

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

MAY 26, 1999

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, May 26, 1999 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Bill Hancock; with the following present: Chair Pro Tem Betsy Gwin; Commissioner Thomas G. Winters; Commissioner Carolyn McGinn; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Mr. David C. Spears, Director, Bureau of Public Works; Mr. Louis J. Hentzen, District Court Administrator, Eighteenth Judicial District; Mr. Phil Rippe, Risk Management, department of Risk Management; Mr. John Nath, Director, Kansas Coliseum; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Mr. Randy Duncan, Director, Emergency Management; Mr. Clarence D. Holeman, Assistant County Counselor; Ms. Deborah Donaldson, Director, Division of Human Services; Ms. Annette Graham, Director, Department on Aging; Mr. Mark Masterson, Director, Department of Corrections; Ms. Anna Swegle, Assistant District Attorney; Mr. Gary Steed, Major, Sheriff's Department; Mr. Charles Magruder, MD, MPH, Director of Community Health; Mr. Jim Weber, P.E., Director, Sewer Operations and Maintenance; Mr. Ken Williams, Assistant Director, Purchasing Department; Mr. Fred Ervin, Director, Public Relations; and Ms. Heather Knoblock, Deputy County Clerk.

GUESTS

Mr. Joe Norton, Bond Council, Gilmore & Bell;
Mr. Thomas D. Borninger, Attorney, Water District #4;
Mr. Jim Hess, Director, Century II;
Mr. David Yearout, 254 S. Laura, Suite 210, Wichita, Kansas 67211

INVOCATION

The Invocation was given by Reverend Gary Cox, Associate Pastor from the University Congregational Church, Wichita, Kansas.

FLAG SALUTE

ROLL CALL

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

CONSIDERATIONS OF MINUTES: **Special Meeting, May 4, 1999**
Regular Meeting, May 5, 1999

The Clerk reported that all Commissioners were present at the Special Meeting of May 4, 1999, and the Regular Meeting of May 5, 1999.

Chairman Hancock said, "Commissioners, you received copies of those Minutes and had an opportunity to review them. What's the will of the Board?"

MOTION

Commissioner Gwin moved to approve the Minutes of the Special Meeting of May 4, 1999, and the Regular Meeting of May 5, 1999.

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."

PROCLAMATION

A. PROCLAMATION DECLARING May 29, 1999 AS "CENTURY II 30-YEAR

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BIRTHDAY CELEBRATION DAY."

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**, Century II, one of the cultural corner stones of Wichita and Sedgwick County turns 30 years old on Saturday, May 29, 1999; and*

***WHEREAS**, the 30 year birthday celebration will feature a classic car show, special mini performances by Music Theater of Wichita and Music Theater for Young People, and a food court for party goers; and*

***WHEREAS**, following three years of construction, Century II opened its doors on January 11, 1969, at a cost of 12.5 million dollars, in the past three decades conventions held at Century II have brought in more than \$279,000,000 in new revenue to the community, and 1999 is predicted to add another quarter of a million to Wichita's economy; and*

***WHEREAS**, the single largest event in Century II's history was the American Bowling Congress Tournament in 1989, that year 40 bowling lanes were constructed in the Bob Brown Expo Hall, attracting more than 40,000 bowlers, who spent more than \$28,000,000 during a three month period;*

***NOW THEREFORE BE IT RESOLVED**, that Bill Hancock, Chairman of the Board of Sedgwick County Commissioners, does hereby proclaim Saturday, May 29, 1999, as*

"CENTURY II 30-YEAR BIRTHDAY CELEBRATION DAY"

and encourage all citizens to participate in all day festivities to commemorate three decades of fun and entertainment for the entire family.

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

Chairman Hancock said, "Thank you, Fred."

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MOTION

Commissioner Gwin 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 to accept the Proclamation is the Director of Century II, Mr. Jim Hess."

Mr. Jim Hess said, "Thank you, very much. On behalf of the Mayor, the staff of Century II and myself, I'd like to express my sincere appreciation for this. This is really a very nice gesture and I'd like to invite you to a party this Saturday. It's been brought out, we are bringing the Beatles back and they'll be performing outside on the plaza. I'll drop off some programs for the all day events and we have a brochure on our 30 years. We'd like to underscore that all the activities this Saturday are free to the public and free to the taxpayers. Because of our banner sponsors and people who have contributed, this party is free to the public. Thank you, very much."

Commissioner Winters said, "Thank you, Jeff. Nice to have you here."

Chairman Hancock said, "For those of you who don't know, Jim Hess directs the activities at Century

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II. It's been a fantastic run. Jim, congratulations."

Mr. Hess said, "Thank you, very much. It's definitely a labor of love of mine. Thank you, again."

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

PUBLIC HEARINGS

B. PUBLIC HEARING REGARDING A PETITION TO ATTACH LANDS TO AN EXISTING RURAL WATER DISTRICT IN SEDGWICK COUNTY, KANSAS.

Mr. Thomas D. Borninger, Attorney for Petitioners, greeted the Commissioners and said, "I represent Rural Water District #4, as well as the petitioners. Since the last time I was here, there are several new Commissioners, so I might beg your indulgence to kind of explain what a Rural Water District is.

"A rural water district is a non-profit municipal entity that is created through Kansas statutes through the petition of 51% or more of the land owners in an area, which petition the County Commission and ask that they be formed as a Rural Water District within a certain geographical boundary. From that point on, once they're formed, while they function under the same kind of open government rules that other municipalities do, they function pretty much as a coop. They have absolutely no taxing powers whatsoever. So they are totally different than any other Improvement District you may be familiar with. They have no power to levy Ad Valorem taxes. They have no power to levy general taxes, general obligation taxes. They function solely on the revenue of the users. It is a totally voluntary coop type thing. Even though property is included within the boundaries of the district, only those people who decide they actually want the water, decide they wish to pay for it, ever have any obligation to pay for it. So in that sense, it is kind of the truest kind of democratic operation that you can run into.

"The Directors are all volunteers and what they do is they seek to provide basic drinkable water to those people essentially out in the rural areas or areas outside the various incorporated cities. For those of you who aren't aware, there are four Incorporated Rural Water Districts in Sedgwick County right now. So probably each one of you has some portion of a Rural Water District in your district. The ones that exist are in the northeast corner of Sedgwick County, basically everything from Comotara on out to the edge of the County is Rural Water District #1. If you would go straight north from the City of Wichita, basically

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Valley Center east to where it would intersect with Rural Water District #1, is Rural Water District #2. Rural Water District #3 starts essentially at McConnell and K-15 and takes in southeast Sedgwick County, everything that is east of K-15 and on into Butler, Sumner, Cowley Counties as well, it has about 1,750 families that are participants with that. Rural Water District #4, which is the one that is before you today, this particular district stretches from approximately Saint Marks on the north to Clearwater and Viola on the south, from approximately 151st Street on the east and out to Garden Plain on the west.

"In the particular case before you today, the way the districts grow is that there are areas on their peripheral that ask to be brought in. Rural water districts cannot provide any kind of water service that has not been brought within it's boundaries. That's the reason we have this hearing today.

"What has been previously filed with the County are petitions from 51% or more of the land owners in two particular areas. The two areas are Tract 1, which is an area that is 263rd on the east and 295th Street on the west, 55th on the north, and 71st on the south. This is an area that on the map that has previously been given to you is approximately three miles south of Garden Plain. The second tract, again we have the 51%, is an area that is approximately a mile and a half to two miles west of the small community of St. Marks. This tract is bounded by 21st on the south, 29th on the north, 215th Street West on the east and 231st Street on the west side.

"In both cases, the directors of the districts have granted their approval. If you grant the attachment, which allows these lands to be brought within the boundary of the district, then they will go ahead and proceed to provide water service to those areas. If there are any questions, I'd be more than happy to try and answer them."

Chairman Hancock said, "Thank you, Tom. Commissioners, questions for Mr. Borninger? At this time, I will open the meeting for public comment regarding this item, petition to attach land to existing rural water district, Sedgwick County. Is there anyone here who would like to address this item? Is there anyone here who would like to address Item B? If not, we'll close the public hearing and limit comments to staff and Commissioners. Commissioners, comments? If not, what's the will of the Board?"

MOTION

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Commissioner Winters moved to approve the attachment.

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, Tom. Next item please."

C. PUBLIC HEARINGS (TWO) AND RESOLUTIONS (TWO) REGARDING LATERAL SEWER DISTRICTS.

1. PUBLIC HEARING AND RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 256-1997, WHICH CREATED A LATERAL SEWER DISTRICT WITHIN SEDGWICK COUNTY, KANSAS AND AUTHORIZED IMPROVEMENTS THEREIN (SMITHMOOR 7TH ADDITION).

Mr. Joe L. Norton, Bond Counsel, Gilmore & Bell, P.C., greeted the Commissioners and said, "Before you today are two public hearings in respect to Sewer Districts. The first is a modification expansion of an existing sewer district. This was created in 1997, Smithmoor 7th Addition, of the County. That is an area of the County located south of Harry and between Webb and Greenwich Roads as indicated by the

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map before you.

SLIDE PRESENTATION

"When this district was originally created by petition of the property owners, the property within the benefit district is the area that is in platted tracts. During construction of this project, the Bureau of Public Works determined that the sewer line, which goes down the east side of this property could also benefit property that is in the unplatted tract here, which will be platted at some time in the future, thus reducing the cost of the property owners in the existing benefit district by 50%. In other words, doubling the amount of property that could be done.

"So, on discussion with the developer and the owners of property, 100% agreed to expand the boundaries of this district and to share the cost with the unplatted tract immediately to the east. So based upon receipt of an amended petition, we have scheduled a hearing today of which we've given adequate notice for the County Commission to consider expanding this district to allow the cost to be spread to additional properties.

"The total estimated cost of the project is about \$35,000, which now spread among 14 parcels, would be about \$2,500 per lot or about half of what it would have been for the property owners had we not expanded the district. I think this is one of those things that is a win-win situation for everyone. Mr. Weber and I are available to answer any questions you may have about this project. If not, we'd open the public hearing and receive any comment from the public prior to considering a Resolution to implement the expansion."

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

Commissioner Sciortino said, "Yes, I have one question of Joe. On the unplatted lots, when will their assessments start, once they get platted or sold? When will that assessment start?"

Mr. Norton said, "Assessment will go on now. Half of the cost of the improvements will be assessed to the unplatted tract. Then by statute, as those are platted, they will be apportioned on a per area basis.

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So as they are platted, the developer indicated there will be seven lots on that site, but whatever the size of lots would be, they will be broken down by square footage."

Commissioner Sciortino said, "I have no further questions Mr. Chairman."

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

Commissioner Gwin said, "Just for clarification. To amend a petition, does it have to have the approval of both the original group, the first part of this, and the property to whom it is going to be amended. Do both of those groups have to agree to that?"

Mr. Norton said, "We have taken that position. In this case, we have received signatures of 100% of the property owners on both sides of that line."

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

Chairman Hancock said, "Thank you, Commissioner. Commissioners, further questions? If not, at this time, I will open the meeting for public comment. Is there anyone here who would like to address this item, Item C-1? Are there folks who would like to speak on this item? If not, we'll close the public hearing and reserve comments to staff. Commissioners, what's the will of the Board?"

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

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

Chairman Hancock said, "Next item please."

2. PUBLIC HEARING AND RESOLUTION CREATING A LATERAL SEWER DISTRICT WITHIN SEDGWICK COUNTY, KANSAS AND AUTHORIZING THE MAKING OF CERTAIN IMPROVEMENTS THEREIN (THE GATEWAY CENTER ADDITION AND UNPLATTED TRACT).

Mr. Norton said, "Item C-2 is a similar situation, creating a lateral sewer district in what we call the Gateway Center Addition. It also requires a public hearing. The Gateway Center Addition, as indicated on the map, is basically at the intersection of East 13th Street, Greenwich Road, and K-96, as it comes through there. The proposed benefit district contains 12 platted lots and a large unplatted tract, located within the middle of the Benefit District. The proposed apportion of cost is on a fractional basis, determined by the size of the lots and they are basically approximately the same size in the platted tracts and then of course the unplatted tract is a larger parcel. The total estimated cost by the Bureau of Public Works for this sewer improvement is about \$309,532. There are 12 platted lots. The average cost per platted lot is about \$14,500 with the unplatted tract being assessed about \$135,265. This would amount to an annual assessment of the platted tracts of about \$1,500 per year over 15 years as 6%, and about \$14,000 for the large unplatted tracts.

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"Again, this petition was signed by 100% of the owners of property within the proposed benefit district consenting to this method of assessment. This property has recently been annexed into the City of Wichita and we have received yesterday, by the action of consent of the City to allow the County to create the Sewer District and provide sewer service to this tract."

Chairman Hancock said, "Okay, thank you, Joe. Commissioners, questions on this item? If not, at this time I will open the meeting for public comment regarding item C-2. Is there anyone here who would like to comment on Item C-2 regarding this Lateral Sewer District? If not, we'll close the public hearing. Commissioners, what's the will of the Board?"

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

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

D. PUBLIC HEARING AND RESOLUTIONS RELATING TO BENEFIT DISTRICTS IN SEDGWICK COUNTY, KANSAS (K-96 AND GREENWICH ROAD).

1. RESOLUTION CREATING A BENEFIT DISTRICT IN SEDGWICK

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**COUNTY, KANSAS AND AUTHORIZING IMPROVEMENTS THEREIN
(REGENCY LAKES COMMERCIAL ADDITION/K-96 AND GREENWICH
ROAD-DRAINAGE).**

Mr. Norton said, "There are two items under this same public hearing that are companion improvement projects. The first is the creation of a drainage benefit district near the intersection of K-96 and Greenwich Road. The corresponding is to modify the legal description of the property contained within a previous authorized project for the half diamond interchange at K-96 and Greenwich Road. That is located, again, basically between 13th and 21st Street North around the K-96 and west of Greenwich Road for this particular drainage improvement.

"The proposed benefit district is a tract that has recently been replatted. It used to be known as the Greenwich Business Park. It has recently been replatted as Regency Lakes Addition. What were 23 lots has now been changed to 11 small platted tracts and a large unplatted tract. The proposed method of assessment on a fractional basis, based upon the size of the particular tract, again, with the large unplatted tract getting a significantly higher portion of cost. The Bureau of Public Works has estimated the improvement costs to be about \$555,000. Again, there are 10 tracts. The average cost is \$55,000, which is a little bit deceiving, because the smaller tracts average somewhere between \$10,000 and \$18,000 per assessment per tract. The two large unplatted tracts are a little in excess of \$200,000. So, we're varying the cost on a proportionate size basis in the area, opposed to equally per lot, which this is an average here.

"Again, we have received a petition signed by 100% of the property owners requesting this particular improvement to be completed and assessed in the manner set forth. The other part of this is we have previously authorized a half diamond interchange at K-96 and what we're doing today is, again, the property on the west of Greenwich Road, indicated had been replatted as Regency Lakes, was Greenwich Business Park in 22 lots. Now we're amending this Resolution to conform to the newly platted description of the property and spreading the assessments for that portion of the cost of the improvement on the west side of Greenwich Road in the same matter that we're doing for the drainage improvement. So, it is, basically, a correction to conform with the new plat. No other changes of a significant nature are made in the Resolution that was previously adopted.

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"We process these, they are correlated projects, so it made sense to have the public hearing on both projects at the same time. Then we can take independent action on the authorization, the new improvement and the modification to the existing improvement project. Again, Mr. Weber and I would be happy to try to address any questions that you may have, either now, or at the conclusion of the public hearing."

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

Commissioner Winters said, "I was a little bit confused. Are we holding a public hearing on Item D-1 and D-2?"

Mr. Norton said, "Yes, together, because we have to have a public hearing on the amendment. They are on the same parcel of tract, so I thought we could have the public hearing on both at the same time and then take the recommended action."

Commissioner Winters said, "Okay."

Chairman Hancock said, "Thank you. At this time, I'll open the meeting for public comment regarding item D-1 and D-2. Is there anyone here who would like to address those items on the agenda today, Item D-1 and D-2? If not, we'll close the public hearing."

Commissioner Gwin said, "Jim, you said you want to take these separately?"

Mr. Norton said, "Separate action."

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

- 2. RESOLUTION AMENDING RESOLUTION NO. 48-1998, WHICH CREATED A BENEFIT DISTRICT IN SEDGWICK COUNTY, KANSAS, AND AUTHORIZING IMPROVEMENTS THEREIN (K-96 AND GREENWICH ROAD-INTERCHANGE).**

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

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Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you."

Mr. Norton said, "It's Marvin's turn. Then we'll come back and recess."

Chairman Hancock said, "Okay. On the Sewer District, it's a little bit cryptic about a resolution regarding certain proposed improvements. I'm not sure which one we're talking about. Thank you. Next item please."

PLANNING DEPARTMENT

E. METROPOLITAN AREA PLANNING DEPARTMENT (MAPD).

- 1. CASE NUMBER SCZ-0788 - RESOLUTION REGARDING ZONE CHANGE FROM "SF-20" SINGLE-FAMILY TO "NR" NEIGHBORHOOD RETAIL AND "LC" LIMITED COMMERCIAL;**

AND

CASE NUMBER DP-242 - CREATION OF RIDGE CENTRE COMMUNITY UNIT PLAN (CUP) ON 127.15 ACRES OF PROPERTY LOCATED SOUTH OF 37TH STREET NORTH AND WEST OF RIDGE ROAD.

SLIDE PRESENTATION

Mr. Marvin Krout, Director, greeted the Commissioners and said, "This is the southwest corner of Ridge and 37th Street. We're talking about this tract, which is 17 acres at the southwest corner.

"Most of the tract, as you can see, is zoned SF-20 and most of the surrounding land is SF-20, which is the Suburban Residential District. The four corners is part of the 50 year old now County zoning at arterial

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intersections of 6 acres at a corner. So a portion of this tract is already zoned limited commercial.

"The zoning request is, as it was recommended by the Planning Commission, for a combination of Limited Commercial and Neighborhood Retail Zoning on 17 acres with, Limited Commercial on the upper portion and neighborhood retail in the lower portion. It is on a total of 9 acres and there is a community unit plan that is filed because it is over 6 acres of Commercial Zoning. The development would be intended for retail and office use. You may recall that just a few months ago the County Commission approved a very large CUP on the other side of Ridge Road for over 80 acres of land with Commercial Zoning at the intersection, but a majority of the tract being for general office use with a medical campus being planned in the area by Via-Christi. That project is proceeding.

"The aerial photograph shows you that most of the land in this area is undeveloped. This is basically the alignment of the big slue and there has been some extraction of that lake area and the land in between the lake and Ridge Road and 37th Street has all been filled and is now above the hundred year flood plain limits and has been prepared for development in that manner.

"The staff was supportive of the request for the Commercial Zoning and the CUP. There was some discussion about a number of issues that you may have read about in the Planning Commission reports. The Planning Commission did approve this and reheard it again and I think, by the time of the second hearing, all those issues were worked out concerning overall floor area, concerning uses permitted, access control, signage, screening, and one of the last issues had to do with off-site improvements and, specifically, with the future need to signalize the intersection of 37th and Ridge Road. As recommended by the Planning Commission and accepted by the applicant, this owner would pay for 12.5% or 1/8 of the cost of future signal improvements, by guarantee when the property is platted. There is water and sewer that will be available to this site. Coming from the south, there is a residential development further south and on the east side of Ridge Road. Then by petition with this property owner, the water and sewer can be brought up to serve this area.

"The MAPC vote was 10 to 3. The vote reflects only 3 votes, not concerned with the overall land use

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proposal, but with the question of signalization. There was some feeling that property owners maybe ought to pay equally for the cost of signalization and so if this property owner paid 25%, this property owner ought to be 25%. From a traffic generation standpoint though, this 80 acres is going to generate more traffic than this 17 acres, and that was the argument of the applicant that prevailed with the Planning Commission. There was no opposition at the Planning Commission hearing and there have been no written protests filed. So a simple majority is all that is required to approve this.

"This is the layout of the proposed parcels in the CUP. This area is basically for commercial. This area would have Neighborhood Retail Zoning. The intent is basically for office uses, but they want to maintain the flexibility in the future, even administratively, they could get approval for some small portion of retail or restaurant to be part of an office complex in that area. The staff was agreeable to that. There would be two access points on 37th Street, three access points on Ridge Road.

"I'll run through these slides quickly. This is taken from 37th Street looking south across the site at the raised area. We're now looking, this would be the northeast corner of 37th and Ridge Road. This is 37th and this is Ridge Road North. If I were to continue that would be K-96, a half mile up. As we said before, this is between K-96 interchange and Ridge Road and the development in this area, the availability of sewer in the future. This area ought to be growing. This is looking up Ridge Road. The K-96 interchange would be about there. Beyond this area is where you recently approved some neighborhood retail zoning for a florist and a greenhouse use up closer to K-96, if you recall. This is looking, this is 37th Street, so we're now looking out at the northwest, mostly open land. I'll go through these slides quickly. West on 37th Street. The tract in question is on the left hand side of the screen. Looking again south. This is looking, which way is this, west from Ridge Road at the field site. West and south, you can see some subdivision development in the background in the south. This is looking south down Ridge Road with the tract on the right hand side. North on Ridge Road. The large tract that was a CUP on the east side of Ridge Road. Again, that east side of Ridge Road, a large medical campus being planned. Looking back up from the south of this site back up towards the intersection of 37th and Ridge Road. Again, north on Ridge Road from the southern part. I'll try to answer any questions that you have. The applicant's agent is also here and prepared to make remarks or answer questions."

Chairman Hancock said, "Thank you, Marvin. Commissioners, questions at this time? Marvin, further comments? Is there anyone here who would like to address this item, Item E-1?"

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Mr. David Yearout, 254 S. Laura, Suite 210, Wichita, said, "I'm the Associate agent on behalf of the applicant. I just want to echo the comments that were made. We did work with the Planning Department and the Planning Commission rather extensively on this particular project and reached the point where the proposal is in front of you today. There was a lot of discussion about concerns with the development. It even preceded our application with the project to the east because of the past flooding history, the timing was such that the floods last fall occurred about the time the other property was in consideration. One of the notes in the file was the fill-in. This particular property was not under water at any time during the floods last fall. So the engineering report that supports the idea that it is out of the flood plain was evidenced by the major flooding we had last fall. We look forward to your support and the opportunity to develop the property as laid out. Be happy to answer any questions."

Chairman Hancock said, "Thank you, Dave. Commissioners, questions? Commissioner McGinn."

Commissioner McGinn said, "Was there any erosion problems on the west side up toward the south end of there. I know they had a large break out there on that piece of property during that flood and I'm just curious. He's done a great deal of work to secure the area and I'm just wondering if there was any erosion problem toward the back side of that?"

Mr. Yearout said, "If I recall the discussion regarding what happened with drainage and the flooding that occurred back last fall and most of the implications were that it was off site of what is being considered. The balance of that property, that 80 acres, is part of the original acquisition. That is the old Hoskinson sand pit. There were some problems south, but those are being rectified as part of the drainage plans and the other improvements that are occurring further on to the east and on to the south. That is all being addressed as I understand and will be further articulated during the platting process that we'll be coming forward with here very soon."

Commissioner McGinn said, "There was another problem on 37th Street as well because of that and I'm sure they're including that as well."

Mr. Yearout said, "Same issue, yes. There is a lot of drainage concerns, in not only this property, but all of it in that area. That is all being addressed through the platting process."

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Commissioner McGinn said, "Thank you."

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

Commissioner Winters said, "I have a question of Marvin. Marvin, I guess my question goes to the drainage issue and the platting. I'm going to be supportive of this. I think it has gone through the process and has MAPC support. I think I'm going to be supportive, too. But as Mr. Yearout indicated the drainage problems will be taken care of in the platting process. Is there a point in time where as County Commission and City Council, we need to take a position on engineering solutions to drainage problems and say this area is such that we don't think you can fix it. We don't think there is a solution. I hate to get in that position because I'm not an engineer. I really don't know that there isn't a solution, but I know that just by driving on Ridge Road from about 29th Street north to K-96, personally I wouldn't do a thing out there if I had to purchase a building or a house or anything. I mean that is kind of a sensitive area. It is very low. It is almost like, I heard another Commissioner describe it as one big sand bar. How are we really going to make sure that platting takes care of the drainage issue in this section?"

Mr. Krout said, "Well, that's a good question and I'm not sure. I think that maybe Dave Spears would also try to respond to the question because he'll be the one who will at least participate. It depends on whether the property is annexed, but certainly they'll participate or be responsible for the review of the drainage plans. I've never heard an engineer say they can't solve a problem and I think we've had engineering standards over the years to deal with these problems. Now if Dave attended the same meeting I did, and I think you did, where we talked about the Cowskin drainage basin. I think what we were hearing is actually an engineering office suggest to us that maybe some of their previous solutions need to be reevaluated. Maybe the minimum safety factor we have for heights above 100 year flood plains ought to be reevaluated. Maybe sometimes when we are filling portions of a flood plain, we are having effects, even though it may not be the effect of one, but there may be some accumulative effects we haven't taken quite completely into consideration. I think that through the Cowskin study, which is going to be continuing, both the City Council and County Commission well be hearing that report and I believe that there are going to be some suggestions about some changes in the way that we look at new development and regulations in the subdivision regulations, regulations in the flood plain resolutions and ordinances as a result of that. You'll be discussing that along with the Planning Commission. But I want to give Dave the opportunity to respond too."

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Mr. David Spears, Director, Bureau of Public Works, greeted the Commissioners and said, "I don't want to mislead anybody in the public by making them think that the drainage problems are going to be solved with this plat because they're not. The Halloween flood, you couldn't even get on or off K-96. Ridge Road was flooded. The intersection on the cross road pipe under Ridge Road at 37th, it was blown out. Still today, the ditch on the east side is silted in and we've got to get that cleaned out. There are still problems down at the bridge on further south, coming out of Hawkinson's sand pit. And what you didn't want more than anything is people down stream worry about development up stream saying that well you developed it and now I'm flooding worse. What we try to do is make sure that the post-development run off does not exceed the predevelopment run-off. Basically, that's all we can do. But this entire area is still going to be flooded in periods of bad rains like we had on Halloween and there is really nothing you can do about that, because when we have a rain that hard and that many inches, it is going to happen. This area is flat and it's going to flood. So I don't want anyone to be mislead that this plat is going to take care of drainage problems in the area because it will not."

Commissioner Winters said, "We've done this, we approved this development on the east side of Ridge Road and today I'd anticipate we're probably going to approve this one on the west side. Is there ever a time we need to look at those two quarter sections or the two sections north of 37th Street and then west of this proposed site and say we're not going to do development on these areas? Is there any logic in doing that? If that continues to develop, I think there is going to be trouble there."

Mr. Krout said, "I don't know the topography of this area. The lowest area is along here and I think the further away you get from that, the less likely you are to be causing problems. Dave may know this area better than I do. I think that as this property owner and this property owner do their drainage plans, they do need to look at the basin and try to estimate what those impacts are going to be. It is always better if you can look at a basin, the whole basin in detail, and hire someone to do that. That's what we're doing now with the Cowskin. That would be nice to do in all of our basins around the County to take a closer look at those areas. I think that once you get further away from the big slue, the difficulties are going to be less. As Dave said, the Halloween storm was the storm that if it hit any where with the same intensity you would have similar flooding problems."

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Commissioner Winters said, "Thank you."

Chairman Hancock said, "Thank you, Commissioner. Is there anyone else who would like to address this item? Item E-1? If there are no further comments, I'll close the public hearing and limit comments to bench and staff. Commissioners, the Chair would entertain a Motion if there are no further comments."

MOTION

Commissioner McGinn moved to adopt the findings of fact of the Metropolitan Area Planning Commission (MAPC) and approve the zone change and CUP 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

Chairman Hancock said, "Thank you. Gosh Marvin, I believe you heard the County Engineer say that he couldn't do something."

Mr. Krout said, "If you give him enough money I bet he could."

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

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- 2. CASE NUMBER SCZ-0789 - RESOLUTION REGARDING ZONE CHANGE FROM "RR" RURAL RESIDENTIAL TO "GC" GENERAL COMMERCIAL;**

AND

CASE NUMBER DP-233 - REQUEST FOR THE AMENDMENT OF #2 KUHN CO. CUP, LOCATED ON THE NORTHWEST CORNER OF K-15 AND 63RD STREET SOUTH.

Mr. Krout said, "Commissioners, again this is an associated case with the request for commercial zoning. This tract is for 34 acres in size and also the Associated Community Unit Plan. This property is in the same ownership as this property, which is Zoned General Commercial and has a Community Unit Plan overlay and has been developed with a retail store with outside trailer sales and in the back of that, enclosed self storage use and in the back of that some outside storage all enclosed by a masonry wall. You'll see some slides of that in just a second.

SLIDE PRESENTATION

"This is K-15 and the intersection of K-15 and Oliver coming there and this is 63rd Street, running east of 63rd Street, the Burlington Northern tracks, 63rd Street runs this way, I'm sorry. Here 63rd is a two lane road but is scheduled in the County CIP to be expanded to four lanes in this vicinity just in the next couple of years. This tract is 26 acres. This would be with 34 acres, a substantial area. What they are proposing to do is to expand the Community Unit Plan. Simply, the intent is to use the northern portion of the tract for similar uses as the existing northern portion of the tract for indoor and outdoor storage uses and to use the frontage on 63rd Street to create two more parcels similar to the development of the first parcel with limited retail types of uses and the ability to have some outside display with those uses. You'll see there is a drainage area and a strong tree row along this area so this is a very well defined area. The owner also owns property further to the east and has in mind some very low density residential

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development I believe for that area.

"This is in Derby's zoning area of influence. It is also in Derby's subdivision jurisdiction, which means Derby will be responsible for the platting and whatever guarantees and improvements are necessary. They'll review that before that comes to the County Commission rather than the MAPC.

"Also, this is basically eligible to be, eventually, annexed to the City of Derby. We thought we needed to meet with Derby's planner who did indicate some concerns when we first sent out the notice of a public hearing. We have to go to Derby's Planning Commission before we come to the MAPC with the hearing. So we sat down with the applicant and his agent and with Derby's planner and tried to identify what the issues were going to be.

"I'd say that Derby's main concern was that the uses were not going to be too intensive on this area for a number of reasons. Number one, you can see that this area in between these two black lines is part of the AOD, Airport Overlay District, which means it is in the flight path of those runways at McConnell. So the intent is to try to have uses that don't generate large concentrations of people, whether it is residential or commercial in that area. So that was part of their concern, is you can put a lot of people in a large commercial type of operation with Commercial Zoning.

"Related to that was the concern about having something that was going to generate large demands for water or sewer when they have some capacity to extend water and sewer to this site from their existing location, which may be a quarter to half mile south of 63rd Street, but not a lot of capacity. They did not want to see some of the unregulated development that is not on public services that they've seen along the K-15 corridor in the past. So they have a concern from that standpoint about how intense the use is going to be. Last, they were talking about generating traffic and the need for traffic improvements along 63rd Street. Again, they will be responsible for looking at more carefully as part of their platting approval, but if you control the land use through a Community Unit Plan, then maybe you eliminate the need for Derby looking for more traffic improvements especially since we will be widening 63rd Street to four lanes before too long.

"Based on those concerns, the applicant and his agent agree they will put some additional restrictions on the CUP that is already filed, that would basically limit the uses in this area to uses that would generate any more than domestic sewage on each parcel. So you wouldn't have big generators, which means large

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concentrations of people, which also means a large traffic generator. So no uses that would require going to KDHE and getting permission for a lagoon as a commercial use and that will overall hold down the intensity and activity. He obviously agreed that this would be a good use, the storage use, which I think is an ideal use under an airport runway to have a use that is that light. I think we met the intent of both the owner and met Derby's concerns.

"The applicant, as you can see, has done a very nice job I think with the development so far. That includes some landscaping that he has done on 63rd Street and try to terminate this use and prevent what Derby was concerned about with commercial development on the south side. We were also looking for some berming as well as landscaping along the western edge and the applicant is agreeable to doing that. Basically, we took this to the Derby Planning Commission and Derby's Planning Commission recommended approval unanimously. The MAPC was also unanimous in recommending approval. There was no opposition at either of those hearings and no written protests have been filed.

"I'll run through the slides quickly. This is the area in question. This is the retail use, the enclosed storage, and the open storage, which looks like it hasn't been totally developed yet in back of that. This is the proposed 34 acre expansion area and you can see the strong tree row that defines that area. This is the CUP and this is the existing CUP that permits the storage and retail uses. This would be the two parcels with frontage and access to 63rd Street. This would be the expansion of inside and outside storage. The back of the tract. We're looking now from 63rd Street out to the north at the tree row that was on the west side and this is the masonry wall that currently runs along the west side of that parcel that won't have to be there anymore. Maybe it will be relocated. Again, looking a little bit further to the south in this slide from 63rd Street from a distance. Now here you can start to see where 63rd Street is located here and this is the tract that we're talking about and in the background the existing developed tract. Getting a little closer to the site, you can see some of the residential development that is on the other side of 63rd Street. Again, this is looking now to the south across 63rd at the Residential Area. Large lots on that side. There was some concern from a couple of neighbors with the initial request but not with this expansion area.

"Now we're looking at 63rd Street and looking off a little bit to the west down 63rd from the tract itself. This would be the southwest corner of that site, 63rd Street going west. That looks like the same shot.

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This is the use that we're talking about, the retail and display use that is right at the corner there nearest to K-15. Again, we're looking at K-15. The owner has provided his own frontage road basically. That would be extended to provide, there would be limited access to 63rd Street. See K-15 in the background. This is the same slide. It shows the display area. Again, you can see the masonry wall that he built in this case along the east side of the tract, adjacent to the railroad tracks. This is the masonry wall that surrounds the self storage use today and again another shot from the east side. Back to the aerial photograph and the zoning map and I'll try to answer any questions that you have. I thought the applicant was here earlier. Maybe he stepped out."

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

Commissioner Sciortino said, "Thank you, Commissioner. Just for the notification of the Board, I had a conversation with Phil Nelson, the City Manager of Derby yesterday on that. Just to echo what Marvin said, they are now completely comfortable with the zoning change. That's all I had. Thank you."

Chairman Hancock said, "Thank you, Commissioner. Commissioners, further comments or questions for Marvin? At this time, I'll open this item up for public hearing. Is there anyone here who would like to comment on this item, Item E-2? Is there anyone who would like to address Item E-2 on today's Agenda? If not, I'll close the public hearing and limit comments to staff. Commissioners, further comments or questions? If not, what's the will of the Board?"

MOTION

Commissioner Sciortino moved to adopt the findings of fact of the MAPC and approve the zone change and CUP, subject to the recommended conditions and subject to the condition of platting within one year; 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.

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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."

3. MAPD MONTHLY REPORT.

Mr. Krout said, "Commissioners, April was an interesting month for us. We had 54 cases filed, which brings us to over 200 for the year, which is on pace with the fast pace of last year again. The Planning Commission held a couple of very long hearings, had some interesting cases. You've heard a couple of them already from the April hearings. One was the Lake Waltanna air strip case, which is being sent back to the neighbors for further discussion. The 37th and Ridge case, and the 63rd and K-15 case that you heard today were also on their Agenda.

"They had a couple of other interesting cases that took quite a long time. One of them was a case at 29th and Hunstem in the North Rock Road area, where there is a lot of heavy congestion and the request was for an apartment developer who wanted to increase the density of apartments in that area, which you would have thought and did initially create quite a concern for Tall Grass home owners in that area. In the end, the applicant came in and agreed to, among other things, build a mile of side walk on the south side of 29th Street, which is along those Tall Grass neighborhoods between Rock Road and Webb Road. The neighbors were so interested in seeing the grid of side walk connected along Rock and 21st and Webb and 29th, that between that and the feeling that he was going to spread the traffic by having two access points to two different locations and not have all the traffic focused on 29th Street, they agreed to a 50% increase in the apartment density. They also had some assurances about the quality of the apartments. I think quality of development is an issue. People were willing to sacrifice and trade off a little more traffic maybe for some amenities in some cases. So that was an interesting kind of case.

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"We also just finished, I hope we finished, the issue of the College Hill Cellular Tower. That case went to the Planning Commission last month and then went yesterday to the City Council. I want to point out to you that also on the Agenda yesterday, the City Council authorized the staff to seek proposals for a study of communication towers in the community and how in some ways we can be more proactive. You may remember we had a workshop two years ago, passed ordinance changes. We do have a policy and a plan of sorts and I think it works fairly well. College Hill did not meet any of the policy standards so that tower was rejected. I think we have a pretty good working relationship with most of the carriers, but technology is changing. New users are coming into the area.

“So there is going to be an increase in demands. I think if we can get the help of some people who can speak the language of these RF engineers and can take their information which they would like to consider proprietary and don't want to share very easily, get them to bring it to a third party, share that information and look for some solutions in a more proactive way and get the carriers cooperating. We may be able to solve some more problems. We're going to go out and as the City Council requested and look at that. I suggested to the City Manager that it is very seamless in terms of where the city boundaries end and that there are towers inside the city that effect the County and vice versa. We have one set of regulations and policies currently that is in the zoning code that deals with these issues. It really is a County as well as a City issue. You have one or two towers that will be coming up, in fact, in the agenda in the next couple of months. I hope that we'll be able to, as we go out, that we'll be able to suggest some way to partner in this study and see some ways that you can participate.

"We also had another interesting case, it involved the City. It was the City Council who asked us to consider expanding the CBD district. When you're in the downtown district, you have no parking requirements. We have been looking and have had two very long hearings with the Planning Commission and property owners discussing whether or not it is a good idea to expand the boundaries of the central business district up and near the Old Town area. Unless you have questions about that, I won't get into it, but it is like the Hatfields and the McCoys on either side of the Burlington Northern Railroad tracks, about whether or not that would be a good idea.

"In the land use and research area, the primary emphasis was on the comprehensive plan. We completed

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and distributed to that mailing list of almost a thousand people the report and a series of news letters on this comprehensive plan update. Those outline the two possible visions of the future, which I'm sure you read about, for where the next 100,000 people will be living and working in Sedgwick County and how to plan for that.

"We had, last month and this month, we did go through a series of nine community meetings and we're beginning to try to tabulate the response from that. We also have other meetings where we've been invited to Maize and Colwich's City Council and Planning Commission met just a couple of nights ago and we have some other meetings of small cities scheduled and some business organizations who called to ask us to come out.

"Those discussions will be continuing. I think that we're entering a time within the next couple of months where we would like to be able to get the City Council and County Commission involved in some informal discussions with the Planning Commission so the Planning Commission doesn't just go off and prepare a plan that you then have to respond to when we get some informal discussion going over the summer months on that.

"Transportation planning, related to this comprehensive plan, we started looking, especially with the trend scenario, which is kind of if policies were to stay more or less as they are now, what do we have planned for in terms of transportation. So we did a lot of heavy work in modeling future traffic in the year 2030. We're looking in particular at the issue of the Big Ditch. There is renewed interest across the street in this concept of a 13th Street overpass. You may have read about that. So we're looking at all those potential improvements and which ones of them aren't needed. We also modeled the 71st Street connection between Haysville and Derby and tried to see how much traffic would be attracted on that in the future if we were to build that type of facility. Would it create enough benefits in terms of travel savings.

"We also did respond to a draft report that we received from the consultants who were hired by Kansas Department of Transportation to look at northwest area problems, including the possibility of a northwest bypass. It would run somewhere approximately between Maize and Goddard. We expect that sometime within the next month, the steering committee will meet on the project and have a final meeting. We hope

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to then take that report to the Planning Commission because that is a major potential component of the long range transportation plan. Again, our mission is to try to have a long range transportation plan that we can submit by January of next year to the federal agencies to meet their requirement. We have a transportation plan that is updated every five years and has a 20 year time frame. I think if we don't get there quite by January we can ask for an extension, but that's our goal. In order to figure out our transportation needs, we need to make some assumptions about where people and their destinations are going to be. That's what we've been doing in April and I'll be glad to answer any questions."

Chairman Hancock said, "Thank you, Marvin. Good report. Commissioner Winters."

Commissioner Winters said, "Thank you, Mr. Chairman. I think maybe you answered part of my question right there at the end about the January time line of needing to have the comprehensive plan updated as far as federal government is concerned. I guess I was going to ask you for some kind of a time line on when the revisions of the comprehensive plan would be anticipated to be completed. Because if we get up against this January time line and have to have something done and we haven't had a thorough discussion of this trends versus conservation, these two visions of the future, I don't think it would be wise for us to try to rush into that. I think that is going to be a pretty good discussion. If there is some kind of almost deadline that we've got to have a revised comprehensive plan done, I think we need to know what date and start working backwards from what is going to be accomplished. I think some kind of time line about the planning of how we're going to get there would be appropriate."

Mr. Krout said, "We have anticipated that the Planning Commission would have a draft plan and a public hearing that they're required to do in September and that would still give the elected bodies several months to digest that and make your decisions. I will tell you that while the federal agencies have told us that is the time they want to see the amended plan, last time that we did this, we were the only community in the Midwest region who submitted a plan on time. So the possibility of extensions is certainly there and I think they understand that we're making progress and looking seriously at this issue, then I'm sure that we'll get the time extended."

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Commissioner Winters said, "The second thing I wanted to say about the comprehensive plan is I do agree that we need to begin some discussions, formal or informal or otherwise, with the City of Wichita. Because as we look upon this suburban growth issue, it is an issue that we need to be in tandem with their ideas about what they see happening. Now we get further out into the County and it may not be as important, but when we're talking about these areas close in, I think we certainly need to be working together with the City Council. Just a comment. Thank you."

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

MOTION

Commissioner Gwin moved to receive and file

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, "We have one more question Marvin."

Commissioner Winters said, "Do I have on my calendar that you're having a video conference today?"

Mr. Krout said, "It is an audio conference. It is a one hour audio conference about how to recycle older shopping centers. We've had some problems in Wichita, 21st and Oliver and now 21st and Woodlawn with the groceries going out of business and there are some communities who have been very creative

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trying to recycle and redevelop those kinds of areas."

Commissioner Winters said, "Okay, thank you."

Chairman Hancock said, "Thank you, Marvin. At this time, I'd like to recess the Regular Meeting of the Board of County Commissioners."

Mr. Norton said, "Mr. Chairman, after the next item."

Chairman Hancock said, "Come on Joe, give me a break. I'm doing the best I can. Next item please."

DEFERRED ITEM

F. PUBLIC HEARING AND RESOLUTION REGARDING PROPOSED SPECIAL ASSESSMENTS FOR CERTAIN INTERNAL IMPROVEMENT PROJECTS IN THE COUNTY.

This item was deferred at the May 12, 1999 Commission Meeting.

Mr. Norton said, "This morning we have two public hearings, one for the regular agenda and one for the Sewer District Agenda which will hopefully be next, concerning the levying of assessments for various capital important projects that have been previously approved by the Board of County Commissioners, have been constructed and finalized. As you may recall, on April 14, we brought to the Board of County Commissioners final cost statements on these street improvement projects and at that time you directed us to conduct a public hearing on May 12 to give the public the opportunity to comment on these prior to your consideration of levying assessments. As you may also recall, we had a technical problem with publication and that item had to be deferred two weeks to today's date. In that interim time period, we have republished the notice of hearing and have affidavits in hand. We're sure now that it was published

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correctly. We have also mailed additional notices to each and every property owner that is subject to assessment for the projects today.

"That individual mailed notice indicates the date and time of today's hearing and also the proposed amount of assessment that would be levied against that individual property. We'll be talking in some generalities about approximate costs. They each have individual letters with actual costs of proposed assessments.

"Following today's public hearing, should you chose to adopt the Resolution that levies the assessment, that Resolution will be published Friday in the Daily Reporter, recorded with the Register of Deeds, and an additional notice will be mailed out to each and every property owner by the Clerk's Office or on their behalf by Public Works, indicating the exact amount of the assessment and also indicating that the property owner would have 30 days in which to make full or partial payment of that assessment. If no payments are received, then the amount of that assessment would be included in the County's general obligation bond issue, which we are currently scheduling to receive bids on July 21.

"A couple of weeks in advance of your budget consideration. So we can have interest rates on that bond issue and the interest rates you receive on those bids will then be added to the principal component and spread on the property tax roles starting this fall for a period of 15 years an equal amount of principal and interest to the individual property owners.

"Projects that are on this public hearing are ten projects at this time. There are road improvements contained in Belle Terre South, Phase I, Country Club Court Addition, Estates at Shadybrook, four phases of projects in the Rocky Creek Addition, Phase I of Tara Falls, the Trinity Academy/Messiah Baptist street improvement and Wheatland Phase V improvements. With the Chairman's indulgence, I would like to go through individual hearings since there may be property owners here that are affected by one but not a variety of improvements. So as we go through, I'd like to point out the general area of the proposed improvements, the finalized costs, and the estimated cost of the assessments, and then property owners have an opportunity to be heard at that point in time, it may be simpler to take them project by project as opposed to as a whole. The proper thing to do is open the public hearing now and then we'll give brief explanations of each project."

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Chairman Hancock said, "Okay, very good. Is there anyone here who would like to address project #1, Belle Terre South, Phase I?"

Mr. Norton said, "This project is located as seen on the screen, north of 54 Highway and on the County line, 159th Street East. The proposed finalized cost statement for this project is \$660,312.51. There are 64 properties within this Phase I of Belle Terre South street improvements. The method of assessment is on a fractional basis. Some lots are slightly larger than others and will bear a proportionately higher cost. The average cost per unit is about \$10,312.38 per parcel."

Chairman Hancock said, "Is there anyone here who would like to address project #1, Belle Terre South Phase I streets? If not, next item."

Mr. Norton said, "The second project is street improvements in Country Club Court Addition. This is a project located west of 127th Street, adjacent to K-96 between 13th and 21st Streets North. The total cost of this project has been finalized at \$578,056,40. Again, there is a fractional basis. There are lots that are larger and smaller, but the average cost per lot is \$8,627.71."

Chairman Hancock said, "Thank you, Joe. Is there anyone here would like to address this item, Country Club Court Addition streets? If not, next item please."

Mr. Norton said, "The next item is Estates at Shadybrook. This area is located south of Central and east of I-135 and 143rd Street East. Total final costs of this project are in the amount of \$119,145.28. There are seven lots within this benefit district, which shall equally share the costs of the street improvements and that share is \$17,020.75.

Chairman Hancock said, "Thank you, Joe. Is there anyone here who would like to address this item, Shadybrook Streets. Calm down folks. Next item please."

Mr. Norton said, "The next four projects relate to Rocky Creek Addition. This is located north and east of the intersection of 13th Street North and 127th Street East. The first is street improvements in Phase II, the cost of this project is \$587,279.34. There are 31 lots of one size and 38 lots that are slightly larger, so they are based on a fractional basis. The larger lots being assessed a slightly larger amount than the

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smaller lots. The average cost per lot is \$8,511.29.

Chairman Hancock said, "Thank you, Joe. Is there anyone here who would like to address the Rocky Creek Phase II streets today? If not, next item please."

Mr. Norton said, "Phase IV streets in the same area, total cost of \$355,523.23. There are 31 lots in this particular area. The cost is shared equally per lot at \$11,468.49.

Chairman Hancock said, "Is there anyone here who would like to address Rocky Creek Phase IV streets? If not, next item please."

Mr. Norton said, "Phase VI street improvements at Rocky Creek. Total cost of \$257,042.12. There are 110 lots within this phase of the improvements to share the cost equally per lot at \$2,336.75."

Chairman Hancock said, "Thank you. Is there anyone here who would like to address this item, Rocky Creek Phase VI streets? If not, next item please."

Mr. Norton said, "The final one in Rocky Creek is what called the parkway improvements. This improvement is basically the main entrance and the main road that runs through the development which is shared on all lots within that development. There are 235 lots in that area. The total cost of this project, \$1,110,550.27, when divided by the 235 lots equally, each lot share is \$4,725.75."

Chairman Hancock said, "Thank you, Joe. Is there anyone here who would like to address this item, number VII Rocky Creek parkway streets. If not, next item."

Mr. Norton said, "The next project is Phase I street improvement in Tara Falls. This is an area located south of Harry between Greenwich and 127th Street East as is indicated on the map. The Phase I of the street improvements have a total cost of \$637,217.32. There are 67 lots in this benefit district which shall bear the cost equally. That share is \$9,510.71."

Chairman Hancock said, "Thank you. Is there anyone here who would like to address this item, Tara Falls Phase I streets? If not, next one please."

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Mr. Norton said, "The next project we call Trinity Academy/Messiah Baptist, is on 21st Street, just immediately east of the K-96 interchange with 21st Street. The County, as you may recall, was paving 21st Street to a wider area and these property owners who were putting the improvements in requested that there be some accel and decel lanes and some turn lanes as part of that project and were willing to pay the costs of those additional improvements. The cost of that project in total was \$85,276.70, split at the request of the two property owners to the Baptist Church at \$27,493 and the Trinity Academy at \$57,784."

Chairman Hancock said, "Okay, thank you, Joe. Is there anyone here who would like to address this item, Trinity Academy/Messiah Baptist streets? If not, item 10."

Mr. Norton said, "Okay. The final project in the street hearing is Wheatland Phase V. This is an area located south of MacArthur Road and west of Hoover Road. Total project cost is \$164,353.71. There are 37 lots in this Benefit District, which would equally share the cost of the improvements at \$4,441.99 per lot."

Chairman Hancock said, "Okay, thank you. Is there anyone here who would like to address the item, Wheatland Phase V streets? I see no one."

Mr. Norton said, "It now would be appropriate to close the public hearing and then consider the Resolution."

Chairman Hancock said, "I'll close the public hearing and limit comment to staff."

Mr. Norton said, "I might add before you make this statement, there is no one here obviously to comment. There have been several calls received by the Bureau of Public Works in respect to specific questions, technical kinds of things. I know Mr. Weber and his staff have been handling those questions, obviously to those property owners satisfaction. We have had meetings with individual property owners in particular we addressed their particular concerns. They did not appear today. There has been some work going on in the background with some of the property owners. With the will of the Commission, we have prepared a Resolution which would levy the assessments for these 10 street improvement projects and indicate that any cost not paid within the 30 day time period would be spread over 15 years at equal installments on the tax roles at the interest rates to be received by the County on its general obligation

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bonds this summer."

Chairman Hancock said, "Thank you, Joe. The folks that would be affected by these special assessments will be notified."

Mr. Norton said, "Right. They've all received, now two letters of this hearing today and the costs. They will receive another letter that would be mailed out Friday of the actual cost of the assessment and the opportunity to pay in."

Chairman Hancock said, "Commissioner Winters has a question."

Commissioner Winters said, "Thank you. Joe, you may have answered this question, but two weeks ago when we deferred this, I thought that there were perhaps some people in the audience who were going to address us on these issues. You met with them and discussed with them and answered their questions?"

Mr. Norton said, "That is correct. We had one particular group that was on the sewer assessments. We met with them Monday this week at the Bureau of Public Works. They brought in their engineers, developers, and met with staff of Public Works and myself and I think we answered all their questions. At the conclusion of that meeting they indicated they saw no need to come down today."

Commissioner Winters said, "Okay, thank you."

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

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Chairman Hancock said, "Thank you. Now? Is it my pleasure, at this time, to recess the Regular Meeting of the Board of County Commissioners."

The Board of Sedgwick County Commissioners recessed to the Sewer District Meeting at 10:20 a.m. and returned at 10:36 a.m.

Chairman Hancock said, "I'll call back to order the Regular Meeting of May 26, 1999. Commissioners, I'd like to take a five minute recess."

The Board of Sedgwick County Commissioners recessed at 10:36 a.m. and returned at 10:48 a.m.

Chairman Hancock said, "I'll call back to order the Regular Meeting of May 26, 1999. Next item please."

NEW BUSINESS

G. DISASTER RELIEF EFFORT UPDATE REGARDING MAY 3, 1999 TORNADO.

Mr. Randy Duncan, Director, Emergency Management, greeted the Commissioners and said, "To bring you up to date as to what is happening with regard to disaster assistance related to the May 3 tornado. As of the close of business on the 25th, we had 2,032 people who have registered for disaster assistance

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with the 1-800 FEMA telephone number. In a disaster housing program, as of that same date, we've had 861 applications received for disaster housing assistance. Of those, about 450 or right around half have been approved, for a total of right around \$514,000 in assistance. The other housing checks and assistance checks down to rental assistance, transient accommodations, minimal repair. So far the federal government has written 453 checks relating to those issues, totaling again a little over half a million, around \$484,000. The individual and family grant program so far has allocated about \$800,000, a little over that to assist individuals and families impacted by the tornado.

"The two disaster recovery centers, the one in Haysville and the one in Wichita has seen a cumulative total of 1,315 people. I might add, for your general information, those two disaster recovery centers are slated to close down on the 27th, tomorrow. However, the Small Business Administration component will continue its presence there to assist people who might have remaining questions relating to that.

"So far, the Small Business Assistance element has been the single largest element that has come into our area. So far they've issued a total of 1,613 applications. Of those, they have received about 542 back, that is both for homes and businesses. At this point in time, they've approved just a little under \$4,000,000, right around 3.95 million in total aid and assistance. So that's the status of where we stand in terms of financial assistance that is coming in to help our citizens.

"In addition, as the federal component winds down, we'll begin to see kind of a second phase engage and that is referred to as our unmet needs committee. Right now, that is being head up by the Administrator Alliance of Haysville and in South Wichita, those folks will begin going back and looking at the process to see if there were any folks who fell through the cracks in the assistance net and try to meet those needs for that. So they're just now beginning to engage in their process.

"I might mention another one of the interesting things that has occurred as a result of the tornado. I received a telephone call yesterday from the British Broadcasting Corporation and apparently they're going to be in the Haysville area on the 4th of June filming a documentary on the tornado that struck our area there. There is a great interest in the United Kingdom about the tornados that we have in this area. So they're going to be with us on the 4th of June. Are there any questions that I can answer for you at this

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time?"

Chairman Hancock said, "Commissioner Gwin."

Commissioner Gwin said, "Not a question, just a comment. I met a young man from France yesterday who has been here for a while. Have you met him yet? He's studying emergency management and stuff. He's staying out at one of our fire stations and his timing was inexplicable because he was here for both the tornadoes and our response to the little boy who fell in the well too. So there is international interest."

Mr. Duncan said, "There most assuredly is and I have an appointment to meet with him later to discuss some of these and thank you for bringing up his name Commissioner. I'm going to have to work on that between now and the appointment time."

Commissioner Gwin said, "It's interesting that kind of international interest is here. So be nice to him. Make him feel welcome."

Mr. Duncan said, "I certainly will."

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

Chairman Hancock said, "Commissioner Winters."

Commissioner Winters said, "Thank you, Mr. Chairman. Randy, the numbers and the dollars you were talking about are the FEMA federal dollars and that kind of thing right?"

Mr. Duncan said, "Yes sir."

Commissioner Winters said, "Would it possible that at your next report you could help us with . . . I know there has been significant private contributions. I know a couple of our local television stations have done fund raising efforts and raised several hundreds of thousands of dollars. Part of that, some major and minor, smaller corporations, have made corporate contributions. I assume all that money is being funded

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by United Way, Salvation Army. Would it be possible that some day we could have a report on what those funds are going for, how they're being used? I know it's not your responsibility, but it might be appropriate to hear from some of those organizations, if that's sufficient, if they still are needing lots of funds, where that money is actually going that citizens have contributed."

Mr. Duncan said, "Yes, I think that's an excellent question. We'll do our best to get some research done on that. In addition, I might add, you heard me describe the unmet needs committee earlier. Indeed, that will be one of the functions of that committee is to go back through and determine has their been a sufficient amount of community resources, donations, that sort of thing raised. In particular, they're going to be targeted toward the folks who may have fallen through the existing gaps in the disaster relief system. Yes sir, we'll look into that."

Commissioner Winters said, "All right, thank you very much."

Chairman Hancock said, "Thank you, Commissioner. Commissioners, further questions or comments? Randy, I had the opportunity yesterday to help David Spears toured much of the area and visit with the city officials in Haysville. It might be important for folks to know that we will probably be cleaning right-of-ways for approximately another week. Then it may be intermittent after that that we look after the right-of-ways. I think you know what I'm talking about. So the clean-up is beginning to wind down. There is in some areas a significant amount of clean-up remaining, but most of that falls on private property and probably will be taken care of through the owners of the properties. So our equipment will be in the area for approximately another week and after that we'll make intermittent passes to look after those right-of-ways. Folks who are out there looking after their property be aware, that it is not too much longer that the official clean-up will continue."

Mr. Duncan said, "That's a good point. I think what I hear you saying is if folks are in that area, they should be prepared to move now to take advantage of that while it is still available."

Chairman Hancock said, "Exactly."

Mr. Duncan said, "Thank you."

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

MOTION

Commissioner McGinn moved to receive and file.

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

H. RESOLUTION ESTABLISHING HOLIDAYS TO BE OBSERVED BY SEDGWICK COUNTY IN 2000.

Mr. Richard Euson, County Counselor, said, "Commissioners, if you do not have questions, I would recommend you adopt this Resolution."

MOTION

Commissioner Gwin moved to adopt the Resolution.

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."

I. RESOLUTION AUTHORIZING SALE OF UNREDEEMED REAL ESTATE AFTER TAX SALE.

Mr. Clarence D. Holeman, Assistant County Counselor, greeted the Commissioners and said, "I have before you a resolution that we do every year prior to the County Counselor's Office beginning the tax foreclosure losses that the County is required to file each year. Although that is required each year, we are required to obtain your formal authorization and move forward and that is the purpose of this resolution."

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

MOTION

Commissioner McGinn moved to adopt the Resolution.

Commissioner Gwin seconded the Motion.

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

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VOTE

Commissioner Betsy Gwin	Aye
Commissioner 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 HUMAN SERVICES.

- 1. CONTRACT WITH REGIONAL PREVENTION CENTER PROVIDING 1999 LIQUOR TAX FUNDING FOR ITS SUBSTANCE ABUSE PREVENTION, EDUCATION AND INFORMATION AND REFERRAL SERVICES.**

Ms. Deborah Donaldson, Director, Division of Human Services, greeted the Commissioners and said, "This item is an ongoing contract that we've had with the regional prevention center, which allows the County liquor tax dollars to go to them to provide prevention services. I'd be glad to answer any questions."

Chairman Hancock said, "Commissioners, questions for Debbie? If not, 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.

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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."

2. AGREEMENT WITH FAMILY CONSULTATION SERVICE FOR COMPREHENSIVE COMMUNITY CARE TO PROVIDE PROFESSIONAL PREVENTION, EDUCATION AND OUTREACH SERVICES.

Ms. Donaldson said, "Commissioners, we do have an individual who does act as Marketing Director for COMCARE Mental Health Center and we do share that position with another agency, which is Family Consultation Services. This is the Contract with them where they pay their portion for that position. I'd be glad to answer any questions."

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

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.

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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 SANDRA ALLALA TO PROVIDE TARGETED CASE MANAGEMENT SERVICES.

Ms. Annette Graham, Director, Department on Aging, greeted the Commissioners and said, "This is a targeted case management for services for Medicaid for fiscal year 1999. It provides services to clients age 60 and over who are at risk and needing in home services to remain in the community. This is in accordance with the Medicaid applications and the contract will be reimbursed through Medicaid so no County funds are being requested."

Chairman Hancock said, "Thank you. Commissioners, 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.

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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."

4. CONTRACT WITH AMERICAN RED CROSS MIDWAY-KANSAS CHAPTER TO PROVIDE TRANSPORTATION FOR ELDERLY SEDGWICK COUNTY RESIDENTS.

Ms. Graham said, "This is a mill levy contract which is a continuation of an existing program providing medical services for individuals 60 and over for medical appointments and medical services. The amount of the Contract is \$24,169 and has been awarded in the 1999 budget as approved by the Board of County Commissioners."

Chairman Hancock said, "Okay, thank you, Annette. Commissioners, questions on this item? If not, the Chair would entertain a Motion."

MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

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

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

5. CONTRACT WITH GOODWILL INDUSTRIES EASTER SEAL SOCIETY OF KANSAS TO PROVIDE EMPLOYMENT ASSISTANCE TO PHYSICALLY DISABLED SEDGWICK COUNTY RESIDENTS.

Ms. Graham said, "Commissioners, this is a continuation again of an existing program. It provides employment assistance to persons with physical disabilities in Sedgwick County. The Contract amount is \$54,055. It has been awarded in the 1999 funding. Request approval."

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

MOTION

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

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Commissioner Winters seconded the Motion.

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

VOTE

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

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

6. GRANT APPLICATION TO KANSAS DEPARTMENT OF CORRECTIONS (KDOC) FOR FUNDING OF THE INTENSIVE DAY INTERVENTION PROGRAM.

Mr. Mark Masterson, Director, Department of Corrections, greeted the Commissioners and said, "This is a request to apply to the State Department of Corrections for grant funding to continue providing the intensive day intervention program to adult offenders assigned to community corrections. The program provides immediate intervention in intensive substance abuse and life skills programing in a day reporting model to offenders who have violated the terms of their probation. The program provides the court with an option to revocation and prison. We're requesting \$202,520 in state fiscal year 2000 to pay for five staff positions, contractual services and supplies to continue the program. The program served 171 clients during the first three quarters of this year, 78% have remained on probation versus going to prison. The

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Corrections Advisory Board approved this application at their meeting on May 13, I ask that you approve our request to reapply for this grant and authorize the Chairman to sign."

Chairman Hancock said, "Thank you, Mark. Commissioners, questions on this item? Commissioner McGinn."

Commissioner McGinn said, "I just have one question. We're requesting the grant funds, but do we have a match obligation?"

Mr. Masterson said, "No, we don't."

Commissioner McGinn said, "Thank you."

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

MOTION

Commissioner Winters moved to approve the Application 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, "Thank you. Next item."

7. GRANT APPLICATION TO KDOC FOR FUNDING OF ENHANCED TREATMENT PROGRAMMING FOR ADULT OFFENDERS.

Mr. Masterson said, "This is a request to renew grant funding from the State Department of Corrections to continue providing mental health services to adult offenders assigned to Community Corrections. These funds pay for services for a target population of offenders who are primarily indigent and unable to access other community resources or in need of immediate services. The Department contracts for these services as needed. We're requesting \$40,000 in state fiscal year 2000 to serve approximately 60 clients. The Corrections Advisory Board approved this application as well at their May 13 meeting and I ask that you approve our request and authorize the Chairman to sign."

Chairman Hancock said, "Thank you, Mark. Commissioners, questions for Mark Masterson?"

MOTION

Commissioner Gwin moved to approve the Application 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."

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8. ADDITION OF ONE GRANT-FUNDED SYSTEMS INTEGRATION COORDINATOR POSITION, RANGE 22, TO THE DEPARTMENT OF CORRECTIONS STAFFING TABLE.

Mr. Masterson said, "As you know, the state legislature mandated juvenile justice reform in Kansas. A key element of reform is down loading of state funds and responsibility to the County for planning, implementing, monitoring, and administering local juvenile justice services. The Department of Corrections has assumed these new duties. Before you is a request to add one grant-funded staff position to the staffing table to help manage these new responsibilities. I am requesting a Systems Integration Coordinator position, which is a range 22. The position will become part of the administrative team reporting to the director and will office at 905 N. Main where I office. I selected this position based upon the positive experience COMCARE has had with a similar position in their federal demonstration grant project with the homeless. They experienced increased communication and collaboration across systems which is an outcome we are working to model after in juvenile justice.

"The budget impact for salary and benefits in fiscal year 2000 is \$44,792. The costs will be split between two state grant funds, 70% from administrative fees from the new Aid to Local Communities fund through JJA and 30% from the Juvenile Accountability Incentive block grant. I ask that you approve adding this position to the staffing table."

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

MOTION

Commissioner Winters moved to approve the addition to the Department of Corrections Staffing Table.

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, Mark. Debbie, thank you. Next item please."

K. GRANT APPLICATION TO U.S. DEPARTMENT OF JUSTICE TO FUND A CASE COORDINATOR POSITION THROUGH THE FEDERAL S.T.O.P. VIOLENCE AGAINST WOMEN GRANT.

Ms. Ann Swegle, District Attorney's Office, greeted the Commissioners and said, "We are seeking funding for a position in our Case Coordination Unit, which is donated solely to victims of domestic violence, stalking, and sexual assault.

"This position is currently funded through a grant we received last year from federal funds, specifically through the S.T.O.P. Violence Against Women Act. We are seeking to renew funds from that same source. This position has allowed us to work more closely with these victims to refer them to appropriate services and to more effectively prosecute these very serious crimes. The position will allow us to gather data relevant to criminal history of offenders, the victim, treatment, the effectiveness of pre-trial orders, such as no contact orders and treatment attendance. It is hoped that we will gain insight which will allow us to more effectively prosecute these crimes, particularly with an eye towards community safety and we do see the high levels of recidivism which are typically associated with these crimes.

"The total project cost is \$42,104. If the grant is approved, 75% of this would be paid by federal funds. We ask that you approve the application and authorize the Chairman to sign."

Chairman Hancock said, "Thank you."

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MOTION

Commissioner Gwin moved to approve the Application 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."

L. PARTICIPATION IN THE BULLET-PROOF VEST PARTNERSHIP PROGRAM OFFERED BY THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS (OJP), BUREAU OF JUSTICE ASSISTANCE.

Mr. Gary Steed, Major, Sheriff's Department, greeted the Commissioners and said, "I'll be brief because I know you've been provided some information on this already. Basically, the Department of Justice has established a web site wherein law enforcement agencies and other government agencies can purchase body armor right on the Internet. The federal government, through a grant, pays for half of the cost of the body armor. The Sheriff plans to purchase the second half of the cost of the body armor through his asset forfeiture funds. So there would be no cost to the taxpayer.

"The program requires that the CEO of the jurisdiction, which everything we can find out, would be the

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Chairman to the County Commission, is the person who has to do some of the signing on to the web site. We would suggest that it also his designee. I would recommend that perhaps Marty Hughes, who I visited with, could be the designee to take care of some of the signing on the web site to order the vest. We anticipate ordering 16 vests this year. The County's cost would be \$4,456 and that would be our share. The program is for three years. It works out well for us because for the next three years we will be replacing somewhere in the neighborhood of about 100 vests."

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

Commissioner Sciortino said, "I have just one. This new partnership, it is actually being offered to any law enforcement agency in the country?"

Major Steed said, "That's correct."

Chairman Hancock said, "Commissioner Gwin."

Commissioner Gwin said, "My question is to Rich. If paper work says that it has to be signed off or completed by the Chairman or his designee and Major Steed has recommended that Marty Hughes be the designee to work on the on-line purchasing, do we have to take a separate resolution to do that or is that incorporated in this?"

Mr. Euson said, "I think in your approving action you can state to authorize the Chairman or designated."

Commissioner Gwin said, "All right, thank you."

Chairman Hancock said, "Thank you, Commissioner. Further questions or comments? If not, what's the will of the Board?"

MOTION

Commissioner Gwin moved to approve participation in the program and authorize the Chairman

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or his designee to complete the registration process through the OJP Vest web page.

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, Gary. Next item please."

M. ADDITION OF THREE OFFICE ASSISTANT POSITIONS, RANGE 12, TO THE COURT TRUSTEE STAFFING TABLE.

Mr. Louis J. Hentzen, District Court Administrator, Eighteenth Judicial District, greeted the Commissioners and said, "We are asking for three additional office assistant positions to our Court Trustee staffing table. These positions are necessary to continue the imaging project that the Court Trustee Office has a contract with an access group which expires in the end of August. We need to have one position hired immediately so they can be trained by the current contractor and then we'll hire the other folks when the contract ends."

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Chairman Hancock said, "Thank you, Louis. Commissioners?"

Commissioner Gwin said, "I do have a question. We continue to face a space problem in the courthouse and probably will for some time. Do you have appropriate working space for these three?"

Mr. Hentzen said, "Right. The current contractor access subcontracted the actual imaging project with another company and they are currently located in our Clerk's Office. We will inherit or buy the equipment, but we will lose those subcontractors occupying the space to operate those. They will be replaced with our staff to do that. It is already located in the Clerk's Office now on the second floor. No more space is necessary."

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

Chairman Hancock said, "Commissioner Sciortino."

Commissioner Sciortino said, "Thank you. I think I know the answer to this one, but the amount of monies that you are listing here, that's you're hiring one office assistant June 1 and the salary being shown and the benefits are just for the remaining six months of the year. Is that correct?"

Mr. Hentzen said, "Yes."

Commissioner Sciortino said, "So it is about an \$18,000 a year job, is that correct?"

Mr. Hentzen said, "Approximately. The remainder of the year would be \$28,000 for all three positions. We'll hire one in June and the other two in August."

Commissioner Sciortino said, "I was just taking June, you showed \$9,666 and multiply that by two to figure out what the annual salary."

Mr. Hentzen said, "Whatever the County's manning tables and salary structure is. This system was set up, we adopted the County's payroll system because it is kind of the statute, they have to provide the salary and benefits. We could have, like other districts I suppose, have the Personnel Department create

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a separate salary structure for Court Trustee employees, but we chose not to do that. We find that using the County's personnel system, we can find the right slots in there and use that salary structure."

Commissioner Sciortino said, "Thank you."

Chairman Hancock said, "Anything else Commissioners? Further comments or questions? If not, what's the will of the Board?"

MOTION

Commissioner Gwin moved to approve the additions to the Court Trustee 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. Next item please."

N. PERSONNEL POLICY NUMBER 4.505, VIOLENCE IN THE WORKPLACE.

Mr. Phil Rippee, Risk Manager, Department of Risk Management, greeted the Commissioners and said, "First of all, I'd like to take this opportunity to thank the stakeholders who helped ready this policy for your approval, the County Manager and his senior staff, COMCARE personnel, Human Resources, Diverse Employee Relations Office, the Chief Financial Officer, and the Risk Management staff. Also like to

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commence by providing with you some rationale besides the obvious for implementing this policy.

"Experts in the area of workplace violence recommend four minimum steps with respect to prevention measures. The first step would be to establish a clear policy that prohibits violence in the workplace. The second measure would be to provide training to supervisors and employees to recognize signs of potential violent persons, and this is directed in the policy. The third would be to create an outlet with an organization for employees to air grievances and this is taken care of with our present grievance policy. The fourth area would be to provide personal counseling through an employees assistance program and we currently have an employee assistance program in place, a very good one.

"We feel adopting the personnel policy 4.505 will indicate to outside agencies who would investigate incidence of violence in the workplace when it escalates to some serious injury or possibly death, that Sedgwick County has taken appropriate steps to prevent or reduce the impact of violence in the workplace on Sedgwick County and its employees. I would recommend you adopt the policy and would be glad to try and answer any questions you might have."

Chairman Hancock said, "Thank you, Phil. Commissioners, questions on this item? Commissioner Gwin."

Commissioner Gwin said, "What about an effective date, Phil? As soon as we pass it, does it go into existence?"

Mr. Rippee said, "Commissioner, we would like to start training and doing the training on June 1, around that period of time. As soon as it gets passed, we would like to get started. We have implemented a plan of action for the training and picked out the videos and that type of thing that will be sent to the departments to do the training. That will be recorded in their personnel files and that type of thing."

Commissioner Gwin said, "Okay. Have you identified expenses to that?"

Mr. Rippee said, "It is going to be very inexpensive. The videos we are going to use are tried and tested by other organizations and we'll just produce those videos. They'll be checked out by the departments, shown, and then there will be a hand-out given with that video depending upon whether they are an

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employee or supervisor. There are two different categories. I've been doing some training. I've trained 113 supervisors in the County thus far on my own through the employee training catalog. It's went very well. The employees have accepted this extremely well. Have made some good comments. They feel it is necessary. Feel it is a good policy. They feel the training that they received was good. Got all the feedback on the evaluations and I just think that this is a good thing. The Manager, when we talked about it, wanted us to proceed through a process and get all the stakeholders involved, which we did. We thought it out very carefully and I think we produced a real good policy that was through Legal twice and I think it is going to at least make people aware of it and know what to do if there is potential violence in the workplace."

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

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

MOTION

Commissioner McGinn moved to approve the policy.

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, Phil. Next item please."

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O. KANSAS COLISEUM.

1. AGREEMENT WITH KANSAS STATE FAIR OF THE STATE OF KANSAS FOR ACCESS TO THE SELECT-A-SEAT COMPUTERIZED TICKET SYSTEM.

Mr. John Nath, Director, Kansas Coliseum, greeted the Commissioners and said, "This is an agreement that continues our relationship with the State Fair with some differences. The previous agreement was for three years and this one is for five. There is also a difference on the compensation, it comes back to the ticket system. Previously the State Fair put their tickets on sale by mail order early, which is a very slow, cumbersome, and labor intensive way of doing it. Last year they changed the procedures and they put their concerts on sale early in June, general distribution to everybody in the state. It actually helped them increase their attendance and ticket sales for all their events. We recommend approval of the Agreement."

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

MOTION

Commissioner Sciortino 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

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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."

2. AGREEMENT WITH VIA FONE FOR ADVERTISING RIGHTS AT THE KANSAS COLISEUM.

Mr. Nath said, "Commissioners, this is a standard advertising agreement for advertising rights at the Coliseum with some subtle differences. This is a comprehensive marketing relationship with Via Fone. Via Fone will not only get signage in the main arena, they will also have the ability to demonstrate the products at select events. They will also be the sponsor of the courtesy telephone at the customer service booth. We'll be tying the courtesy phone in with the babysitter stub on the Select-A-Seat tickets. Parents can rest easy that if they come to an event and the babysitter should have to call them, an usher will bring the telephone to them so they can return the call. We recommend approval."

Chairman Hancock said, "That's nice. Thank you, John. Commissioners, questions?"

Commissioner Sciortino said, "I just have one. How would they know where the parents are sitting?"

Mr. Nath said, "The babysitter stub has the seat location, it just tears off the ticket and remains with the babysitter so if anybody calls, they know exactly where the people are."

Commissioner Sciortino said, "Neat idea."

Chairman Hancock said, "Thank you. Further questions or comments? If not, what's the will of the Board?"

MOTION

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

Commissioner McGinn seconded the Motion.

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

VOTE

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

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

P. COMMUNITY HEALTH DEPARTMENT MONTHLY REPORT.

Mr. Charles Magruder, MD, MPH, Director of Community Health, greeted the Commissioners and said, "Just three items to present to you this morning, to make you aware of, regarding the air quality program. We are continuing to make good progress in developing a community consortium of individuals to look at this issue and develop ways to voluntarily reduce our emissions in order to meet EPA standards. Our County immunization rates, our latest statistics show that we are once again in decline. We are going to look very aggressively at this and develop new efforts and plans so that we can ensure that we get immunization rates up in this County. Finally, just to make you aware, COMCARE will give a presentation to the Health Department staff next week and we'll use that as a foundation to begin to examine very critically how we can utilize existing Health Department programs to help with efforts to reduce problems with juveniles in the County. I'll answer any questions that you have."

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

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Commissioner McGinn said, "I just have a question on the air quality sites. Are they located only inside the City of Wichita or are we exploring the whole County?"

Dr. Magruder said, "Anything that the Health Department is involved in involves the whole County."

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

MOTION

Commissioner Gwin 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, "Thank you, Dr. Magruder. Next item please."

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Q. PUBLIC WORKS.

- 1. AGREEMENT WITH MID-KANSAS ENGINEERING CONSULTANTS, INC. FOR ENGINEERING DESIGN SERVICES FOR THE REGENCY LAKES COMMERCIAL ADDITION STORM DRAINAGE PROJECT ASSOCIATED WITH THE K-96/GREENWICH INTERCHANGE. DISTRICT #1.**

Mr. Jim Weber, P.E., Director, Sewer Operations and Maintenance, greeted the Commissioners and said, "In Item Q-1, we request your approval of a supplement to our Engineering Contract with Mid-Kansas Engineering Consultants on the interchange project at K-96 and Greenwich Road. This Supplemental Agreement covers design work for the drainage improvements that have been added to the project for the Regency Lakes Commercial Addition. While the developer and County share in the actual interchange cost, all costs of the drainage improvements are to be paid by the benefited properties through special assessments. Our contract with Mid-Kansas will increase by \$39,433 and we request your approval of the recommended action."

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

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

2. AGREEMENT WITH KANSAS DEPARTMENT OF TRANSPORTATION FOR THE DESIGN AND CONSTRUCTION OF INTERSECTION IMPROVEMENTS AT 63RD STREET SOUTH AND BROADWAY. SEDGWICK COUNTY PROJECT NO. 634-821. CIP #I-76. DISTRICT #2.

Mr. David C. Spears, P.E., Director/County Engineer, greeted the Commissioners and said, "This Agreement with the Kansas Department of Transportation is for an STP safety project at the intersection of US 81 or Broadway and 63rd Street South. STP stands for surface transportation project. This project will include the construction of left turn lanes on US 81 and the installation of a new traffic signal. According to the agreement, KDOT is designing the project acquiring any necessary right-of-way and administering the project. Our responsibility includes construction inspection. KDOT estimates that this project will cost approximately \$250,000. The funding split is 90% federal STP safety funds, 5% KDOT funds and 5% County funds. Our share is estimated to be \$12,500. This project is identified in the Capital Improvement Program as I-76 and KDOT proposes to let this project in late 1999 or the first half of 2000. Recommend that you approve the Agreement and authorize the Chairman to sign."

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

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

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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."

R. REPORT OF THE BOARD OF BIDS AND CONTRACTS' MAY 20, 1999 REGULAR MEETING.

Mr. Ken Williams, Assistant Director, Purchasing Department, said, "Good morning Commissioners.

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

"The first item is bridge improvements for Public Works. The recommendation is to accept the low bid of Clavor Construction in the amount of \$572,050.50.

(2) SERVER HARDWARE & MEMORY UPDATES- DISTRICT COURT
FUNDING: COURT TRUSTEE OPERATIONS

"Item two is server hardware and memory upgrade for District Court. The recommendation is to accept the low individual bids of Super PC Memory, Inc. in the amount of \$10,523.46, COMP USA in the amount of \$1,951.40, Business Computer Center in the amount of \$2,136, and Computerland East in the amount of \$554.00, for a grand total of \$15,064.86.

(3) RECORDS CENTER CONSTRUCTION- CAPITAL PROJECTS
FUNDING: CAPITAL PROJECTS

"Item three is record center construction for Capital Projects. The recommendation is to table indefinitely for review.

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**(4) INSTALLATION OF CARPETING AND RUBBER BASE- AUTO LICENSE
FUNDING: CAPITAL PROJECTS**

"Item four, installation of carpeting and rubber base for the Auto License and Capital Projects. The recommendation is to table this indefinitely for review.

**(5) POWER RESCUE UNITS- FIRE DEPARTMENT
FUNDING: FIRE DEPARTMENT**

"Item five is power rescue units for the Fire Department. The recommendation is to table it indefinitely for review. I'd ask your approval of the Board of Bids and Contracts."

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

MOTION

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

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."

CONSENT AGENDA

S. CONSENT AGENDA.

1. Right-of-Way Agreement.

- a. One Temporary Construction Easement for Sedgwick County Project No. 789-AA-3879; Bridge on 247th Street West between 87th and 95th Streets South. CIP #B-398. District #3.

2. Plat.

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

Ashbrook Meadows at Chisholm Creek Addition

- 3. Authorization per K.S.A. 79-2012 to withhold delinquent personal property taxes under the County Treasurer's certification dated May 18, 1999.**
- 4. Order dated May 19, 1999 to correct tax roll for change of assessment.**

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5. General Bills Check Register of May 21, 1999.

Mr. William Buchanan, County Manager, greeted the Commissioners and said, "You have the Consent Agenda before you and I'd recommend you approve it with one change. On the item 4, S-4, it needs to read, 'Orders dated May 12, 1999 and May 19, 1999 to correct tax role for change of assessment.' So we're adding one day of orders, so changing order to orders and adding May 12, 1999."

Chairman Hancock said, "Thank you. The Chair would entertain a Motion."

MOTION

Commissioner Gwin moved to Approve the Consent Agenda as amended.

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. Is there other business to come before this Board at this time? If not, we'll recess the Regular Meeting of the Board of County Commissioners."

The Board of Sedgwick County Commissioners recessed to the Fire District meeting at 10:28

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a.m. and returned at 10:29 a.m.

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

T. OTHER

Commissioner Gwin said, "Yes Mr. Chairman."

MOTION

Commissioner Gwin moved that the Board of County Commissioners recess into Executive Session for 30 minutes to consider consultation with Legal Counsel on matters privileged in the Attorney Client relationship relating to pending claims, litigation, legal advice, and personnel matters of non-elected personnel, and that the Board of County Commissioners return from Executive Session no sooner than noon.

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

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Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you. We're in Executive Session."

The Board of Sedgwick County Commissioners recessed into Executive Session at 10:29 a.m. and returned at 12:35 p.m.

Chairman Hancock said, "I'll resume the Regular Meeting of the Board of County Commissioners. Let the record show there was no binding action taken in Executive Session. If there is no other business to come before this Board, the meeting is adjourned."

U. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 12:35 p.m.

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

BILL HANCOCK, Chairman
Second District

BETSY GWIN, Chair Pro Tem,
First District

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THOMAS G. WINTERS, Commissioner,
Third District

CAROLYN McGINN, Commissioner,
Fourth District

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

James Alford, County Clerk

APPROVED:

_____, 1999