to tell us. If you have one house and we have something else be sure to tell us. It is a little difficult to tract exactly what is on the property so we try to be very careful about how we have done it and we invite them to tell us if they think we've done something wrong."

Commissioner Gwin said, "With the Strecker's living out of state."

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Mr. Weber said, "That's difficult and I'm not sure that when they refer to his father having had it I don't know if the transfer occurred and all we can do is go off the County Clerk's records and stuff gets not necessarily directed where it should go sometimes, especially if there has been a death in the family. At this point, there is two notices and there is a possibility that we have hit them for seven instead of six."

Commissioner Gwin said, "What if one of these residential living equivalents is destroyed by fire, as they said in the case of the apartment over the garage, they don't use that for anyone to live in or someone else's house burns down and they don't rebuild? What happens to the special taxes?"

Mr. Norton said, "Two questions there. I think with respect to events that occur subsequent to the time the assessments are levied, I know of no mechanism to relieve a property of a special assessment. We have the mechanism if new projects are built to have the impact fee for the new deal. I was just discussing with Mr. Euson whether there was some legal way in which a property owner could in essence remove a certificate of occupancy from a dwelling unit or something like that and we were just discussing that issue when the question came up. For example, these property owners would say we want to file some legal document that the garage apartment will be never utilized as a residential living unit and what would be their right to do that and whether that could be appropriate to be considered at this time. I'm not sure that we have come up with an answer to that question."

Commissioner Gwin said, "It may have to be a question that you answer between now and when you sell the bonds?"

Chairman Winters said, "Now and the end of this meeting."

Commissioner Gwin said, "Does it have to be . . . can we amend it after?"

Mr. Norton said, "Again, as I indicated, the basis of assessment is on the number of residential living unit equivalents and the assessment resolution delegates certain technical leeway to the County Counselor to make determinations on that. So I think before the assessment resolution is actually published and recorded there would be an opportunity to determine if we in fact have 178 or 177 residential living unit equivalents and the number would be adjusted accordingly. Again, for every unit that we drop, everyone else's assessment goes up slightly to make up the difference as we did in the prior situation. The last gentlemen spoke about knowledge of the project. I did go back and look."

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“The Resolution which did create the district and set up the estimated cost and method of assessment was recorded in the Sedgwick County Register of Deeds on December 13, 1994. It was a matter of public record at that time.”

Chairman Winters said, “It was probably a realtor not doing their homework. Commissioner Miller has a question.”

Commissioner Miller said, “Thank you. Joe, just a follow up on still trying to understand the equitability of assessing the multi-family dwelling units, a fourplex and any other apartment dwelling.

“You are saying that the amount of sewage that comes or maybe it was Jim that said this, that the amount of sewage is probably what you are thinking about is going to be according to the number of occupants that are within that fourplex. So if you have a fourplex that has single parties living within them, meaning not a five member family, then you don’t have the same amount that is flowing through there. I am just thinking that the assessing of \$10,000 per unit, understanding that sometimes occupancy changes, I was listening to Commissioner Gwin, maybe something that needs to be looked at.”

Mr. Norton said, “We came up with this concept when we did the assessments for the West Sedgwick County Sewer District. At that particular point in time, that project did have some federal grant money in it and the RLUE concept is one which we got from the federal government, EPA or HUD, I’m not sure which. They did an extensive survey on how to determine what a residential living unit was. The theory basically, how much impact do you have on the system. Obviously you could have a 5,000 square foot house with one person living it and a 1,500 square foot apartment with six people living in it and obviously the impact upon the system would be greater for the apartment than for the single family residence. They ran a variety of demographics and statistics and came up with these suggestions on how, once you got over twelve apartment units, you started giving discounts for number of units. We did a similar situation on manufactured homes when we did that. We did an analysis on how they would be impacted. Basically, these studies show that over a broad course of demographics, a single family residence and an apartment unit, up to twelve units, are substantially the same for the impact upon a sewer system.”

Commissioner Miller said, “So the threshold is twelve.”

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Mr. Norton said, "Right. An over twelve unit complex then demographically I think it went from 13 to 24 at .9 RLU's and 24 to 60 was .85, a slight decrease in a larger complex because typically they have smaller units that would accommodate fewer people. We just based that on the demographic studies that the federal government did."

Commissioner Miller said, "I'm sure that you have taken painstaking time to research and get comparatives and background information on how it is that we can come up with this."

Mr. Norton said, "These are broad-based theories. We didn't try to do them individually by project because they are always going to be different, you are right."

Commissioner Miller said, "Well, thank you. Thank you Mr. Chairman."

Chairman Winters said, "All right, there is no one else here to speak on Gilder's Garden right? Joe, let's go ahead and run through each one of these other projects and then if we have additional comments as we wrap up we'll come back."

Mr. Norton said, "Sure. Project two is Belle Terre Second Addition Sewers, Phase 1. This is a project near 159th Street East and Central. There are 38 parcels within the proposed benefit district. Again, we're talking about Phase 1 at this point in time. The total cost for this project is approximately \$168,000 divided among the 38 parcels resulting in a principal component of approximately \$4,425 per parcel, 100% petition initiated the project. It would be appropriate to receive comment on Phase 1, sewer improvement in Belle Terre Second Addition."

Chairman Winters said, "Is there anyone here today who would like to address the Commission concerning the Belle Terre Second Addition sewers? I see no one."

Mr. Norton said, "Project three and I think we might take project four together, they are in the same area. Project three is a sewer improvement in Balthrop Addition, Phase 1 and General, project four is Phase 2 of that same subdivision. It is located near Central and Greenwich Road. Project three has the general phase and phase one, project four has phase two of the sewer improvement. In project three the total costs are \$207,042.38, as you may remember on the map, there is a variety of sizes of improvements within that particular subdivision, some commercial. There is a church and school there. I'm trying to find here an average assessment for the general in phase one being about \$300 per parcel per residential unit."

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“For project four, which is phase 2, the principal component is about \$2,400 per residential living lot.”

Chairman Winters said, “Is there anyone here who would like to address the Commission concerning the Balthrop sewer Phase 1 and General and Phase 2, that is project three and four? I see no one.”

Mr. Norton said, “Project five is Brookhaven Second Addition sewers. This is located near 143rd East and Central. Again, 100% petition. There are 30 properties within Phase 2 of this sewer improvement district. The total costs are approximately \$83,255. The far right handed column, project five. When divided by 30 parcels is approximately \$2,775 per parcel.”

Chairman Winters said, “Is there anyone here who would like to address the Commission concerning Brookhaven Second Addition sewers Phase 2? I see no one.”

Mr. Norton said, “Project six is a sewer improvement project in Harrison Park Second Addition. This is located south of the Kansas Turnpike and east of Webb Road, 100% petition. We’re now considering ourselves with Phase 1 which is the right hand portion of this subdivision. There are 39 parcels within the benefit district. The total amount to be assessed in the green is \$77,750 approximately for a principal component per lot of about \$1,994.”

Chairman Winters said, “Is there anyone here who would like to address the Commission concerning Harrison Park Second Addition sewers Phase 1? See no one.”

Mr. Norton said, “Project seven is a sewer improvement district in Kimberly Hills Second Addition, located on 127th Street East between Central and 13th. There are three lots within the benefit district. The cost is approximately \$47,650 when divided among those three lots equally the principal component is about \$16,000 per lot.”

Chairman Winters said, “Is there anyone here who would like to address the Commission concerning Kimberly Hills Second Addition sewers? I see no one.”

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Mr. Norton said, "Project eight is a sewer improvement project in Overbrook Second Addition, located near 143rd East and Central. Phase 2 of this improvement is the one before the Commission today. There are 23 parcels in this benefit district, total cost being about \$68,790, when divided among the 23 parcels results in a capital component of about \$2,991 per lot."

Chairman Winters said, "Is there anyone here who would like to address the Commission concerning Overbrook Second Addition sewers Phase 2? See no one."

Mr. Norton said, "Project nine is a sewer improvement project in Savanna 8th subdivision located near 143rd Street north of 13th Street. There are 26 parcels in the 8th division which I believe are the shaded ones on the map. Total cost of the project is \$81,886.08 when divided amongst those 26 parcels results in a principal assessment of \$3,149.46 per lot."

Chairman Winters said, "Is there anyone here who wishes to speak to the Savanna 8th Addition sewers? I see no one."

Mr. Norton said, "Project ten is a sewer improvement project Phases 1 and 2 for Smithmoor 5th Addition located south of Harry and East of Webb Road. There was 100% petition. We're talking about Phases 1 and 2, total cost of this is approximately \$54,000 when divided among the 38 parcels in the benefit district result in a principal component of about \$1,417 per lot."

Chairman Winters said, "Is there anyone here who wishes to speak to the Smithmoor 5th Addition sewers Phase 1 and 2? See no one."

Mr. Norton said, "Project eleven and project twelve regarding Woodlawn Lakes Addition sewer, the main and Phase 1, I think we can take them together. The map before you indicates there are 100 parcels within the main addition, which is on the screen before you. The map for project twelve contains 92 parcels, which is just a portion of the larger overall main district."

Commissioner Schroeder said, "I have a question Jim back on that map. What is that easement that is running diagonally from left to right, right there? What is that?"

Mr. Weber said, "That's a pipe line."

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Commissioner Schroeder said, "How wide would you say that easement is?"

Mr. Weber said, "I guess about a hundred feet."

Commissioner Schroeder said, "Okay."

Mr. Norton said, "The costs calculated by the Bureau of Public Services for these projects, for project eleven, the main area is \$201,178 when divided among the 100 parcels is about \$2,012 per parcel. The Phase 1 improvement, there are 92 lots in that benefit district, the total cost being about \$383,000 for a principal component of about \$4,163 per lot."

Chairman Winters said, "Is there anyone here who wishes to speak to the Woodland Lakes sewer main or Phase 1? I see no one."

Mr. Norton said, "Project thirteen, sewer improvements in Woodland Place. Again, we're talking approximately 159th Street East and Central. There are 14 lots within this improvement district. The total costs have been determined to be approximately \$68,188 for a principal component of about \$4,870 per lot."

Chairman Winters said, "Is there anyone here who would like to address the Commission concerning the Woodlawn Place sewer? I see no one."

Mr. Norton said, "I think it would be appropriate then to close the public hearing."

Chairman Winters said, "At this time we will close the public hearing and reserve discussion to staff and Commission. Commissioner Gwin."

Commissioner Gwin said, "Thank you Mr. Chairman. Jim, I think on what I need you to do on the Strecker's behalf is to make sure that they are getting the assessment for only the living units and that we don't want them double assessed. I appreciate the concerns about how many there are, but because of the diversity of that neighborhood, this Commission deemed that the residential living equivalent was the most equitable way to assess the sewers."

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“I know that there are a number of older people in this district who will struggle with these specials. I continue to look for other means of funding if there is any out there. I have both Senator Brownback and Congressman Tiahrt’s Office trying to find sources of funds to assist in some ways. If we strike out there I may have to come back to the Commission and see if there is something we can think of locally to assist particularly those people who are especially needy. We tried an estate grant, Marty helped us with that. I know, it is not your fault, we struck out there. We continue to look for ways to assist particularly the seniors under a certain income limit. They are the ones that are being impacted the most severely with this assessment.

“I was pleased with the meeting the other night. We got some good input from people. We even had discussions whether it should be a fifteen year or twenty year pay out. I ended up asking them what they thought that they would prefer and by a large majority they preferred a fifteen year payout rather than a twenty. My sense was that it was probably representative of the entire neighborhood and those people who couldn’t be there.

“I know again too that there are a lot of people who are single, either widowed or divorced or living alone in homes out there and they too are going to have to pay the residential living equivalent as to an apartment, no matter what size it is.

“It is a living unit and will generate sewage. So I can’t say they are pleased with the cost. It was a very difficult neighborhood to get to. It is very diverse. It took a lot of line of pipe to get to everybody and so that drove the costs up and too, as Mr. Finck and others have pointed out, the contractor had the bids; we got included the costs of going back to put things as they were and those costs are always higher than laying down a sewer when there is nothing there yet. You just have a brand new tract of dirt and nobody lives there and nobody is in yet, you can run and lay down sewer lines a lot cheaper than if you have to tear yards up and tear fences out and then put them back. So those were some of the problems that we had to deal within this subdivision.

“I will tell you that a lot of the people are currently hooked up. They have been waiting years to have sewer service and although the cost is a little difficult, they are tickled to death that they can finally not be dependent upon septic systems that were failing at a rapid rate and they are happily flushing. They have been paying specials all along quite frankly and have not been able to take advantage of that. So it is a very difficult one, but I think it is one that finally will help this neighborhood improve and see some value return that they were really plagued with on sewer systems that didn’t work.

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“So, with the exception of making sure that we don’t double bill people, I think I am prepared to go ahead and accept this and move on and let the neighbors be happy that they finally have it to take care of their problems. I appreciate your consideration and continuing to help me look for resources to help those people who especially need it out there. Thank you.”

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

Commissioner Schroeder said, “Betsy, since I’ve been here, we’ve talked off and on. The idea has come up about a County wide sewer district and that makes a lot of us shudder and a lot of people who already have theirs in shudder, but that is how the City is able to control the cost of sewer construction and maintenance is because everybody within the City limits or who is on City sewer pays an equal amount. I don’t know how we could ever do it. I don’t know how it could ever get done, but that’s the only way I ever see that you can resolve those kinds of problems unless there are grants or funds out there for people who are under a certain income level. Other than that, it continues to be a problem for County government. I don’t know how other counties handle it, but I think it is still something that we ought to continue to pursue or at least research to see if there is someday a way of doing that and making it equitable for everybody in the County, who is on a County sewer system, for what it’s worth.”

Commissioner Gwin said, “I appreciate that, thank you.”

Chairman Winters said, “Thank you. Commissioners, we’ve heard all the discussion and seen all the numbers, what’s the will of the Commission?”

MOTION

Commissioner Gwin moved to adopt the Resolution.

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

Commissioner Gwin said, “Jim, you’ll talk to the Streckers?”

Chairman Winters said, “Is there any other business to come before the Board of County Commissioners setting as the Sewer District? Any other business? Seeing none, this meeting of the Sewer District is adjourned.”

B. OTHER

C. ADJOURNMENT

Regular Meeting, Sewer District, May 14, 1997

There being no other business to come before the Board, the Meeting was adjourned at 10:57 a.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