

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

MARCH 3, 1999

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, March 3, 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. Marvin Krout, Director, MAPD; Mr. Gerald Harrison, Assistant County Manager; Mr. Jackie L. Kegley, Deputy Director, Emergency Management Services; Mr. Tom Pollan, Director, Emergency Management Services (EMS); Ms. Irene Hart, Director, Division of Community Development; Mr. Jack Brown, Health Department; Ms. Louanna Honeycutt Burrese, Economic Development Specialist, Department of Housing and Economic Development; Mr. Sherdeill H. Breathett Sr., Director, Animal Control Department; Ms. Deborah Donaldson, Director, Division of Human Services; Ms. Marsha Gasper, Unit Director for Programs, Department on Aging; Ms. Kathleen B. Sexton, Director, Division of Operations; Ms. Stephanie Knebel, Project Manager, Capital Projects Department; Mr. Ken King, Director, Information Services; Mr. Douglas Roth, First Assistant District Attorney; Ms. Jan Kennedy, County Treasurer; Ms. Jane Moralez, Classification/ Compensation Specialist, Division of Human Resources; Dr. Charles Magruder, MD, MPH, Director of Community Health; Mr. David C. Spears, Director, Bureau of Public Works; Mr. Darren Muci, Director, Purchasing Department; Mr. Fred Ervin, Director, Public Relations; and Ms. Lisa Davis, Deputy County Clerk.

GUESTS

Mr. Gary Wiley, Professional Engineering Consultants, 303 S. Topeka, Wichita, KS.

Ms. Joan F. Storck, 401 W. 89th St. S., Wichita, KS. Salem Township Trustee.

Mr. Rob Hartman, Professional Engineering Consultants, 303 S. Topeka, Wichita, KS.

Mr. Doug Duncan, 2101 N. Shelley, Wichita, KS.

Ms. Joanne Dickson, Member, COMCARE of Sedgwick County Mental Health Advisory Board

Mr. Ray Warren, Member, Wichita/ Sedgwick County Metropolitan Area Planning Commission

Ms. Sandy Avello, Member, Animal Care Advisory Board

Mr. Ken Stuart, Legal Counsel, Wesley Medical Center

Mr. Teddy Woods, Executive Director, Mediation Center

INVOCATION

The Invocation was given by Ms. Sally Roth.

FLAG SALUTE

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ROLL CALL

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

PROCLAMATION

A. PROCLAMATION DECLARING MARCH 8 - 12, 1999 AS "SEVERE WEATHER AWARENESS WEEK."

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.

PROCLAMATION

WHEREAS, It is estimated that at any given moment nearly 2,000 thunderstorms are in progress over the earth's surface; and

WHEREAS, tornados occur in many parts of the world and in all 50 states, but no area is more favorable to their formation than the Continental Plains of the United States, and no season free of tornadoes;

WHEREAS, local government has the responsibility to inform the public and promote awareness in an effort to reduce the loss of life, property, and personal injury; and

WHEREAS, The National Weather Service and the Kansas Division of Emergency Management will hold a state wide tornadoes safety drill Tuesday, March 9, 1999, designed to test the emergency warning systems throughout Kansas; and

WHEREAS, the Sedgwick County Department of Emergency Management will participate in this drill to enhance the public's awareness in this vital area of personal safety;

NOW THEREFORE BE IT RESOLVED, that I, Bill Hancock, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim March 8 - 12, 1999 as

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"SEVERE WEATHER AWARENESS WEEK"

in Sedgwick County, and urge all citizens to participate in the scheduled activities.

"I'd recommend that you adopt the Proclamation and authorize the chairman to sign."

Chairman Hancock said, "Thank you, Fred. Do I hear a Motion?"

MOTION

Commissioner McGinn moved to adopt the Proclamation 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	Aye

Mr. Ervin said, "Commissioners, with us this morning is Mr. Weather Awareness himself, Mr. Jack Kegley with Emergency Management."

Mr. Jack Kegley, Deputy Director, Emergency Management Services, greeted the Commissioners and said, "We want to thank you for this Proclamation as the County kicks off the season for us. We're right now getting up for a lot of awareness classes and tornado spotter classes, as well as exercises in the near future. This just helps us get started, to bring the awareness level up to where it is supposed to be. Thank you."

Chairman Hancock said, "Appreciate your work. Next item please."

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APPOINTMENTS

B. APPOINTING RESOLUTIONS (SEVEN).

- 1. RESOLUTIONS (FOUR) APPOINTING TREVA LICHTI, JACKIE KLEIN, ALFRED JAMES, III (COMMISSIONER GWIN'S APPOINTMENTS) AND JOANNE DICKSON (COMMISSIONER SCIORTINO'S APPOINTMENT) TO THE SEDGWICK COUNTY MENTAL HEALTH ADVISORY BOARD.**

Mr. Richard A. Euson, County Counselor, greeted the Commissioners and said, "Commissioners, these are appointments and reappointments to this 15 member board. These are for a four year term, ending in February of 2003."

Chairman Hancock said, "Thank you, Richard."

MOTION

Commissioner Gwin moved to adopt the Resolutions.

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, "I don't believe any of those folks are here this morning."

Commissioner Sciortino said, "My appointment is."

Chairman Hancock said, "All right."

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Mr. Paul Rosell, Deputy County Clerk, greeted the Commissioners and said, "Raise your right hand and say I do swear when I'm through.

"I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas, and faithfully discharge the duties of the Office of COMCARE of Sedgwick County Mental Health Advisory Board, so help me God."

Ms. Joanne Dickson said, "I do."

Chairman Hancock said, "Thank you for being here today. We appreciate your time on the Board. Next item please."

2. RESOLUTION APPOINTING RAY WARREN (COMMISSIONER SCIORTINO'S APPOINTMENT) TO THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION.

Mr. Euson said, "Commissioners, this is an appointment to an unexpired term ending in August of 1999. The Resolution is in proper form."

Chairman Hancock said, "Thank you, Richard. Commissioners, do I hear a Motion?"

MOTION

Commissioner Sciortino moved to adopt the Resolution.

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
Chairman Bill Hancock	Aye

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Chairman Hancock said, "I know Ray is here this morning."

Mr. Rosell said, "Raise your right hand and say I do swear when I'm through."

"I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas, and faithfully discharge the duties of the Office of Wichita Sedgwick County Metropolitan Area Planning Commission, so help me God."

Mr. Ray Warren said, "I do swear."

Chairman Hancock said, "Thank you, Ray. We appreciate your time. Believe me, there will be a lot of time on that Board. Next item please."

3. RESOLUTION APPOINTING SANDY AVELLO (COMMISSIONER SCIORTINO'S APPOINTMENT) TO THE SEDGWICK COUNTY ANIMAL CARE ADVISORY BOARD.

Mr. Euson said, "Commissioners, this is an appointment to the ten member board, being a four year appointment, with a term expiring in February of 2003."

Chairman Hancock said, "Thank you, Rich."

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	Aye

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Chairman Hancock said, "Thank you. I think Sandy is here today."

Mr. Rosell said, "Raise your right hand and say I do swear when I'm through."

"I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas, and faithfully discharge the duties of the Office of Animal Care Advisory Board, so help me God."

Ms. Sandy Avello said, "I do swear."

Chairman Hancock said, "Sandy, thank you for agreeing to serve on the board and thank you for coming down today. We appreciate it. Next item please."

4. RESOLUTION APPOINTING CAROLYN MCGINN (BOARD OF COUNTY COMMISSIONERS' APPOINTMENT) TO THE WICHITA/SEDGWICK COUNTY ALTERNATIVE CORRECTIONAL HOUSING BOARD.

Mr. Euson said, "Commissioners, on this board, we're required to have a sitting County Commissioner. The resolution we've prepared will appoint Carolyn McGinn to this board for a four year term."

Chairman Hancock said, "I don't know, Rich."

Commissioner Sciortino said, "This is a tough one, she's not even here."

Commissioner Gwin said, "That's a good reason to appoint her."

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

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VOTE

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

Chairman Hancock said, "Thank you. She is here to be sworn in."

Mr. Rosell said, "Raise your right hand and say I do swear when I'm through."

"I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas, and faithfully discharge the duties of the Office of Animal Care Advisory Board, so help me God."

Commissioner McGinn said, "I do swear."

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

DEFERRED ITEM

C. RESOLUTION APPOINTING BOB O'BRIEN (COMMISSIONER SCIORTINO'S APPOINTMENT) TO THE WICHITA-SEDGWICK COUNTY ALCOHOL AND DRUG ABUSE ADVISORY BOARD.

This item was considered at the February 17 Commission Meeting.

Mr. Euson said, "Commissioners, this appointment will fill an unexpired term and it is until May of 1999. The Resolution is in proper form."

Chairman Hancock said, "Rich, you have on this that this item was considered on February 17 Commission Meeting, what is that on the Agenda?"

Mr. Euson said, "That item was deferred at that time."

Chairman Hancock said, "Okay, very good."

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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	Aye

Chairman Hancock said, "Thank you. Thank you very much. A special thank you to those folks who came in this morning. Good luck on your boards. We certainly appreciate the time you spend on those boards. Next item please."

PLANNING DEPARTMENT

D. METROPOLITAN AREA PLANNING DEPARTMENT (MAPD).

- 1. RESOLUTION REGARDING CASE NUMBER SCZ-0779 - ZONE CHANGE FROM "RR" RURAL RESIDENTIAL TO "SF-20" SINGLE-FAMILY AND "LC" LIMITED COMMERCIAL ON 37.2 ACRES OF PROPERTY LOCATED NORTH OF 71ST STREET SOUTH AND WEST OF HYDRAULIC.**

Mr. Marvin Krout, Director, Metropolitan Planning, greeted the Commissioners and said, "There are four items on your Planning agenda this morning, although the last of those items I'll be asking you to defer, because of an advertising error. These first three items are zoning related and this first case, involving the black taped area, is 37 acres that is north and west of the intersection of 71st Street South and Hydraulic.

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SLIDE PRESENTATION

"This is east of Haysville and south of Wichita. It is in an area where we have had suburban lot activity for some time and is continuing and you have approved other zoning changes similar to this, in the recent past, in this general area. The property today is zoned Rural Residential, which only permits single family lots at a minimum two acre size. Their request is for the SF 20 district, which is the salmon colored area that is on the map, that is adjacent to the east and the west and the south. That will permit one acre lots with on-site sewer and on-site water service in this area. The bulk of this tract would be zone SF 20. The corner, right that the intersection, a little bit over an acre, is requested for limited commercial zoning. Limited commercial would allow for convenience stores and other services.

"The staff looked at this request and has recommended approval. The suburban residential category is consistent with the pattern and trend in this area of lot development and is consistent with the Comprehensive Plan that calls for large lots with on site services in this general area. Seventy-first Street and Hydraulic are both county roads and well traveled. There is discussion about extending 71st Street further to the east and across the Big Ditch to provide a connection between Haysville and Derby. That would just add to the traffic and to the rationalization for commercial services at this area. The staff is in support of this application.

"We took it to the Haysville Planning Commission and the Haysville Commission, it is in their area of jurisdiction, voted eight to zero to recommend approval. There were a couple of residents who were there from the area, I think generally here. There was also the Salem Township Trustee from the Salem Township is east of Hydraulic, but this property will drain to the east and down 71st Street toward the Big Ditch. There were expressions of concern about drainage, both at the Haysville meeting and the same trustee appeared at the Planning Commission meeting and is here this morning, probably speak to you about drainage concerns in her township in general, and concerns about how will this subdivision development effect drainage in the area.

"The Haysville reviewed a preliminary plat at the same time that they reviewed the zoning case. The preliminary plat doesn't contain detailed drainage plans, though, and so when and if this zoning is approved, the applicant goes back to Haysville, the platting issues can be discussed in more detail at that time. The County Engineer will have to review and approve that drainage plan and he'll be looking at how it gets under Hydraulic and down 71st Street and how drainage is handled then, in general. The County Commission, even though this is in the subdivision jurisdiction of Haysville, their Planning Commission will review it, but ultimately you'll have to accept the streets, and if you have concerns about drainage you'll be able to make sure those are addressed also.

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"The Planning Commission, at their public hearing, also voted to recommend approval, subject to platting by unanimous vote. There were no protest petitions that were filed after the Planning Commission hearing, so it just requires a simple majority to approve this request.

"This is the aerial photograph that shows you the area that is in question. You can see a communication tower that is just to the west of this site that was approved about three or four years ago. Suburban development to the west and to the south. This is the sketch plat for the property. This is the corner that would be zoned Limited Commercial. The plan is to extend a street down to an already dedicated street called Pattie. That street is unimproved and so one of the issues that Haysville is also going to have to look at is how this street is going to be improved and how that is going to be funded. Right now that street is about four feet lower than 71st Street and doesn't drain properly, obviously. It will need to be resolved at the platting stage. That will be Haysville's issue to address.

"This is looking north from 71st Street at the property. Now we're looking to the north and west and you see that communication tower which is just to the west of this site. Now we're looking west down 71st Street. You see both sides of 71st Street. To the south side of 71st Street, in the immediate vicinity, still in agricultural use. You can now see, looking south down Hydraulic, south of 71st Street. Now we're continuing to make that counter clockwise turn. We're looking south and east at the intersection and beyond.

"This is looking at the intersection and 71st is unapproved east of Hydraulic. Now we're looking north and east across Hydraulic at the site. Mostly undeveloped to the east. You see the Big Ditch just beyond that undeveloped tract that is to the east of the tract in question. I'll be glad to answer any questions that you have. The applicant's agent is here, also, to address your concerns."

Chairman Hancock said, "Thank you, Marvin. Commissioners, any questions on this zoning item? Marvin, I have just a couple. The SF-20, is it one acre, or 40,000 square feet?"

Mr. Krout said, "If you need on-site water and sewer, it is actually 40,000 square feet."

Chairman Hancock said, "Okay. In the SF-20 zoning, would this be single family residences?"

Mr. Krout said, "Churches and schools are also permitted, by right, in the Single Family 20 district. No other non-residential uses are permitted without a zoning change."

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Chairman Hancock said, "I can't address this here and maybe the citizens will and we'll try to answer any questions. I think Gary will do a good job with the draining. I do have some concerns. It is considerably lower than Hydraulic and 71st Street, this piece of property. Maybe we can work on that. This is probably an improper question. You may not be able to answer it. Will these be site-built houses?"

Mr. Krout said, "I can't answer that question."

Chairman Hancock said, "I don't have any more questions. Commissioners, any questions of Marvin or the applicant? Gary."

Mr. Gary Wiley, Professional Engineering Consultants, greeted the Commissioners and said, "I'm representing the applicant here today. I just wanted you to know that we are in agreement with the conditions that the Haysville Commission put on this plat, as well as the Metropolitan Area Planning Department. I know drainage has become an issue. We've just done a drainage concept. That's been approved by Mr. Weber. We will in fact do a drainage plan, prior to the submission of the final plat. You had talked about the elevation of the property. I do know that in the process of looking at it, that the lowest openings for all of the units would in fact be higher than 71st or Hydraulic, so that they will in fact be protected that way.

"I visited with Mr. Weber about Pattie, the dedicated street that Marvin indicated. He is inclined to try to figure out a way, to get some assistance, to get that street brought up to standard for the County. That would be in conjunction with the streets that are built within this particular subdivision. Be happy to answer any other questions you might have."

Chairman Hancock said, "Gary, from an engineering point of view, is it necessary to have Pattie go through there?"

Mr. Wiley said, "Not from an engineering, but from a fire safety. That becomes an awful long cul-de-sac. We looked at doing that, a cul-de-sac coming off of Hydraulic. It exceeds the 600 feet by a considerable amount. It is about 1,300 to 1,400 feet long, if we do a cul-de-sac. Fire safety prefers to see a tie back to 71st."

Chairman Hancock said, "Commissioners, any questions for Mr. Wiley? Thank you, Gary for being here today. Are there any other speakers who would like to speak on this zoning request?"

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Ms. Joan Storck said, "I'm the Salem Township Trustee. I'm having a hard time finding which meeting I'm supposed to address these issues in, so I'm going to all of them. Is there any way that we can go back to the pictures that we were looking at previously? There are two issues that I'd like to see addressed and you are probably thinking that the Salem Township has nothing to do with this because it is north. Salem Township is north of 71st, south of 71st, Riverside is north of 71st. But Riverside and Salem have worked together and everything that is south of the Big Ditch, Salem has been working for Riverside and vice-versa, because they would have to come south of the Big Ditch, so we're working together on that. We've got one more addition we're working on, trying to turn it over to Riverside because it is north of the Big Ditch.

"The two issues I'd like to see addressed, before this planning gets too far and then it can no longer be addressed, is the drainage and the Pattie Street. My drainage concerns, Mr. Weber and Mr. George, which I respect both of their opinions very much, say that yards soak up more than wheat fields, more water than wheat fields. So they're saying that these 31 units that go in here, even though there's roofs, garages, driveways and roads, that this addition is going to soak up as much water as what the wheat field was soaking up. So there is not going to be any more water going into our township. I beg to differ with them. Too much experience with housing additions has taught us that housing additions create more water into the road ditches, thus water is flowing to the road ditches and possibly across roads and et cetera. The picture that showed 71st Street, the map picture, that showed Hydraulic and 71st Street. The aerial please. If you look, going east, where the road curves at the Big Ditch, at that curve, that holds water with a one or two inch rain currently with no houses built in there. That is where that water currently goes off of that field. A lot of times 911 calls us and asks us to shut that road off because there is so much standing water at that curve. In fact, there is still water there now. That's how much water holds there, even with no rains in the last month.

"In the last 15 years, in Salem Township, we've had several additions go in that have required retention ponds. I believe this addition deserves a retention pond. The Stillwater Addition, at 8400 S. Broadway, was required to put in a retention pond. The Polo Addition, at 8900 S. Broadway, had to put in a retention pond. Hampton Estates, which is in the City of Haysville but also within our township, had to put in a retention pond. Southbrook, which is being taken into Haysville, is in our township. They were required to put in a retention pond. Myers Lake or Timbers Edge, whichever you call it, but it is the same addition, at 8400 S. Hydraulic, had to put in a retention pond. All of these additions were required to because they couldn't show where the water was going to. This addition, when Mr. Wiley brought it to the Haysville Planning Commission, said he was going to get the water away, into the 71st Street ditch, and it was going to go toward the Big Ditch. I said, how are you going to get it into the Big Ditch? He said, that wasn't his problem. It is mine, and I would like to see it addressed as to where that water is going to go.

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"The Pattie Street, apparently they have found that that street was dedicated at some time. It has not been maintained for as long as I've lived in the south end of town, since 1975. There did use to be a stop sign there, but that stop sign hasn't been there for years. The street is only a 60 foot easement going into a 70 foot easement. Mr. Wiley indicated, at the Haysville Planning Commission meeting, he was going to pave the streets in this new addition, so is somebody going to pave this street so it will conform to the new addition? Those are the two issues that I'd like to see addressed. I don't know how much more time I have. Does anyone have any questions?"

Chairman Hancock said, "Commissioners, any questions for Ms. Storck? Joan, I don't have any questions. I know when the plat comes up on this, I want to be aware of it and I'll look at the drainage plan and the plat. I know there isn't any ditch on the north side of 71st Street. At some point, in order to really efficiently get that water to the Big Ditch, if that's where it is going to go, eventually, it's going to have to have some kind of a drainage way there and at this time nothing exists. As a matter of fact, there is a driveway just east of 71st and Hydraulic that would probably block everything if it would go that way. At this point, somebody has to be responsible for that."

Ms. Stork said, "Correct. Even if you get it past that driveway, there is no way to get it into the Big Ditch. It just holds there at Grove and 71st. I don't have any scale of measurement on it, but I'm going to say that the corner of 71st and Grove is at least three foot lower than the corner of 71st and Hydraulic."

Chairman Hancock said, "Thank you for being here today, appreciate it. I do have one question for Marvin or Gary. The old Midland Valley Railroad, is that still an easement condemnation of some kind? What is the status on that?"

Mr. Wiley said, "The railroad has been abandoned and the fee title has reverted on either side of the center line to the adjoining property owners."

Chairman Hancock said, "Commissioner Gwin."

Commissioner Gwin said, "Gary, are you aware of the issues that Ms. Storck has brought up?"

Mr. Wiley said, "We have not done a drainage plan yet. What there is out there today, there is a culvert that goes east and west along the north side of 71st Street. There is a culvert that goes north and south along the west side of Hydraulic. We will, in fact, be doing a drainage plan. I'll be happy to provide a copy to Joanie, at the time we have it completed. It will be a plan that is approved by the Sedgwick County Engineering Department."

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Commissioner Gwin said, "I want you to keep in mind what she said, too, about that pooling area there at Grove."

Mr. Wiley said, "That's a quarter mile away. We will do a plan that has been approved by the County, before we do anything else."

Commissioner Gwin said, "The same thing holds true for Pattie Street and that extension. Will that be a part of your plat?"

Mr. Wiley said, "No, it is not part of the plat. Pattie Street is there today. I have visited with Jim Weber. He would like to see that street brought up to a county standard street. He is not sure how we'd do it yet, so he is mulling that idea over right now and it will be a standard street. The sixty foot right-of-way is adequate to do approximately 30 feet of road surfacing that would be in that particular area. It serves, I think there are about four houses that the street serves. It does need to be improved up to a public street standard."

Commissioner Gwin said, "Okay. I appreciate you listening. I know you'll take those things into consideration."

Mr. Wiley said, "Like I said, I'll be happy to provide Joan with a copy of the drainage plan prior to the platting."

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

Chairman Hancock said, "I think David has something."

Mr. David Spears, Director, Public Works, said, "Let me say one thing to the Commission and Joanie. I will assure you that the post development run-off will not exceed the pre-development run-off. Just be assured of that, whether it takes a retention pond or whatever means, that that will be the case."

Chairman Hancock said, "Commissioner Winters."

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Commissioner Winters said, "Maybe that answers part of my question. Somebody correct me if I'm wrong. We're here to talk about the land use and if this is an appropriate land use for this property, kind of regardless of drainage issues. In the past six or nine months I think we've all, anyway I've certainly got a lot more in tune with drainage aspects of developments. It is not something, really, that you can just certainly leave to chance, that the drainage is going to take care of itself. I guess what I'm saying is, I'm kind of thinking that in my mind this is an appropriate land use, but it is going to really have to have some real attention paid to drainage. Maybe we need to start doing that more."

"We kind of let those plats go by with not much scrutiny some times and I'm certainly not an engineer, so maybe that's the reason we don't scrutinize as much as we expect the professionals to really look at it. I would say that in areas of development, new development, where drainage is going to be an issue, we need to pay special attention to that. Because the one thing that we've learned is you do something for drainage, you fix one problem, you got to make sure you don't cause someone else a problem down the road. I guess I would just say to David and I think maybe he just answered the question, but I think this might be one we really want to take a special look at because of the circumstances of how this property lays and how its neighbors lay. Thank you."

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

Commissioner McGinn said, "I had some of the same concerns that Commissioner Winters and Gwin had, but I wanted to ask Marvin a question. I'm a little bit new at this. After it goes to this next step, the platting process, and they address the drainage and they address the road, does it ever get so cost prohibitive that the developer wants to back out? What happens if some of these concerns that we have become too cost prohibitive? Does it continue on or not?"

Mr. Krout said, "That can happen or the applicant will redesign his plans so that he reduces his cost. But it sometimes happens that someone comes into this process not understanding all the costs that may be involved in the development of the subdivision and finds out later. That's why they hire experienced consulting engineers, to try to tell them that up front. It is also why we go through the zoning process first, to make sure that someone has the assurance that he can do one acre lots versus two acre lots, before he invests in doing the drainage plans and engineering, which is fairly expensive by itself."

Commissioner McGinn said, "Are all the costs incurred by the developer or does it ever effect local government in some of the out-lying roads and drainage?"

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Mr. Krout said, "In an accumulative way, all development is going to eventually effect local governments in drainage, emergency service needs, the need for road improvements on mile-line roads and so on. We're also generating new taxes to help pay for those improvements that are going to be needed. So there is always going to be effects and the effect usually of one development is insignificant. It is the cumulative effect of many developments that becomes significant and that is part of the job of cities and townships and the county, is to try to do good planning and anticipate ten to twenty years from now what some of those cumulative effects are going to be."

Commissioner McGinn said, "Thank you."

Chairman Hancock said, "Thank you, Commissioner. Commissioners, any further questions?"

Commissioner Winters said, "Again, I do have this drainage question, but I think this appears to me to be an appropriate use for this area, if the drainage can work. I haven't heard if anybody has a major objection. I'd be ready to proceed, just in light of the comments about drainage."

Chairman Hancock said, "If there are no further comments, the Chair would entertain a motion."

MOTION

Commissioner Winters moved to adopt the findings of fact of the Metropolitan Area Planning Commission (MAPC) and approve the zone change subject to the condition of platting; adopt the Resolution; and instruct the MAPD to withhold publication until the Plat has been recorded with the Register of Deeds.

Commissioner Gwin seconded the Motion.

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

VOTE

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

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Chairman Hancock said, "Thank you. Thank you, Marvin. Thank you, Gary for being here today. Next item please."

2. **RESOLUTION REGARDING CASE NUMBER SCZ-0780 - ZONE CHANGE REQUEST FROM "SF-20" DISTRICT TO "MF-18" MULTI-FAMILY DISTRICT AND "LC" LIMITED COMMERCIAL;**

AND

CASE NUMBER DP-238 TWENTY FIRST COMMUNITY UNIT PLAN (CUP) - REQUEST FOR APPROVAL OF COMMERCIAL CUP FOR COMMERCIAL DEVELOPMENT ON PROPERTY LOCATED NORTH OF 21ST STREET NORTH AND EAST OF 127TH STREET EAST.

SLIDE PRESENTATION

Mr. Krout said, "This request involves a total of 26 acres of land. As you can see on the map, it is located on the northeast corner of 21st Street North and 127th Street East, which is east of the Wichita city limits, by less than half a mile. You may recall, we had recent request for the northwest corner, that was a similar request involving commercial zoning at the corner and multi-family zoning and the CUP that tied them together. The CUP is for the overall 26 acres. There are a total of 6 tracts proposed for residential and commercial development. That north tract that is labeled MF-18, is about 9 acres, and it would be developed under the CUP for up to 166 multi-family dwelling units under that zoning category. The remainder of the tracts in the area labeled LC would be permitted for retail and office uses under the LC zoning and with the CUP restrictions. As you can see, about half of it, the six acres at the corner, was zoned many years ago as part of the county-wide zoning of mile line intersections, for limited commercial zoning. So this is an expansion of that zoning that has existed for some years.

"The same owner of this property intends to also develop single family lots to the north and to the east of this area, as part of a whole development of the quarter section. City water is available. Sewer is a little bit of a different matter. The edge of the City of Wichita's new, expanded sewer district is right about at this intersection. So this area, and in fact, all of the 21st Street corridor, east of 127th to the County Line does need to have some solution, involving all the property owners who would be interested in developing along that corridor, in bringing public sewer to that location. It looks at though the most obvious solution would be to bring a new interceptor and create a new assessment district to bring sewer from this area to Four Mile Creek sewer treatment plant.

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“So that will have to be investigated and I believe this owner is working with other owners in this area to investigate that, with the County Engineering Department. For that reason, the recommendation on platting is extended from a normal one year to a two year requirement, to try to deal with those engineering problems.

"The staff recommended approval. This is consistent, in terms of commercial development at mile line intersections, with higher residential as a buffer between the commercial uses and single family uses in urban areas. This is similar to zoning requests that were approved on the northwest corner and also earlier than that, on the southeast corner for about 17 acres of commercial zoning. This is only a half mile to the east of the interchange of K-96 and 21st Street, which we indicated in the plan that we thought was going to be the general location for major commercial activity. In the meantime, a lot of the sites that are near to that interchange area have been acquired by and are being developed with other types of land uses, institutional uses, and you'll see, I think in the background of one of these slides, a large church and large school that are under construction under this site and on this site. So we think there is commercial potential.

"If you look south in the Four Mile Creek area here along 13th Street, at 127th and some of the other intersections, there is very limited opportunities for commercial development and so I think what is happening is the pattern of commercial development is going to be, basically, concentrated further to the south, on Central and Kellogg, and then up along 21st Street, where it may be available. We did have previously the owner of this property, indicating that he had plans to be coming in to see us with a commercial zoning request, too.

"This is consistent, 21st Street is expected, in the County CIP, at some point in the future, possibly four or five years from now, to be improved to a four lane road. At this point, it doesn't look as though 127th . . . well, 127th Street is unimproved at this location. It is a two lane road at this location and needs improvement. This is one of the cumulative effects, not just of this development but other developments in this area is eventually going to require road improvements along the mile line roads in this area. That is expected and I think it can be planned for. We recommended approval subject to the conditions that are in the staff report and in the CUP that was submitted. All these issues of access and uses and all were worked out with the applicant, prior to the Planning Commission hearing. There was no opposition at the Planning Commission meeting, at their hearing about this case.

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“One of the Planning Commission members did express a concern that the amount of acreage that is being requested here, in combination with the other corners of this interchange, may over power the capacity for handling traffic at this intersection. Based on our experience, I don't think that is true, although we didn't require a detailed traffic study, at this point, to look at that issue, but there are traffic improvements that this applicant will be required to provide, as the other commercial developers are required to provide them to add to the standard four lane arterial with decel lanes and left turn lanes to handle the extra traffic.

"The Planning Commission vote was eight to one to recommend approval of this application, subject to platting in two years, as I said earlier. I'll try to go through the slides quickly and then answer any questions that you have.

"This is the aerial, somewhat dated, because there is some construction that is occurring along 21st Street, to the west of this tract. This is the CUP that shows the parcelization, with the multi-family tract to the north. Their access lining up with a collector street, that will serve the development on the northwest corner of this intersection. These are the commercial tracts, with one large tract and four smaller pad sites.

“Snowy day. We're looking, this is looking on the site, on the north side of 21st Street. This is looking in an easterly direction, down 21st Street, with the frontage along 21st Street of the site. Again, we're looking to the east, north of 21st Street. This is looking from 127th Street, to the north and east across the site. The area is undeveloped. All the surrounding land, except for some scattered homes to the south and up, maybe half a mile to the north, on 127th Street. This is 127th Street North and 21st, currently unimproved. Looking at the northwest tract, across the street, that was recently approved for rezoning. This is looking back, west, down 21st Street. You can see the church and school on either side of the road. I don't think you can make out K-96, but it is half a mile out there, in the background. This is looking south on unapproved 127th, south on 127th at the intersection of 21st Street. This is looking, again, to the south. There is a house on the . . . currently that is part of the approved zoning from limited commercial but there is a house on the southeast corner of that intersection today. Back to the aerial photograph and zoning map. I'll try to answer any questions you have on this case.”

Chairman Hancock said, "Thank you, Marvin. Commissioners, questions for Mr. Krout? If not, is there anyone here who wants to speak on this issue?"

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Mr. Rob Hartman, Professional Engineering Consultants, said, "I'm here on behalf of the applicant. As Marvin mentioned, this is very similar to the project on the west side of 127th Street. The applicant actually owns the entire quarter section and what he is trying to do is get his Commercial and Multi-Family zoning in place before any residential development occurs, so everybody knows what is going to be out there. We're in agreement with the staff comments and if you have any questions I'd be glad to answer them."

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

Commissioner Gwin said, "Thank you, Mr. Chairman. Rob, I'm glad you explained that, because that was my sense of reading it too and reading the minutes, that the plan here is to try to put anyone who else who wants to come in and develop or build or buy, on notice that this is what the zoning is and it is different than what it was originally intended. I think I'd rather have you all not surprise people, if you can avoid it, and this certainly gives them plenty of warning that changes could be on the way. It will not always be bare land. It is going to be developed in some form, but you do have some restrictions, do you not, on the use of that LC?"

Mr. Hartman said, "Yes, we do. There are architectural controls and a wide range of restrictions on that parcel, to protect the residential development that will surround it."

Commissioner Gwin said, "Okay. Have you been in contact with Mr. Weber, at our Sewer Department, about Four Mile Creek and whether or not we can make an extension up there?"

Mr. Hartman said, "The owner has briefly talked with him and has said that he is in favor of bringing sewer up to this area but anymore than that, I don't think anything else has."

Commissioner Gwin said, "We've recently approved the next phase of upgrading and expanding the plant, so hopefully we'll be able to provide that service. We'll work on that. Thank you. Thank you, Mr. Chairman."

Chairman Hancock said, "Thank you, Commissioner. Commissioners, any other questions? Is there anyone else who would like to address this zoning item? If not, the Chair would entertain a motion."

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MOTION

Commissioner Gwin moved to adopt the findings of fact of the MAPC and approve the zone change and creation of the Twenty First CUP; and 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, "Thank you. Next item please."

- 3. RESOLUTION REGARDING CASE NUMBER SCZ-0781 - ZONE CHANGE FROM "SF-20" SINGLE-FAMILY TO "LC" LIMITED COMMERCIAL ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF 53RD STREET NORTH AND RIDGE ROAD.**

SLIDE PRESENTATION

Mr. Krout said, "Commissioners, this tract, at the southeast corner of Ridge and 53rd Street, is one and a half acres in size. It has a collection of dilapidated buildings on it now. I don't know that our slides show it all that well, but it certainly is a corner that needs some sort of clean-up. The property in all the salmon colored area is SF-20, which is the Suburban Residential zone. It has been that way for a long time. The yellow area is Rural Residential. Some of you will recall, we had a recent zoning request to expand office zoning on this tract, for an expansion of a business here and there are a couple of businesses a quarter of mile to the west on 53rd Street and I would say there is a sprinkling of non-conforming businesses along both 53rd Street and Ridge Road in this general area. But that is the only area that is currently zoned.

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"The request is to change the zoning from the SF-20 district to the LC, Limited Commercial district. The applicants, who are here, live in the area, have been operating a limited auto repair use as a home occupation for a number of years but are looking for a site to build a commercial building with proper commercial zoning and they've done a fairly exhaustive search. They want to stay in this area, to serve the clientele that is already established and this property ended up being the only one that is available. Other properties that were zoned in their search were not available. This seemed to be appropriate. In our look at it, we did give them encouragement because we thought this was a reasonable use for this property.

"Ridge Road and 53rd Street are both County roads. They're both well traveled roads, have three to four thousand cars per day on each of them traveling on this road. This is a very small tract by itself and it is difficult to imagine the one and a half acres right at the intersection being redeveloped for single family use. There is a home across the street on larger acreage, but because of that larger acreage they are well set back and landscaped and buffered from this intersection. At certain suburban locations like this, we think that some limited commercial uses are going to be appropriate in suburban areas and we thought this would clean-up, basically, this property which is definitely in need of being cleaned up. We did recommend approval, subject to the normal requirement for platting. Commercial uses and industrial uses, where municipal water and sewer are not available, are looked at very closely, particularly where there may be waste problems and disposal problems. That is not something that we would generally encourage. In this case, it is intended to be a very limited operation.

"In discussions with the applicant and with Jack Brown of the Health Department, who is here, by the way, to answer questions if you have them, the solution to handling both the wastes from the wash down inside the building, which would be built for auto repair and also the normal domestic sewage that would be generated by employees that are there. The solution that was proposed was to use a holding tank, rather than a septic tank. This is an area that is somewhat sensitive because it is fairly close to groundwater, although homes in this area have been established with septic tanks for a number of years. There has been some concern, I'll describe in a minute, of some of the residents of this area about the potential for groundwater contamination, from solutions that are used as part of the business entering the groundwater. These people are on wells in this area and expressed concern about that and protests petitioned.

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"In terms of the land use, Limited Commercial zoning did seem to be appropriate. Auto repair in the LC district must be indoors only. Cars cannot be stored for long amounts of time. Any storage is very limited and has to be screened. They can only be parked for, I think, 42 or 78 hours on the site. This is not an operation where you should see . . . it shouldn't look like a salvage yard with cards strewn all around. The activity itself has to be indoors. Heavy work, like painting and body work, is not permitted. So there are some limitations that go with the LC zoning for an auto repair use.

"The Planning Commission held their hearing last month. There was no opposition at the Planning Commission meeting and the Planning Commission recommended, by unanimous vote, to follow the staff recommendation and approve the zoning, subject to platting. After the Planning Commission hearing, however, there were protests that were filed by eight of the surrounding property owners, within the 14 days that the state law provides for filing protest petitions. I'll show you that map. This is the aerial photograph. You can see the scattered homes that are in the area, up and down Ridge Road and 53rd Street. The protest petitions were filed by a total of 8 property owners, representing more than 50% of that ring of 1,000 feet from the property. That does mean that it will require a three quarter vote, or four of the five County Commissioners, to approve this zoning request on this one and a half acres.

"The protest petition that was submitted by the applicants indicated that their concern was with traffic in the area, with parking of cars on this site. That there would be substantial traffic, I assume, generated by this facility, although I don't think the size of the facility lends itself to a great amount of traffic, compared to the traffic already on 53rd and Ridge Road. The contamination issue was raised by the protesters, but as I say, I believe that can be resolved through the use of a holding tank and that will be resolved as we go through the platting process.

"The property owners expressed, in their petition, that the combination of these factors would lead to a devaluation of their property. We did send, although these people did not show up at the Planning Commission hearings, we did send a courtesy notice to them, letting them know that the County Commission was considering this item on this date and I don't know if anyone has arrived to speak to you on this item. But we did send out that notice. The applicants are here, if you have any questions. Let me go through the slides quickly for you.

"As you can see in this slide, we are looking from Ridge Road to the east, and you can see one of the out buildings and can you can see the mobile home, I believe, is vacant and unoccupied, I hope so, on this site. This is the intersection, looking north on Ridge Road. This is, again, the intersection, and there is a sand and gravel operation in this general area. That is one of the trucks coming from further west on 53rd Street.

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"You can't see the house very well, but this is the southwest corner of the site and there is a house in that direction. It is on a large lot and well buffered from the intersection.

"We are now looking south, down Ridge Road, and there are suburban homes that do line Ridge Road, to the south of 53rd Street. This is the home that is nearest to the property in question. This is one of the out buildings on the site that we are talking about and then a couple more mobile homes further to the south. Back to the aerial photograph and the zoning map. I'll try to answer any questions you have. "

Chairman Hancock said, "Thank you, Marvin. Commissioners, questions on this item? If not, are there any speakers who would like to speak, today, on this zoning item? Please come forward."

Mr. Doug Duncan, 2101 N. Shelley, said, "My wife and I are the owners of the property. We bought the property in hopes of changing the zoning to establish an auto repair business. About a half mile down the road, I do have a repair business that I have been there for probably eight or nine years, and we're just needing to expand. We looked all over the area, in that general area, trying to get things that were already zoned Commercial or Limited Commercial to use and all on down the road on Ridge. There are properties already zoned, but they are not for sale. We're just trying to expand a little bit and I work for myself. I'd like to hire on another mechanic or two and I have a growing business. I can't keep up with what I'm doing where I'm at. I do have some pictures, they are pretty much what he had. There are some pictures of the building that I'd like to build. I don't know if that is appropriate."

Chairman Hancock said, "Sure it is. Hand them to Commissioner McGinn and she'll pass them down."

Mr. Duncan said, "This is what we'd like to build. Do you have any questions?"

Commissioner Sciortino said, "Yes, where is your present business? Is it a half mile south, on Ridge?"

Mr. Duncan said, "A half mile south on the west side. You can probably see it from that one aerial photo."

Commissioner Sciortino said, "So you're in the vicinity right now."

Mr. Duncan said, "Yes. I can show you roughly."

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Commissioner Sciortino said, "You're within about a half mile."

Mr. Duncan said, "We're right here."

Commissioner Sciortino said, "Okay, thank you."

Chairman Hancock said, "Commissioner McGinn."

Commissioner McGinn said, "Okay, it looks like if you're going to put this size on here, you're going to clean the entire lot off, correct?"

Mr. Duncan said, "Oh yeah. In the original deal at the Planning, we're going to fence off the south side and east side of the property from the adjoining properties with some privacy fencing that is required by platting. They said that is required as a sound barrier."

Commissioner McGinn said, "You said you're going to hire a few more people to help you. What do you think the load is going to be in and out of there as far as customer base? How many cars do you think you'll have coming in and out each day?"

Mr. Duncan said, "It's hard to say. Right now, I might average . . . some days you might have ten people, ten cars show up, and the next day you might have none. That's just by myself, so I don't think it is going to increase a whole lot. I could see 10 to 20 a day. Well, 20 would be stretching it. I could see 10 a day, at the most."

Commissioner McGinn said, "Probably a home with a couple of teenagers could take care of that, coming in and out, anyway. Not that much. Okay. I have a couple of questions I'd like to ask Jack Brown, if I could. Jack, I know this area here is awful close to groundwater and they do have certain containments that you can use, rather than a septic tank. How big are those?"

Mr. Jack Brown, Health Department, said, "We just have to look to determine what the estimated waste water generation would be at this particular facility and size a holding tank accordingly. As Marvin indicated, we've had some discussion, and to be protective of the ground water, I think it would probably benefit the neighborhood and the applicant to have some kind of a holding tank, rather than a conventional disposal system. So a 1,000 gallon minimum, I would assume, that would have to be pumped on a routine basis depending, on how long it takes to fill that particular tank up."

Commissioner McGinn said, "I didn't ask and maybe you mentioned it, but that is what the applicant is planning on doing, is that correct? The holding tank."

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Chairman Hancock said, "I believe that's what Marvin said."

Commissioner McGinn said, "Okay. The only other thing had to do with some of these protests or complaints, the groundwater concern by paving the property and the excessive petroleum waste. That, I assume, is the wash off and run-off we're talking about, correct?"

Mr. Duncan said, "I think the wash off, like having a drain down the middle and when you clean it up you may have waste oil or antifreeze spill and when you wash up it would go in the holding tank. I think that's what their concern was. Originally when I talked with the Health Department, they talked about no floor drains and when you're washing things or cleaning your hands, to have a filter in the system, but then they changed to a holding tank and then just having it pumped so they would haul it off. I don't know about the water run-off. There are road ditches."

Commissioner McGinn said, "It sounds like it is all going to be contained. I have no further questions."

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

Commissioner Sciortino said, "I just have one question of the applicant. How are you planning on disposing of the solvents and oils and what have you that are conducive to your type of business?"

Mr. Duncan said, "On like engine oil, what I am planning on doing is putting in a waste oil burner to heat the facility during the winter and you'll have a holding tank for holding your waste oil. Any of the excess waste oil, if like you usually have a 1,000 gallon holding tank, the excess oil they'll come and pump it and take it. It is like \$20 for a 50 gallon barrel to have it hauled off. That's what I do now. I have it hauled off. The solvents that you use, Safety Clean Company is who I use. They come out and actually charge you for how much solvents you've used because solvent will evaporate et cetera in use. That's about the only solvents and oils that are part of the business."

Commissioner Sciortino said, "Thank you. No further questions."

Chairman Hancock said, "Commissioners, any further questions of the applicant? Thank you. Appreciate it. Is there anyone else where who would like to address this zoning item at this time? Are there any further questions or discussion, Commissioners? If not, the Chair would entertain a motion."

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MOTION

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

Commissioner Sciortino seconded the Motion.

Commissioner McGinn said, "I just want to say thank you to Mr. Duncan for buying that property and making the improvements that you are. I drive by that intersection every day and I'm looking forward to the new look. Thank you."

Chairman Hancock said, "Are there further comments? 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
Chairman Bill Hancock	Aye

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

4. RESOLUTION REGARDING CASE NUMBER 98-9 - PROPOSED AMENDMENTS TO THE WICHITA-SEDGWICK COUNTY SUBDIVISION REGULATIONS.

Mr. Krout said, "I'd be glad to answer any questions you might have about this item, but the Derby Reporter had a typographic error in the advertisement, that we noticed just yesterday, they typed the date wrong on the newspaper advertisement. So, to make sure that this is approved properly and we're required to advertise this because we're adopting it by reference. We want to do it properly. We recommend you defer this item for two weeks."

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MOTION

Commissioner Gwin moved to defer the item for two weeks.

Commissioner Winters seconded the Motion.

Commissioner Winters said, "I have a question though. Could we ask if anybody is here in the audience today to address this? If there should happen to be somebody who wanted to address it and knew the right date, we ought to give them an opportunity, I think."

Chairman Hancock said, "That would be fine. Is there anybody who would like to speak to this item? Apparently not. Marvin, anything else? Questions or comments? Clerk, call the vote please."

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, Marvin. Next item please."

NEW BUSINESS

E. DIVISION OF COMMUNITY DEVELOPMENT.

1. CONTRACT WITH MEDIATION CENTER OF WICHITA TO PROVIDE MEDIATION SERVICES.

Ms. Irene Hart, Director, Division of Community Development, greeted the Commissioners and said, "For several years now the County has contacted with the Mediation Center of Wichita to coordinate, train, and provide volunteers to do mediation services, primarily in the small claims court. They've done an outstanding job every year. This year I have Teddy Woods with me, who is the Executive Director of the Mediation Center. I'd ask him to come to give you a feel for what kinds of services are provided and what they did last year. Teddy."

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Mr. Teddy Woods, greeted the Commissioners and said, "I was here last year and had an opportunity to be introduced as the new Executive Director of the Mediation Center of Wichita at that time. I am proud to report that the Mediation Center has had another year of providing services to the citizens of Sedgwick County that has been very successful in small claims court as well as some of the other areas that we do.

"For some of you Commissioners, who may not know about the Mediation Center of Wichita, it originally started as the Neighborhood Justice Center. That organization provided the ability for people in our community to solve conflicts in a way that was starting with mediation and helping each other to see each other's views. That organization has changed and grown now to where we do more than just provide services in the local neighborhoods for people that have disputes. The organization now has a number of volunteers in the range of about 50 to 70. We train twice a year. Our core training and mediation. Those volunteers are able to provide the services in small claims court that actually take the place of probably one judge that you would have. We heard about four hundred cases last year. That represented about 500 hours of donated time that the volunteers of the Mediation Center gave to Sedgwick County.

"The cases that we hear are all of the types of cases that you have in small claims court. Volunteers also do community service and we have mediation that we do at the Mediation Center that still concern neighborhood issues. So it is an ongoing enterprise trying to assist the community in creating a better environment for the citizens that we have living here.

"The training that we do twice a year provides the people of the community an opportunity to learn mediation skills and then we are able to take those parties who have learned those skills and put them into an environment to practice those skills in a small claims court and in the other mediations that we do. The Mediation Center is also involved in a number of programs in our school system, in trying to bring out areas that help reduce the conflict in that. Many of the mediators that we've had here at the Mediation Center of Wichita have been pioneers in working in the peer court program that Sedgwick County has in the school systems here. So, we are asking that you again fund this contract for another year so we can provide the services that we have provided and we look forward to being able to have a continued relationship with you.

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"One other additional point I did make last year when I stood before the Commission, I made a comment that we were very interested as an organization in increasing our face in the community, in terms of broadening our ethnic participation in the organization. I'm proud to report that in the last two training classes that we've had, we've had a four hundred percent increase in ethnic representation with our volunteers. So, a lot of the things we are doing as a community organization, they're getting out to all members of the community and we're presenting a wide range of services and a face on our organization that does reflect the people in this community. Any questions?"

Chairman Hancock said, "Commissioners, any questions? We appreciate you being here today and taking the time to come by and talk to us. Irene, anything else?"

Ms. Hart said, "No, sir. We get all this service for \$9,000."

Chairman Hancock said, "Okay, very good. Thank you. Commissioners, if there is no further discussion, the Chair would entertain a motion."

MOTION

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

Commissioner Winters seconded the Motion.

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

VOTE

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

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

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2. RESOLUTION AUTHORIZING SEDGWICK COUNTY, KANSAS TO ISSUE ITS ADJUSTABLE MODE AIRPORT FACILITY REFUNDING AND IMPROVEMENT REVENUE BONDS IN THE AMOUNT OF \$34,000,000 (FLIGHTSAFETY INTERNATIONAL INC.).

Ms. Louanna Honeycutt Burress, Economic Development Specialist, Department of Housing and Economic Development, greeted the Commissioners and said, "You may recall that back in the fall you took action to approve a resolution to issue \$34,000,000 in Industrial Revenue Bonds on behalf of FlightSafety International's facility east of Wichita in Sedgwick County. The initial plan was to issue the bonds in 1998 and immediately move forward with the project. However, for a variety of reasons, that project was delayed into 1999. Bond counsel has recommended, for that reason, that you approve a new resolution, which is essentially like the one you approved on November 4, to issue the \$34, 000, 000 in Industrial Revenue Bonds, on behalf of FlightSafety.

"Our bond counsel has assured me that the documents are all in order and Kim Bell of Hinkle, Eberhart and Ilkouri, is with us this morning if you do have any questions. I would recommend that you approve the Resolution issuing the bonds on behalf of FlightSafety and repeal Resolution No. 198-98."

Chairman Hancock said, "Thank you, Louanna. Commissioners, questions for Louanna while she's here? Any other questions or comments? If not, the Chair would entertain a motion."

Commissioner Gwin said, "I guess I have a question of Rich. Richard, if our action is to adopt the Resolution, does that Resolution also contain the other action that Louanna suggested or do I need to make two motions?"

Mr. Euson said, "The Resolution is in standard form and authorizes the Chairman to executive such other and further documents as are necessary to perfect and close the bond issue."

Commissioner Gwin said, "Do I also have to make a motion that we rescind the previous Resolution?"

Mr. Euson said, "Is that not in the Resolution?"

Commissioner Gwin said, "I don't know."

Mr. Euson said, "Can I have a moment to look at that? It is in Section 13 of the Resolution and so no, you do not need to make it separate."

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Commissioner Gwin said, "Okay, that's all I need to know."

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	Aye
Chairman Bill Hancock	Aye

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

3. AGREEMENT WITH CITY OF KECHI FOR SEDGWICK COUNTY TO PROVIDE ANIMAL CONTROL SERVICE AND ENFORCEMENT WITHIN THE CITY LIMITS OF KECHI.

Mr. Sherdeill H. Breathett, Sr., Director, Animal Control Department, greeted the Commissioners and said, "We're delighted to say that we have an additional city that has come on with us on a local agreement for us to provide service and enforcement for animal control needs in the City of Kechi. I recommend that the Commission would approve that agreement."

Chairman Hancock said, "Thank you, Sherdeill. Commissioners, questions or comments on this item?"

Commissioner Gwin said, "Just glad to see another partnership come to be. That's great. Thank you for the hard work."

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MOTION

Commissioner Gwin moved to approve the Agreement 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

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

F. LAKE AFTON AND SEDGWICK COUNTY PARKS.

1. AGREEMENTS (TWO) FOR USE OF LAKE AFTON PARK.

! KANSAS ORGANIZATION FOR SPACE MODELING FOR USE JUNE 26-27, 1999 TO HOLD A KANSAS ROCKET AEROMODELERS' OPEN MEET; AND MARCH 3, MAY 1, JULY 18, AUGUST 14, OCTOBER 2 AND NOVEMBER 7, 1999 TO HOLD FUN FLY LAUNCHES

! MIDWEST KARTING ASSOCIATION FOR USE MAY 8-9, 1999 AND AUGUST 21-22, 1999 TO HOLD ANNUAL LAKE AFTON ENDURO KART RACES

Mr. Jarold D. Harrison, Assistant County Manager, greeted the Commissioners and said, "We have two agreements for Lake Afton Park. The first one is with the Kansas Organization for Space Modeling, for use on June 26 and 27, to hold a Rocket Aeromodeler's Open Meet. Then Fun Fly Launches, on March 3, May 1, July 18, August 14, October 2, and November 7. This is a standard form agreement. It will be subject to receipt of insurance and we would recommend your approval."

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Chairman Hancock said, "Thank you, Jerry. Commissioners, questions on these items?"

MOTION

Commissioner Winters moved to approve the Agreements 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

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

Mr. Harrison said, "I apologize Commissioners, I see they changed the format of the way they are doing these. That second Agreement is Midwest Karting Association, for use on May 8 and 9, and August 21 and 22, to hold the Lake Afton Enduro Kart Races. I apologize, I didn't read that right."

Chairman Hancock said, "I assumed that was what we were approving were those two agreements as one motion."

Mr. Harrison said, "I'll cover all the items this time."

2. AGREEMENTS (FOUR) FOR USE OF SEDGWICK COUNTY PARK.

**! PREGNANCY CRISIS CENTER OF WICHITA, INC. FOR USE
JUNE 5, 1999 TO HOLD A WALK FOR LIFE FUND RAISING
WALK**

**! WICHITA AREA GIRL SCOUT COUNCIL FOR USE JULY 25, 1999
TO HOLD A FAMILY PICNIC AND PEDAL AT THE PARK
BICYCLING EVENT**

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! MID CONTINENT R/C COMPETITION SPECIALISTS FOR USE AUGUST 6-11, 1999 TO HOLD THE AMERICAN POWER BOAT ASSOCIATION NATIONALS; AND SEPTEMBER 25-26, 1999 TO HOLD THE ANNUAL DISTRICT 17 REGATTA

! RIVER COMMUNITY CHURCH FOR USE OF SEDGWICK COUNTY PARK APRIL 3, 1999 TO HOLD AN EASTER SUN RUN

Mr. Harrison said, "Pregnancy Crisis Center Walk for Life Fund Raising Walk, June 5. The Wichita Area Girl Scout Council use of the park for a family picnic and Pedal at the Park bicycling event, on July 25. Mid Continent Radio Control Competition Specialists, for use August 6 through 11, 1999, to hold the American Power Boat Association Nationals. I believe this is the second time in three years we've held the nationals event here. September 26, to hold the Annual District 17 Regatta. The River Community Church for use of Sedgwick County Park April 3, 1999 to hold an Easter Sun Run. These are all standard form agreements, subject to receipt of insurance and I would recommend your approval."

Chairman Hancock said, "Thank you, Jerry. Commissioners, questions on these items?"

MOTION

Commissioner McGinn moved to approve the Agreements 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
Chairman Bill Hancock	Aye

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

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G. EMERGENCY MEDICAL SERVICE (EMS).

1. AGREEMENT WITH EAGLEMED, A DIVISION OF BALLARD AVIATION, INC., TO PROVIDE MEDICAL HELICOPTER SERVICE.

Mr. Tom Pollan, Director, Sedgwick County EMS, greeted the Commissioners and said, "The first Agreement is with Eaglemed, with Ballard Aviation, Eaglemed Division. I would recommend your approval and authorizing the Chair to sign."

Chairman Hancock said, "All right, is there anyone here today who would like to address this item today? Thank you. Chair would entertain a Motion, if there is no discussion."

MOTION

Commissioner Sciortino 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	Aye

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

2. AMENDED AGREEMENT WITH WESLEY MEDICAL CENTER, LLC, OPERATOR OF LIFEWATCH, TO PROVIDE MEDICAL HELICOPTER SERVICE.

Mr. Pollan said, "We have an agreement for helicopter services for Sedgwick County and the EMS system. Again, I would recommend the approval of the Commission and allow the Chairman to sign. I believe there are representative from Wesley here, that would like to address you."

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Chairman Hancock said, "All right. Would anyone like to make a comment relative to this item?"

Mr. Ken Stuart greeted the Commissioners and said, "I'm Legal Counsel for Wesley Medical Center. With me this morning is Mr. David Nagel, Chief Operating Officer and Mr. George Figgins, who is Lifewatch Commander for Wesley Medical Center. I just want to say that we appreciate the fact that you've indulged us with at least with one continuance to get this agreement in its present form. We think that it is satisfactory and that it will assure, when performed, to the citizens of Sedgwick County the continued good emergency helicopter services. We appreciate the opportunity to be of service to you and to those citizens. Wesley has enjoyed a long period of operating Lifewatch at benefit to the health care of this community and its citizens. We ask your approval of the agreement in its present form. Thank you."

Chairman Hancock said, "Thank you, Mr. Stuart. Commissioners, questions?"

MOTION

Commissioner Gwin moved to approve the Amended Agreement 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

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

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H. LEASE AGREEMENT WITH DIANE KRAMER FOR PROPERTY TO BE USED FOR CONSTRUCTION OF A NATURE TRAIL AT LAKE AFTON PARK.

Mr. Harrison said, "Mr. Benoit had an unscheduled appointment and was not here to be able to present this. If you'll give me just a minute, I have some maps to hand out. As you're aware, we've been working on a hiking trail at Lake Afton Park for a period of time now. This has been a project that Mr. Benoit and the Park Superintendent have been working on for about four or five months. The purpose of this is to develop a trail system of about eight to twelve miles which will encircle the entire lake. One of the issues we ran into early on, in laying out the trail system, has to do with getting across some of the drainage areas south of the lake.

SLIDE PRESENTATION

"This slide represents an area south of the dam, below the area of the low water crossing that is south of the dam and represented part of the problem in routing the trail. In order to get around this, which flows water about one third of the year, we have routed the trail to cross at a different point. This is the low water crossing area and the area you saw with water is south of that. We have determined that it is not a viable path for folks to take to cross this low water crossing. Because the road crosses here and because this frequently has water in this area, we didn't feel it was a good safety issue to direct the path along that route, because it would encourage trail users to use that anytime the water is flowing because the road goes through it, therefore it must be safe. We thought that was probably not the approach to take.

"What we did determine was in this area, which is much further south, if you'll look at the map, at the very south end there is an area where we can fairly readily cross most times of the year, you can't cross, obviously, when the water is up and flowing high. This area takes us away from the road. It doesn't leave that impression that a low water crossing area is safe to cross. If the water is flowing here, we don't feel like people will be tempted to go ahead and cross in that area.

"In order to get the trail loop closed, because of the proximity to the sewage lagoon at the Judge Riddel's Boys Ranch and the corner of our property, it became necessary for us to look outside of of the County property to close that loop. The area that we're talking about leasing is the little area just outside the line, outside the black line at the bottom of your map. It is approximately 385 feet long. We're asking you to approve an easement for that property with the private land owner. It is a ten year lease at a cost of \$250 per year. We will be responsible for fencing that area off, so people wouldn't stray from that area onto the private owners of the property. We have done a tour of the area with the land owner. They're comfortable with this arrangement. They have signed a lease agreement, or an easement agreement, and we would ask you to approve."

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

Commissioner Winters said, "Thank you, Mr. Chairman. I'm certainly going to be supportive of this. I've talked to Matt about it several times. I think Matt has really done . . . I assume Matt developed this map."

Mr. Harrison said, "Yes, sir, he did."

Commissioner Winters said, "Matt Benoit did a good job on this map. The thing that you really can't tell, by looking at the map is, if we didn't do this in this manner, we would actually have just cut off all of that west loop of the trail. There just wouldn't have been any way to do it. So the trail would have been significantly shorter than it is going to be and that is really some very neat area off in that little west protrusion there at the south end of the lake. I think, for just this little amount of expenditure, it has significantly lengthened the trail out there. I'm certainly going to be supportive and have talked to Matt about it. If anybody has any questions, I'd be glad to respond to questions about this also."

Chairman Hancock said, "All right, Commissioners, any further questions on this item? If not, the Chair would entertain a motion."

MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

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

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Commissioner Winters said, "Mr. Chairman, one other thing. I know we're a ways from having this all completed yet, but if people are watching this, I think this is kind of a preview that we are going to have a significant enhancement to the Sedgwick County park area when this trail is finally completed. I hope we have some kind of little small grand opening of a really new hiking trail facility in the County, which I really think is going to be significant."

Mr. Sciortino said, "We can all jog around it."

Mr. Spears said, "Along with that, so everyone knows, it is in the Capital Improvement Program, we are relocating MacArthur Road slightly to the north, so there will be a new alignment for the cars to drive on and bridges. What we're going to do with old MacArthur Road, is not take out the bridge or the road, but let that be part of the internal park system so it will be safer for people to go down the old MacArthur. Just wanted to tell everyone about that also. That will be about two years before we have that done."

Chairman Hancock said, "Very good. Thank you. Next item please."

I. DIVISION OF HUMAN SERVICES.

1. CONTRACT WITH UNIVERSITY OF KANSAS SCHOOL OF MEDICINE-WICHITA MEDICAL PRACTICE ASSOCIATION TO PROVIDE PSYCHIATRIC HOSPITAL-BASED SERVICES.

Ms. Deborah Donaldson, Director, Division of Human Services, greeted the Commissioners and said, "This first item is a new contract. This is a situation where we will be changing the way we do business in our in-patient services. Prior to this, we had contracted with a hospital to provide the physician coverage for our in-patient business. This changes that and the in-patient is covered by the KU Medical School, which we believe will be a real win-win situation. We will have our in-patient services covered, plus our consultation and the KU Medical School has the opportunity for their students and residents to be trained in a public mental health system, which they believe really is the system of the future and how things will be handled in mental health. I'll be glad to answer any questions."

Chairman Hancock said, "Thank you, Debbie. Commissioners, questions? If not, the Chair would entertain a motion."

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MOTION

Commissioner Gwin 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
Chairman Bill Hancock	Aye

Chairman Hancock said, "Next item please."

2. AGREEMENT WITH TIYOSPAYE TO PROVIDE PREVENTION/EARLY INTERVENTION SERVICES.

Ms. Donaldson said, "Commissioners, this is part of the prevention funds program. This particular agency was contracted with last year and did a very fine job and we're recommending that we renew that contract for the next year. I'll be glad to answer any questions."

Chairman Hancock said, "Thank you. Commissioners, any questions?"

MOTION

Commissioner McGinn 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.

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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, "Next item please."

3. AGREEMENT WITH UNIVERSITY OF KANSAS SCHOOL OF MEDICINE-WICHITA, MEDICAL PRACTICE ASSOCIATION, DEPARTMENT OF PSYCHIATRY AND BEHAVIORAL SCIENCES ALLOWING DIRECT MEDICAID BILLING.

Ms. Donaldson said, "Commissioners, This is the standard affiliation that you've seen a number of times with different agencies through which they're allowed to bill Medicaid for mental health services they provide. We felt this would be something very positive for their program and actually work towards enhancing the collaboration and partnership we're developing with them. Be glad to answer any questions."

Chairman Hancock said, "Thank you. Commissioners, questions for Debbie on this item? If not, the Chair would entertain a motion."

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.

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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."

4. AGREEMENTS (TWO) WITH TAMMY LYNN AND BARRY CARROLL TO PROVIDE FAMILY FACILITATION SERVICES.

Ms. Donaldson said, "Commissioners, in our Community Developmental Disability organization, we have a self determination project that is funded through the Robert Wood Johnson Foundation. This is an aspect of that program. This contract allows these two individuals to work with families and the individual in terms of putting together a plan with monies available in terms of where they live, who they want to live with, how they want to spend their days, and they help facilitate that. I would be glad to answer any questions."

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

MOTION

Commissioner Sciortino moved to approve the Agreements 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
Chairman Bill Hancock	Aye

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

5. DELETION OF ONE FIELD CASE MANAGER POSITION, RANGE 16, FROM THE COMPREHENSIVE COMMUNITY CARE STAFFING TABLE.

Ms. Donaldson said, "Commissioners, this relates also to Item 4. This deletion, this particular position is what took care of that prior to this and we are now deleting that position and freeing those dollars to pay for the contracts that you approved in number 4."

Chairman Hancock said, "All right, thank you, Debbie. Commissioners, questions for Debbie on this item? If not, what's the will of the Board?"

MOTION

Commissioner Winters moved to approve the deletion from the COMCARE Staffing Table.

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, Debbie. Next item please."

6. CONTRACTS (SIX) FOR INCOME ELIGIBLE (IE) PROGRAM AND CONTRACTS (FOUR) FOR SENIOR CARE ACT (SCA) PROGRAM TO PROVIDE PERSONAL CARE AND HOMEMAKER SERVICES TO ASSIST INDIVIDUALS TO CONTINUE LIVING INDEPENDENTLY IN THEIR OWN HOMES.

! CARING HEARTS, INC. (IE AND SCA)

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- ! **CATHOLIC CHARITIES, INC. (IE)**
- ! **CHERRY CREEK VILLAGE (SCA)**
- ! **DEPENDABLE ASSISTED LIVING (IE AND SCA)**
- ! **MAPLEWOOD HOME CARE (IE)**
- ! **NURSEFINDERS (IE AND SCA)**
- ! **VIA CHRISTI HOME HEALTH, INC. (IE)**

Ms. Marsha Gasper, Unit Director for Programs, Department on Aging, greeted the Commissioners and said, "As you know, Sedgwick County Department on Aging is also the administrator for the Central Plains Area Agency on Aging. That encompasses Sedgwick County, Butler County, and Harvey County. These contracts are under a state funded program that encompasses the tri-county area. It is to provide the in home services such as personal care and home maker to help maintain the independence of the elderly in their homes. We have a vendor model and these are just additional vendors that will provide those services in the tri-county area. Be open for any questions you might have."

Chairman Hancock said, "Thank you, Marsha. Commissioners, questions for Marsha on this item?"

MOTION

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

Commissioner McGinn seconded the Motion.

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

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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."

J. DIVISION OF OPERATIONS.

1. REPLACEMENT OF PROFS SYSTEM WITH MICROSOFT OUTLOOK AND ADDITION OF ONE PRODUCT SUPPORT ANALYST POSITION, RANGE 21, TO THE INFORMATION SERVICES STAFFING TABLE.

Ms. Kathleen B. Sexton, Director, greeted the Commissioners and said, "The item before you today is a replacement of a software system that has been running on the mainframe computer and has provided 1,800 County employees with notes, scheduling, and word processing for 15 years. Because of this PROFS System, the County has realized enhanced productivity of an electronic mail sort of function, years before what we now know today as Internet based E-mail became available. The manufacturer has stopped upgrading PROFS System and our technology staff has reviewed several other packages and determined Microsoft Outlook to be the suitable replacement. This package is a personal computer based system that will enable continued communications with the City of Wichita staff, as well as enhanced access to other business partners.

"This conversation is one more way in which Sedgwick County organization is investing in technology to enhance the productivity of its employees and provide better services to the people of Sedgwick County. Conversion will be phased in over the next year or so and it is expected to be complete by August of 2000. I urge your approval of the transfer of funds and the addition to the staffing table and am available for questions."

Chairman Hancock said, "Okay, thank you, Kathy. Commissioners, questions on this item? Commissioner McGinn."

Commissioner McGinn said, "You talked like you are going to phase this in over a period of time. I'm just curious how that's going to work when we send out PROFS to all the department and some of us have it and some of us don't, how are we going to handle that?"

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Ms. Sexton said, "That's a good question. There is a conversation type of a system right now. For example, there is one department that is using and has been testing, our Information Services Department has been testing the Outlook Program for a while. I'm on PROFS and I send them notes and they get them in their Outlook system. So there is a conversion box. So until we get everybody changed over, you can still send PROFS notes and those who are on the Outlook system will get them in their system."

Commissioner McGinn said, "Okay, thank you."

Chairman Hancock said, "Further questions? If not, the Chair would entertain a motion."

MOTION

Commissioner McGinn moved to approve the use of approximately \$1.3 million from the Equipment Reserve Fund and approve the addition to the Information Services Staffing Table.

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
Chairman Bill Hancock	Aye

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

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2. CONTRACT MODIFICATION NUMBER ONE WITH SUNFLOWER RESTAURANT SUPPLY, INC. FOR WORK ASSOCIATED WITH THE ADULT LOCAL DETENTION FACILITY EXPANSION. CIP #1995 PB258.

Ms. Stephanie Knebel, Project Manager, Capital Projects Department, greeted the Commissioners and said, "This contract modification actually involves a reduction in our contract amount with Sunflower Restaurant. In the contract that we have with Sunflower, we asked them to do some work refurbishing some of the tray delivery carts in our existing basement kitchen. As the year went on, this repair work needed to be done right away and immediately. So County staff has already done this repair work. What that means is we don't need a contract with Sunflower Restaurant to do this for us. So this contract modification deletes this responsibility, as well as reduces the contract amount by \$3,768. The Legal Department has reviewed this modification as to form and I request your approval."

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

MOTION

Commissioner Gwin moved to approve the Contract Modification 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
Chairman Bill Hancock	Aye

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

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3. CERTIFICATE OF SUBSTANTIAL COMPLETION WITH CHIEF INDUSTRIES, INC. FOR WORK ASSOCIATED WITH THE ADULT LOCAL DETENTION FACILITY. CIP #1995 PB258.

Ms. Knebel said, "Commissioners, this contract that we have with Chief Industries is now substantially complete, which means as of the date of substantial completion, which for this contract is February 3, we have our warranty period begin. The warranty period is for one year. To kind of provide a little summary of what happened in this contract, we approved a contract with them on September 3, 1997, and at that time the contract amount was \$186,000. During our contract administration, we needed to come to you and ask for a contract modification of \$1,788. You approved that, so we now have a total contract amount with this company of \$187,700. I thought it was important to begin to summarize some of the contracts that we have going and are administering for this project. This is one of several substantial completions you'll be receiving over the next several months. The certificate has been reviewed by the Legal Department. I request your approval and am available for questions."

Chairman Hancock said, "Thank you, Stephanie. Commissioners, questions on this item? I have one question. What was the contract for?"

Ms. Knebel said, "We bought what we are calling detention furniture. For this contract that means the floor mounted beds and bunks that we have over in the jail. We have desks and shelves and we have toilets and pedestal tables, with and without seats, and we have clothes hooks and mirrors with them."

Chairman Hancock said, "Very good, thank you, Stephanie. Commissioners, any further questions? If not, what's the will of the Board?"

MOTION

Commissioner Sciortino moved to approve the Certificate of Substantial Completion and authorize the Chairman to sign.

Commissioner Gwin seconded the Motion.

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

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VOTE

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

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

4. AMENDMENT TO THE CAPITAL IMPROVEMENT PROGRAM (CIP) AND PROPOSAL BY WILSON DARNELL MANN P.A. FOR WORK ASSOCIATED WITH PHASE II OF THE MASTER PLANNING PROCESS FOR THE KANSAS COLISEUM. CIP #1998 PB402.

Ms. Knebel said, "In November of 1998, we brought to you for your approval an amendment to the CIP plan to provide Phase I, Master Planning Services, for the Kansas Coliseum. Phase I contract was an amount of \$7,800. This work is now complete and it is time for us to begin to work on Phase II, which is going to be information that will be needed to further develop the Master Plan. The proposal we've received from Wilson Darnell Mann, provides those Phase II Planning Services at a cost of \$55,000. That can be funded through existing CIP projects that the Coliseum has on its books. I request your approval and am available for questions."

Chairman Hancock said, "Okay, thank you, Stephanie. Commissioners, questions on this item? If not, what's the will of the Board?"

MOTION

Commissioner Gwin moved to approve the CIP amendment, and approve the Proposal and authorize the Chairman to sign.

Chairman Hancock seconded the Motion.

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

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VOTE

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

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

K. ADDITION OF ONE SECURITY OFFICER POSITION, RANGE 14, AND ONE ADMINISTRATIVE OFFICER POSITION, RANGE 21, TO THE AUTO LICENSE STAFFING TABLE.

Ms. Jan Kennedy, County Treasurer, greeted the Commissioners and said, "You have before you two additions to the staffing table. The first, the security officer, is no change in the way we're doing business. It was agreed, between my predecessor and the head of security that the position be filled at our location in the tag office and that it would be funded through our department. That hasn't happened. The funding part we actually have the security officer, so it seemed to me that maybe the thing to do was formalize it so that the security officer is a full time position over there, still supervised through the security department. That way the funding will be certain. Then the second one is a position for an administrative officer to help implement changes in the auto tags that I contemplate over the next year, dealing with both technology and locations. I'm available for questions."

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

Commissioner Winters said, "I guess I have a question about the security. I know that, I think, our security folks rotate, it is not the same security person over there every time, every day. Have we changed that and it is the same person there all the time?"

Ms. Kennedy said, "It is the same person there all the time. When he's on vacation or off ill, someone else fills in. That will continue. We actually use off duty Wichita Police Officers for our end of the month control because we can't always get somebody from courthouse security because they may not have someone available. So, we actually supplement that position with City of Wichita Security Personnel, to handle with the traffic and so forth at the end of the month."

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Commissioner Winters said, "That answers that I guess. Can you tell me a little more about this administrative officer position? Is that in addition to the deputy now?"

Ms. Kennedy said, "Yes. The deputy now has her hands full just managing the 50 some people in the four locations. She knows from experience what it is like to try to open another location, which takes an incredible amount of effort, plus we need to develop some technological improvements to be able to do what I'd like to do, to push the services out to where the people are."

Commissioner Winters said, "Is there a new location on schedule?"

Ms. Kennedy said, "Up here. There is nothing formalized. I don't have the technology side of it wrapped up yet. I'd be happy to discuss that with you."

Commissioner Winters said, "That's all I have."

Chairman Hancock said, "Thank you, Commissioner. Commissioners, any other questions?"

MOTION

Commissioner Gwin moved to approve the additions to the Auto License Staffing Table.

Chairman Hancock 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, Jan for being here. Before we go on to the next item, I'd like to take an Off Agenda item concerning the Appraiser's Office."

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MOTION

Commissioner Winters moved to take an Off Agenda item.

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
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you. With us today is Ken King."

Mr. Ken King, Director, Information Services, greeted the Commissioners and said, "In this case we are kind of representing the Appraiser's Office, at least out to the public over the web site. It is kind of one of those where we have the proverbial good news and bad news. The good news is that citizens are wanting to interact with our government. The bad news is that they're trying to do about a month's worth of activity all in one day and as a result we've had some issues with that.

"To provide Internet web access into the tax information they're looking for, they're looking for the ability to look up their home, their neighbors home, and being able to do some comparison, there are about four servers that are involved there. For yesterday and today both, we've had a couple of issues wrapping around this thing. Early in the morning, our external provider has had an issue with their lines and their servers and haven't been able to get those transactions to us. Then yesterday, today we're running, although it is a little bit slow, yesterday morning we did have a problem with one of our servers. I'm told that one of the gentlemen providing our external service out of Net Vision told us this morning that we had tried to stuff more than we do in a normal month into the last 24 hours and that seems to be the problem. So, as things smooth out just a little bit and people aren't trying to do this all at the same time, I think things will be better.

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"We've also learned some things that the public could help us with, if they would specify a little narrower range for the addresses they want to check. Instead of going for ten blocks across a particular street, if they would narrow that down to a hundred or just a few, it would smooth things out a lot better. The biggest one we seem to be finding is that they're trying to put a street type in the name field, along with the name of the street. In other words, just put in Main, don't put in Main Street. Those two things would help us out a lot and we'll continue to try to tune the system up so it will be able to handle that. But if you have any questions, I'd be happy to try to answer them."

Chairman Hancock said, "Commissioners, questions on Ken's report. Commissioner Sciortino."

Commissioner Sciortino said, "Will this bottleneck occur every time we may send out some notices and then the public gets a little excited and wants to find out? Is that going to be a reoccurring problem that we have that you've experienced this recently?"

Mr. King said, "This is an annual process that we're going through. In this case, this is the first time we've been trying to supply this out through the web page. The difference, normally we supply just a sheet of paper that shows the last year and the current year, but it is only on that property. What people most want to know then is what happened to what they think are property around them? They want to be able to look that up and see if they're being fairly charged in comparison with the neighbor across the street whose house is very similar. That's the issue. This is the first time we've tried to offer this, via the Internet."

Commissioner Sciortino said, "The question is, annually will the people out there that are a little upset with us anyway, are going to try this new technology and not be able to access it?"

Mr. King said, "I don't think that will be the case, because we'll have a year's experience in tuning it and being able to handle it a little bit better. Unfortunately, it is one of those that you hate to be able to design things that are only going to hit you for one day or two. It can get kind of prohibitive. So it has kind of got this self limiter on it, in that the system chokes a little bit and those people get discouraged and then have to come back later. We'll be looking at that and try to smooth it out the best we can."

Commissioner Sciortino said, "Thank you."

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

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Commissioner Gwin said, "Ken, say your suggestions then to the folks who may be watching, either now or on a rebroadcast, the two suggestions you had that might help expedite their search. You talked about limiting the number of parcels you're asking for and you also talked about typing in just the street name, not avenue, or street, or boulevard afterwards."

Mr. King said, "Right, because in the second case, if you put street in, it may not be able to find it. We're going after just that specific name. Then the other one is very rarely do you want to look at a hundred on a block or anything like that. So, if you narrow that range down, and we've had some instances where it looks like people are put in a range of maybe 100 to 10,000, well the system is out there trying to react to that and we've put some things in to block that kind of a request. So, if they narrow that down to just that block, even then you're going to get a dozen houses and that is probably more than you want."

Commissioner Gwin said, "So if I wanted to look at the values on properties on Main Street and I wanted to look at the 500 or 400 block, then your suggestion would be where I should start my search, to minimize the time."

Mr. King said, "Yes, put in a 400 to 500 and you would probably get half a dozen properties and then it comes back with a screen that you can get the specific ones you want to look at."

Commissioner Gwin said, "Are there other ways, will you be working with other media sources to kind of help the folks get through this kind of contentious or rather unwieldy process right now, do we have plans to work with the media and let them help us get the word out?"

Mr. King said, "We haven't specifically, but they certainly did help us get the word out that the site was available. It has been hit hard. I think it just speaks well for the effort to try to make sure we get it out this way and we'll try to tune it up to make sure it can handle the load. We're had very close to at least 10,000 hits just on that one site."

Commissioner Gwin said, "It's pretty significant. Thank you. Thank you, Mr. Chairman."

Chairman Hancock said, "Thank you. Commissioners, any further comments or questions?"

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MOTION

Commissioner Gwin moved to receive and file Ken King's report.

Chairman Hancock 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 for being here, appreciate that. Before we go onto reclassifications, I would suggest we take about a five minute break."

The Board of Sedgwick County Commissioners recessed at 10:55 and returned at 11:08 a.m.

Chairman Hancock said, "We're back. We're on Item L-1. Clerk, what is that item?"

L. RECLASSIFICATIONS.

1. DISTRICT ATTORNEY'S OFFICE.

! SENIOR LEGAL ASSISTANT POSITION, RANGE 19, TO TRAFFIC DIVERSION COORDINATOR, RANGE 20

! OFFICE SPECIALIST POSITIONS (THREE), RANGE 15, TO ADMINISTRATIVE ASSISTANT, RANGE 18

Mr. Douglas Roth, District Attorney's Office, greeted the Commissioners and said, "I'll keep it very brief. What we're requesting a reclassification of four positions. Three of them are legal secretary positions that over the past several years, primarily due to the implementation of sentencing guidelines, the type of work that is done there, we've gotten into a situation where it has to be basically equal pay for equal work."

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"We've had one secretary previously doing the work. The nature of the work has to be spread out amongst four of the secretaries. We've asked for reclassification of those three positions that is doing the same type of work, so they can receive the same compensation. This has been looked at by the Personnel Department and they have recommended and approved of it. The last reclassification deals with the Traffic Diversion Coordinator. Presently the Traffic Diversion Coordinator in other areas are a Range 21. This traffic diversion coordinator is actually a range 19.

"This is something we started several years ago with the permission and cooperation of the Commission and the County, knowing going into it that some of the responsibilities may change with the diversion coordinator. There are more responsibilities involved than we originally thought. We've asked the Personnel Department to look at it and they have recommended the reclassification to up it one range from a Range 19 to a Range 20. It still is below the other diversion coordinators, but the person is not involved in the actual supervision of other people, and that's why there is a distinction.

"The budget impact, I believe, is going to be approximately \$13,000 per year. We will be able to absorb those costs through our present budget this year and also next year. So the budget impact to the County should not increase the amounts."

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

MOTION

Commissioner Winters moved to approve the reclassifications.

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

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

2. DIVISION OF FINANCE.

! GRANTS MANAGER POSITION, RANGE 24, TO REVENUE MANAGER, RANGE 25

! SENIOR ACCOUNTANT POSITION, RANGE 22, TO PAYROLL MANAGER, RANGE 24

Ms. Jane Moralez, Compensation Specialist, Division of Human Resources, greeted the Commissioners and said, "I'm here today to present to you two reclassifications for the Division of Finance. The first one we have is the Grants Manager Position, Range 24 and we're recommending reclassification to Revenue Manager, Range 25.

"The second one is Senior Accountant Position, Range 22, to Payroll Manager, Range 24. The budget impact for 1999 is \$1,780, and for year 2000, it is \$2,916. If you have any questions, I'd be glad to answer them."

Chairman Hancock said, "Okay, Jane. Commissioners, questions? If not, what's the will of the Board?"

MOTION

Commissioner Gwin moved to approve the reclassifications.

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

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

M. COMMUNITY HEALTH DEPARTMENT MONTHLY REPORT.

Mr. Charles Magruder, MD, MPH, Director of Community Health, greeted the Commissioners and said, "I have just a few items to make you aware of. As you probably already know, the Board of Health will be conducting a hearing this evening, looking at rules and regulations regarding the display and interaction with 'wild and exotic animals.' One important thing to bring to your attention, if you did not notice this in the recent newspaper article. The items this evening will also include, from one of the constituents, of County ordinances as well. That was news to me until I saw it in the newspaper article, so just so you're aware of that.

"Regarding the update on the different sites that we're dealing with, in regards to groundwater pollution, you may have also noticed that the City Council did approve the plan from our contractor, Camp, Dresser and McKee, to address the issue of Gilbert-Mosley. Also to make you aware, I have been briefed about another area called '57th and Broadway'. This is perhaps a unique entity, in terms of all of these areas of groundwater pollution, because we may actually have some instances where humans may have been exposed. That will make it a different sort of a scenario that we'll have to deal with.

"Regarding our Northeast Health Station, progress continues at the appropriate pace. We still anticipate full operation by mid to late April. Once this is in place, we'll be formally examining a number of different types of early childhood and prevention efforts that may be of some interest to you.

"Also, to make you aware that we do have the country living workshop coming up. It is March 27, 1999, from 9:00 a.m. to 6:00 p.m., at the Sedgwick County Extension Education Center. This will provide a number of bits of information to people that will be helpful, as they want to build homes and so forth, out in a country setting.

"Finally, just to thank you again for taking your time to come over to the Health Department. The Health Department staff was very appreciative of that. I continue to get very positive comments about it. I'll try to answer any questions you might have."

Chairman Hancock said, "Thank you. Commissioners, any questions? Commissioner Winters."

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Commissioner Winters said, "I guess I hate to bring this up. The wild and exotic animal, we went through quite a process, a couple of years ago, developing our Resolutions in the County concerning that. Evidently, they're not enough. I don't know that we talked about displaying and using them in events. We talked, certainly, about housing and keeping them. I'd hoped that maybe that would have been sufficient, but evidently it is not."

Dr. Magruder said, "It is my understanding, sir, through information I've gotten from the newspaper, that there is a constituent in Sedgwick County who is going to make a proposal this evening to the Board of Health that will request higher annual fees to go from \$100 to \$500 and their primary purpose in making that request to ensure that there would be more inspectors and people who could go out to where wild and exotic animals are displayed more frequently. There is a picture of the individual who apparently is going to come this evening and make that presentation. A number of individuals who live in this area around the person who apparently owns three lions and two tigers or something like that, have joined with him and they will be, apparently, present this evening. Just to make you aware that that will apparently be presented to the Board of Health and that is the specifics as I understand it."

Commissioner Winters said, "Good. Well, I certainly have a lot of confidence in the Health Board and will certainly take whatever you all have to forward on to both us and the City Council very seriously. I also have a lot of confidence in our Animal Control Board. I think those people certainly have been through this process of exotic animals when we were developing our current ordinances. I have some degree of confidence in their recommendation and if you need their assistance, I wouldn't hesitate to get them involved in this. Thank you."

Chairman Hancock said, "Anything else Commissioners? Charles, I just want to say that we appreciate the opportunity to meet with the Health Board also. It was an opportunity we haven't had before and it was a good day. We appreciate your invitation and we loved being there. We look forward to doing more of that in the future. I think it was very helpful. The other thing is, I want to make it very clear that the country living workshop on March 27, one more time out there if you're interested in living in an unincorporated area, this information is good stuff. It is not as simple as you think it is. There are some things you should know in making those considerations. Even if you already live out there, there is some good information. I know last time it surprised us all that so many folks came. This is an opportunity to get there again. Appreciate you putting that on. Good luck tonight. Commissioners, what's the will of the Board?"

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MOTION

Commissioner Winters moved to receive and file.

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, "Next item please."

N. BUREAU OF PUBLIC WORKS.

1. AGREEMENT WITH JACK L. HOBBS AND NYLA J. HOBBS FOR CONSTRUCTION OF PRIVATELY-FINANCED SUBURBAN ROADS IN WILDWOOD ACRES ADDITION. DISTRICT #1.

Mr. Jim Weber, P.E., Director, Sewer Operations and Maintenance, greeted the Commissioners and said, "In Item N-1, we're requesting your approval of an Agreement with Jack & Nyla Hobbs for construction of privately financed suburban roads in Wildwood Acres Addition. This Agreement will serve as the guarantee that roads in the subdivision will be constructed prior to any construction of homes. All costs of the project are to be paid by the owners. We request your approval of the recommend action."

Chairman Hancock said, "Thank you, Jim. I have a question. I've never seen one of these before. What are you talking about here exactly."

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Mr. Weber said, "We've had some, particularly down south, I won't say a great number, I can think of maybe half a dozen times where we used this as an alternative to a letter of credit, where a piece of suburban road might lay dormant there for quite some time. It provides a guarantee in as much as they've agreed not to obtain any building permits until the roads are in. If the construction cost is over \$10,000 they provide the normal bonds and certificates of insurance and those kinds of things."

Chairman Hancock said, "I see, okay."

Commissioner Gwin said, "The roads are to be built to our specifications."

Mr. Weber said, "It will be a public road. All suburban roads are privately financed. But instead of pulling a letter of credit or a bond or something, we're doing a contract to make sure that happens."

Commissioner Gwin said, "Okay."

Chairman Hancock said, "All right, thank you. Any other questions?"

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	Aye

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

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2. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE, WITH SHEARS CONSTRUCTION L.P., DBA ASPHALT CONSTRUCTION CO., ON SEDGWICK COUNTY PROJECT - COUNTRY CLUB COURT ADDITION, PAVING AND DRAINAGE IMPROVEMENTS. DISTRICT #1.

Mr. Weber said, "In Item N-2, we're requesting your approval of a modification of plans and construction number one, to our contract with Asphalt Construction Company on the Country Club Court Addition street project. The modification will decrease our contract by \$85,347.87, and is a result of variations from planning quantities from actual field measurements. All costs of the project are to be paid by the benefited properties through special assessments. We request your approval of the recommended action."

MOTION

Commissioner Gwin moved to approve the Modification of Plans and Construction 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	Aye

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

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- 3. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE AND FINAL, WITH UTILITY CONTRACTORS, INC. ON SEDGWICK COUNTY PROJECT NOS. 612-18-2000, BRIDGE ON 29TH STREET NORTH BETWEEN 119TH AND 135TH STREETS WEST, CIP #B-313; 612-18-2750, BRIDGE ON 29TH STREET NORTH BETWEEN 119TH AND 135TH STREETS WEST, CIP #B-314; 600-29-600, BRIDGE ON 77TH STREET NORTH BETWEEN HILLSIDE AND OLIVER, CIP #B-355. DISTRICTS #1, #3 AND #4.**

Mr. David C. Spears, P.E., Director/County Engineer, Public Works, greeted the Commissioners and said, "Item N-3 is a modification of plans and construction for three bridges included in one contract. The first two bridge projects are on 29th Street North between 119th and 135th Streets West, designated as B-313 and B-314; and one bridge in 77th Street North between Hillside and Oliver, designated as B-355. All of the bridges are in accordance with the Capital Improvement Program. These projects have been constructed and are ready to be finalized. There will be a net increase of \$411,750 due to variations in plan quantities from actual field measurements. I recommend that you approve the modification and authorize the Chairman to sign. I would also point out that one of the items in here, this includes 12 days of liquidated damages at \$600 a day, or \$7,200."

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

MOTION

Commissioner Winters moved to approve the Modification of Plans and Construction 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
Chairman Bill Hancock	Aye

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Chairman Hancock said, "Next item please."

- 4. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE, WITH RITCHIE PAVING, INC. ON SEDGWICK COUNTY PROJECT NO. 835-P; GREENWICH ROAD BETWEEN KELLOGG AND CENTRAL. CIP #R-240. DISTRICTS #1 AND #5.**

Mr. Spears said, "Item N-4 is a modification of plans and construction for the Greenwich Road construction project between Kellogg and Central, designated as R-240 in the Capital Improvement Program. This project has been constructed and is ready to be finalized. There will be a net decrease of \$64,976.12 due to variations in plan quantities from actual field measurements. I recommend that you approve the modification and authorize the chairman to sign."

MOTION

Commissioner Gwin moved to approve the Modification of Plans and Construction 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	Aye

Chairman Hancock said, "Next item please."

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5. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE AND FINAL, WITH CORNEJO & SONS, INC. ON SEDGWICK COUNTY PROJECT - 1998 BM-1 OVERLAYS. CIP #R-175. ALL DISTRICTS.

Mr. Spears said, "Item N-5 is a modification of plans and construction for the BM-1 overlays construction project, designated as R-175 in the Capital Improvement Program. This project has been constructed in is ready to the finalized out. There will be a net decrease of \$19,502.35 due to variations in plan quantities from actual field measurements. I recommend that you approve the modification and authorize the chairman to sign. I might also mention that we did this BM-1 overlay on 29 miles of our roads last year."

Chairman Hancock said, "Very good. Thank you, David. What's the will of the Board?"

MOTION

Commissioner Winters moved to approve the Modification of Plans and Construction 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

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

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6. TRANSPORTATION ENHANCEMENT PROJECT PROPOSAL WITH KANSAS DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF A PEDESTRIAN/BICYCLE BRIDGE ALONG ZOO BOULEVARD OVER THE WICHITA-VALLEY CENTER FLOODWAY. DISTRICT #4.

Mr. Spears said, "Item N-6 is a letter of concurrence with the Kansas Department of Transportation for the construction of the pedestrian/bicycle bridge at Zoo Boulevard over the Wichita-Valley Center Floodway. The project will be constructed on top of the water line crossing, currently under construction. The piers were designed with this in mind. The total cost of this project will be \$502,000. We will receive federal funds in the amount of \$402,000. The County's cost for the construction will be approximately \$100,000. I recommend that you approve the letter of concurrence and authorize the Chairman to sign."

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

MOTION

Commissioner Winters moved to approve the Proposal 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
Chairman Bill Hancock	Aye

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

Mr. Spears said, "I might also mention on this last item. It is pretty tough to get engineers excited, but we are all pretty excited about this project down at our office. We've been trying for years, us and the City, to get a crossing over the Big Ditch. We're finally successfully. The Planning Department was also very useful in this and it's going to be very exciting. A bicycle path, a pedestrian path, on top of a water line that they're constructing now over the floodway. We're really looking forward to this."

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Chairman Hancock said, "Didn't the City do that at McLean and Central?"

Mr. Spears said, "Yes, and ours will look very similar to that. In fact, the coloring will be like that and it will be very aesthetically pleasing."

Chairman Hancock said, "It is really a neat project there."

Mr. Spears said, "Sort of spirally-type effect."

Commissioner Winters said, "I think it's a great project."

Commissioner McGinn said, "It's in Tom's district. I have to give him all the credit."

Commissioner Winters said, "It's in District 3 but the Agenda has it in District 4."

Mr. Spears said, "That's correct."

Chairman Hancock said, "Next item please."

7. TRANSPORTATION ENHANCEMENT PROJECT PROPOSAL WITH KANSAS DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF A PEDESTRIAN/BICYCLE PATH FROM THE SEDGWICK COUNTY PARK AT 13TH STREET NORTH TO ZOO BOULEVARD ALONG WINDMILL ROAD. DISTRICT #4.

Mr. Spears said, "This is a similar item to N-6. This is a letter of concurrence with the Kansas Department of Transportation for the construction of a pedestrian/bicycle path along Windmill Road from Zoo Boulevard to the entrance of the Sedgwick County Park. The total cost of this project will be \$123,000. We will receive federal funds in the amount of \$99,000. The County's cost for construction will be \$24,000. We will do the design of this one ourselves. I recommend that you approve the letter of concurrence and authorize the Chairman to sign."

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

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MOTION

Commissioner Gwin moved to approve the Proposal 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	Aye

Chairman Hancock said, "Next item please."

8. RESOLUTION DELETING CONNECTING LINK STREETS IN THE CITY OF BEL AIRE FROM THE COUNTY ROAD AND HIGHWAY SYSTEM.

Mr. Spears said, "Item N-8 is a Resolution that officially deletes connecting link streets inside the city limits of Bel Aire from the Sedgwick County road system. The reason for the change is that Bel Aire's population is greater than 5,000 and in accordance with KSA 68-506 F, the County is not obligated to maintain their roads. KSA 11-201 refers to the verification of population. In this particular case KSA 11-201 (B) states in part that "on July 1 of each year, the division of the budget shall distribute to the treasurer of each county and to the Secretary of Revenue a table showing the population of each incorporated city within the county." The population of Bel Aire, as certified to the Secretary of State by division of the budget on July 1, 1998, is 5,019. I have a copy of that with me if you need to see it.

SLIDE PRESENTATION

"The specific roads we are referring to are, Woodlawn between the south city limits and the north city limits. The second one is Oliver, between the south city limits and the north city limits. The third is 37th Street North, between the west city limits and the east city limits. Recommend that you adopt the Resolution, which will take effect on April 1, 1999."

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

Commissioner Gwin said, "Thank you, Mr. Chairman. Just some background for my colleagues. In discussion, toward the end of last year, with the Bel Aire city administrator and the Bel Aire Council, it was determined that they exceeded the population of 5,000. I did, shortly after that conversation, then, send a letter to the city administrator advising him of, oh we took traffic studies and looked at accident reports and other information that they felt they needed, as they looked at a possible road project along Woodlawn and wanted us to do it for them. In determining that their population is over 5,000, I wrote a letter in December, advising them of the same and that the state statutes advises the County that we are no longer obligated to maintain connecting links through those cities.

"I asked them if there were . . . advised them if they had any information that would dispute the numbers that we had, that they should contact me as quickly as possible. I have not heard from them. I also want to say though that, as you make this change, it is a big adjustment for cities, as they grow, to understand the full impact of maintaining roads. But as we've been challenged in times past, this doesn't mean that we close the doors to interlocal agreements or some sort of cooperative venture.

"I want to assure those folks out there in Bel Aire who are watching, that despite the change today, I'm still going to keep the door open. If they need to call upon me or the County, I hope they do so. But this is a part of a legal process. Several years ago we had to advise Park City of the same bench mark that they had met and they seemed to be able to work it out and getting it solved. I'm sure there are other small cities in this county that will reach this number in the not too distant future and we'll have to put them on notice the same way. I guess the one note of encouragement is that I think Oliver and Woodlawn are in good shape right now. We've done work on them recently. It's not like we're handing them over the responsibility of poorly maintained roadways. Anyway, by statute and by letter and by everything else, we've advised them and let them know that this is coming."

Mr. Spears said, "Commissioner Gwin, I might add for the record, that you ask me to call Bel Aire last week and notify them that this would be on the Agenda today."

Commissioner Gwin said, "Right, thank you, David. Thank you, Mr. Chairman."

Chairman Hancock said, "Thank you, Commissioner. Commissioners, any further questions?"

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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	Aye
Chairman Bill Hancock	Aye

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

**O. REPORT OF THE BOARD OF BIDS AND CONTRACTS' FEBRUARY 25, 1999
REGULAR MEETING.**

Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, "You have Minutes from the February 25 meeting of the Board of Bids and Contracts for your consideration. There are six items today."

**(1) BRIDGE IMPROVEMENTS - PUBLIC WORKS
FUNDING: GENERAL OBLIGATION BONDS**

"Item one, various bridge improvements for Public Works. It was recommended to accept the low bid of Utility Contractors. That amount is \$489,846."

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(2) FOUR DOOR SEDAN - FLEET MANAGEMENT
FUNDING: FLEET MANAGEMENT

"Item two is a four door sedan for Fleet Management and Code Enforcement. It was recommended to accept the low bid of Mel Hambelton Ford. That amount is \$15,033. Commissioners, I might note, as we continue to research the issue of purchasing of vehicles, we are continuing and have just about completed updating our files with new fleet managers for the various local dealerships. We're also in the process of surveying again our dealerships to determine if there is something that we are not doing or what perhaps changes we need to make as far as solicitations. We also have a meeting with the fleet purchasing departments later on this week to discuss opportunities in the future for purchasing. I'll continue to keep you advised of that.

(3) INSTALLATION OF EXTERIOR DOORS - KANSAS COLISEUM
FUNDING: CAPITAL PROJECT

"Item three is the installation of exterior doors for the Kansas Coliseum. It was recommended to accept the only bid received of Hollow Metal Door Company. That amount is \$46,433.

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

"Item four, personal computer hardware and software for Information Services. It was recommended to accept the low bid of Americomp. That amount is \$10,541.05.

(5) SANITARY SEWER IMPROVEMENTS - PUBLIC WORKS
FUNDING: SPECIAL ASSESSMENTS

"Item five, various sanitary sewer improvements for Public Works for the Arbor Lakes Estates Addition. It was recommended to accept the low bid of Nowak Construction. That amount is \$205,687.

(6) CARPET - INFORMATION SERVICES
FUNDING: CAPITAL PROJECTS

"Item six, carpeting for Information Services in the Munger Building. It was recommended to accept the low bid of Star Lumber & Supply. That amount is \$40,300.

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ITEMS NOT REQUIRING BOCC ACTION

**(7) UNIFORMS - EMERGENCY MEDICAL SERVICES
FUNDING: EMERGENCY MEDICAL SERVICES**

"There was one item that did not require action at this particular time. Uniforms for Emergency Medical Services. Those bids are being reviewed. 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 concerning this item? If not, what's the will of the Board?"

MOTION

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

Commissioner 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, Darren. Next item please."

Regular Meeting, March 3, 1999

CONSENT AGENDA

P. CONSENT AGENDA.

1. Right-of-Way Agreements.

- a. Two Easements for Right-of-Way for Sedgwick County Project No. 809-J, K, L; Tyler Road between 29th and 53rd Streets North. CIP #R-217. District #4.
- b. One Easement for Right-of-Way and one Temporary Construction Easement for Sedgwick County Project No. 775-M-3445; Bridge on 359th Street West between 21st and 29th Streets North. CIP #B-312. District #3.
- c. One Temporary Construction Easement for Sedgwick County Project No. 785-A-3050; Bridge on 279th Street West between 117th and 125th Streets North. CIP #B-315. District #3.
- d. Two Easements for Right-of-Way and one Temporary Construction Easement for Sedgwick County Project No. 616-2-2706; Bridge on 13th Street North between 375th and 391st Streets West. CIP #B-324. District #3.
- e. One Utility Easement for Lot 17, Block 3, Belle Terre South Addition. District #1.

2. Order dated February 24, 1999 to correct tax roll for change of assessment.

3. Check Register of February 26, 1999.

4. Budget Adjustment Requests.

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

Chairman Hancock said, "Thank you, Mr. Manager. Questions? If not, what's the will of the Board?"

Regular Meeting, March 3, 1999

MOTION

Commissioner McGinn 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 other business to come before this Board? If not, we're recessed."

The Board of Sedgwick County Commissioners recessed to the Sewer District Meeting at 11:34 a.m. and returned at 11:37 a.m.

Chairman Hancock said, "I'll bring back to order the Regular Meeting of the Board of County Commissioners. Further business?"

Q. OTHER

Commissioner McGinn said, "Mr. Euson, do you still need a 20 minute estimate?"

Mr. Euson said, "I believe that is correct, yes."

Regular Meeting, March 3, 1999

MOTION

Commissioner Gwin moved that the Board of County Commissioners recess into Executive Session for 20 minutes to consider consultation with Legal Counsel on matters privileged in the Attorney Client relationship relating to potential litigation, legal advice, personnel matters of non-elected personnel, preliminary discussions relating to the acquisition of real property for public purposes, and that the Board of County Commissioners return from Executive Session no sooner than 12:00 noon.

Chairman Hancock 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. We are in Executive Session."

The Board of Sedgwick County Commissioners recessed into Executive Session at 11:38 a.m. and returned at 1:00 p.m.

Chairman Hancock said, "We're back in session. Let the record show that there was no binding action while in Executive Session. Mr. Counselor, anything else?"

Mr. Euson said, "No sir, nothing."

Chairman Hancock said, "Thank you. We are adjourned."

R. ADJOURNMENT

Regular Meeting, March 3, 1999

There being no other business to come before the Board, the Meeting was adjourned at 1:00 p.m.

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

BILL HANCOCK, Chairman
Second District

BETSY GWIN, Chair Pro Tem,
First District

THOMAS G. WINTERS, Commissioner,
Third District

CAROLYN McGINN, Commissioner,
Fourth District

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

James Alford, County Clerk

APPROVED:

_____, 1999