

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

### **REGULAR MEETING**

**JULY 7, 1999**

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, July 7, 1999 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Bill Hancock; with the following present: Chair Pro Tem Betsy Gwin; Commissioner Thomas G. Winters; Commissioner Carolyn McGinn; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Mr. David C. Spears, Director, Bureau of Public Works; Mr. Darren Muci, Director, Purchasing Department; Mr. Fred Ervin, Director, Public Relations; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Ms. Louanna Honeycutt Burress, Economic Development Specialist, Department of Housing and Economic Development; Mr. Kevin Bomhoff, Director, COMCARE; Ms. Cecil Gough, Operations Administrator, Department of Corrections; Ms. Annette Graham, Director, Department on Aging; Mr. John Nath, Director, Kansas Coliseum; Mr. Kenneth Arnold, Director, Capital Projects Department; Mr. Joe Kisner, Chief Attorney, Consumer Fraud; Ms. Deborah Donaldson, Director, Division of Human Services; and Ms. Heather J. Knoblock, Deputy County Clerk

### **GUESTS**

Mr. Bob Knight, Mayor, City of Wichita  
Mr. Diltz Lindamood, Greenwood County Landfill Watch Committee, Eureka, Kansas  
Mr. Harry E. Bennett, Concerned Citizens of Marion County, Marion, Kansas  
Mr. Robert Lee, Lieutenant, Wichita Police Department, Exploited and Missing Children's Unit  
Mr. Charley Westlink

### **INVOCATION**

The Invocation was given by Mr. Chuck McCoy, of the Christian Businessmen's Committee.

### **FLAG SALUTE**

### **ROLL CALL**

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

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**CONSIDERATIONS OF MINUTES:      Regular Meeting, June 23, 1999**

The Clerk reported that all Commissioners were present at the Regular Meeting of June 23, 1999. **Chairman Hancock** said, "Commissioners, you received copies of those Minutes and had an opportunity to review them. What's the will of the Board?"

**MOTION**

Commissioner Gwin moved to approve the Minutes of the Regular Meeting of June 23, 1999.

Commissioner Winters seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

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

**PROCLAMATION**

**A.      PROCLAMATION HONORING THE CITY OF WICHITA FOR THE ALL AMERICA CITY AWARD.**

**Mr. Fred Ervin**, Director, Public Relations, greeted the Commissioners and said, "We have one Proclamation and I'd like to read it into the record at this time.

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**PROCLAMATION**

**WHEREAS**, the City of Wichita was selected as one of ten cities to receive the National Civic Leagues All America City Award; and

**WHEREAS**, this prestigious recognition is awarded to cities who demonstrate a spirit of collaborative problem solving and citizen involvement; and

**WHEREAS**, the All America City Award exemplifies the strength of partnerships that exist between business, the public and local governments within Sedgwick County; and

**WHEREAS**, the City of Wichita won the All America City Award based on grass roots programs, such as the 21st Street Project, Wichita Independent Neighborhoods, and Wichita's Promise, Alliance for Youth, examples of local government providing access, opportunity, and service to the citizens of Wichita and Sedgwick County; and

**WHEREAS**, the All America City Award promotes civic pride and community spirit and recognizes the City of Wichita as a world class city; and

**WHEREAS**, the springboard to the new millennium can serve as our stamp of excellence in our comprehensive plan of economic development to recoup, retrain, and recognize business and industry within Sedgwick County;

**NOW THEREFORE BE IT RESOLVED**, that Bill Hancock, Chairman of the Board of Sedgwick County Commissioners, does hereby proclaim Wednesday, July 7, 1999, as

**“WICHITA COMMUNITY PRIDE DAY”**

in Sedgwick County, in recognition of Wichita's victory in capturing the All America City Award.

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"I would request that you adopt the Proclamation and authorize the Chairman's signature."

**MOTION**

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

Commissioner Sciortino seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

**Mr. Ervin** said, "Commissioners, here to accept the Proclamation is Wichita Mayor Bob Knight."

**Mayor Bob Knight** said, "I want to express my gratitude for the working relationship we have with the County Commission. Obviously, there are many challenges facing any metropolitan area and Wichita and Sedgwick County and this whole region is no exception. I think what this really characterizes is the quality of citizens that you and I have the privilege of representing. I think it is clearly their honor and I very much appreciate the recognition of the Board of Sedgwick County Commissioners. Thank you, very much."

**Chairman Hancock** said, "Madam Clerk, next item, please."

**B. RESOLUTION REGARDING COMPACT 2000.**

**Chairman Hancock** said, "A few weeks ago, through the work of Mayor Bob Knight and Joe Pisciotte,

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Ben Sciortino, and me, we have been working together for a number of weeks to try to look at projects, activities, and relationships between Sedgwick County and the City of Wichita. Our attempt was to explore ways to cooperate more closely together, partnership together, and to learn about one another so that we may better serve the citizens of Wichita and Sedgwick County. One of the results of that activity has been Compact 2000, a Resolution, whereby recognizing the mutual need between the two units of government and the benefits that we can derive from that partnership. I'm asking you today to approve that Compact, that Resolution at this meeting."

**Commissioner Sciortino** said, "I'd just like to make a comment if I could. I think this is a great step. It is a great beginning. It is not the end product, but I'm glad that I've been able to take just a small part in having this Compact 2000 become reality. I think in the next few months we're going to be able to show to the citizens some meaningful work that we're going to do along with the City of Wichita to perhaps end some duplication of services and to come to the realization that we're all one family and we're working together for the betterment of the citizens. I'm honored to be able to make the Motion that we approve this Resolution."

### MOTION

Commissioner Sciortino moved to adopt the Resolution.

Commissioner McGinn seconded the Motion.

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

### VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

**Chairman Hancock** said, "With us here today is, of course, Mayor Bob Knight. He seems to be feeling a lot better. It is my pleasure to have him as our guest here today to recognize the importance of this event, our approval of the Resolution. I want to thank him for his hard work he's put in so far. Thanks

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to his Council for their patience. Also thanks to my colleagues here on the County Commission for their understanding and participation in this."

**Commissioner Winters** said, "I'd like to make one brief comment. You and Ben have certainly had the support of the other County Commissioners. I think there has been a day and age where Commissioners would have been very leery, part of us, of visiting and making some real planning strategies. Those of us who are here have been very supportive and will continue to be supportive. Again, I think there is a good relationship. I spent yesterday afternoon with Councilman Bob Marks. We're going to spend Friday again working on this west Wichita, west Sedgwick County flooding issue. I agree with the Mayor, there are a lot of areas where we certainly need to be in harmony and focus and I think this Commission is ready to proceed."

**Chairman Hancock** said, "Thank you, Commissioner. These are exciting times. I know in the next few weeks we'll have some further announcements about some partnerships that Councilmen and Commissioners will be leading the way on. This is one of the best times that I've had since I became a County Commissioner and I hope the Mayor shares the same feeling."

**Mayor Knight** said, "I do indeed, Mr. Chairman. I want to thank the Board of County Commissioners for their support on this. It is my view that citizens throughout the County are thirsting for the elected officials to work together in a collaborative, cooperative spirit. I think they're going to be very pleased with the work product that is going to come from this compact. It is going to require the full engagement of every County Commission and every City Council Member working together on various projects. I think what you're going to see over time is some of the problems that many of us have viewed as rather intractable for a long time are going to be resolved because there are few if any challenges facing any of us that don't have solutions if the elected people and citizens are sufficiently committed to working together. I want to thank Chairman Hancock and Commissioner Sciortino for their leadership on this. I think they are serving as a model for many of us. But as you look across the country, those cities and those regions that have a competitive edge are those regions and cities that have figured out a way to cooperate. So I

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am very appreciative of this Commissions support. You're going to have very strong support from the Wichita City Council and the benefit of course is going to our citizens. I think they are going to be expressing their gratitude in many ways for us figuring out a path of cooperation. Thank you very much."

**Commissioner Gwin** said, "Thank you, Bob for being here this morning, for both of those presentations. Continued good health and recovery. Next item, please."

### **CITIZEN INQUIRY**

#### **C. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING SOLID WASTE ISSUES INVOLVING SEDGWICK COUNTY.**

**Commissioner Gwin** said, "This is the time when the Board of County Commissioners of Sedgwick County encourages citizen inquiry. For your information, your time limit is limited to five minutes and we ask you that you present your name and address for the record. First speaker please, Diltz Lindamood."

##### **1. DILTZ LINDAMOOD, GREENWOOD COUNTY LANDFILL WATCH COMMITTEE, EUREKA, KANSAS**

**Mr. Diltz Lindamood**, Rural Route 2, Box 208, Eureka, Kansas 67045, said, "As many of you know, Greenwood County is currently involved in a major controversy involving the construction of a regional landfill by Browning Ferris Industries, for the primary purpose of handling Sedgwick County trash. As a concerned citizen of Greenwood County, I respectfully ask you to consider the undue and unnecessary hardship you are placing on your neighbors. Unlike Sedgwick County, Greenwood County creates about 20 tons of trash a day. While we need to be finishing our past due solid waste plan and dealing with our own trash problem, we must dedicate most of our limited resources to dealing with Sedgwick County's problem.

"If Sedgwick County and Wichita are unable or unwilling to construct a subtitle D facility in their county, it is extremely important to note that a number of existing landfills want your trash. There is more than enough existing landfill space to handle Sedgwick County trash long after the proposed life span of BFI's

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landfill in Greenwood County. It is absolutely not necessary to construct a new facility for Sedgwick County trash in Greenwood County.

"I want to take just a few minutes to give you some history on what Sedgwick County's waste plan has already done to Greenwood County. In late January, people in Severy in southern Greenwood County were stunned when they learned our three County Commissioners had somehow been persuaded to send a letter to our State Senator David Corbin asking that the law be changed requiring subtitle D facilities be at least one mile from a public water source. Apparently, BFI and Ritchie Corporation were working together to haul Sedgwick County's trash to a rock quarry that was within ½ mile of Severy's water supply. People from Severy and Fall River went to Topeka and thus far have stopped BFI's attempt to locate the facility at this site.

"Without their first choice available, a choice that was clearly based on economic benefit to BFI and Ritchie, with no regard to public safety, BFI had to find a new site. Finally, after much speculation and many rumors, BFI announced that they had an option to purchase agreement on 320 acres about seven miles east of Eureka on Highway 54. The site is near Homer Creek and about five miles upstream from Toronto Reservoir. Throughout the highly secretive sighting process, people were assured the site would be refused if it did not satisfy county residents. However, even with massive opposition, our Commissioners or BFI have even mentioned the possibility of an alternative site for compensating people in the immediate area. Clearly, rural homes located in the beautiful Flint Hills would be devalued greatly as well as the quality of life for those who live in them. Blowing trash, odor, truck traffic, birds, and other vectors are only a few of the problems associated with a landfill of this size, as you are well aware.

"It is apparent that much behind the scenes work was going on before the public even became aware of the Sedgwick County regional landfill issue. Concerned citizens learned that BFI and Ritchie Corporation had flown two of our three commissioners, Chris Lance and Harold Fankhouser, as well as our county road boss, Larry Thurston to Garden City to view BFI's facility there. The prearranged meeting with the majority of the quorum of the Greenwood County Commissioners on December 10, to discuss county solid waste disposal was not disclosed to the public, not open to the public, and official notice was not given to those who requested it. This has resulted in the Attorney General's Office granting approval for a recall petition on Commissioner Chris Lance, which was filed in the courthouse yesterday.

"I am sure each of you are setting here now thinking that our problem is the Greenwood County Commissioners and not Sedgwick County. However, the fact of the matter remains the problem originates in Sedgwick County and ultimately right here in this Commission room. You have basically told BFI

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Waste Management that you do not care what they do with Sedgwick County trash, just haul it out of the county border. You have said that you do not care if existing landfills are eager to take your trash at a reasonable rate. BFI is a multi billion dollar company that is concerned about one thing, and that is profit. Management must make money for stakeholders or they are out the door. If they are able to control collection, transfer, and ultimate disposal of Sedgwick County trash, they will be able to wipe out the few remaining private haulers in Sedgwick County and in the long term name the price.

"I seriously doubt, when you go home tonight, that you will tell your kids to take out the garbage and throw it in your neighbors back yard. We ask that Sedgwick County take care of their trash problem so that those of us in Greenwood County can take care of our problem. Thank you, very much for your time."

**Chairman Hancock** said, "Thank you. Commissioners, any questions or comments? If not, Mr. Bennett."  
"

### **2. HARRY E. BENNETT, CONCERNED CITIZENS OF MARION COUNTY, MARION, KANSAS**

**Mr. Harry E. Bennett**, R.R. 1, Box 157, Marion, Kansas 66861, said, "Good morning. I live near Marion, Kansas in Marion County. I've come here today to give you information on solid waste issues that exist between Marion County and Sedgwick County. I was a member of a four county regional solid waste authority committee from 1993 to 1997, that wrote a solid waste plan for both the region and Marion County. From this position, I had a good view of solid waste issues facing Kansas in the mandated closing of unlined landfills. In 1995, BFI attempted to purchase Marion County Landfill, Incorporated, and surrounding land, to establish a landfill to receive solid waste from Wichita. For many reasons, in late 1996, BFI was denied a conditional use permit. In the spring of 1998, BFI was back with a landfill site using the Martin Marietta Quarry on the north edge of Marion. An attempt was made by the City of Marion to annex the property, thus side stepping the county's planning authority. The owner of the property continues to lobby for this project to this day.

"In 1998, MSW, a Wichita company, acquired all the land surrounding the closed Marion County Landfill, incorporated site with a stated intent to develop a landfill for Wichita solid waste. They demanded the Marion County Commission sign a landfill permit. They also went to the Board of Zoning Appeals in our County to overturn the loss of the closed landfill's conditional use permit. Both the Marion County Commission and the Board of Zoning Appeals are being sued now by MSW. In addition, Marion County Landfill, Incorporated, has been brought into court by KDHE for noncompliance in following its closure

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plan. All of these events are linked to Sedgwick County solid waste issues.

"For its own solid waste issues, Marion County adopted a regional and county plan in 1996. The county landfill was closed in 1996. A transfer station, owned and operated by a private company, under a county held permit, with final disposal at Rolling Meadows in Topeka, has been in operation since October 1996. All of the larger communities in the county have recycling efforts, composting operation, and on July 1, 1999, a ban on yard waste at the transfer station went into effect. The stated goal of our plan is a reduction of the waste stream.

"Marion County has done its job in solid waste planning, in spite of the interference of a large urban county that has advocated its solid waste authority to private corporations, with no regard to the impact that would result in the neighboring counties. Having admitted that you cannot site a landfill in Sedgwick County, why would you allow the private corporations, you are agents in this case, to go about the countryside doing to us what you will not do to your county citizens? Your stated desire now for solid waste is to use transfer stations to distant landfills. Why not do your neighbors a favor and in the interest of fairness, insert the word "existing" between distant and landfills.

"In February of 1996, I was a part of a Marion County delegation to a Wichita/Sedgwick County sponsored solid waste conference at WSU. I believe some of you attended that conference. It was dubbed the 'Trash Summit'. Representatives from 17 counties were invited to participate in two days of workshops and brainstorming on the issues of solid waste. The feeling I came away with was that we all face the same problems and that with planning and some cooperation, good solutions would be found. I would ask today that you return to the spirit of that conference and that you reclaim the responsibility for final disposal solutions of Sedgwick County solid waste. Thank you, for your time."

**Chairman Hancock** said, "Thank you, Mr. Bennett. Commissioners, questions? Commissioner Gwin."

**Commissioner Gwin** said, "Do you want to have a Motion to receive and file before we do that?"

**Chairman Hancock** said, "That would be fine."

### **MOTION**

Commissioner Gwin moved to receive and file.

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Commissioner McGinn seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

**Commissioner Gwin** said, "Thank you, Mr. Chairman. First of all, I want to thank all of you who have taken your time to come and be here this morning. As Sedgwick County looked at what was right for this County, you need to understand that we didn't make the decisions we made in haste. Our decision making process included different pieces to help provide us with the information we needed to make an informed decision.

"As all counties have, we have a Solid Waste Planning Committee and that committee did research other communities. It did and I attended most of those tours. Took visits to other parts of Kansas where existing landfills were operating and where they were found to be appropriate for both geology and depth to ground water, and quite frankly, where as some of the speakers indicated, where they did want Sedgwick County's trash for economic reasons. We also involved our community. We had community meetings where over 2,000 of our citizens came and talked with us about finding different ways to deal with the trash that we generate here. They told us that they wanted us to look for long term solutions. They told us they want us to protect our ground water and our land. They told us that they want to reduce the amount they throw away. All of those things are in our plan.

"We understand that landfills are not long term solutions. Landfills are long term investments and in the

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wrong environment, they can be bad for both the environment and the community. Transfer stations to appropriate landfills afford us the opportunity to seek the long term solutions that our citizens ask us to continue to find.

"When we looked at the geology of Sedgwick County, we learned that in 85% of this County, the depth to ground water is less than ten feet. That's very shallow ground water for those who aren't familiar with that process. Based upon that, the population density, the aircraft traffic in this County and other factors, this Board determined that Sedgwick County did not have an appropriate site for a landfill.

"Another factor, you need to remember, there are 61 identified past and present landfill or dump site in this County. I dare say that is more than any other county in this state. Some of them are leaking. Some of them are contamination problems now. Some of them are threats in the near future. Even the City of Wichita's consulting engineers, when they were looking at expanding their existing landfill, stated in a public workshop that it is not if landfills will leak, it is when they'll leak. So the geology of a community, the depth to ground water, those kinds of things are very important when one has to make this decision.

"I said all along to the reporters or anybody who would pay attention to what I say, that every county in this state needs to make its decision based upon the criteria it establishes for whether or not a landfill is appropriate in that county. Your involvement in your counties, the information that you gather and pass along to your elected officials, will be as valuable to them as what we learn from the citizens of this County in making our decision. Those counties need to decide what is most appropriate for them. We determine what is not appropriate for Sedgwick County. Protecting our water and protecting our land and protecting our families, that's important and obvious to me that it is what our intent should be.

"Just as a side note, we did travel throughout this state, as I said, and saw several landfills, existing landfills, that I thought would be appropriate for the disposal of our trash. Like I said, I expect the decision making process in your county to be as thorough and as complete and as citizen involved as was here. Again, I thank you all for taking your time to come and express your concerns to us. Thank you. Thank you, Mr. Chairman."

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

**Commissioner Winters** said, "Thank you, Mr. Chairman. Commissioner Gwin did an excellent job on explaining some of the reasons we have made the decision we have. I, too, want to thank the presenters

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and those of the rest of you who are in attendance. Those presentations were very good. Let me tell you, we have heard a lot of people talk about solid waste and how you handle it. Those presentations were very professional and very well presented and we appreciate that.

"There are times when we kind of have to continue to talk about why we made the decision that we've made. The decision we made wasn't real popular here in Sedgwick County. If you'll pick up a copy of today's Eagle before you leave town, you'll see they're still not very happy with us. I think it is good time that we take times like this to kind of reexamine why we got to where we are. Commissioner Gwin has done an excellent job of naming a number of the issues that we considered.

"I'd just focus in a minute on this ground water issue again, and the quality of water and how important it is to future development and future generations. Here in our community, our present landfill is built over the aqueous beds with ground water of about ten foot deep. When that landfill was sited, that was acceptable. The experts said that's okay, build it there. Well we know now that it is not okay and so standards change in this world. You see things as we try to get better and we try to do things more appropriately. Some things have stiffer requirements placed on them. Landfills are one of those. Now today in our community, we're pumping water out of the aqueous beds, cleaning it, and recharging it back into the Arkansas River. Our community is pumping out a million gallons a day and we'll do that for the next 20 years. The Sedgwick County Commissioners don't want to be involved in that in the second round of siting a landfill. The site that was once a proposed site near Furley, directly across the road north of that site on 80 acres, Waste Management has spent over \$20,000,000 cleaning up ground water that is 20 feet deep on a site that was once thought to have virtually no ground water on it. So in Sedgwick County, we really do, as Commissioner Gwin talked about, have a real issue with water. Now, in our community, we're getting involved in the hog issue because hog farms are developing in the aqueous beds. Now, we have a great deal of concern about that. Over 300,000 people use a big portion of the aqueous beds for our water supply. The issue is exactly the same. It is protection of ground water. There are issues that we need to be attuned to if we're going to diligently do that.

"Now when we made our decision here, we never talked about part of our solution would be a new landfill in Butler County, Harvey County, Greenwood County, Marion County. That was never part of our discussion. Our financial projections were all based on the use of already existing landfills. There are existing landfills out there that could adequately handle our volume of trash. Now in Butler County, I know personally Neal Parish, Lindsey Cutsinger, and Randy Dole. Over in Greenwood County, the only one I know is Harold Frankhouser. I do know Harold personally. Over in Marion County, Linda Peterson, Bob High, I believe, and Jack Warner I believe. I know all three of those commissioners. I've got

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confidence in all those County Commissioners to help develop a solid waste plan for their counties. If they say, if they look at everything in their county and say this doesn't fit in our county, that's fine. If they look and say there is adequate place, then that's their county's decision. I really regret the fact that you feel that part of our decision making has spilled over to cause you a significant problem. I guess just as one Commissioner, I apologize if that's happened. But I have confidence in your Board of County Commissioners to look at your solid waste plan and determine what is best for yours. But you can be assured that I never intended in my decision making process that there was going to be some new landfill created in one of our neighboring counties that was going to be a magic bullet for our problem.

"Again, I think we made our decision based on logical sound reasoning of this morning day and age of wanting to protect our water supply. I again appreciate all you being here. The presentations were very well done and I certainly am attentive to your plight. Thank you, Mr. Chairman."

**Chairman Hancock** said, "Thank you, Commissioner. Commissioner Sciortino."

**Commissioner Sciortino** said, "Thank you, Mr. Chairman. I also echo the fact that I am heartened when I see people taking time out of their lives to come in and join in the political process and let your views be known. It would be my hope that BFI and whatever carriers of the trash were looking for landfills that they would use existing landfills. To me, that would be financially in the benefit of the citizens as opposed to hauling it to distant landfills and having to go to the expense of siting a new landfill.

"The item that I think I'll echo with what my two fellow Commissioners has said. BFI, nor any carrier, will be able to site a landfill unless the citizens of that particular area give them permission to do so, either directly or through their elected officials. I would encourage you as strongly as I can, to lobby your elected officials and let your fears be known. I think the threat of a recall election would be an incentive for someone to vote the will of the majority of the people. I think your fight or your position of trying to get your point of view across would be to those elected officials because no one will be able to do anything in your counties without your permission. I would encourage you to carry this on as feruantly as you can. I do appreciate you coming here and I feel those presentations were very professional and for at least one commissioner, they were very impactful. Thank you."

**Chairman Hancock** said, "Thank you Commissioner. Further comments? As Chairman, I want to thank all of you for being here today. I really can't add too much to what the other Commissioners said. One comment was made during the presentation in that BFI or Waste Management acting as our agents. I

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want to reiterate that they are not our agents. As Commissioner Winters said, all of our projections were made based on using current landfills that were open for business to accept solid waste on a regional basis. As a matter of fact, Waste Management or BFI could in fact make an application right here in Sedgwick County to establish a landfill. It is doubtful that it would be approved, but they certainly could do that and it is within their right to do so, to establish a landfill here and they can do that any where in the state. It is up to the citizens and it is up to the councils and the county commissioners to make the best decision of what is best for that particular county.

"It is regretful that they have gone to counties where it seems to so many citizens that this is an irresponsible act. But it is private industry at work. That's how we had determined early on we would like to see solid waste be handled, and that is more or less through the private sector with oversight from the County Commission. We too are involved greatly in an attempt to reduce our waste stream. It is our goal by 2002 to reduce it by 40%. Hopefully, we can reach that goal. We're doing everything possible. We're spending large amounts of money to do that.

"Last of all, we have here in the City of Wichita an editorial staff at the Wichita Eagle who has not agreed with the decision that we made some time ago. As I sat thinking the other day, one of the speakers also mentioned that regional landfills, good idea, love the idea. Everybody likes the idea. Counties and cities like it. The EPA likes it. KDHE likes it. Regional landfills are the way to go, to cooperate with one another, to establish them. By definition, if we left it to the editorial board here in Sedgwick County to carry out what they seem to think is a good idea, there would be 105 landfills in the State of Kansas.

"Every County would be responsible for their trash. The fact of the matter is, when one county's problems spills over to another, it is no longer just a county problem. It is hard to be responsible just for your county. We become partners. So I encourage you to continue doing what you feel is best for your communities and your counties and your cities. I think it is important that you stay involved. We ask our citizens to stay involved. Many of them have stayed engaged for many many months, in fact for years now. It has been a difficult situation. Thank you all for being here today. We appreciate your attendance. We promise you that we will do everything we can not to be a pest and a bother to your counties. If we have the opportunity, we'll do everything we can to make sure that your environment and your communities are protected also. Thank you very much for being here today. At this time, we'll take a five minute recess."

**The Board of Sedgwick County Commissioners recessed at 9:48 a.m. and returned at 9:57 a.m.**

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**Chairman Hancock** said, "We're back in session."

**MOTION**

Chairman Hancock moved to take an Off Agenda Appointment.

Commissioner Winters seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

**OFF AGENDA APPOINTMENT**

**Chairman Hancock** said, "Thank you. Mr. Counselor."

**Mr. Richard Euson**, County Counselor, greeted the Commissioners and said, "We have prepared two Resolutions for appointments to the Wichita Airport Authority. By statute and by Wichita Charter Ordinance, the Board of County Commissioners has two at large appointments to this Board. Those are two year terms which will expire on June 30, 2001. The Resolutions we have prepared for appointment are for Hale Ritchie and Ron Cornejo to be appointed to that Board. I think you can take these resolutions together if you'd like to."

**Chairman Hancock** said, "Okay, thank you, Mr. Euson. Commissioners, what's the will of the Board?"

**MOTION**

Commissioner Gwin moved to make the appointments.

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Commissioner Winters seconded the Motion.

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

### VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

**Chairman Hancock** said, "Thank you, Richard. Next item, please."

### PRESENTATION

#### **D. PRESENTATION OF RECOMMENDED 2000 BUDGETS.**

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, "Several days ago, we celebrated the 4th of July and that fust some 234 years ago or so was about life and liberty and health and welfare and citizens banding together to form this democratic experiment that is occurring. It seems to me that part of this process that we're through is about you and the folks in this room and the folks who work in Sedgwick County are delivering democracy to citizens on a daily basis. It is about health and safety and welfare.

"Part of that process, we went about several years ago talking about some of our missions and what our mission might be. It was to assure quality public service that provide for the present and future well being, both short and long term well being of citizens of Sedgwick County to be the best that we can be. That in fact our goals from that mission were to establish and maintain partnerships. You heard about one of those partnerships this morning, Compact 2000 certainly is a manifestation of that goal. We also involve

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ourselves in training and encouraging and recognizing employees, realizing that there are an excess of 2,300 to 2,400 folks who work here, who earn their living here, who are an important part of about how we deliver services, how we provide opportunities for folks, and how we give citizens access to those services.

"We attempt to foster communication with citizens and employees, and to build their trust and confidence in teamwork to ensure informed decisions, what you are about to do and to make sure that our employees and citizens do have that trust. We know that the media has paid less attention to local governments in recent years. We think that trend is going to continue and therefore it is incumbent upon us to make our citizens understand what it is we're doing and why we're doing it and how we're doing it.

"Finally, it is about allocating resources. It is this process about splitting up the pie, the resources we have, for basic and essential services and you get to determine that. We have some recommendations about what that might mean, but the Board of County Commissioners decide what those basic and essential services are from listening to your citizens, from listening to your constituents, from talking to folks in this community. They are responsive to the changing needs of the community. Some of you have been around for a while. I don't mean by age but I mean in this organization, and know that this organization and the services that we provide are different than they were ten years ago and will be different in the next ten years. To keep ahead of that curve, you need to determine and you need to interpret for us what those changing needs are.

"To do that, we provided access and opportunity and service. We use performance measurements and planning to deliver services that provide access and opportunity and service for an excess of 400,000 citizens of Sedgwick County. They live in 20 different cities and in the unincorporated areas. We have access for all citizens to all the necessary essential services. We've only listed a couple, but just as an example, the emergency services that talk about that provide services for the dispatchers, dispatch police and fire and paramedics and those services that they deliver. Code enforcement program just deals with the safety of buildings and the safety of reconstruction.

"Finally, transportation, and you and I often think and citizens think of transportation as building roads and bridges and it is more than that. They are important and essential to how we do our business. It is about giving access to those who are mentally and physically disabled, for those who are elderly and frail, giving them transportation access to the doctors, to shopping, to family, to do those sorts of things. We are involved heavily in those programs.

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"We give opportunities for all citizens for economic development about jobs and maintaining jobs in this community, about providing new jobs, about creating jobs in this community. We are certainly in the business of entertainment and fun. It is recreation opportunities at the Zoo and Exploration Place that is exploding out at the river as we speak. There are parks that lots of citizens use. As a matter of fact, parks are becoming so used that it is a problem that so many people are using the parks and that is a good thing. We have quality of life issues to assure that not only you and I have quality of life choices, but there are those who are less fortunate than us who can maintain an independent and active and productive lifestyle in this community.

"We do other services, quality public services about safety and that is cooperation and coordination of efforts for EMS and others. We are establishing a greater citizen efficiency in the delivering of services and we hope and it is our desire to provide services that go beyond citizens expectations. That it is done faster with more quality and a quality product higher than what they expect.

"To do all of that, we have this budget process that some of us love and some of us don't love. But the process involves this developing of these missions and goals for the departments based upon what we have seen for the County. Part of that mission and goals is to develop some performance measurements and you will see throughout the budget performance measurements for each department based on the mission and goals, based on the resources they have received, and from that performance measurement, we are asking you to hold us accountable to you and to the citizens to perform in how we said we would. This is a measurement by which you can judge us and we would expect you to do so.

"The budget department determines the targets based on the expected revenues and expected expenditures and gives that to the departments. Departments review those to see how they in fact can live the next year with those numbers and prepare what we refer to as supplement requests and that is for improvements of services. They prepare technology plans that go to the technology committee. The technology committee reviews those requests for technology based on three things. Does it cut cost? Does it improve service? Is it integrated in the system within the County? Does it make sense for this piece of equipment, this process, to be operating over here and does it integrate with what we're doing elsewhere?

"From all that information, I present to you today this recommended budget and then you have an opportunity to review and modify and approve it. Let me just say at this point that this process is one that includes a whole lot of folks and a lot of people need to be thanked in this process. Certainly the print shop, Laurie and Ben and Terry and Tony who produced it much quicker than they have in the past years

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over a holiday weekend. It is a quality project and they deserve a great deal of credit. Certainly Tammy Brandt from the finance group who did most of the typing and editing and had all the work dumped on her. Mary and John who did the analysis led by Renfeng Ma and Chris Chronis. To those folks who really did the work. And the interns, Allison here, who helped make this presentation and Shawn and Erin who helped edit it. Finally, to the senior staff who really did all the work. Those are the folks, as you can see this is a team effort.

"This year 2000 budget has a total of \$192,046,315 worth of expenditures. It is my recommendation that we reduce the mill levy by 1.03 mill reduction. Let me tell you generally about how those revenues and expenditures will work. The revenues are, as you can see, the ad valorem taxes are about 37%. That's a little more than a third of our revenues comes from the real estate tax. The motor vehicle tax is about another 6%. This is the last year in which the rate goes down. The year 2000 will be the last year in which the rate goes down. In the year 2001, it will stabilize. So we will see a growth in the year 2001 in motor vehicle tax because will be buying new cars and the rate will not be reduced unless the state legislature does something else again.

"The sales tax continues to grow and is 14% of our budget. Other taxes are the 911 tax and that is a separate fund, but that is a part of it. Special assessments are counted for in that category. Inter-government transfers, passing money back and forth between ourselves from one fund to the other to fund some of the internal services. Investments are 3.2% of our revenues and that of course fluctuates depending upon the cash one has and what is going on with the rates at the time. We're going to use 7.6% of a fund balance to make all this work. We're going to have transfers from other governments, about 2.5%, and 13.8% is from user fees. You have just included another user fee for solid waste which will be included in that along with a register of deeds and others who collect fees throughout the system and a miscellaneous income of about 3.7%.

"Expenditures by functions are public safety continues to drive this organization. It is 39%. That's \$.39 on the dollar of what we spend is on public safety. It is the Sheriff, the D.A., and it is not just out in the field, but it is the jail and the operations of the jail and the prosecution and of course EMS is part of that and 911. Public works is 20%, \$.20 on the dollar for roads and bridges and those activities of maintaining the things that we already have constructed.

"Human services is comprised of COMCARE, Aging Department, Mental Health, Community Corrections. It is \$.13 out of every tax payer dollar goes to help those folks who are less fortunate in some ways than we are. Operations to keep the lights on in this building to provide the air conditioning

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for the other buildings that we have. To make sure the information flows back and forth is 9%, \$.09. Community development, which operates the function in the world of housing, code enforcement, and extension service, some of those other issues are 6%. Culture and recreation is \$.05. Financial management, which includes the appraiser, debt service, and accounting and budget functions. The Treasurer's Office will be \$.04. General government is \$.03. That is the Clerk and the Register of Deeds and our office and your office and the Election Commission. We spend 1% for employees to provide services to our employees.

"In your budget book, you see a chart that looks similar to this, but after some questions yesterday and getting together with some folks from Accounting, we through out the accounting terms and redid the chart so that people like you and I could understand. Fifty percent of our operations goes to personnel. Then we have contractual services and those things we contract for is 23.6%. You'll see that we are spending 2%, almost 2.5% on vehicles and equipment, computers, copy machines. The CIP, the Capital Improvement and debt service, what traditionally we call capital improvements is 18.7% of our budget. Then commodities, the pencils and paper and pointer that I have in my hand would be 4.7% of the budget that we spend.

"This year we have an issue about truth and taxation. The state legislature removed the tax lid that previously was on municipalities and said that has gone away. You now have a new formula by which you have to live. The formula does a number of things to us. We don't face truth and taxation issues unless it is authorized by a vote of the Board of County Commissioners. We can't levy more property tax for operations than prior year's taxes excluding debt service. So prior year's taxes minus the debt service. You can include the tax for new construction. You can include tax from increased value of personal property. I buy a new machine for my business. That can be included. The tax charge for use of property. If I own land and sell it from agricultural to commercial and change the uses, then we can include those taxes.

"Now here is the slide, this is not the good slide. I've done this on purpose. This is a complicated formula and if you want the details of how it works, Chris Chronis will be glad to step to the podium and explain it to you. The purpose is to look at this number of the \$66,000,000. We went through all that on the previous slide and got to the \$66,000,000. The total tax levy for the year 2000, last year is 74, debt service is \$9,000,000. We have \$65,000,000, that's the draft tax levy subject to truth in taxation. The \$66,000,000 from the previous page is what we could have taxed folks without any affirmative action by the Board of County Commissioners, without you doing anything except adopting the budget. So what

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we've left on the table, or left in the tax payers pocket without doing anything is \$941,373. That's also with a tax reduction. So it is even more money in the tax payers pocket. The \$941,000, by incorporating as expenditures in the budget, we could do that without any action by you except voting in the affirmative for the budget. Truth in taxation is not an issue for Sedgwick County in the year 2000 budget. We could have just said that.

"The 2000 budget highlights for the year 2000 are really investments in the future and let me talk a little bit about those. In the public safety area, you'll see for the purpose of funding long term solutions addressing juvenile offenses, Sedgwick County has identified several issues, one of which is additional staffing for the District Attorney. That would be a prosecutor, clerical help, and case worker. We have a new 911 dispatcher position that will require five employees. You are familiar with the formula. For one position in a 24 hour a day, 365 day year, it takes five people to fill one position. That is what is occurring there. That will increase services for the 911 dispatch position. We're increasing five for the staff for the courts and warrants and records and the Sheriff's Department will provide for that office to deliver services in this building, and the courts and others in a way that we haven't been able to in the past. The resources will be used to address the juvenile corrections issue and how we will involve the private sector in the solution and to what extent.

"We are purchasing some new technology. It is a new county-wide E-mail system. Ours is old and cumbersome. It is a way in which organizations can communicate even from out of the office and out of town. It makes us more efficient and more productive. We are going to replace that antiquated system. The aerial photography capacity for GIS will allow us to provide the instruments for developers and others who care about those issues in a way that makes some sense and begins the foundation of technology that will lead us into the future and how we produce maps and information in that way.

"The PC based billing for EMS is one that has been tried and true that we haven't used. I would remind you that EMS services, about 80% of those services are paid for by fees, 20% by taxes. We need to ensure that those fees come in on a timely basis, that they are done right, that we do it right the first time and get paid when we need to get paid. This system will allow EMS technicians in the field to use a pen base system on a PC, fill out the information that they need to fill out for the billing process, so that paperwork can get done in a fashion that gets it out the door and gets the cash in our pocket in a faster and more effective way.

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"We are developing a new Case Management System for the courts. They are working with us on this system and some of the details are left unfinished, but we are basically committed to making sure it works. We need to develop a new financial system internally so that we can pay the bills and keep track of our resources in a way that makes sense.

"For our employees, I'm recommending we provide a 3% general salary increase across the board increase. We need to analyze the County pay structure for certain classification jobs, which as you know and we continue to have difficulty with some positions that are being gobbled up by the private sector or others because that is the way and nature the market is these days. We need to make sure those positions, as are the others, and the relationship to each other make sense. We want to analyze that. We are going to maintain the quality health insurance program that encourages wellness. It is responsive to our needs for single, two person, and family members.

"Human services, we emphasize the quality of life for the development of disabled and mentally ill and the aged population. Kevin Bomhoff will come before you later and talk about \$24,000,000 that he wrestled away from the state and how that is going to effect the community and we need to continue. A piece of that is the \$11,900,000 that we are involved with. The project access is a program that you've heard about and I am recommending that we set aside \$250,000 this year to see that the program gets off the ground and is successful.

"In the prevention funds, this allows the County to contract with area agencies to provide positive youth development. It includes recreational activities, education, and out of the \$1,085,000 recommended extension office budget, I am recommending that \$200,000 be used for prevention funds in this area.

"For Capital Improvements this year, you'll notice that in the budget document in previous years, in '99 we had \$66,000,000. That includes the jail. That is a high number, but that includes the jail. The jail is not up and running and the way in which we continue to account for that and the other projects, in the year 2000 we have \$34,000,000 scheduled to be expended on Capital Improvements. That is around \$100,000,000 that we have spent or will spend in the next two years. And that the CIP through year 2004 is \$216,000,000 of improvements to this community. For the year 2000, about \$10,000,000 out of that \$34,000,000 that I told you about will provide for safety issues, the new fire alarm system at the Coliseum, an indoor place that lots of people go. The largest attraction that we have. We need to do that and need to assure that our customers are safe. New emergency fire sirens and that becomes more apparent with the tornado that we experienced and the weather we continue to experience. Citizens, just

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plain citizens that serve their community, that are delivering democracy come here to the jury room and we need to make sure that is modernized and upgraded and meets the needs of their comfort, because we are asking them to do that to make sure the system works. Finally, we have a one stop courthouse pay station that will be located in the Treasurer's Office. This will allow citizens not to run up and down the elevator but to go to one place to pay whatever they need to pay to this government for whatever reason. We'll also do some signage and a new fleet maintenance facility that will help with some space issues and make them more effective and more efficient.

"About \$24,000,000 out of the Capital Improvement Program is for the road and bridge improvements. You can see the list there, Webb Road, north city limits to K-254, Rock Road, 71st Street, and the list is one that has been on the CIP for a while. Yesterday, in our staff meeting, we heard a report by David Spears, the Director of Public Works, who talked about the state highway program and the city's program, that there are issues that we might want to talk to the city about. They aren't necessarily in the CIP at this point. The crossings at the big ditch at 13th Street and 25th, the Kellogg, I-235 interchange, the railroad overpass certainly at Haysville, but that is part of the CIP. The funding issue remains cloudy. The Greenwich and Kellogg, and some other issues we need to think about working with the city, working with the community. We talked about it at that meeting. The joy of doing budgets is we know these are flexible and can be changed. They will as we address those issues, they will be added in a timely fashion to be part of the Capital Improvement Program.

"For review for the general fund for the budget, we are recommending an expenditure of \$192,046,315. It is a 6.5% growth in expenditures. We recommend a decrease of 1.03 mill levy reduction or a 3.5% decrease in the mill levy. As you know, we have two other funds that impact how we do business. The first is the Fire District budget. For the Fire District budget, I am recommending \$10,079,432. It is a mill levy increase of .912 mills. The reason for this increase is to maintain service levels and then when we started looking at it, I'm recommending that we also do a vehicle replacement program and some necessary roof repairs. We know in the past year or so the Fire District, the reasons for maintaining the service levels is we had a difficulty with assessed valuation in a couple of industrial units that we needed to adjust in the year 2000. So in fact the assessed value in the Fire District went down rather than going up or staying the same. Now this was not an effect of annexation although annexation by the City of Wichita annexing pieces of the Fire District does have some effect on this. The major effect was the glitch in the assessed valuation. This was a process that we thought about how to fix. We knew that there was a number of ways to do that. One of the ways would be to temporarily close down a station. To look at one of the stations that may not be as busy as some others and do that. As a matter of fact, that was

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a viable plan that would work very well. We also looked at what it meant to the service of citizens. We know that the Sedgwick County Fire District #1 Fire Department has been in the national news in the last year and half, certainly with the DeBruce grain elevator, the child that was stuck in the well and most recently the tornado. They, in fact, were good advertisements for what public service is about in Kansas and Sedgwick County. But that is not what this Fire Department is about. That's a glory that happens and it is nice to be recognized. But every day, 24 hours a day, those folks are in those departments and those buildings. Every day they are providing service to families, to individuals that go unrecognized, that go unnoticed, that cause peoples fire insurance rates to be lower. That in fact save lives, that makes peoples lives better. So I thought it was important for this time, until we sort some of these issues out, to maintain that level of service. I am recommending that we do that and recommending that we increase the mill levy by .912.

"The other fund that effects how we do business is the Sewer District. The Sewer District total budget compared to others is relatively small, \$1,191,535. You will see that we continue to provide correction and treatment for that sewer district that serves residents and some commercial customers. You will see that since 1993, we have in a very thoughtful and planful way continued to reduce the taxes necessary to subsidize that district and shift the burden to citizens who use the system. Although the decrease is slight this year, it is still a decrease and continues the pattern.

"We're going into a new century and I know I have some friends in the history business who will argue that the new millennium doesn't start until 2001 and I know that. In fact, it seems like a convenient time to say we're going into the new millennium. It is about what your role is, about the role that government that changes and different from what we've done now than what we did ten years ago. It will be different ten years from now. But it is about quality public service. It is about access and opportunity and service. Your job, your role, and I don't think there is any more important role than what you have or job, than to divvy up the pie, to allocate the resources. You are stuck in the conflict of values. The conflict of values as to what is the most efficient and effective way to deliver the service. The value of is it equitable, does it protect personal and property rights, and a value that everyone's interest needs to be represented. Those values are conflict in this document and in this process continually. It is our hope that we have provided you with the information to make an informed decision and to continue to make sure that quality public service and access that citizens have access and opportunity and the services that we deliver to them make sense. If you have any questions, I'd be happy to answer them."

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**Chairman Hancock** said, "Thank you, Mr. Manager, appreciate the presentation. Very good. Commissioners, comments and questions? Commissioner Gwin."

**Commissioner Gwin** said, "Just a couple of thoughts because I don't think I want to get into the issue of debating recommendations and those kinds of things right now, but a couple of thoughts as we get this document and proceed to August 4. First of all, I want to echo the Manager's thanks to those people who got the document this far. By the number who are here today, I mentioned that it must be a mandatory attendance day because I see an awful lot of upscale department heads and bureau chiefs. You all have done your hard work to this point and we appreciate it. As Bill said, some of us love this process and some of us hate it. For each of you, for the time and energy you've spent, thank you. It is incumbent upon us to sort through it and decide if we agree or disagree, which we always do, we do both."

"I appreciate your input and your performance, your goals. As I started reading it, I made the Manager nervous already because as soon as I got my book I started putting my pink pasty notes in there and started making notes and highlighting. So he knows I'm already after it. I appreciate your missions and goals and outcomes you show us so we can understand what you want to do and how you are doing it. Now I guess the responsibility quickly becomes ours in a real short time frame to turn this around and see what we think. But thank you all for your work to this point, particularly in this document and your work every day for us. Thanks. Thank you, Mr. Chairman."

**Chairman Hancock** said, "Thank you, Commissioner. Commissioner Sciortino."

**Commissioner Sciortino** said, "Thank you, Mr. Chairman. Also Bill, I want to echo what Commissioner Gwin said about the hard work that went into the document. I want to go back to that slide that showed that we resisted or you are recommending we resist spending an additional \$941,373. Because I heard a lot of comments when state passed the truth in taxation law and took the cap off that there would be a feeding frenzy and that governments were going to just start spending money without any regard to the citizens. I think this is a great starting point for us to start letting the citizens know that we are remembering that it isn't our money that we're spending. It is my hopes that when the final document comes out, we can still have some additional savings for the citizens."

"I know this is a lot of hard work. You have ensured the fact that I will not be playing golf for the next week and a half so I can go through this book, and I assure you that I will go through the book and read it. This is my first exposure to the budgeting process. I've had some budgeting experience in my past life and I look forward to working with you and your staff on this budget. Thank you."

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**Chairman Hancock** said, "Thank you, Commissioner. Commissioner McGinn."

**Commissioner McGinn** said, "I want to echo the same as Commissioner Sciortino and Commissioner Gwin and say thank you to the staff for the hard work that they have put in to this. I know it is a difficult thing trying to balance the items that you had expressed Bill. I know that the budget demands when people come forward in their requests, I don't know how many people ever come forward and ask you to give them less money. It seems that it continues to go up. Many of those requests are very good requests. They deal with mental and physical disabilities, aging, our safety programs, prevention programs. Some of the new things that we're trying to implement to offset other costs that traditionally have occurred in the past. This too is my first budget year and one of my goals in this first budget year was to lower the mill levy to offset the increase in valuations as a result of the good economy. I think we're trying to find that balance and Mr. Buchanan, I think with your staff have come to a good start and we'll see where the next three weeks takes us. Thank you."

**Chairman Hancock** said, "Thank you, Commissioner. Further comments or questions?"

**MOTION**

Commissioner Gwin moved to receive and file.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

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

**PLANNING DEPARTMENT**

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- E. ITEM NUMBER SCZ-0790 - RESOLUTION REGARDING ZONE CHANGE FROM "SF-20" SINGLE FAMILY RESIDENTIAL, "LC" LIMITED COMMERCIAL, "GI" GENERAL INDUSTRIAL AND "LI" LIMITED INDUSTRIAL TO "GI" GENERAL INDUSTRIAL AND "LI" LIMITED INDUSTRIAL;**

**AND**

**CASE NUMBER CU-525 - REQUEST FOR CONDITIONAL USE TO ALLOW A ROCK CRUSHER ON 20.9 ACRES OF PROPERTY LOCATED EAST OF WEST STREET AND SOUTH OF 37TH STREET NORTH EXTENDED.**

**SLIDE PRESENTATION**

**Mr. Marvin Krout**, Director, Metropolitan Area Planning Department (MAPD), greeted the Commissioners and said, "We have two related cases this morning. They involve the same general area. What we're talking about is the black taped area that is on the screen. This is on the east side of West Street and it runs from 37th Street North that was to be extended down this area. It is 21 acres.

"This is the location of the recently approved BFI solid waste transfer station, West Street, K-96 Interchange and the Brooks Landfill just above the screen. There is a variety of zoning classifications that are on this 21 acres now, you can see. First of all, this is part of a larger area, C-278, was approved many years ago for a sand extraction operation. This is the big ditch and the levee on the west side of the big ditch today. There is an asphalt operation that has been in existence for about 20 years. In 1985, this zoning was approved for light industrial, limited industrial district. At the time, an asphalt plant was a permitted use in that district. That's how that was at the time really established. Then in 1983, right in the middle of the southern portion of that gray area is general industrial zoning. That was established to permit a rock crusher, which at the time was permitted by right in the general industrial district. This tract also though has single family zoning still on it and a portion of the four corner commercial zoning was established 50 years ago when the County established zoning out within three miles of the then Wichita city limits. There are a variety of zoning categories on it.

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"Since the recent amendments to the zoning code a few years ago, a rock crusher in any zoning district must be approved only by conditional use and also an asphalt plant either is approved by conditional use, limited industrial, or by right in the general industrial. The applicant would like to relocate the approved location of the rock crusher to a location more in the center of the site and also wants to replace the asphalt plant located here in a slightly different location. Because it is moving the equipment and it is technically a non-conforming use because with limited industrial zoning, they are requesting to expand the general industrial zoning to cover approximately this area that will cover the asphalt plant operation and make it a use by right. Then there is a conditional use on the center portion of the area that would cover the proposed rock crusher site. The remainder of the site, the southeastern portion, and all the remainder up to 37th Street if extended would be zoned limited industrial zoning. So that's the request, for LI zoning and GI zoning, limited and general industrial zoning, a rearrangement and expansion of the zoning and also in the center of the site with conditional use to locate specifically the rock crusher operation.

"The staff is supportive of this application. We generally support the expansion of an existing use and this is really a modernization and relocation of existing uses on this site. The character of this area has been and is and will be in the future we believe industrial in nature. You have an extraction in the area. You have the recently approved solid waste transfer station with industrial zoning here. You have the landfill site across the street and West Street has a lot of truck traffic. This use seems to be, even though this area isn't designated that way in the comprehensive plan for industrial uses, this is an area that probably in an update of the plan we would indicate is appropriate for industrial warehouse business type uses.

"The staff recommended, as part of the rezoning, a protective overlay on the tract with certain restrictions. One, the general industrial district would be limited to the asphalt plant and limited industrial as opposed to other potentially hazardous uses that are otherwise permitted in the general industrial district. There is a berm and planting area along the frontage of West Street and would be retained. The drives would be maintained in a paved condition and the drives and the stock piles would be treated, materials would be treated to prevent and minimize blowing dust. There are, I think the Health Department calls opacity limits, that controls the actual amount of dust that is a performance standard as part of this operation the Health Department recommended standard that would be a part of the protective overlay and also a maximum height of the material stockpiled.

"We had also originally recommended platting the property but the applicant pointed out to the Planning Commission that some of the conditions that would normally be part of the plat are already taken care of. There is sufficient Right-of-Way on West Street. The access is controlled by the conditional use for this

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rock crusher basically it is already established. This area is not immediately going to be available to water and sewer and the nature of the operation is expected to continue for the next number of years as it has been to date.

"We thought there were two important things to obtain if there wasn't going to be a requirement for platting, which would be a normal requirement for any zoning. One is to have a drainage plan that is submitted to County Public Works and Flood Control and approved that talks about this site and how it drains and relates to the flood control district. We want to make sure that there are adequate ponding areas and that the fill, there is some filling that is going to occur into that lake, and that ought to be controlled so we have an idea. It is a sensitive location, I believe next to the floodway, and so we ought to take a look at drainage as part of this. The second is we do believe that in the future, public water, public sewer services are going to be extended to this general area and so typically as part of the platting process, we would obtain petitions to participate, agreements to participate in their share of the extension of water and sewer service. So that is another requirement of the protective overlay.

"The Planning Commission recommended approval subject to the overlay without the conditional platting but including the requirement of a drainage plan and the requirement for petitions for future public service extension. Because all the information wasn't in on the conditional use, that case was heard two weeks later. The Planning Commission approved the zoning case by a ten to zero vote. There was no opposition at any of the hearings present and also no written protests filed, not on either the zoning or the conditional use. Two weeks after the rezoning case, they heard the conditional use request and approved that by an eleven to zero vote and we sent both of those cases on now to the County Commission for your final decision. If it was a Conditional Use, the zoning had already been established, you wouldn't be hearing the Conditional Use unless it had been appealed by someone. But because it is associated with a zone change request, you are hearing both the Conditional Use and the zoning request today.

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"Let me run quickly through the slides. This is the area we're talking about, West Street, 37th Street, K-96. This is the site in question, partially reclaimed and there may be some more reclamation. We're not exactly sure what the boundaries of that future lake are going to be. This is a Dan Miller special. This map shows existing and proposed zoning and let me try to explain it. This is the LC zoning that exists. This is the existing zoning today, LC zoning, single family 20 zoning. This is the proposed site of the rock crusher and I'll show you a site plan in a minute. This is the existing limited industrial district and the heavy commercial district which was approved in 1993 for the rock crusher. Now the rock crusher is going to be moving to this location because the asphalt plant, which is in this area, needs general industrial to be zoned by right and because it is being relocated, they're asking to expand that general industrial zoning to West Street in this location. There will be a berm and planting preserved along here. Also, another protective overlay condition is that right along this north edge of the property, there is a residence across the street and that property is zoned residential. The condition is that as long as there is a residence that is occupied in this area, there will be a hundred foot reserve area that is not used as part of the plant or industrial operation along that northern boundary. If and when that residence is no longer occupied or changes zoning, then the condition would no longer be applicable.

"But this would be the proposed zoning. The rock crusher in the middle of the site. Limited Industrial Zoning on the bulk of the site and the expanded general industrial to accommodate the area for the asphalt plant. That is just a blow up of the existing zoning pattern that is there today. This is the site plan that shows the rock crusher, the proposed material storage that will extend around there. The material storage itself I think from any noise that might be to the north will be buffered by the material storage to the north as well as to the south. This is the planting and berm area. It would be retained. These are just some slides of the area. This is looking north from the north entrance to the site. This is up North of the rock crusher. Right in this location, I think that is the sign post for 37th Street. So there is 37th. Beyond these trees is where that residence is today. This is looking again north of the site at that northern entrance. Looking now to the east across the lake where the sand extraction lake is located and beyond that the big

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ditch. Again, looking at that entrance and east across the site. Some of the material storage.

"We're now looking off down West Street. You can see in the front portion of this frontage, there's the bermed area and then evergreen trees that are really filling in nicely along that west edge. The west edge of West Street. This is again looking down at West Street and looking south and west across West Street. The land across the street is undeveloped and owned by the applicant. We're now looking back north and west across the site. You can see a car over on the left hand side that is on 37th Street. This is looking north at the site. This is at the southern entrance. You can see the asphalt plan operation and this is the main entrance to that plant. Again, looking at the entrance area, that southern drive. This is looking east into the site of that southern entrance at the existing plant operation. This is a building that is on the site at the southern end of the tract today and parking area along the southwest corner of the tract as we're looking south down West Street. Across the street again to the southwest and across at that southern entrance. The same set of slides looking west and then northwest across West Street. That is the aerial photograph and zoning map and I'll try to answer any questions. The applicant and his agent are also both here this morning if you have any questions for them."

**Chairman Hancock** said, "Thank you, Marvin. Commissioners, questions for Marvin? Commissioner McGinn."

**Commissioner McGinn** said, "Thank you, Mr. Chairman. Marvin, on the drainage proposal. In the past when they had some use changes, were they required to have a drainage plan?"

**Mr. Krout** said, "In recent years, we have conditional uses for sand extraction, there is a drainage plan requirement that is part of that. It is part of the larger CU278. But that was not a requirement of the old conditional use at that time. So there wasn't a drainage plan that was submitted a long time ago which we would not require. Then I guess I would say that normally when someone has rezoned property, then that is part of the engineering requirements to submit a drainage plan with the plat that is approved, zoning be subject to that plat being approved with the drainage plan. So that would be the normal course of events. Because we thought the conditional use for the sand extraction didn't establish grading and drainage, because they are asking for an exemption on the platting on this 21 acres, because it is along the big ditch and we need to be careful about ponding areas and all, it seemed that at least getting a drainage plan was

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an appropriate condition of the zoning."

**Commissioner McGinn** said, "Is the applicant okay with that?"

**Mr. Krout** said, "You'll have to ask him that. I'm not sure at this point."

**Commissioner McGinn** said, "One other question for you and then I'll ask it I guess. First off, the berms or the sand, you said they're treated."

**Mr. Krout** said, "Water or otherwise treated. Usually water."

**Commissioner McGinn** said, "Only water."

**Mr. Krout** said, "I think there are other kinds of materials that you can put down. The applicant probably can tell you better than I can, but water is normally how they would treat those."

**Commissioner McGinn** said, "Okay. Does the applicant require a drainage system?"

**Mr. Krout** said, "No. This is not going to involve the construction activity on five acres or more because it is really continuing a use. It is just continuing a relocating use in existence."

**Commissioner McGinn** said, "Let me rephrase that. Where does the drainage drain to? Do we have any requirements when we're done making that material? How is the drainage effected? Is there any bi-product made?"

**Mr. Krout** said, "You mean is there anything that might drain into the ground and be a source of water contamination? I don't believe that is a problem. We've asked the Health Department to review this request as it went through the process and they didn't indicate there needed to be any special restrictions other than the state and federal requirements that they are already on and responsible for in getting this asphalt plant permitted. Again, the applicant can probably speak better to what those requirements are."

**Commissioner McGinn** said, "I'd like to have their answer now."

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**Chairman Hancock** said, "Sure. Would you come forward. Please state your name and address for the record."

**Mr. Terry Smith**, Baughman Company, said, "I'll make my comments brief and if you have very specific comments, you can talk to Tom here about them. What we're doing out there really is trying to clean up the site overall, moving the asphalt plant roughly 50 feet to the north. It encompasses there. We're trying to rezone. Putting a new batch plant up a little further up north. We think we're bringing everything up to the regulations that currently is there today. The platting idea and the issue I think we have today. Through the whole conditional use process I think we're meeting all those platting conditions. We don't see a need at this stage of the development to plat. Now when this comes back and hopefully I'm still alive 20 years from now and we can start platting homes around it, it will be platted and you will have single family home sites taken care of.

"We will agree to the drainage study. We've had great discussions before the meeting and during the meeting about that requirement. We will agree to the staff comments to do a drainage study as part of this case."

**Chairman Hancock** said, "Okay. Any questions?"

**Commissioner McGinn** said, "I just didn't understand how an asphalt plant how it operates and the by-products that come off of that. Then you have drainage and you're setting right by a lake so that's my question on that."

**Commissioner Winters** said, "Then ask Tom how one works."

**Mr. Smith** said, "I'll defer to Tom on that. Thank you."

**Mr. Tom Ritchie** said, "I'm President of Ritchie Corporation. I live at 8028 Kilarney Court in Wichita, Kansas. I'd be thrilled to answer any questions you might have."

**Commissioner McGinn** said, "In general, what's the process once you're making your product, what is the by-product and how is it disposed of and that kind of thing."

**Mr. Ritchie** said, "There are no by-products per say. We basically combine aggregate which includes

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rock and sand and shoot them and combine them with liquid asphalt which is a form of plastic that must be heated in order to be liquid. We mix it all up, put it in a dump truck and haul it away. Hopefully we can haul it away a lot. Basically all that material is recycled. When it needs to be replaced, we literally recycle every pound of pavement that we pick up on jobs that we do. That's what the rock crusher is for. It is unfortunate that it is called a rock crusher because it is really a recycling tool. We don't crush rock with it. We basically fracture pavement so that we can reuse it. There is no hazard. The standards are at the federal level. I suppose the one area that would be a concern would be fuel storage. We do have trucks and we have to comply with all those regulations concerning storage of fuel. We have, in the event of a rupture of an asphalt tank, the material will leak out when it is hot and when it cools it will become a gooey mess that we pick up and put back in the tank and all those facilities are protected with berms so they don't leach or go into the ground or any of that."

**Commissioner McGinn** said, "Okay. You're reason for not platting, which I guess is different than what we've done on other cases is just that you plan to stay there in that use for some years ahead?"

**Mr. Ritchie** said, "Yes Commissioner. We own 160 at CU91, another 100 acres immediately west of that, the property north and west of the transfer station site, another 160 acres south of CU91, another 160 acres south of 29th, all of which are reserves. Plus all the way down to 29th along West Street on the east side of West Street. So this is our main operation for extracting sand and we think we have at least a 20 year supply. So we'll be there for quite a while."

**Commissioner McGinn** said, "Okay. I have no further questions. I guess one. You're okay with the drainage plan."

**Mr. Ritchie** said, "Yes, I understand that is a concern there. The only concern I've got is it is a cost of doing business and we're going to have to do it again. I'm willing to do it. We have a huge investment and in the grand scheme of things, I suppose the up front cost of the study that has to be redone later is minuscule compared to the overall big picture. So if that provides some wisdom that will protect the future, we think that's okay."

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

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

**Commissioner Gwin** said, "Tom, I just want to ask a question that Carolyn kind of eluded to and I want

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to get back to. You store materials up there, right?"

**Mr. Ritchie** said, "Correct. We store three kinds of material, the bulk pavement we've taken off jobs, whether if we constructed a street or a parking lot. That is essentially raw material that must be processed in order to be reused. That is processed through the 'rock crusher' which in some states they call them recycling units and we don't go through any of this. The other material is sand, which is conveyed from our sand extraction operation in the picture. Start looking to the south, that is our sand plant, really not part of this case. It is a big structure and a major facility. That sand is then conveyed across into the stockpile rather than trucked there. The third raw material is crushed stone, which basically comes from the rock quarry over in Greenwood County you've had some discussion about. The last raw material is liquid asphalt. In order to be used, it must be maintained hot in insulated tanks."

**Commissioner Gwin** said, "One of the things the Commissioner McGinn eluded to is what medium do you use to minimize dust? Do you use something, water or other than water to minimize the dust and all that?"

**Mr. Ritchie** said, "Yes we do. Some of the roadways and some of the other spots, for example where the loaders stockpile, the pavement, that is not a good spot for it and we use water. We have several acres of water there. We just pump it out of the lake and put it on the traveled way there."

**Commissioner Gwin** said, "I knew she started getting to that point but I didn't know if the question was asked."

**Mr. Ritchie** said, "This facility we're talking about is a state of the art facility. The plant site that we intend to locate on actually overlaps the one that we are on right now. So it is really for practical purposes in the same place but it is a state of the art. The one that we have now does comply with all regulations. This exceeds the requirements of all existing regulations. This is a first class one and we thought by moving it to the east 50 feet that that would make it more desirable, less obtrusive if you will."

**Commissioner Gwin** said, "Thank you, for answering my question. Thank you, Commissioner."

**Chairman Hancock** said, "Thank you, Commissioner. Commissioners, further questions or comments? Is there anyone else here who would like to address this item on today's Agenda? Does anyone else here have comments? Commissioner Winters."

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**Commissioner Winters** said, "Thank you. Marvin, I have a question. The petition concerning extension of sewer and water. I don't know that I need a long explanation here, but will that in any way quicken the possibility of this property to be annexed into the city?"

**Mr. Krout** said, "The petition? No."

**Commissioner Winters** said, "I won't agree to the petition or I won't vote for it having a petition to hook up to sewer or water if that means in a year from now the city provides sewer or water up there someplace and wants to annex this property."

**Mr. Krout** said, "There are a lot of other events that would have to take place for this property to be eligible for annexation I think. I don't think that signing a petition, the requirement is only to sign a petition to agree to be part of a future extension of water or sewer through this site. But it doesn't require them to sign an outside the city annexation agreement. That is not part of the protective overlay which would be a typical requirement of the city as part of a platting process. Since we're not platting the process, then that petition is all that gets submitted and I don't see anything that would make it more likely until and unless service was needed. Then they would probably be, that petition might be triggered by overall areas of improvements and then someday, and there is some unplatted land in large chunks there, so I don't know exactly when or how this area might be annexed. I anticipate that someday all or a lot of it will be. I don't think that submitting the petition and making sure that we have one more property owner out here which will be able to provide public water and public sewer service which I think it really ultimately what we want to bring to any industrial area. I don't think that hastens the annexation process. I think Rich has been involved and you can ask him that question."

**Commissioner Winters** said, "Rich, can you help me on that issue, if signing a petition that you'll agree to pay for city water will then make your property subject to annexation no matter where it is at?"

**Mr. Euson** said, "Commissioner Winters, I guess that is what is in the petition. I would have to see a copy of that before I could comment. I think we all know that the City of Wichita will not extend water to a site without agreement to consent to annexation. This property, I believe being in excess of 20 acres and not being platted, would not be subject to annexation by right, in other words by unilateral annexation,

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could not be done by the City of Wichita. But if they obtained a consent through water, then they could. But it depends upon what is in the petition."

**Commissioner Winters** said, "But if they sign that petition saying when the time comes, we've signed a petition, one could infer then that this property is subject to annexation I would think. Mr. Manager, do you have something to add? Maybe we're talking about an issue that doesn't need to be talked about. Maybe that is not a concern. But we've got a portion here in the County now which I think I mean I am totally supportive of this activity that is taking place here. I don't know where else and I agree with Mr. Ritchie, I wish they called those things something besides a rock crusher. But I'm not sure where else in this County you could find a location where you're going to have a hearing talking about a rock crusher and have nobody come and protest it. This is a good place for that kind of activity. We see the transfer station site setting there. We see the landfill there. This is a good site. But I'm interested in protecting that transfer station and the other activities out there and keep them in the County at least for the foreseeable future. If we require this applicant to sign a petition for sewer and water I would think that puts them on the hit list to be annexed."

**Mr. Krout** said, "Rich, would you suggest that there is a way to word the protective overlay resolution that requires the submission of a petition only if it does not include a requirement for outside the city agreement to annexation?"

**Mr. Euson** said, "Yes, you could word it that way."

**Mr. Krout** said, "I think we could work with the office on the final version of the Resolution to satisfy your concerns there."

**Commissioner Winters** said, "Again, I think this is a good site. I know Commissioner McGinn was talking about some problems and I want her to be comfortable. It is in her district. I think the site is good. I'd be willing to support the motion to adopt the findings on these two cases but my vote would only be if the petition clearly does not require annexation to go along with providing that service. At that time the applicant can decide if they want to be annexed or not."

**Commissioner Gwin** said, "Carolyn and I are still looking. Where is the requirement for signing a sewer petition? Where is that in the back-up?"

**Commissioner Winters** said, "I just heard Marvin say it."

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**Commissioner Gwin** said, "I'm trying to look at recommendations and conditions and all that."

**Mr. Krout** said, "In the minutes on page. Okay, I guess the resolution hasn't been drafted yet because the way it reads about the substitute motion, it talks about the drainage plan being submitted and guarantee for public services on page 12 of the minutes. But because we were talking about platting originally, that isn't part of the original conditions that were submitted. So we would have to draft a resolution."

**Commissioner Gwin** said, "Back on page 28 of our back-up."

**Mr. Krout** said, "I think it may be in your recommended action on the zoning case. You could say there is says adopt the resolution and authorize the Chairman to sign, you'd instruct the County Counselor to review that resolution to make sure that any requirement for petitions does not include a requirement to sign an annexation agreement. Then if the city decides that is part of their requirement for petition, then that would relieve him of the responsibility for submitting that petition. I think the County Counselor could review that wording to make sure it satisfactorily meets your intent before he submits it to the Chairman for his signature."

**Commissioner Winters** said, "Rich, do you agree with that? Do you think if it is the intention of this Board that any petition that the applicant is required to sign would not, in signing that petition would not mean that he is automatically consenting to annexation voluntarily? Can you write such a Resolution?"

**Mr. Euson** said, "Yes, we can right that."

**Commissioner McGinn** said, "I'm prepared to make a motion but I just want to make sure it is consistent with that."

**Commissioner Winters** said, "Do you agree with that?"

**Commissioner McGinn** said, "Well, it depends on the drainage plan. I guess I'm getting confused as to whether the drainage plan is tied into this other part."

**Mr. Krout** said, "The Planning Commission's recommendations includes the drainage plan and includes the submission of the petition. So I think your motion would be to follow the Planning Commission's

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recommendations but limit the requirement for petitions to only a petition that is not accompanied by an annexation requirement."

**Commissioner Winters** said, "So the drainage plan would still be part of the requirement."

**Commissioner McGinn** said, "Okay, so we can do that without the other."

**Commissioner Winters** said, "Yes."

**Commissioner McGinn** said, "I think this is a good location. He's been there for a long time and considering everything that is going on around that, I agree. I would like to have a drainage plan and also would like for us to stay somewhat consistent with other requests of like types of properties. I think that asking for a drainage plan would keep us consistent in that area."

### MOTION

Commissioner Gwin moved to adopt the findings of fact of the Metropolitan Area Planning Commission including the requirement that a drainage plan be submitted and approve the zone change subject to the additional provisions of a Protective Overlay and the Conditional Use without the requirement, however, for a sewer or water petition that could force this property into involuntary annexation; adopt the Resolution and authorize the Chairman to sign; and instruct the MAPD to publish the zoning Resolution establishing the zone change.

Commissioner McGinn seconded the Motion.

**Chairman Hancock** said, "If the City of Wichita provides services, there is not much the applicant can do about annexation is that correct?"

**Mr. Krout** said, "If the applicant hooks on then he clearly will have to be . . . the City won't connect this property to water and sewer service without annexation. It is possible that the City would agree to accept a petition for the extension of services but that he wouldn't hook on to be part of the benefit district. It would be extending services up and down West Street. That is a possibility. But I think at the time that he would request to hook on to a service, the City probably wouldn't provide that service without an annexation request."

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**Chairman Hancock** said, "What was the thinking among the Planning Commission members requiring that?"

**Mr. Krout** said, "Any time we have an area that is undeveloped but in an area where services are contemplated, public services are contemplated, and we're looking at zoning land for industrial or business use, it is definitely to have public water service for fire protection. It is definitely preferable to have public sewer service especially in an area like this, but in any industrial area in terms of making the treatment of any waste products. So the City's policy and the platting policy generally is to take petitions and hold them until there is a majority of property owners who've individually submitted petitions and there is enough of a base to be able to develop a project and have a project approved to extend water or sewer lines to this area. The City studied this area as part of that northwest sewer study and that study suggests that all the way from the big ditch west, including this area, and up to 45th Street north of K-96, there would be sewer service eventually extended to this area. I think if you look at the map of the County, you see this big donut hole between K-96 and the County Zoo and from the Big Ditch out to Ridge Road. It has a lot of problems in terms of current land use and so on. But it is an area that has high accessibility and maybe improved someday with a 25th/29th Street connection. So it is an area that should, from a platting standpoint, provide public water and sewer encouraging the development and redevelopment of this area I think is something that makes a lot of sense."

**Chairman Hancock** said, "Commissioner Winters."

**Commissioner Winters** said, "I guess just one clarifying thought. If somebody reads this 5, 10, 15, 20 years from now, this petition that we've included in our motion to me is not a petition that is going to be an automatic requirement for annexation. So in sense, it is going to be a petition without much force in it. That's the way the County Counselor's Office is going to write it."

**Chairman Hancock** said, "Okay, very good. Is this the okay with the applicant what we're doing today? Further discussion? If not, Clerk call the vote please."

### VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye

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Chairman Bill Hancock

Aye

**Chairman Hancock** said, "Thank you, Marvin. Next item, please."

**NEW BUSINESS**

**F. RESOLUTION APPROVING ISSUANCE BY THE CITY OF WICHITA, KANSAS OF INDUSTRIAL REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$600,000,000 ON BEHALF OF CESSNA AIRCRAFT COMPANY.**

**Ms. Louanna Honeycutt Burress**, Economic Development Specialist, Department of Housing and Economic Development, greeted the Commissioners and said, "On June 8, the City Council of the City of Wichita approved a letter of intent to issue industrial revenue bonds on behalf of Cessna Aircraft Company in an amount not to exceed \$600,000,000. The intent to issue the bonds would extend through the year 2005. Because Cessna is located in the unincorporated area of the County but within three miles of the city limits of the City of Wichita, the City can issue these bonds if the County approved this issuance. This morning, I'm recommending that you adopt a Resolution approving the issuance of bonds by the City of Wichita on behalf of Cessna Aircraft."

**Chairman Hancock** said, "Thank you, Louanna. Commissioner Gwin."

**Commissioner Gwin** said, "Just a question of the Manager. I'm very supportive of issuing the bonds for Cessna, but we need to talk to them about payment in lieu for Fire District costs do we not at some point?"

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

**Commissioner Gwin** said, "And we can do that after the fact do you think?"

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

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

**Chairman Hancock** said, "Thank you, Commissioner. Further questions or comments?"

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**MOTION**

Commissioner Gwin moved to adopt the Resolution.

Commissioner Winters seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Absent at vote
Chairman Bill Hancock	Aye

**Chairman Hancock** said, "Thank you, Louanna. Next item, please."

**G. DIVISION OF HUMAN SERVICES.**

**1. CONTRACT WITH KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES, COMMISSION OF SUBSTANCE ABUSE, MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES PROVIDING EXPECTATIONS FOR USE OF DEVELOPMENTAL DISABILITY FUNDING.**

**Mr. Kevin Bomhoff**, COMCARE, greeted the Commissioners and said, "The Agreement that is before you now establishes the state fiscal year 2000 expectations for the Community Developmental Disability Organization and the newly reformed Substance Abuse Mental Health and Developmental Disabilities Commission of SRS. It makes sure we follow all state statutes and regulations and it funds those services that the state and federal government allow to be funded in this area. This Agreement provides specific expectations for \$24,000,000 in funds. Of these funds, \$20,000,000 are paid directly through the Medicaid fiscal intermediary to qualified providers that are affiliated with the CDDO. These are funds that would otherwise be used for institutional care but because services can be provided in the community,

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those dollars are made available here.

"The CDDO directly receives a little over \$3,000,000 through this contract and makes these funds available to provide services in exchange for agreements on the part of the providers to offer services to persons at risk when funds run out and to provide services when the County mill dollars are no longer available as I've explained to you in staff meetings in the past.

"In this fund is about \$700,000 for the administration of the Community Developmental Disability Organization. All other dollars are used in the provision of services. This is a huge public private partnership. As we were speaking with the Manager earlier if you were here to introduce a \$24,000,000 economic boom to our community we'd probably be cutting a ribbon this morning. These are a lot of services. This is a great effort. It makes a tremendous economic impact on our community. It does improve our conditions in terms of the waiting list. It will not eliminate waiting lists for developmental disability services, but it will diminish the waiting list and that we are encouraged by. The Fiscal and Developmental Disability Advisory Board that you have appointed to oversee these aspects of our business have carefully reviewed these conditions and the contract and recommend to you that you approve them. Our recommended action is to approve and authorize the Chairman to sign."

**Chairman Hancock** said, "Thank you, Kevin. Commissioners, questions on this item? If not, what's the will of the Board?"

### MOTION

Commissioner Winters moved to approve the Contract and authorize the Chairman to sign.  
Commissioner McGinn seconded the Motion.

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

### VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye

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Chairman Bill Hancock

Aye

**Chairman Hancock** said, "Thank you, Kevin. Next item, please."

**2. CONTRACTS (TWO) TO PROVIDE HOME- AND COMMUNITY-BASED  
MEDICAID WAIVER SERVICES FOR SEVERELY EMOTIONALLY  
DISTURBED YOUTH.**

**! FAMILY CONSULTATION SERVICE**

**! BREAKTHROUGH CLUB**

**Ms. Deborah Donaldson**, Director, Division of Human Services, greeted the Commissioners and said, "These are two contracts with Family Consultation Service, who is also Mental Health Center by virtue of its affiliation with the County, and Breakthrough Club, which is also an affiliate with a provider status. These two organizations will provide services to children who qualify for the childrens mental health waiver which we administer. I'd be glad to answer any questions."

**Chairman Hancock** said, "Thank you, Debbie. Commissioners, questions for Debbie? If not, what's the will of the Board?"

**MOTION**

Commissioner McGinn moved to approve the Contracts and authorize the Chairman to sign.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye

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Chairman Bill Hancock

Aye

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

**3. AMENDMENT TO LEASE AGREEMENT WITH BUILDERS, INC. PROVIDING ADDITIONAL SPACE TO HOUSE THE JUVENILE FIELD SERVICES DIVISION.**

**Ms. Cecile Gough**, Operations Administrator, Department of Corrections, greeted the Commissioners and said, "We're requesting approval of an amendment to our current lease of office space in the Parklane Office Center where our juvenile field services division is housed. The amendment would increase the leased office space by approximately 1,850 square feet and would extend the current lease to expire on August 31, 2004. This expansion is needed to provide appropriate office space for current staff and provide adequate space for training activities. The budget impact for fiscal year 2000 is \$16,650. This amendment can be funded with current juvenile justice authority grant dollars. We ask that you approve this lease amendment and authorize the Chairman to sign."

**Chairman Hancock** said, "Commissioners, questions on this item?"

**MOTION**

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

Commissioner McGinn seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin

Aye

Commissioner Thomas G. Winters

Aye

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Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

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

**4. APPLICATION TO KANSAS DEPARTMENT ON AGING FOR INCOME ELIGIBLE AND SENIOR CARE ACT FUNDS PROVIDING ASSISTANCE TO FRAIL ELDERLY PERSONS.**

**Ms. Annette Graham**, Director, Department on Aging, greeted the Commissioners and said, "The Senior Care Act and income eligible application are programs that are important service option in our community to our individuals age 60 and over that are frail and elderly to remain in their homes in the community. The Income Eligible and Senior Care Act programs offer similar services but different eligibility requirements which are distinguished by income. These programs are funded through the state legislature, then funded through the Kansas Department on Aging and then to local area agencies on aging. This year, both the Senior Care Act and Income Eligible Program services require consumer cost sharing. That is a change for this year. Those vary from zero to 20% co-pay based on income and eligibility.

"The Central Plains Area Agency on Aging offer these services in Butler, Harvey, and Sedgwick County. We have a network of 27 home health agencies who provide a variety of services and all agencies serve as vendors and guaranteed reimbursement according to clients they serve. The fiscal year 2000 funding for the Income Eligible administration and services is budgeted at \$555,286. The Senior Care Act is \$510,096. This is state funding for the Senior Care Act budget and requires a two to one match. The state allocations for the Senior Care program is \$340,064. The match is generated from Butler, Harvey, and Sedgwick County, mill level funds and consumer match. The Sedgwick County portion is included in the fiscal year 2000 mill levy budget."

**Chairman Hancock** said, "Thank you, Annette. Commissioners, questions on this item? If not, what's the will of the Board?"

**MOTION**

Commissioner Sciortino moved to approve the Application and authorize the Chairman to sign.

Commissioner Winters seconded the Motion.

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

### VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

**Chairman Hancock** said, "Thank you, Annette. Next item please."

### **H. AGREEMENT WITH CITY OF PARK CITY FOR ADVERTISING RIGHTS AT THE KANSAS COLISEUM.**

**Mr. John Nath**, Director, Kansas Coliseum, greeted the Commissioners and said, "This Agreement is our standard agreement for the lease of advertising space at the Coliseum. In this instance, Park City is leasing two signs on the new entry gate and marquis, one will be along 85th Street, one will be along Hydraulic. I recommend approval."

**Chairman Hancock** said, "Thank you, John. Commissioners, questions on this item?"

**Commissioner Sciortino** said, "Mr. Chairman, I just want to compliment John on his tie. Quite conservative. I like it."

**Mr. Nath** said, "Thank you. This is a Tim the Tool Man Taylor, Tool Time tie."

### MOTION

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

Commissioner Winters seconded the Motion.

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

### VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

**Chairman Hancock** said, "Thank you. Thank you, John. Next item, please."

### **I. GRANT APPLICATION TO U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION, FOR FUNDING TO ENHANCE INVESTIGATIONS OF SEXUAL EXPLOITATION OF CHILDREN BY OFFENDERS USING THE INTERNET.**

**Mr. Robert Lee**, Lieutenant, Wichita Police Department, Exploited and Missing Children's Unit, greeted the Commissioners and said, "The grant that we are applying for at the Exploited and Mission Children's Unit is the Internet crimes against children grant. This grant is available up to \$300,000. It is a grant that it provided by the Office of Juvenile Justice and Delinquency Prevention, Justice Department, and is a grant that will allow us to continue our efforts in combating Internet crimes against children.

"When I used to talk about Internet crimes against children, I used to refer to it as the crime of the future. Unfortunately, it is the crime of the present. For that reason, the Exploited and Missing Children's Unit has already taken a proactive stance in these types of crimes and has successfully completed five Internet sting type cases where a detective from the Exploited and Missing Child Unit has basically substituted themselves for a child on the Internet that was being or would have been prayed upon by an adult offender. Obviously, we realize that the vast majority of persons using the Internet are very honest, decent, legitimate folks like you and I, but there is that criminal element that has found the Internet and it quite frankly has become a heyday for those who pray upon children. It offers them the anonymity that they so much desire in committing these types of crimes and it offers them a virtually limitless supply of potential victims. Therefore, it is crucial for us to combat this particular type of crime.

"The goal of the grant is to provide for partnerships between law enforcement and other government

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agencies in the creation of multi-agency response to crimes against children committed via the Internet. As you know, EMCU is a fine example of that intergovernmental cooperation. This unit was formed back in 1985 and it is comprised of the Sedgwick County Sheriff's Department, the Wichita Police Department, and SRS. It is still alive and well today and working very well and serving the needs of children of this community. There is the definite need for intervention. As I mentioned earlier, we have done five cases here.

“Also, in my tenure as the Director of the Exploited and Mission Child Unit, it used to be when we did search warrants and recovered child pornography, those were hard copy type images that were derived from contraband magazines, Polaroids,, things of that nature. It is rare at all if we see those today. Almost every one of them are on the computer today. They are transferred via computer and are stored via the computer. So it is of utmost importance for us to be able to meet the challenges of this type of crime with appropriate technology and the knowledge and training in order to facilitate the efforts.

"We have received outstanding support from the community in this grant. We obviously have letters of support from Mike Watson of the Wichita Police Department, Sheriff Hill. We also have letters of support from the District Attorney's Office, from Attorney General Carla Stovall, Congressman Tiahart, Governor Graves, and are anticipating letters of support any day from both U.S. Senators from Kansas. We also have support from the local FBI field office and we also have enthusiastic support from the ABC, NBC, and CBS local affiliates here in Sedgwick County. So the grant that we have applied for is in the amount of \$298,359. That is for computer equipment, cameras, surveillance equipment, scanners, a power point type projection device, network server, dedicated phone lines, software, and other general hardware that would allow us to accomplish our goals.

"Also, we would have included in this grant the opportunity to send our investigators to quality training any where in the nation to enhance their skills in combating this type of crime. There are currently ten law enforcement investigators assigned to the Exploited and Mission Child Unit and each one of them has a social work partner that is a team that they work with. It would be our goal to get each of these investigators to these specialized training on child sexual abuse, the interviewing of children, interviewing of adult offenders, and also concentrating on the very complex and technical fields of computer crimes against children. It is something this grant would afford us.

“Also, we realize that we are one of the oldest Exploited and Missing Child Units in this country and have a vast amount of knowledge that we would simply like to share with other law enforcement agencies in the state. Therefore, we would also like to provide the training to other agencies, whether it be from western Kansas or the Kansas City area, wherever it may be, to further enhance their skills and their ability to protect children on line.

"The scope of the potential for crimes committed against children on the Internet is staggering. If you go

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to the Internet, there are a lot of children in inappropriate places on the Internet and there are certainly are unfortunately adult offenders there waiting for those children. What I would ask from this Board is your support in allowing us to face those types of crimes head on and take a proactive rather than a reactive stance in those crimes. Every time one of my investigators makes an arrest or work a case in one of these type cases, that is one Sedgwick County child that is not victimized by that offender. We're very proud of that.

"I'd also like to acknowledge the assistance of my colleagues in the preparation of this grant who did outstanding work. Sergeant Mike Sharma-Crawford from the Sedgwick County Sheriff's Office and Officer Richard Miller of the Wichita Police Department."

**Chairman Hancock** said, "Thank you. Commissioners, questions on this item? Commissioner Winters."

**Commissioner Winters** said, "Thank you, Mr. Chairman. Lieutenant Lee, I think you are going to find enthusiastic support here for your grant. I'd just like to publicly thank you and your folks who work with you, Sedgwick County Sheriff, City, and the SRS. I can't hardly think of a job that needs to be done more and I can't think of one I couldn't hardly do. As Chairman sat in on some of your committee meetings and some of the things you do are just critically important to the quality of life in this whole area. I want to personally thank you and your team for the work you do. Dealing with exploited and missing children, sexual abuse of children, it is to me almost unthinkable to think about it but I know that you guys are out there to be our eyes. I think we're going to enthusiastically support this grant. One question is, I know no grant is ever a sure thing, but do we have a good opportunity for this grant or is there a lot of competition for a few dollars?"

**Lieutenant Lee** said, "The competition is very stiff for this particular grant. There are ten of these awarded each year. Kansas has never been awarded this grant. I think our chances are good. I spoke with the Chief Operating Officer from the National Center for Mission and Exploited Children who toured our facility in January and termed it one of the finest in the nation. He is enthusiastically behind our efforts. We certainly hope that this year is the year we can get it. If not, I'll be back to see you next year."

**Commissioner Winters** said, "Okay."

### **MOTION**

Commissioner Winters moved to approve the Application and authorize the Chairman to sign.

Commissioner McGinn seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

**Chairman Hancock** said, "Thank you, very much for being here today. Next item, please."

**J. AMENDMENT TO THE 1999 CAPITAL IMPROVEMENT PROGRAM (CIP) FOR THE DEPARTMENT OF CORRECTIONS -ADULT SERVICES. CIP #PB-409.**

**Mr. Kenneth W. Arnold**, Director, Capital Projects Department, greeted the Commissioners and said, "We ask that you approve this amendment this morning to add the adult residential facility on East Central. fund to the Department of Corrections for this project which they will then re . . . . pay revenues now that they are using to pay for their current facility which this is replacing."

**Commissioner Sciortino** said, "I guess my second question would be to Mr. Buchanan. Have they already budgeted the first years repayment of this in the year 2000 budget? No further questions."

**Commissioner Winters** said, "I want to be clear. That money is really state money is funding this program so the state will actually help us make this purchase."

**Mr. Buchanan** said, "Yes."

**Chairman Hancock** said, "Further questions. If not, what's the will of the Board?"

**MOTION**

Commissioner Gwin moved to approve the CIP amendment.

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Commissioner Winters seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

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

**K. ADDITION OF ONE ASSISTANT ADMINISTRATIVE INVESTIGATOR POSITION, RANGE 21, TO THE DISTRICT ATTORNEY'S STAFFING TABLE.**

**Mr. Joe Kisner**, Chief Attorney of the Consumer Fraud and Economic Crime Division, greeted the Commissioners and said, "I'm here on behalf of the D.A. this morning to request that the Commission approve an addition to the staffing table that would increase personnel within the Consumer Fraud and Economic Crime Division of the D.A.'s Office. In the prior year, after the retirement of our Chief Investigator in the Consumer Division, the D.A. had to convert that position to a Senior System's Analyst because of all the computers and technology that was taking place throughout the County and within the office. The loss of that investigator and some previous investigative positions has had a significant impact on the investigative abilities of our division and therefore, on behalf of the D.A., we are requesting approval of this additional staffing position.

"Through assessment of investigative fees that are provided under the Consumer Protection Act, the division has the available funding and can fully fund this position at a Range 21, Step 1. Right now we are requesting that for a one year period and therefore the District Attorney is requesting approval of the staffing table addition and utilization of these monies to fund the position. This would have no fiscal impact upon the County. These monies and this salary and benefits would be paid out of investigative fees obtained in judgements from cases handled by investigators and attorneys within the division. I'd be glad to answer any questions."

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

**Commissioner Gwin** said, "Thank you, Mr. Chairman. Joe, your office, the entire District Attorney's office continues to have issues with space and where to put people. I know this is just one person, but do you have a space available for this individual?"

**Mr. Kisner** said, "There is a spot right outside of my office and we'll put a table up if we have to. Actually, I think that is something that the District Attorney and Mr. Arnold and the Manager have continued to have some discussions about. Different alternatives are being considered. Right now, we have a couple of attorney positions that we are trying to fill. Frankly, we just kind of move people around as we need to. That continues to be a problem, but if we get the position, we'll find some place. We have a closet in the back we may have to turn into an office for a short time."

**Commissioner Gwin** said, "As I know you need people to help you do your job as does Ms. Foulston, the question always occurs to me, then where are we going to put these people. It is an ongoing concern of mine."

**Mr. Kisner** said, "It is. It is my understand that the D.A. and the Manager and Mr. Arnold are making some progress in addressing those issues."

**Commissioner Gwin** said, "Yes Mr. Manager."

**Mr. Buchanan** said, "Commissioner, we will reveal the plan to you as soon as we have one. We are working on it. We think there is a mutually beneficial process that is occurring as we speak."

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

**Chairman Hancock** said, "Thank you, Commissioner. Commissioners, further questions? If not, what's the will of the Board?"

### MOTION

Commissioner Winters moved to approve the addition to the District Attorney's Staffing Table.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

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

**L. PUBLIC WORKS.**

**1. APPLICATION BY THE HOSPICE CENTER FOR THE SEDGWICK COUNTY ADOPT A HIGHWAY PROGRAM ON 21ST STREET NORTH FROM 127TH STREET EAST TO 159TH STREET EAST. DISTRICT #1.**

**Mr. David C. Spears**, P.E., Director/County Engineer, Bureau of Public Works, greeted the Commissioners and said, "Item L-1 is an Agreement with the Hospice Center regarding our Adopt A Highway litter pick-up program. They will be responsible for litter pick up on 21st North between 127th and 159th Streets East. Recommend that you approve the Agreement and authorize the Chairman to sign."

**MOTION**

Commissioner Winters moved to approve the Application and authorize the Chairman to sign.

Commissioner Gwin seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye

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Chairman Bill Hancock

Absent at vote.

**Commissioner Gwin** said, "Next item, please."

**2. AGREEMENT WITH KANE PIPE LINE OPERATING PARTNERSHIP, L.P. FOR THE RELOCATION OF A PIPE LINE IN CONNECTION WITH SEDGWICK COUNTY PROJECT NO. 613-835; INTERCHANGE AT K-96 AND GREENWICH ROAD. CIP #I-75. DISTRICT #1.**

**Mr. Spears** said, "Item L-2 is approval of an Agreement with Kaneb Pipe Line Company to relocate their pipe line at a cost of \$35,346. The total cost of this relocation is being paid by special assessments. Their pipe line is located in a private easement. This relocation is in connection with the new intersection construction at K-96 and Greenwich Road, designated as I-75 in the Capital Improvement Program. Recommend that you approve the Agreement and authorize the Chairman to sign."

**MOTION**

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

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Absent at vote

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**Commissioner Gwin** said, "Thank you. Next item, please."

**3. RESOLUTION RELATING TO EXTENSIONS, ADDITIONS OR SUBSTITUTIONS IN STREET LIGHTING EQUIPMENT TO BE FURNISHED BY KGE. DISTRICTS #1, #2, #3 AND #5.**

**Mr. Spears** said, "Item L-3 is a Resolution prepared by KGE for modifications to the street lighting in Sedgwick County. The Resolution calls for the removal of 32 high pressure sodium street lights and the installation of 12 high pressure sodium street lights and to resend a previous Resolution #151-98. The installations are for various locations in the County and the removals are for lights that have been incorporated into the city limits of Wichita. The decrease in compensation paid by the County to KGE will be \$5,637.33 per year. This will make the total annual compensation paid to KGE for street lights, \$103,934.87. I recommend that you adopt the Resolution."

**MOTION**

Commissioner Sciortino moved to adopt the Resolution.

Commissioner Winters seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Absent at vote.

**Commissioner Gwin** said, "Thank you. Next item."

**4. RESOLUTION DESIGNATING A SECTION OF 61ST STREET NORTH BETWEEN THE CITIES OF KECHI AND PARK CITY, KANSAS AS "VETERANS MEMORIAL BOULEVARD" AND DIRECTING THE COUNTY ENGINEER TO ERECT SIGNAGE REFLECTING SUCH DESIGNATION.**

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**Mr. Spears** said, "Item L-4 is a Resolution to honorarily designate 61st Street North between Kechi and Park City as 'Veterans Memorial Boulevard'. This request was made by Mr. Charlie **Weslick** of the Military Order of the Purple Heart and Charlie is here this morning. The cities of Kechi and Park City have also authorized the designation. This designation is concurrent with rather than in place of the legal identification of the roadway as 61st Street North. After your approval, Public Works will erect the appropriate signing. I recommend that you adopt the Resolution. Charlie, did you want to say something?"

**Mr. Charlie Weslink** said, "Glad to meet you. I want to thank you very much for this Resolution. This will help all the children remember what veterans are. It is for us veterans that you people are setting here today. Just think of Kosovo right now. Everybody got pushed out of their houses. Veterans went in and took care of it. Now they are moving back in and rebuilding. We're making them people happy.

"Veterans aren't going to go away like a lot of people think veterans will just fade away. We're not. Look at Junior R.O.T.C. You give them the benefit of using Century II every year. You put on a program for the veterans. A lot of these children, they're going to become vets one day. So we're not going to go away. We're going to stay here and we're going to protect us and we're going to keep this country free and we're going to be proud to be Americans. We're going to have our flags out and salute the flag every time it comes by. I want to thank you very much."

**Chairman Hancock** said, "Thank you, for being here, Charlie."

**Commissioner Sciortino** said, "As a veteran myself, I certainly hope that we won't go away and I promise I won't every go away quietly."

**Chairman Hancock** said, "Commissioner McGinn."

**Commissioner McGinn** said, "Mr. Weslink I want to make a comment, too, to say thank you, to you as a veteran and to those who served. It is because of you that we are a free country. I extend my thanks to you and I appreciate the veterans out there now reminding us and the citizens of that. Thank you."

**Mr. Weslink** said, "I appreciate the City and County. You have hired veterans and put them to work and you do honor the veterans by giving them Veterans Day off because it is their day and they deserve it. I am very proud of you for honoring our veterans. Thank you, very much."

### **MOTION**

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Commissioner Gwin moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

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

**M. REPORT OF THE BOARD OF BIDS AND CONTRACTS' JULY 1, 1999 REGULAR MEETING.**

**Mr. Darren Muci**, Director, Purchasing Department, greeted the Commissioners and said, "You have minutes from the July 1 meeting of the Board of Bids and Contracts. There are just two items for consideration.

**(1) WEED CHEMICALS - PUBLIC WORKS**  
**FUNDING: PUBLIC WORKS**

"Item one, various weed chemicals for Public Works. These bids were split among three vendors; Pueblo Chemical and Supply, \$7,826.05, Van Diest Supply Company, \$4,391.20, and Vegetation Management Supply, \$8,948.80. The grand total of purchases referencing low bids, \$21,166.05.

**(2) FOUR DOOR POLICE SEDANS - FLEET MANAGEMENT**  
**FUNDING: FLEET MANAGEMENT**

"Item two, four door police sedans for Fleet Management and the Sheriff's Department. These are the police interceptor models. It was recommended to accept the only bid received of Mel Hambelton Ford. That amount with trade-in is \$151,700.

**ITEMS NOT REQUIRING BOCC ACTION**

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**(3) SERVER - INFORMATION SERVICES**

**FUNDING: EQUIPMENT RESERVE**

**(4) INTOXILYZER - SHERIFF**

**FUNDING: DEPARTMENT CAPITAL OUTLAY**

"There were two items that did not require action at that particular time. Those bids were tabled for review. They include a server for Information Services and intoxilyzer equipment for the Sheriff. I'll be happy to take questions and recommend approval of the minutes provided by the Board of Bids and Contracts."

**Chairman Hancock** said, "Thank you, Darren. Commissioners, questions on this item? If not, the Chair would entertain a Motion."

**MOTION**

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

Commissioner Winters seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

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

**CONSENT AGENDA**

**Regular Meeting, July 7, 1999**

**N. CONSENT AGENDA.**

**1. Right-of-Way Agreements.**

- a. Seven Temporary Easements for Ingress and Egress for cleaning the Cowskin Creek south of Haysville. District #2.
- b. One Easement for Right-of-Way and one Temporary Construction Easement for Sedgwick County Project No. 646-1-5165; Bridge on 111th Street South between 391st and 407th Streets West. CIP #B-293. District #3.
- c. One Easement for Right-of-Way and one Temporary Construction Easement for Sedgwick County Project No. 640-13-3704; Bridge on 87th Street South between 199th and 215th Streets West. CIP #B-296. District #3.

**2. Plats.**

Approved by Public Works. The County Treasurer has certified that taxes for the year 1998 and prior years are paid for the following plats:

Deer Creek Estates Second Addition  
Learmont Addition

- 3. Order dated July 1, 1999 to correct tax roll for change of assessment.**
- 4. General Bills Check Register of July 2, 1999.**
- 5. Budget Adjustment Requests.**

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

**Regular Meeting, July 7, 1999**

**MOTION**

Commissioner Winters moved to approve the Consent Agenda as presented.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

**Chairman Hancock** said, "Thank you. Is there further business to come before this Board? We're adjourned.

**O. OTHER**

**P. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 11:55 a.m.

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

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**BILL HANCOCK**, Chairman  
Second District

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**BETSY GWIN**, Chair Pro Tem,

**Regular Meeting, July 7, 1999**

First District

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

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**CAROLYN McGINN**, Commissioner,  
Fourth District

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**BEN SCIORTINO**, Commissioner  
Fifth District

ATTEST:

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**James Alford**, County Clerk

APPROVED:

\_\_\_\_\_, 1999