

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

OCTOBER 13, 1999

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, April 14, 1999 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Bill Hancock; with the following present: Commissioner Thomas G. Winters; Commissioner Carolyn McGinn; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Mr. David C. Spears, Director, Bureau of Public Works; Mr. Darren Muci, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Public Relations; Mr. Doug Russell, Director, Division of Human Resources; Mr. Renfeng Ma, Division of Finance; Mr. Chris Chronis, Chief Financial Officer; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Mr. Mark Masterson, Director, Department of Corrections; Ms. Susan Erlenwein, Director, Environmental Resources; Mr. Aaron Dunkel, Management Intern, County Manager's Office; Ms. Michelle Daise, Assistant County Counselor; Ms. Marilyn Cook, Assistant Director, Division of Human Services; Mr. John Nath, Director, Kansas Coliseum; Mr. Marty Hughes, Revenue Manager, Division of Fiance; Mr. Brad Snapp, Director of Housing Office, Division of Community Development; Mr. Doug Roth, District Attorney's Office; and Ms. Heather J. Knoblock, Deputy County Clerk.

GUESTS

Mr. Sam Langhofer, 328 Fieldstone, Valley Center, Kansas
Mr. Tim Anderson, 618 Harland Park Drive, Mulvane, Kansas
Mr. Gary Barnes, 315 N. Olive, Leon, Kansas
Mr. Shawn Jenkins, Local Lodge 733, 515 Marmington, El Dorado, Kansas.
Ms. Mary Johnson, 1544 Alberta
Ms. Judy Pierce, 5328 Stonemar Court, Wichita
Ms. Donna Mills, 7233 N. Inerervin, Valley Center

INVOCATION

The Invocation was given by Reverend Rick Cline, of the Central Church of Christ.

FLAG SALUTE

ROLL CALL

Regular Meeting, October 13, 1999

The Clerk reported, after calling roll, that Commissioner Gwin was absent.

CONSIDERATIONS OF MINUTES: Regular Meeting, September 15, 1999

The Clerk reported that Commissioner Sciortino was absent at the Regular Meeting of September 15, 1999.

Chairman Hancock said, "Commissioners, you received copies of those Minutes for your review. What's the will of the Board?"

MOTION

Commissioner Winters moved to approve the Minutes of the Regular Meeting of September 15, 1999.

Commissioner McGinn seconded the Motion.

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

VOTE

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

Chairman Hancock said, "The Minutes of September 8 haven't been reviewed as yet. Next item, please."

PROCLAMATION

- A. PROCLAMATION DECLARING OCTOBER 23-31, 1999, AS "RED RIBBON WEEK."**

Regular Meeting, October 13, 1999

Ms. Kristi Zukovich, Director, Communications, greeted the Commissioners and said, "I'll read this Proclamation in for the record.

PROCLAMATION

WHEREAS, the National Red Ribbon Celebration was started in 1985 after Federal Agent Enrique Camarena was murdered by drug traffickers, the red ribbon represents the nation's unified fight against drugs; and

WHEREAS, all across our nation, adults concerned about the healthy development of young people are searching for answers to the problems of youth substance abuse; and

WHEREAS, Sedgwick County is committed through prevention education and awareness to the reduction of substance abuse among youth, delaying the age of first use by youth, and increasing perceptions that substance abuse is harmful; and

WHEREAS, the Wichita/Sedgwick County Red Ribbon Coalition encourages community members to organize and promote programs that will reduce the risk of drug involvement and protect Kansas youth; and

WHEREAS, Red Ribbon Week will be celebrated in every Kansas community promoting drug free youth, families, communities, schools and workplaces;

NOW THEREFORE BE IT RESOLVED, that Bill Hancock, Chairman of the Board of Sedgwick County Commissioners, does hereby proclaim October 25 - 31, 1999, as

“RED RIBBON WEEK”

and encourage all citizens to show support for a drug free community by wearing or displaying a red ribbon during that week.

"We were to have someone from the Sheriff's Department here to accept the Proclamation. I don't believe

Regular Meeting, October 13, 1999

they are here, but I know they have been supportive of this for many years and go into our schools to help promote the drug awareness program. I'm sure they'll be bringing us our ribbons to wear during that week as well."

Chairman Hancock said, "Very good. Thank you, Kristi. Commissioners, what's the will of the Board?"

MOTION

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

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Chairman Hancock said, "Thank you. I know we've celebrated 'Red Ribbon Week' for it seems like forever, but it hasn't been that long. It has caught on tremendously and I encourage all those out there to participate in the activities. It is a celebration and also an awareness for our kids that drugs are no good. It is an outward sign that we support all those efforts. Look forward to the Sheriff's Office receiving the Proclamation. Next item, please."

RETIREMENT

B. PRESENTATION OF RETIREMENT CLOCK TO WANDA SQUIB, PERSONAL PROPERTY APPRAISER II, APPRAISER'S OFFICE.

Mr. Doug Russell, Director, Division of Human Resources, greeted the Commissioners and said, "It seems like I just blinked and met Wanda Squib handing her a ten year service award a year ago. Wanda

Regular Meeting, October 13, 1999

is a Personal Property Appraiser II with the Appraiser's Office and will retire October 1. She was hired on June 6, 1988 as an Office Associate and became an Office Specialist in January of '92, Personal Property Appraiser II in September of '95. I noticed in the stuff that Wanda handed me, she also worked eight years part-time in the Bureau of Public Services, so she's got more like 20 years with Sedgwick County in terms of service.

"Wanda indicates that she has two daughters, one son, married, five grandchildren and one great grandchild. Does a lot of volunteer work with the Veterans of Foreign Wars, woodworking, making craft items. It says some unique furniture and holiday yard decorations. So it sounds like your season here.

"Wanda indicates that it was a pleasure to serve the citizens of Sedgwick County and she will continue to do so in some fashion, probably temporary employment. She is a life member of the V.F.W. Auxiliary of Derby. Life member of American Legion Auxiliary, Derby. Military Order of the Kudey Auxiliary, Derby. Has an honorary degree of the Veterans of Foreign Wars. So extremely involved in the community and veterans portion of it. Wanda, this is a certificate of recognition signed by each of the Commissioners. We're going to miss you."

Chairman Hancock said, "Wanda, every since I've been here, you've been a fixture. I want to tell you on behalf of the folks of Sedgwick County we appreciate what you've done. I know Wanda has seen tremendous changes in the time you've been here, almost unrecognizable, especially in the area of appraisal. You've gone through a lot of turmoil and a lot of good times. You have been a fixture there. I can't tell you what it means to the Commissioners and tax payers of the community to have folks like you working in that area and doing such as fine job as you've been doing. We sincerely appreciate it. On behalf of the folks of Sedgwick County and the Commissioners, I'd like to give you a token of our appreciation, this clock. Thank you very much for everything you've done."

Ms. Wanda Squib said, "Commissioner Hancock and remaining Commissioners, it has been a real privilege to have served Sedgwick County for this number of years. I would be a little remiss if I didn't thank a former County Commissioner, Tom Scott, for assisting me in obtaining my goals to be employed by Sedgwick County. Tom was a real friend as well as Chairman Hancock has been a real friend to me. I don't know the rest of you that well, but it has definitely been a privilege to have worked for Sedgwick County for this number of years. I certainly hope that I can continue to serve the citizens of the County in the future. Thank you, very much."

Regular Meeting, October 13, 1999

Chairman Hancock said, "Next item, please."

AWARD PRESENTATION

C. PRESENTATION OF THE GOVERNMENT FINANCE OFFICERS ASSOCIATION DISTINGUISHED BUDGET PRESENTATION AWARD FOR 1999.

Mr. Chris Chronis, Chief Financial Officer, greeted the Commissioners and said, "It gives me great pleasure to be able to present this award. It gives me great pleasure to be able to present this award. This is something that, for those of you who have served on the Commission for some time has become a bit of old business. But I think since I am new here, and since I had nothing to do with this budget that is receiving the award, I can be objective. I would like to take a few minutes to explain to those of you who are new and to the citizens, exactly what the significance of this award is.

"The government Finance Officers Association, the professional association of people in my business feel very strongly that it is important to promote good financial management practices throughout the public sector. Further, that it is important to provide information about citizens dollars that is meaningful to the citizens. In order to do that, the G.F.O.A., Government Finance Officers Association, some time back created this award. It is referred to as the distinguished budget presentation award. The award seeks to reward or acknowledge those governments which have done a superior job of meeting a fairly rigorous set of criteria in four separate categories.

"In order to achieve this award, the government has to satisfy criteria showing that its budget document serves effectively as a policy document, as a financial plan, as an operations plan, and finally, as a communications device. In order to achieve those criteria, the budget has to be shown by a series of reviewers, that it has accurately identified the government's operating goals and objectives for the year of the budget. That it identifies the policies that will guide the Government's financial management. As a financial plan, it has to explain the basis of the budget. It has to explain the fund balances. It has to identify probable or anticipated changes in financial condition. As an operations guide, it has to identify clearly the

Regular Meeting, October 13, 1999

service levels that are expected of the government in all of its various activities, and it has to identify all those activities. Finally, and perhaps most importantly, as a communications device, the budget document has to describe how the budget was put together. That is what the process is for citizens to participate in the development of the budget and it has to provide summaries that can be understood by lay people of the budget and its revenues and its fund balances and so forth.

" As I said on the outset, it is a fairly rigorous set of criteria that has to be satisfied. A fairly large number of governments satisfy that criteria now. This award has been in place, if memory serves, for 18 years. Now, it has become fairly common for governments to receive it. What is uncommon, is that this is Sedgwick County's 15th consecutive budget award. This is the fifteenth year in concession, that the Budget Department of Sedgwick County has provided a document to its citizenry and to you that satisfies those criteria. What that means, is that the people of the Sedgwick County can be comforted that the Budget Department and the Finance Division of the County to out of their way to provide information in a form that, for a subject that is fairly difficult to understand, that the Division and Budget Department provide that information in a form that is meaningful and can easily be understood by its citizens.

" With that bit of an overview, I would like call up Renfeng Ma, who is the current Budget Director. I in looking to see if Kathy Sexton is here. I think she was unable to break out at a meeting that she was in. I would also like to call up Mary Orr and John Roland. Kathy Sexton, as you know, was Budget Director for the 1999 budget, which is receiving this award. See is the person to whom this award properly should be presented. She has moved on to bigger and better things in this organization. She has been succeeded by Renfeng Ma, who was the senior budget analyst in 1998 when the 1999 budget was put together. I will present this award to Ma. Mary Orr is currently a senior budget analyst in the Budget Department and John Roland is a budget analyst in the Department. They also worked on this award. The final person who is not in the room and who deserves recognition, probably more than anybody who is in the room, is Tammy Grant. Tammy is the . . . I don't know what Tammy's job title is. I hate to refer to her as our secretary because she is much more than that. Tammy is the person who puts together the budget document. She guides the production effort. She, more than anybody, is responsible for this document being the success that it is as a communications device. So with that, I will present this award to Ma and thank him for his service to Sedgwick County."

Regular Meeting, October 13, 1999

Chairman Hancock said, "Chris, I know Ma very well. I know he wants to do 20 minutes right now."

Mr. Renfeng Ma said, "Just in case you want to know Tammy's title, we call her our quarter back for the budget team."

Chairman Hancock said, "Thank you. Thank you, Chris, very much. Appreciate you being here. Congratulations to all of you. Thank you for your hard work on it. Mary, John, Ma, and tell Kathy thanks for us, too. Next item, please."

PUBLIC HEARING

D. PUBLIC HEARING REGARDING A RESOLUTION APPROVING ANNEXATION OF LAND NOT ADJOINING THE CITY OF VALLEY CENTER.

SLIDE PRESENTATION

Mr. Richard A. Euson, County Counselor, greeted the Commissioners and said, "Before you this morning is a matter involving property owners who desire to be annexed into the City of Valley Center. These properties are shown on the map that is up on the board in yellow. They are generally located on the west side of Broadway between 77th Street North and 93rd Street North. For the benefit of the public, I should note that cities, as a general rule, have the authority to annex property that adjoins their current boundaries. When cities desire to annex land that is not adjoining, they must contain the consent of property owners and also obtain consent of the Board of County Commissioners. That consent involves the Board of County Commissioners making a finding that the annexation of what we call these island properties will not hinder nor prevent the proper growth of the area or that of any other city located within the County.

"In this case, the City of Valley Center enacted on September 14, 1999, 7 resolutions asking that the tracts identified in yellow be island annexed into the city. I would note for you, that the tracts that abut 85th Street North and the tracts that abut Broadway, do not include road right-of-way, and you may want to address this together with the larger issue of how Park City and Valley Center should address jurisdiction along this stretch of Broadway between 77th and 93rd.

"I should further note for you that we have received 21 additional requests for island annexations from the City of Valley Center. Those are shown in the dark green on the map. Those will be coming before you within the next couple of weeks. Just real briefly, an explanation of this map. I don't know how well you

Regular Meeting, October 13, 1999

can see it. In dark blue outlines are the respective boundaries go the City of Valley Center on the left side and the City of Park City on the right side. The light green shading shows the growth areas of Valley Center as projected by the Metropolitan Area Planning Department to the year 2030. The light blue shade shows the growth areas projected for the same period of time for that City of Valley Center. The red outline on the left side, shows the planning area as defined by Valley Center Comprehensive Plan, and on the right side, the red boundaries shows the Park City planning area as defined in their comprehensive plan.

"I should also probably note for you that the island annexation requests in yellow are within the subdivision jurisdictions of Valley Center and they are within their zoning area of influence. So having said that, this is a public hearing and unless you have questions of me, it would be appropriate for you to open it. "

Chairman Hancock said, "Thank you, Richard. Commissioners, before Richard leaves, are there questions? Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. Rich, on the second level of annexation that is going to be proposed, the ones in the dark green area. Looking at the map that we have before us, it looks like one is adjoining the present boundaries of Valley Center. I am just questioning why they would be coming to us for that annexation. It abuts Valley Center. Can't they just annex without our approval?"

Mr. Euson said, "In my opening statement to you, I made an attempt to over simplify this perhaps a little bit. There are some restrictions on adjoining annexations. One of those is if the property is undeveloped, if it is unplatted, and it is an excess of 20 acres then it cannot be annexed without consent of the owner. There are officials from Valley Center here who might be able to answer that."

Commissioner Sciortino said, "That clarifies it for me. Thank you."

Chairman Hancock said, "Thank you, Commissioner. Commissioners, further questions? If not, thank you, Richard. At this time, this is a public hearing. I'll open the meeting to public comment relative to these annexations. Is there anyone here who would like to comment? It is our rule that you have five minutes. Can you please give us your name and address for the record?"

Mr. Sam Langhofer, City Councilman, Valley Center, said, "With me is Gary Arbuckle our City

Regular Meeting, October 13, 1999

Attorney. Basically, we are here to answer any questions you might have. First of all, I'd like to state that in as much as the request before you for the island annexation of these properties was requested to the City of Valley Center by the property owners. The fact that the areas do fall within the Metropolitan Area Planning Department for our growth and the fact that the City of Valley Center is now in the process, our engineers are in the process of designing facilities, sewer and water, for these facilities that can be probably be accomplished within the next year. We would ask that the Planning Commission approve this. Any questions?"

Chairman Hancock said, "Thank you, very much. Is there anyone who would like to speak or others who would like to comment on this annexation request? If not, we'll close the public hearing and limit comments to staff and Commissioners. Commissioners, questions? If not, what's the will of the Board?"

Commissioner McGinn said, "I think some of the trends that we are seeing here in our communities here in Sedgwick County is that we are tending to grow and prosper all around the area and sometimes it is difficult to see where some of the lines have crossed and that is maybe why we are here today. I want to thank the Mayor of Park City, Oland Hebert for his letter that he sent dated September 30, in regards to some of the concerns he and his Council members had and the administrator over the annexations that are occurring east of Valley Center. That letter and other information that I've obtained from the Metropolitan Area Planning Department has been very beneficial in trying to look at this annexation request from Valley Center from a broad perspective. As I was exploring this issue, I looked at the boundary agreement between Valley Center and Park City that was drafted in September of 1994. This agreement indicates very good cooperation between two cities of where their growth areas would be as some future date. I think it was a good agreement between two cities that makes sense. It is my understanding that there were some changes and they didn't settle well for some and it wasn't renewed. Some of the concerns had to do with serviceability of the roads and law enforcement. I think those are valid concerns. But I also think they can be worked out.

"Kansas statute requires us, as a Board of County Commissioners to ensure that annexation of properties does not hinder the proper growth of the area or that of any other incorporated city. As I was looking at Park City's 1999 to 2010 comprehensive plan, I do not see that these annexations effect Park City's growth area. The zoning area of influence for Valley Center is within the proposed annexation area. Individual land owners have requested Valley Center to annex them. In looking at the growth and planning areas of Park City and Valley Center on this map, it appears to me that the lines have been drawn for some time. Valley Center's plan indicates that future water and sewer service has been planned in this area

Regular Meeting, October 13, 1999

as well. I believe the concerns over the serviceability for road repair and how we deal with speed limits and law enforcement are very valid concerns. I also believe they can be worked out. I look at how we, Sedgwick County, work with our neighboring counties and how our townships work together. For instance, up at the Sedgwick/Harvey County line, we take a road a few miles and Harvey County takes a few miles. I know just recently we talked about the speed limit on Broadway with Harvey County and we worked it out.

"As far as other safety issues, I think about what Commissioner Gwin always says when there is confusion about where our fire department should go when we are in doubt about a boundary line. If there is a fire, take care of it. I feel the same way. This cooperation helps us to provide the best services to all citizens of our communities.

"We have two great communities in this situation here and I think they offer our County a very unique characteristic and I want them both to thrive. Knowing many of the individuals that serve in both of these communities, I know that these problems can be worked out. I think that where we are at with this map, I can conclude that I can support Valley Center's annexation."

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

Commissioner Winters said, "I agree with Commissioner McGinn. This seems to be reasonable. I would like to ask Marvin Krout if he would address this issue for us too. As we look about making sure that we don't hinder the growth of some other city because of island annexation. Marvin, could you just briefly comment on your ideas about whether this is going to hinder growth or how this really fits into the County's Comprehensive Plan and any other thoughts you might have that would be helpful for us."

Mr. Marvin Krout, Director, Metropolitan Area Planning Department, said, "Well, we provided a memorandum to the County Counselor that I think was provided to you where we looked back at all the historic documents and planning studies. Both the Sedgwick County development guide and the guide that we are updating right now that does indicate that both of these communities can be expecting to grow and towards each other, which is shown on the map with the light green and light blue areas. The question is where is the logical line for those services to be separated. Everything that both Park City and Valley Center have done points to the idea of Broadway as a dividing line between the communities. Both Valley Center's plan and Park City's plan, the historic 1985 line that identifies the zoning area of influence, part

Regular Meeting, October 13, 1999

of this area is in the designated are of Valley Center subdivision jurisdiction and Valley Center has obviously done some planning for a water and sewer extension to this area. If this was the end of the story, just these two yellow areas, then you might question is island annexation a good idea. But as you can see, Valley Center has an intent to continue to annex the remainder of the land I think to Broadway over time, including maybe another hearing in a future meeting here. So it does seem that they are purposeful and they looked at the serviceability issue.

"The only other item we pointed out was that over time, as they grow towards each other and as the frontages of Park City belong to one or the other community, then there is a question about the County's role in terms of maintaining Broadway. As Commissioner McGinn indicated, that is probably an appropriate time for the County to assist Valley Center and Park City in figuring out how to work out an informal agreement and whereby one or the other community would take one or both of the common miles of the boundary of Broadway under their jurisdiction. I think that can be worked out in the future."

Commissioner Winters said, "I guess then to recap that from your professional planning standpoint, this appears to be an appropriate request."

Mr. Krout said, "I think it is reasonable and it doesn't hinder the areas growth or Park City's growth based on their own planning."

Commissioner Winters said, "Okay, thank you, very much. Appreciate those comments. One other question I would address to David Spears. David, it would appear to me that over a period of time we could work out how and who is going to continue to take care of Broadway if Valley Center comes up to one side of the ditch and Park City comes to the other side of the road. Do you see thought as a major stumbling block? It would appear to me that we could work something out on that."

Mr. Spears said, "It is not unlike many other situations in the County. Many other roads, I can name off 37th Street between Woodlawn and Oliver, same similar situation. Sometimes what happens is we end up with it unless we can work with the cities to annex the road. But sometimes they will not do it. Wichita is the same case. We can live with it. We've maintained it all this time. It is basically a new road right now. It is about two years old and it is in good shape. I don't see that as a stumbling block for annexation."

Regular Meeting, October 13, 1999

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

Chairman Hancock said, "Thank you, Commissioner. Commissioners, further comments or questions? Richard, in your reference earlier to Right-Of-Way, was Broadway the Right-Of-Way you were referring to or were there others?"

Mr. Euson said, "There is a Right-Of-Way on Broadway and then a Right-Of-Way on 85th Street North also."

Chairman Hancock said, "Okay."

Commissioner McGinn said, "I'd like to ask Sam a question. I don't know if you guys have had much discussion on this, but is that we've talked about, is that something that you see that you can work out?"

Mr. Langhofer said, "I agree totally with your comments. We've had a good working relationship with Park City and I'm sure we can come to an agreement. As far as providing services, police, fire, maintenance, whatever. I hope that maybe if we do come to one at some given time where we take over the Right-Of-Way of Broadway, that we'd be willing to work with the County providing maintenance and taking care of that. You have to remember also that if we do, that it is a major arterial street which more traffic I would say on the street is generated from outside the area as opposed to just the traffic that would be generated from Park City or Valley Center. We would like maybe some assistance in doing that. I'm sure we can work that out."

Commissioner McGinn said, "Thank you."

Chairman Hancock said, "Thank you, Sam. Further questions? Commissioner Sciortino."

Commissioner Sciortino said, "No, he just answered the question I was going to ask."

Chairman Hancock said, "Very good, thank you. Are there further comments or questions?"

Commissioner McGinn said, "I'd like to ask Rich Euson a question."

MOTION

Commissioner McGinn moved that after reviewing the information submitted to me by Valley

Regular Meeting, October 13, 1999

Center, Park City, and the MAPD, and after having heard the information presented to us today in this hearing, I move that the Board of County Commissioners find and determine that the annexation of land described in the City of Valley Center Resolution 317-99, 318-99, 319-99, 322-99, 323-99, and 324-99, will not hinder or prevent the proper growth of the development of the area or that of any other incorporated city located within Sedgwick County. I further move that the Board direct the County Counselor to prepare a Resolution in accordance with this motion and that the Chairman be authorized to sign it.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

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

PLANNING DEPARTMENT

E. METROPOLITAN AREA PLANNING DEPARTMENT (MAPD).

- 1. CASENUMBER V-2021 - PUBLIC HEARING REGARDING A REQUEST TO VACATE STREET RIGHT-OF-WAY LOCATED NORTH OF OLD CENTRAL AVENUE BETWEEN WEBB ROAD AND GREENWICH ROAD.**

SLIDE PRESENTATION

Mr. Krout said, "The request is to vacate street Right-Of-Way not only Old Central right-of-way between Webb Road and Greenwich, but also a number of residential streets Right-Of-Way that are all owned by Raytheon on both sides of those streets, with the exception of one side of one frontage, which is owned by Cessna Air Corporation, which has also joined this application to vacate the street Right-Of-

Regular Meeting, October 13, 1999

Way.

"If you remember, it is not so long ago that we used to have to park on one side of Central and walk across Central to get to Raytheon if you are an employee. That was a safety problem. It is the sort of thing we certainly don't encourage on arterial streets. Raytheon had desired to create more of a campus environment, like most modern industrial facilities. So the County and Raytheon worked together to provide the Central relocate to relocate Central north including the bridge that is the runway bridge that is over Central in that location of the relocated runway. So Central and these other streets are no longer needed for public access for vehicles. There is still a need for utilities which are under that street Right-Of-Way so one of the conditions of the Planning Commission was the Right-Of-Ways be retained as utility easements.

"The Planning Commission heard this case actually in 1997. The decision to construct the relocated Central was made and construction began actually in '96. The Planning Commission considered this in '97, the request, and approved it subject to the recommendation to retain as utility easements subject to guarantees for proper closure, turn around of the new street endings, and also a covenant time to gather the Raytheon land, the lots that would no longer have access to public streets, so this would meet subdivision regulations and all the lots would be in the unified ownership. The covenant has been provided. Rather than providing guarantees for street closures, the improvements have actually been done on the ground and met the approval of County Public Works. So this case has been forwarded now to the County Commission for final disposition.

"Because this was filed at the time that the Planning Commission was not authorized to have public hearings, this is the advertised public hearing for this case, so you will need to open it up for public comment. At the Planning Commission meeting, there were several representatives of the local labor union that has a presence at Raytheon and they expressed some concerns about the relocate project and the vacation making it more difficult for them to hand out leaflets to employees dealing with information that they want to provide them. I'm sure they found other means since that time to provide that information and I think that the safety issue was the over riding issue and these streets are not needed for vehicular access. So the staff and the Planning Commission have recommended that you vacate these streets. As I indicated, it is a public hearing. I know we do have representatives of Raytheon here if you have any questions of them and I'll answer any questions that you have."

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

Regular Meeting, October 13, 1999

Commissioner Winters said, "Marvin, as you mentioned subject to utilities and those other things, is that the way then that this was approved at the Metropolitan Area Planning Commission and that is the way the order is written now? Our recommended action is to approve the Vacation Order."

Mr. Krout said, "Yes, it is."

Commissioner Winters said, "Okay, thank you."

Chairman Hancock said, "Thank you, Commissioner. Further questions of Marvin? At this time, this is a public hearing. I'll open the meeting for public comment relative to these vacations. Is there anyone here who would like to address these vacations? Please come forward. Our policy here in Sedgwick County in public hearings is to allow five minutes. Please give us your name and address for the record."

Mr. Tim Anderson, 618 Harland Park Drive, Mulvane, Kansas, said, "I am a Sedgwick County resident and do vote in all the elections. Mr. Krout stated that all the property and if my understanding is correct is owned by Raytheon. He is incorrect. I'd like to point to where we own property if I may. Right here is the union's property, which we currently had a residence on that is in need of repair, we understand that. We're intending to repair it. We feel, in the union, the main reason Raytheon wants to take all this property away down through here is for the purposes of collective bargaining. They want to access all this away and put us all out here. Collective bargaining time comes, we won't have access to where our strike headquarters always is if we have to have a strike. Nobody wants a strike, that is not where we want to go. Yet, by the same token, with the company trying to annex this property and take it away from us, they are trying to shut us out. They're trying to hinder our ability to collective bargain. As I'm sure you are all aware, that is not what this country is all about. I'm sure it is not what Sedgwick County is about. The members of Local Lodge 733 ask you to oppose this annexation so that we may keep the ability to come and go from our property. We also are planning to do some improvements on that property and very possibly we would like to make a meeting room there. If nothing else, at least a storage facility for the time being. If this property is annexed, we will not be able to do that. We ask that you stand in opposition to this. Thank you."

Chairman Hancock said, "Thank you Sir. Next speaker please."

Mr. Gary Barnes, 315 N. Olive, Leon, Kansas, said, "I am the President of the Union Local Lodge 733 with the International Association of Machinists and Aerospace Workers located in Wichita, Kansas at Raytheon Aircraft. We have some definite concerns about this as my fellow union member has discussed, we do own the property there at 520 Byrd. It is my understanding that this came up two years ago. In

Regular Meeting, October 13, 1999

this time that has passed, not once has this company come to the union and said hey let's bargain a peaceful resolution to this. Not once in those two years. We certainly would have been open to any bargaining in that arena had they come forth and done so. They did not. We discussed the fact that the trafficway was a dangerous hazard. It no longer is. Old Central has been moved. Central has been moved and Old Central has been closed down. Both ends of that street as it were, are closed off to traffic. There is no traffic through there. The fences went up to beautify, to make the campus aesthetically pleasing. The roadways have been closed off. We don't have traffic going in and out of there on Old Central like we used to have. We do have some space in front of the building through Old Central as it is now. Because we own the property there are 520 Byrd, we did have access. We have always had access through Old Central, through that property, to the company. In strike issues and fliers and stuff like that, it wasn't just those issues, it was an access problem that we were going to have being able to access or members there on the property.

"The sole purpose of this, I strongly feel, because of all these aesthetically pleasing improvements have already been done, is to give them the legal right to close off that property and deny us the access and make you the bad guys in all this. I really would hate to see this happen. Like I said, we have plans in the work already to do some renovation on that house. We have used that house and owned that house for over 40 years. Nobody approached us in the last two years about buying the property, bargaining with us, a peaceful resolution on this. It came up two years ago. We asked here at the Metropolitan Area Planning Commission meeting would they leave the right-of-way open to us to have access. They specifically said no, we could not guarantee that. It would be our property, we wouldn't do that. We're talking about a company that did give some money to the County for the improvement of this right-of-way. For the new Central, they did offer up \$900,000 and some odd worth of engineering. We talked at the time that there was maybe \$6,000,000 offset there that we were asking for the right-of-way for. Guys, we're getting a raw deal on this. It is not that this is going to make any difference now because they've already made all the changes and they've already done everything else they needed to do. We've got a nice, aesthetically pleasing campus there. It is not a traffic problem any more, but we still want the right-of-way. Why? So we can legally close that off and throw you off the property and tell you no, you can't get in through here. That's ridiculous. We don't need to do this. As it is right now, it is not hurting anybody.

"We thought they were going to leave it that way and it hasn't come up again. Guys, I had no idea that this came up in September that there was a meeting on it already by the City. They didn't bother to notify the 12 or more union leaders that had signed up on the list to say we'd like to be at the next meeting to discuss this. In short, if it goes that way, if we do go ahead and approve this resolution, it probably won't

Regular Meeting, October 13, 1999

end here because we represent over 5,000 people there at Raytheon Aircraft. Those people are unhappy about this decision. I'm sure that it is going to go a little bit farther. I'm sure they are going to put it out in their Plane Dealer, the discussion. It might even go even farther. We might get with the press and go a little farther than that, because it is the big guy picking on the little guy. It is not worth it. To me, I think it's really not worth it. Thanks for the time."

Chairman Hancock said, "I need some understanding. Currently, if this vacation is approved, you would get to the union property off of Byrd?"

Mr. Barnes said, "We do have access off of Byrd. We have always had access off of Byrd. Byrd actually has a through street on to Old Central through one of their parking areas there. Like I say, since we closed off the Old Central to begin with, the main parking area which he pointed out to you. This main parking area still remains. Because Old Central is closed off, it is no longer a traffic problem. Next to that parking area is Byrd. On that side of the property right there, we own a lot there and a building and have had for 40 some odd years."

Chairman Hancock said, "Is it on the corner of Byrd and the Old Central or Byrd and the new Central."

Mr. Barnes said, "It is actually on the corner. This is Byrd Street right here. Our house is right there."

Commissioner Sciortino said, "So it is in close proximity to Byrd and Old Central."

Mr. Barnes said, "We're adjacent to the property of Raytheon."

Chairman Hancock said, "You can access it now off of Byrd Street and from the new Central."

Mr. Barnes said, "Yes. Although they put up the fences and the gates, they're not closed off now. They don't close the gates, they haven't closed the gates. We'd prefer that it stay that way."

Chairman Hancock said, "Haven't been privy to any of the arguments that have been made in the platting parts of this, so I'm trying to understand. I don't get what the problem is still. I know the first speaker mentioned strike. I don't think I understand what the problem is."

Mr. Barnes said, "This access that we had to and from the building would be cut off. That has always been in years past, and believe me 40 some odd years, we've been negotiating contracts with Raytheon Aircraft, we've only had two strikes. But that is where we had our strike headquarters both times we had

Regular Meeting, October 13, 1999

a strike."

Chairman Hancock said, "Cut off how? I guess what you're saying is that you couldn't access the property from the Old Central, is that what you're saying?"

Mr. Barnes said, "Right, absolutely."

Chairman Hancock said, "Can you now?"

Mr. Barnes said, "Yes, we can."

Chairman Hancock said, "Through the gate at the east or west end of Central?"

Mr. Barnes said, "Right."

Commissioner Winters said, "Can I ask a question. If this vacation order, if we would approve it, you still have access to that property, is that correct? You can come down Byrd Street and get on to your property?"

Mr. Barnes said, "We still will have access to our property from Byrd Street and the new Central, you are correct. It closes off the other side of the access through the Old Central and to the building itself."

Commissioner Winters said, "Mr. Spears."

Mr. Spears said, "Hasn't Old Central already been vacated previously?"

Mr. Barnes said, "It is closed on both ends. I can't tell you to be honest with you. I don't now if it has already been vacated. I know that for all practical purposes it has been because it has been closed on both ends and doesn't have any traffic."

Mr. Spears said, "If Old Central has already been vacated, Raytheon could close it today. In my recollection, it has already been vacated."

Mr. Barnes said, "Not to my knowledge. Like I said, this came up back in '97 and this is the second meeting I have gone to since it came up. I have not been notified of any other meetings. Not to my

Regular Meeting, October 13, 1999

knowledge, it has not been closed off to my knowledge. We opposed it then."

Chairman Hancock said, "Commissioner Sciortino."

Commissioner Sciortino said, "Thank you Mr. Chairman. I was starting to get real nervous when I started hearing that maybe the union wasn't going to have access to the property or they were going to be condemned. I'm comfortable now that you're going to have access to your property, ingress and egress to the physical location of your building off of Byrd."

Mr. Barnes said, "As I understand it , yes."

Commissioner Sciortino said, "That is correct Marvin? They will not be denied access to their facility, is that correct?"

Mr. Krout said, "Right, their property has and will continue to have access from Byrd to new Central. By the way, this is the official vacation to officially vacate that right-of-way. It has been closed administratively, but in order to take full control of it, to revert it back to the underlying ownership, which is private, which belongs on both sides of each these street segments to Raytheon, they have to complete this process by having the County Commission approve the vacation order. But they continue to have access through Byrd to new Central. It should no effect whatsoever on their ability to expand or remodel their building. What they don't have is a guarantee of pedestrian access or vehicular access in the future to old Central and to the campus of Raytheon, but that is private property. If you determine today that there is no reason for vehicular access, the underlying property of all streets right-of-ways that are platted, belongs to the property owner. We vacate properties all the time back to those owners when there is a termination that there is no need for public access to those properties."

Commissioner Sciortino said, "Okay, thank you Marvin. I have another question. For the gentleman that represents the union, but you might want to stand real close. Now I understand that there wasn't any gauntlet thrown down but in the rare occasion that you may find it necessary to have a strike or whatever, you want to use your facility as strike headquarters and by vacating Central, you would be denied something but I'm still unclear what you're being denied."

Mr. Barnes said, "At present, and for the past 40 some odd years, we have had access to and from not

Regular Meeting, October 13, 1999

only old Central but the plant because of that property that we own, the close proximity to it and to Raytheon Aircraft. We would lose the right to the access of the plant. As you see it now, technically speaking, you see where the plant is in the large square here. We have moved old Central from here to here. When that was moved, we were told it was a traffic hazard, that it was a problem with all the people moving back and forth across old Central at the end of the day. We didn't want to have somebody get hurt. Thank God it never has happened in 40 some odd years. The company is here. If you picket a company, you picket in front of the company, do you not, normally? If you picket this company, you're going to be picketing out here on new Central, wouldn't you, where there's a runway through here, so actually if I'm picketing out here on this road right here, who are they going to know that I'm picketing. You can't see the company, the company is way back here. Who are they going to know that I'm picketing. There was a reason for cutting off the access in the first place, it wasn't just to make things aesthetically pleasing. We saw it happen with Cessna, we saw it happen at Raytheon. We didn't argue to begin with because of the traffic problems. We didn't want anybody hurt anymore than anybody else did. But we don't have that problem any more. So why is it necessary to close that off completely and deny those people that access to and from their membership, to and from that company?"

Commissioner Sciortino said, "I understand that, but since there is no traffic on old Central now, I would think that if you were to picket that you would want to picket on Webb Road, on Kellogg, or someplace where there is a lot of traffic so that the public could realize that you indeed are striking and are picketing walking down old Central where nobody drives on it, who is going to know you are picketing?"

Mr. Barnes said, "Absolutely, now that the road has been changed, we will be picketing on new Central instead of old Central, without a doubt."

Commissioner Sciortino said, "So what is the problem. You just said it would deny you the ability to picket on old Central, but now you are saying you wouldn't picket on . . . I'm confused."

Mr. Barnes said, "I'm sorry, I didn't mean to confuse you. More than anything else, it denies us the access to and from the building, to that building that we own and the access to and from our membership from that building to the property."

Commissioner Sciortino said, "I got that, but if there was a strike, wouldn't the company probably close the gates since you are not working inside the facility, for security purposes wouldn't they close the gates since you've walked off the job? You wouldn't have access to the building if you are striking anyway would you? Is that correct?"

Regular Meeting, October 13, 1999

Mr. Barnes said, "Actually, the conditions remain pretty much the same when there is a strike as when there is not. There is still some work going to go on at that plant. The plant is going to open up every day."

Commissioner Sciortino said, "Only if there is scabs working in there."

Mr. Barnes said, "Understandably, but there are still people going to be coming and going from there, for sure."

Commissioner Sciortino said, "I have no other questions."

Chairman Hancock said, "Thank you Commissioner. Further questions? Next speaker please. Thank you."

Mr. Shawn Jenkins said, "I'm a representative of Local Lodge 733. My address is 515 Marmington, El Dorado, Kansas. I'm a representative on the E Board as well as a safety rep for the union members out there at Raytheon. One thing I wanted to talk about here is the safety factor of when we do have rallies, when we do have anything that consists of handing our leaflets, we would be forced to hand out right here where there is an entrance into the parking lot, right there when the cars come in and then they cross. There is a gate right there with a fence all the way up to there where we don't have access to now. We used to hand out all of our leaflets, we used to do all of our rallies right down here. One thing I might explain a little more clear why we pick this street. This is basically the headquarters where all the directors and the people that make the decisions as far as what is going on. So we sit there and we have our rallies, our posters, we can communicate to them in that form to show them where we stand, what we want, and where we are going with this. So by doing this, we're going to be forced to walk on here with no sidewalks, nobody out there is going to see us. Nobody is going to hear what we're doing. All we're going to be doing actually is endangering our union members out there walking the picket line by getting hit by cars that are actually going faster now. Before, we did have two places where we could cross where they would they would have actual rights where our employees could walk across. We no longer have that any more. Actually it is going to be an unsafe act for the union members that are out there building the product which is helping the community here go stronger."

"With my recommendation and hopefully you guys will recommend to cancel this amendment and leave

Regular Meeting, October 13, 1999

this particular street open where we can have access. So our freedom of speech and have the ability to voice our opinion out there in front of Raytheon, not in front of cars that are driving by. We've been doing this for over 40 years. We represent over 5,000 employees there. We're always there for the community and we're there making a strong community around Wichita and make Raytheon grow. It is kind of awful that they won't even come up with some agreement with us to let us have access to something we had before they even bought this company when it was Beech Aircraft. All we want to do is bargain in good faith. We want to have the ability of freedom of speech and have the ability to represent our members. I ask this for the Commission to decline this and give us the ability to walk on this street here. We're not asking to walk on this street. This is the street we walk on. We have access right there on Byrd and that street there. Right now there is a side street that goes right there, a gravel road that we have access to now. But it is showing, on this diagram, it is showing that it goes actually a little farther than where that dirt road is.

"Just one more thing on the safety issue on this. We understand that they took this into consideration to improve our safety, to move our parking lot out and all that stuff. We appreciate that. But the main concern was for them to exhaust all of this land and to push us out farther away because like we said previously, we have a residence right there, we have a residence right there and we've always set up a strike camp there.

"We also, not even just setting up a strike camp, we set up there to organize our members as we go through the years through the contract. We hand out information on where we're at going through negotiations and stuff like that. We don't focus on a strike. The Machinist Union only strike 1%, 99% of our negotiated agreements are negotiated in good faith without a strike. We just want that access for freedom of speech and to be able to represent our members fairly. Thank you."

Chairman Hancock said, "Thank you, Sir. Commissioners, questions of Shawn? Thank you very much. Next speaker, please."

Ms. Mary Johnson, 1544 Alberta, said, "I am one of the trustees. What I'm saying is that on the new Central where they had the meeting before, that one of the guys was talking about why we don't hand out poster and stuff right there. That is a new Central. The parking lot is right on down there. If we stand right there, we most certainly will be killed by cars because nobody is going to slow down in the morning or in the evening to take any kind of literature or anything you are trying to get across to the members to read it. Previously, because I hand out a lot of literature and stuff like that on different occasions. We've always stood right along there. That whole area is fenced off. No cars come down there except for on the street right there and most of the cars that come down Goebel Street is for the company. This is our street right here, Byrd Street. The members usually walk from over here. What I'm saying that they are

Regular Meeting, October 13, 1999

trying to do is put a gate up there. All this is already fenced off. To me, that is so the members do not have access to the house. We've got a walkway right now, a little sidewalk. We can walk from old Central right up to the house. If they cut that off, and that is most certainly what they are trying to do. If they cut that off, we would have no way to get to the house except to go all the way around to the parking lot. Go through the parking lot and go all the way back around on new Central. But old Central has always been, you know. The only traffic that I'm talking about is the people traffic, not the cars. We've always handed out literature and stuff right along here or right along there. It is just easy access. It is a walkway, that's what it is. If they cut that walkway off for us, we're just through, that's it. We won't be able to hand out anything. We try to stand out there at seven o'clock in the morning or 3:30, you are most certainly putting in putting your life in danger. That's all I've got to say."

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

Commissioner Sciortino said, "Ma'am, I have a question. I'm concerned about this. You are saying that if we do this, then by accessing the people, I would assume you would want to do something on Greenwich Road on all those ingress and egresses to the parking lot there. But in the past, you used to stand on Central to catch the people come from the parking lot to the north."

Ms. Johnson said, "On the sidewalk coming from the parking lot."

Commissioner Sciortino said, "But that was when Central was a very heavily trafficked street. I mean everybody was going up and down Central. Somehow, your membership found ways to do that safely and not get hit with all the traffic going down Central."

Ms. Johnson said, "Yeah but it is a sidewalk across the street. We didn't stand on the other side of the street where the company is, we stood across the street, where they have the gate up now. We stood along there and handed it out. They'd be coming from the parking lot, they got to come across from the parking lot across this gate to get into the plant. That's what I'm saying, and we could hand it out right there. They had to cross the street."

Commissioner Sciortino said, "So you're saying that the employees are actually now walking from the parking lot across the street and it is easier to access them because they're walking. Okay, I got that. Thank you."

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

Regular Meeting, October 13, 1999

Commissioner McGinn said, "Marvin, maybe you said this earlier, but are there any sidewalks along Central at all? It seems like every road we put, there are sidewalks. On new Central."

Mr. Krout said, "New Central has some sidewalk area, yes. Mostly on the north side of the street."

Commissioner McGinn said, "Okay. I wanted to ask Mr. Barnes a question about . . . I don't know how long this issue has been brewing. I was just curious if during your negotiations with Raytheon, has this ever come up as a concern? Have you ever tried to work it out through negotiations."

Mr. Tim Anderson said, "Commissioner, I'm a current negotiator. The last negotiations with Raytheon was in 1996. This plan was developed in 1997. So as of yet, there have been no negotiations between the company and the union regarding this matter. Our next negotiation will not be until August of 2001 is when our next contract is due. Real quickly, just to reiterate. Right now, they are going to take old Central so we can't walk along it. The only sidewalk they are going to have for us is going to be over here on the north side of new Central, restricting our access to be able to walk through here to see our membership. Right now, our house is here, the plant is here. Members will come right by here and go over to here if we're having a meeting by walking. They won't go over here and access their car in this big parking lot. They'll come down here to this parking lot where there is another one back off down here. Right now, they can walk. What we think the company will do and they have done is put a fence up across here. They'll close that fence gate that currently they have open and people can walk through.

"Nobody will be able to walk to and from our property. The members who work at that plant won't be able to get there without driving around or walking around. They then would be forced to come out, talking about safety, go into this parking lot, either move your car out here to old Central and drive it around to where there is no parking or walk through the parking lot while some people who don't want to come to the meeting at the end of shift time, they're driving, a chance of running over them. Then walk out here where there is no sidewalk onto Central, around the corner to get back to the property when it would be much easier to go like that and much safer for everyone."

Chairman Hancock said, "Currently you can't access your property from south of that property."

Mr. Anderson said, "Yes, we can. We can walk straight across the company property. They're all company employees or they wouldn't be in our union."

Chairman Hancock said, "So what you're saying then is that in the event of a strike you wouldn't be able to."

Regular Meeting, October 13, 1999

Mr. Anderson said, "In the event of a strike, what I see the company trying to do next if this goes through and they get all this given to them, the next thing they are going to want to do is close these off and close this off to keep us completely out."

Chairman Hancock said, "They would have to buy your property because we are required to give access to all properties. So what you're saying is they would close off the gate and you wouldn't be able to access from south of Central."

Mr. Anderson said, "Traditionally at Raytheon Aircraft, Beech Aircraft when it was, picketers would walk out here on the sidewalk on old Central."

Chairman Hancock said, "I understand. Is that a yes or no?"

Mr. Anderson said, "What was the question again?"

Chairman Hancock said, "You're on the corner there and you want access from the strike headquarters to the plant. You want visibility and you want access."

Mr. Anderson said, "Yes sir."

Chairman Hancock said, "Okay, that's what this boils down to is visibility and access. Your fear is that folks walking from the plant to the parking lot won't have that access in the event of a strike, is that what you're saying to me?"

Mr. Anderson said, "They won't be able to access our property, that's correct, from the plant. Whether there is a strike or not, any time they won't be able to. Our concern is not just strike time. We access that property many many times for things other than strike. Right now, it is safe for people just to talk to the plant across old Central, across the company parking lot right to our property."

Chairman Hancock said, "Let me ask you this. Essentially, for all practical purposes, we have already vacated those properties, the County has."

Mr. Anderson said, "For vehicular traffic, yes sir."

Regular Meeting, October 13, 1999

Chairman Hancock said, "What I'm telling you, and I know there are fences up already and keep traffic out and unwanted personnel out and so forth and so on. I'm sorry, but I don't see any change that is going to occur versus what hasn't already happened. If you're unhappy with it now, I can see you'd be unhappy with it in the future, but I don't see much change between now and the future."

Mr. Anderson said, "Commissioner, we tried to oppose this two years ago at the Metropolitan Area Planning Commission meeting. Several of us here all signed a list to be sent a letter when there was another meeting regarding it. I guess this is the only one they felt we needed to come to because this is the only one they sent us a letter to show up for."

Chairman Hancock said, "Thank you."

Mr. Barnes said, "May I add one thing. When I was talking about that side street that we have right now, that we can go right there from Byrd Street. They haven't put the gates up there like they are showing there. But if the gates go up across this point here, right now we can drive through Byrd and then go back up this street or go around. They haven't clarified it as a dead end street, but my understanding is that is what they are wanting to do here is to make it even more unsafe. Because once we . . . you can imagine this street is only probably about six houses long and we represent 6,000 people. How in the world are we going to get vehicles down there and get it into a way where we can get in and out of this to have access. It is going to be unsafe as far as parking and getting in and out."

"Back to your statement about you don't understand why it is going to be any different from now into the future, because the fences have already been put up. We opposed it, but you guys already approved them to go ahead and put all this stuff up and bring this back to the Commissioners to let them go ahead and have that property. We opposed it from the beginning. We've tried to work with the company in good faith. They didn't bring it up in the 1996 negotiations that they wanted to do this so we would have access to the company property to hand out leaflets, rallies, freedom of speech, what have you, they haven't offered any of that to us. The only time we've had is to come in front of you."

Chairman Hancock said, "To be fair, and I've been here since the very beginning. Our main mission in all this was to extend the runway. That was the primary reason for doing this. Because if we didn't extend the runway, it would limit the number of jobs that were available here in Wichita. If we couldn't manufacture certain types of jet aircraft. Going in on this and being right there in the forefront of the decision making, it was never our intention not to vacate this from the very beginning. We don't want to maintain these streets. They are not accessible to the public anyway. It is impractical. I just never

Regular Meeting, October 13, 1999

considered it from a strike point of view. It is just not one of my considerations and I probably won't make my decision upon striking ability and visibility of the union even in the future and I apologize for that. But to me, this was a routine thing that did a lot of things. To extend the runway, created jobs, which we wouldn't have had here otherwise, expanded our tax base, and expedited traffic through that plant in a safer manner. What is not to like. I apologize. It was never our intention not to do this. This wasn't a company request. The request was help us with the extension of the runway. In our discussions with the County Engineer, he was just as much responsible for the recommendation and closing of these streets as anyone. Because they are not needed. We don't need them for public right-of-way and we don't want to maintain them. We're putting them back on the tax roles. That's what it amounted to. A very practical decision. The reason I'm telling you this is don't get the idea that the company somehow did this to undermine the union and the members. That wasn't their intention at all. It was our intention to create a better highway system and extend that runway. That's what it all boiled down to."

Mr. Barnes said, "The runway is clear over here though."

Chairman Hancock said, "I understand, but in order to do all this, we had to extend that runway and relocate Central in order to accommodate it. It seemed like if we are going to extend the runway and we're going to build a road under it, in any event, why not relocate it to a more appropriate location where traffic can flow easily and uninhibited without mixing in with the congestion of the plant personnel. It just makes perfectly good sense."

Mr. Barnes said, "It does to you, but it doesn't to our members. We can't represent our members fairly like we have for the last 40 years."

Chairman Hancock said, "Like I said, when we make these decisions, we didn't figure on providing access and visibility for the union in the event of a strike. It is not something we're going to consider. It is not part of the formula. I don't think any city planner is going to go out and plan a highway system based upon the visibility during the event of striking members of a union. It is just not done. You're asking too much of us to even consider that."

Mr. Barnes said, "Okay."

Chairman Hancock said, "Thank you."

Ms. Judy Pierce, 5328 Stonemar Court, Wichita, said, "I am currently the Secretary/Treasurer of the

Regular Meeting, October 13, 1999

District 70 Machinist Union. I was kind of upset hearing some of your comments because I believe the union does a lot for this community. We get higher pay for our members. That money goes back into this community. Yes, the company furnishes the jobs, but we get the benefits and them benefits raise the economy of Wichita, Kansas and they raise them to a high extent. We have the Boeing plant, the Cessna plant, the Leer plant, we have several plants here. Without the benefits that we get these people, what would the City of Wichita be? I'll use one example and I won't use ours, but I'll use Cessna Aircraft as an example. There is a plant here and we work very well with them. We've got very good conditions for the people out at Cessna. They also opened a plant in Independence, Kansas. Them people do not get the benefits that our members do here. They do not get the wages and the economy of Independence is in no condition, the same condition as the Wichita economy, because of what we do in this community.

"The organization has the fire cam was one of the big deals to help the community. Our organization gave \$20,550 to purchase fire cams for the community. It only purchased one, that is one more than you had. We are able to do a lot with the benefits we earn and all we're asking for is the right-of-way to walk and get to our property off of old Central. That may be a lot to you, but it means a lot to us and helping our community is what we're here for and you're going to hinder that in another way whether you are realizing what you are doing or not. All I'm asking is for a walkway to Central. Maybe you can talk to Beech. If this isn't their idea of what they wanted to, if it isn't what Raytheon wanted to do, ask them to give us the walkway. Is that such a big thing to stop it? Maybe they will consider. Maybe you can get it done. They haven't talked to us. They haven't brought it to us. They haven't discussed it with us. So maybe you can get them to give us the walkway. Is that such a big thing? You just got through saying that you didn't . . . it wasn't in any of the considerations so why not ask them if they'll give us the walkway?

"That's all we're asking for is to be able have a walkway and that is for our members . . . that's where our members are at and we have to have access to them. Just a thought and I too am standing here in opposition of this."

Chairman Hancock said, "Thank you. Are there any more speakers please? Is there anyone else who would like to comment on this vacation request? Okay, at this time I'll close the public hearing and limit discussion. Commissioner McGinn, I'm sorry, do you have a question? Go ahead."

Commissioner McGinn said, "Thank you, Mr. Chairman for giving the background because I was a little vague on that of why this whole project started. That was a good refresher as to why we are where we are today. I guess I have a great deal of concern listening to the safety issues. You said that you weren't thinking about their needs at the time that we did this. We certainly thinking about economic development in Wichita, Kansas and for Raytheon. I don't know if we can even do this or suggest it, but I guess I would like to see Raytheon work out an agreement with them to put some type of sidewalk or area that

Regular Meeting, October 13, 1999

they can pass out their literature that is safe for them. I don't know if we can request that or not."

Chairman Hancock said, "My view of it would be and I'm certainly not going to go to the contract between the union and Raytheon. My job is to just make a decision based upon traffic and what our intentions were from the very beginning. I think that would be between the company and the union negotiators during the next period of their contract negotiation for what they could do as a walkway. I have no objections to it and I would encourage it, to make it as convenient as possible for the union members to be visible and to have access to their membership. But I wouldn't negotiate that."

Commissioner McGinn said, "What I was asking is, weren't we a part of this process from the beginning of this?"

Chairman Hancock said, "You can ask and you can vote on it, but I'm still not negotiate an agreement between the company and the union. I'm not even going to request the company do anything or vice versa. My job, as far as I'm concerned, is traffic and the safety of the folks using those highways and being around them. My traffic engineer said this is a good plan. He did not take into consideration union strikes and I'm not either."

Commissioner McGinn said, "I agree. This is where I'm confused and I'm trying to get some advice here. I'm trying to find out, if we were originally involved in this agreement back then between the Board of County Commissioners and Raytheon, how come we can't suggest changes between our agreement with Raytheon. That is what I was asking. Not for us to ask Raytheon to get into negotiations with the union at all. That is what I was asking, from a safety point of view from the County. I'd like to hear Tom's comments."

Commissioner Winters said, "My answer to that would be, when we started this process it was as if Raytheon had a divided plant. It was divided by a County road. They had a divided campus. I was supportive of us abandoning old Central, moving it up there, to allow them to really do away with a public street right through the middle of their property. They own property on both sides of the street. In doing that, it is obviously going to push the boundaries of the plant out further than it was. Their plant was bisected by a public roadway. Well, we closed that and so their boundaries have obviously pushed out."

Regular Meeting, October 13, 1999

That is going to change a whole lot of things. It is going to change where you enter the plant. You used to drive down Central. We're you on the plant or were you not on the plant? Well, you were on a County road. Well, we agreed to close that County road. So now, you enter the plant in a different way than you did before. I think if there are still issues out there. I agree with Chairman Hancock. If there are issues between the union and the company on where the front door to the plant is, then they need to resolve that. Now, there is not going to be this public access right through the middle of the property. I was supportive of that when we first voted to relocate Central and still am supportive of that today. Part of that process too was going about the time Raytheon was deciding whether their headquarters had been put on hold. Was there really going to be major expansion here? Were these planes going to be moved here? Was the new plant for the new trainer going to be here? Our work with Raytheon, back in the mid '90s, was all trying to get the new Central there, allow for a new runway, let this plant really in a sense pull together without this public intrusion and really be what they wanted it to be. I think the community was very fortunate that then they decided to build the world headquarters here. They decided to build the new trainer here. We played a small part I think in making them think this is really a good place to be. Now the boundaries of the plant has been expanded. I think the company and the union are just going to have to work through that. I don't think we can get involved in that."

Commissioner Sciortino said, "I agree with what you stated here. The intent back in the mid 90s, and I wasn't on this Board, but I was certainly interested enough in Wichita and the community's development that I took an interest in reading about it and seeing it on television and seeing what was happening. When Raytheon took over Beechcraft, there was, if my memory serves me right, there was a good possibility that this plant might wither on the vine here. That any new development was going to be outside the State of Kansas or outside the City of Wichita. I think the County joined with Wichita and worked with Raytheon and the whole extension of the runway and new Central, although be it there was a safety issue on old Central, but the main thing was to ensure the fact that Raytheon's presence in Wichita would not only be as viable as it was under the heading of Beechcraft, but was going to expand and be even more important and I think indirectly a benefit to the union too because there would be more members there.

"I would not be supportive of trying to do anything from this bench that would improve a union's ability to

Regular Meeting, October 13, 1999

strike. I don't think that is our job. I agree with you, that we should not try to negotiate a contract. That should be between management and labor. The one issue that was brought up that I had to listen to very carefully and that was the inability of the union to maintain contact with their members. I tried to listen very carefully and separate the striking ability from that ability. I commend the union. There has been very little, I think what you said twice in 40 years, so apparently there has been a history of ongoing good faith negotiation with management and I applaud you for that. But I'm not sold that by doing what defacto we did when we expanded the plant anyway, and that was vacate Central, is going . . . I can't get settled in my mind that there aren't other viable mediums to use to contact your membership. All be it at union meetings, all be it at handing out brochures of pamphlets. I don't know legally if you can do that within the confines of the plant or not. There has to be other ways that you can communicate viably with your membership, especially if there is something going on that may adversely effect them. I would assume there is going to be an effective way to communicate with them.

"I would encourage Raytheon to continue to work with you in good faith and I have no reason to believe they wouldn't. I could say that maybe you were a little remiss in '96 in not seeing the hand writing on the wall to make that an integral part of your contract negotiations at that time. I have no doubt in mind, should we do something that you don't feel is appropriate, that it is probably going to be a contract point at your next contract negotiation. I can't make my decision based on assisting a union in their ability to strike. Plus, if we kept that open, I think that would diminish the ability of Raytheon to do what they wanted to do and have one integrated plant. They may want to build a building right across where old Central is and expand their plant that way. Then to be access dividing them again, then that has negated what I think the Board attempted to do when they agreed to the expansion. I guess that's all I have to say."

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

Commissioner McGinn said, "Just one more comment. I appreciate the background from the other Commissioners about this whole project. It would seem to me that it is time to conclude this vacation and go forward. I guess all I can say then from the bench, is that it is my hope that the company will work together with the union to solve the safety issue. Thank you."

Chairman Hancock said, "Thank you Commissioner. I haven't closed the public hearing. I almost did and then we had questions. Is there anyone else who would like to speak? Are there any other speakers? Ma'am, you've already had five minutes."

Ms. Johnson said, "What you can't seem to understand, you keep on saying that the reason you don't

Regular Meeting, October 13, 1999

is for the strike. It is not just the strike. Sometimes we have meetings over there. I'm on the Cope Committee and I'm the Chair. I have five members. I might E-mail them and tell them to meet me at the house. We do literature and things other than strike. You keep saying strike, but our records show that strike is the last thing on our minds. But that seems to be the first thing on you guys minds. You keep on saying that you don't want to provide a way for us to strike, but strike is the last thing not the first thing. That's what you all can't seem to get out of your heads."

Chairman Hancock said, "Ma'am, you're the one that brought up strike, we didn't. You're the one that said in the event of a strike and we've only struck twice in the last 40 years, we won't be able to have visibility. You're the one that brought it up and your membership here, not us. So we just went with it."

Ms. Johnson said, "That is the wrong perception. Meetings and other things than that."

Chairman Hancock said, "All right, thank you."

Commissioner Winters said, "I guess in response to that, I realized early on that strike wasn't the issue. But my issue is I'm not going to dictate to the company where to have a gate and a fence. They've got a perimeter around their facility. I'm not going to tell them or Boeing, or any plant, you need to have a gate right here so we can get in and out. That's for the plant to decide. That's for the company to decide. I hope that your successful. In times that I would think there would be good harmony, while a strike is not in place, that maybe their could be an access point there. But that is something that you're going to have to deal with the company on. I agree with the lady though that the strike is not the issue and I understand that. Thank you."

Ms. Pierce said, "Can I say one more think. I think our issue is the safety issue. I think Caroline got it. It is a safety issue. If we have to stand and handbill on the new Central, the traffic is real heavy on the new Central, heavier than it was on the old Central. The speed limit is a little higher. When you are stopping and no place to stand, somebody is going to get hurt. Maybe, I hate to say it, but you guys probably won't see it until that happens. So maybe you need to look at doing something on new Central that allows us some kind of access there that is safe and not put ourselves in jeopardy when they're doing it. I'm not going to tell the company that they have to put a gate here either. You're telling me that you're not telling them they've got to put a gate, but you're telling me here is the only place I've got where there is access. Whether it is safe or not, I have to use that access. All I say then is you need to look at our safety as well as anybody elses."

Regular Meeting, October 13, 1999

Chairman Hancock said, "Thank you. Are there are any more speakers? Anyone else who would like to address this issue?"

Ms. Donna Mills, 7233 N. Inerervin, Valley Center, said, "I am the charger and a plant chair. I've been with the company for 21 years. The walkway, they have an employment center there that people have to park in a parking lot between Byrd and Goebel. So the pedestrians have a walkway and I'm like Judy Pierce. On the new Central, maybe we need to have sidewalks on both sides of the road. If we just have it on the north side and not on the south side, the south side is where there's the entrance you go into the parking lot. As a public and with safety issues and transportation, then if we have no control over what happens with the old access to our property on those streets, we need to talk about having sidewalks on the south side of the new Central. They're not there all the way through. That is a very busy street, it needs to be."

Chairman Hancock said, "I agree with you. That is something that I wasn't totally aware there wasn't sidewalks. I've been past and through there a number of times but that isn't something I've noticed. I agree with you, we need to look at the sidewalk on the south side of Central. That would be a better access and a lot better visibility for union members handing out fliers and making contact for any reason, whether it is strike or otherwise. I agree with you there and that is someone that we'll have Mr. Spears come back to us with a recommendation on that. I promise that to you. Is there further comments or other speakers? At this time, I'll close the public hearing and limit comments to staff and Commissioners. Commissioners, further discussion? Marvin, do you have anything else on this? If there is no further discussion, then what's the will of the Board?"

MOTION

Commissioner Winters moved to approve the Vacation Order and authorize the Chairman to sign, subject to the conditions Marvin Krout addressed earlier.

Commissioner Sciortino seconded the Motion.

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

Regular Meeting, October 13, 1999

VOTE

Commissioner Betsy Gwin	Absent
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. CASE NUMBER CU-510 - RESOLUTION REGARDING CONDITIONAL USE PERMIT FOR A PRIVATE AIRSTRIP, LOCATED ONE-HALF MILE WEST OF 231ST STREET SOUTH.

Mr. Krout said, "Commissioners, you may recall it was last May that the County Commission heard this case. It was a request for a conditional use permit to make a non-conforming, an old existing non-conforming airstrip out at Lake Waltanna a conforming use, but also the primary purpose initially to allow for property south of the residential development and adjacent to the airstrip to be a location for the construction of hangers for members of the homeowners association who didn't have direct access to the airstrip and couldn't keep their planes right on the property adjacent to the airstrip. The homeowners association supported the application, joined the application with the private property owner. It was forwarded to the Planning Commission and we learned at the Planning Commission that there was a split among the homeowners about this issue. That split was made evident at the County meeting back in May. You sent the case back to the Planning Commission for reconsideration with a kind of direction that the homeowners association needed to get together and talk about this issue further and see if they could resolve this issue among themselves.

"They did have several meetings over the summer months and as a result of all that discussion, the property owner who wanted to build the hangers for other members of the association dropped out of the process and withdrew his portion of the application. So what you have in front of you, since we already had this conditional use running and it was on file, the homeowners association would like to proceed with making their airstrip a conforming use so they wouldn't have the stigma of being a non-conforming use. But this case no longer invokes, as we readvertised, it no longer involves any hangers for people where there aren't hangers that exist today.

Regular Meeting, October 13, 1999

"The only other thing that I'll mention is that there were protest petitions initially that represented 67% of the area surrounding this application. Some of those petitions were withdrawn over the summer months but some of them were not withdrawn. So there is a 44% protest petition that still does exist, which means it takes four votes of the County Commission to approve it. There was no one at the Planning Commission hearing. We readvertised, sent new notices out to everyone. There was no one who was in opposition to this request which is simply to sort of verify that yes, that airstrip is legal, has a legal conforming status right now.

"The representative of the conditional use application, the agent, is here if you have any questions. I don't know that anyone else is here, but it would probably would be appropriate to open this up and receive any additional public comment."

Chairman Hancock said, "Okay, thank you, Marvin. Is there anyone here who would like to address this item today on our agenda? Thank you. As a reminder, you have five minutes. Please give us your name and address."

Mr. Russ Savey, Baughman Company, agent for the applicant, said, "Marvin did a pretty good job summarizing what has happened to date. I'd be more than happy to answer any questions."

Chairman Hancock said, "Thank you. Commissioners, questions? I see none. Is there anyone else who would like to address this issue today? If not, I'll close the public hearing and limit comment to staff and Commissioners. Commissioners, questions or comments?"

MOTION

Commissioner Winters moved to adopt the Resolution.

Commissioner McGinn seconded the Motion.

Mr. Spears said, "Excuse me, it is 231st Street West. There is no 231 Street South. It is incorrect on the Agenda and I was just talking to the Clerk about that."

Chairman Hancock said, "Further discussion? Clerk call the vote please."

VOTE

Regular Meeting, October 13, 1999

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

Chairman Hancock said, "Thank you. Commissioners, I'd like to take the next item and then take a five minute recess."

DEFERRED ITEM

F. APPLICATION TO KANSAS JUVENILE JUSTICE AUTHORITY FOR FUNDING TO FACILITATE THE IMPLEMENTATION OF THE 18TH JUDICIAL DISTRICT JUVENILE JUSTICE PLAN.

Mr. Mark Masterson, Director, Department of Corrections, greeted the Commissioners and said, "This item is back before you today to request your approval of the funding application to the State Juvenile Justice Authority to implement juvenile justice services in calendar year 2000. Margalee Wright, who Chairs the Juvenile Corrections Advisory Board, presented their recommendations for specific programs and funding to you at last week's Board meeting. The funding application is now ready for your approval. Through it, we are requesting a little over 5.3 million dollars in state funds to provide current service levels for the required core programs, which exist today, and \$2,022,327 for new programs to prevent and address juvenile delinquency in our community. Be happy to answer any questions."

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

Commissioner Sciortino said, "Thank you Mr. Chairman. Mark, you're in total agreeance with what the Team Justice has come up with as far as recommendations?"

Mr. Masterson said, "Yes, I would recommend your approval."

Commissioner Sciortino said, "Okay."

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

Regular Meeting, October 13, 1999

Commissioner Winters said, "Thank you. This is the same plan that we discussed last Wednesday. We discussed it pretty thoroughly and talked about it in staff meeting. I just wanted to publicly thank Mark for his hard work on this process. We have had good help from Team Justice, the Correctional Advisory Board, and the leadership of Margalee. We thanked her last week, but Mark, I certainly appreciate all the work you've done on this. Mark has been a resource for other planning districts over the state. I think Mark gets a lot of calls from other people about how we've done it here in Sedgwick County. Mark, I want to say thank you for your hard work on this project."

Mr. Masterson said, "Thank you."

Chairman Hancock said, "Thank you, Commissioner. Further comments or 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 Sciortino seconded the Motion.

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

VOTE

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

Chairman Hancock said, "Thank you. We'll take a five minute recess."

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

Chairman Hancock said, "I'll call the Meeting back to order. Next item please."

Regular Meeting, October 13, 1999

NEW BUSINESS

G. PRESENTATION REGARDING OVERVIEW OF THE SEDGWICK COUNTY SOLID WASTE MANAGEMENT PLAN.

Ms. Susan Erlenwein, Director, Environmental Resources, greeted the Commissioners and said, "I'm here today to give an overview of our Sedgwick County solid waste management plan. This plan was developed by a 30 member solid waste committee that was appointed by Commissioners and cities of the first, second, and third class, as well as representatives of waste haulers and recyclers and environmental groups. The committee developed this plan with the assistance of the staff of Sedgwick County. The plan is an integrated solid waste management system. It deals with all components of the solid waste plan. One of the things that was emphasized through the planning process was to minimize solid waste destined for final disposal.

"Integrated solid waste management system deals with all of the components of the waste plan from the generation, any requirements that we might put on the generator of solid waste. If they have to separate any components, such as the yard waste or recyclables from the rest of the waste material. Also, it deals with the collection of this waste material and any requirements on the separation, whether it be a separate truck for recyclables where we would collect yard waste separately, through the final disposal of solid waste. Many people only think of this last component and don't realize that it is an entire integrated system that we are dealing with, from the generation collection through final disposal. That is what our plan did, was deal with all of this. Plus our plan used the EPA solid waste hierarchy of looking at how we can reduce the amount of waste first, reuse what we can, recycling compost, and then to dispose of the material in an environmentally safe manner. So this is one thing that the plan followed was the EPA guideline.

"There are many key components to our plan. I'd like to briefly review some of those components with you right now, then review some more in detail. One of the components is a free market system for collection. That is what we currently have where residents can call the hauler of their choice to collect their waste. If they have recycling collection, it is the same way, they call whoever they want to provide that service for them. They also have Christmas tree recycling, where residents would take Christmas trees to designated locations. The material would be chipped and then the chipped material is available for people to pick up at no cost.

"Education was emphasized. There is over 40 recommendations for education in the solid waste plan because of all of the changes and in trying to promote waste minimization, education was the key

Regular Meeting, October 13, 1999

component. Also, to improve the household hazardous waste program, expand the facilities that we currently have. Utilize the transfer station for disposal of the waste. I'll talk more about some of these things later, but prior to disposal at the transfer station, there are components to cut back on the amount of waste, such as a ban on grass and leaves going to the transfer station, a ban on commercially produced construction and demolition material, a voluntary curb side recycling where materials are separated by type and taken to a privately owned material recovery facility, also known as a MRF. Volume based rates, so people pay for the amount of trash they dispose of. All of this helps us reach our 40% diversion goal that is listed in our solid waste plan.

"Now that I've briefly reviewed some of the key components, I'd like to go into more detail on components. One of them is that the Kansas Department of Health and Environment required that our plan address the safe and sanitary disposal of solid waste to protect the water and the air of the state. Sedgwick County has a shallow ground water table and we are currently the most polluted county in the state of Kansas, with over 60 sites being currently remediated. Because of this, the solid waste committee recommended the County Commissioners approve the utilization of a transfer station for waste disposal. Transfer station is a warehouse type building. The trucks enter the building, deposit the trash on a concrete floor. It is all done inside an enclosed building, so it is environmentally safe.

"Other decisions concerning the transfer station was that they be privately owned and operated, and that the County would govern these transfer stations by developing regulations, which we have done. There have been several companies approach the County that they are interested in building transfer stations in our community. One company has already purchased land and is in the process of getting permits through the Kansas Department of Health and Environment. Another company has just announced that they have options for land in the County. Conversations are going on with the third company right now. I feel there should be no problem with having at least one, if not more transfer stations open by October 9, 2001, when Brooks Landfill closes.

"Some of the issues that we looked at as to how to reduce material prior to going to the transfer station concerns yard waste. We looked at how can we manage yard waste. We looked at what other communities do. Over 20 states have banned yard waste from going to municipal solid waste disposal. We did a waste analysis at Brooks Landfill and of all the waste going to Brooks Landfill, 12.5% is yard waste. That includes industrial, commercial, and residential. At the bottom of the slide, you can see just from the residential, 24% of residential waste is yard waste.

"Construction and Demolition material is something else we looked at in our waste analysis. That includes

Regular Meeting, October 13, 1999

material such as wood, roofing shingles, bricks, concrete, drywall material. We determined that 19.5% of all the material going to Brooks Landfill is construction and demolition debris, also known as C and D. Currently, there are private facilities in operation right now in Sedgwick County to take yard waste and construction and demolition materials cheaper than taking it to Brooks Landfill. The committee had looked at that. The Commissioners looked at that. The fact that there are large portions of the waste of yard waste and construction and demolition going to Brooks, there are alternative management methods currently available for this material. It was decided to ban grass clippings and leaves and construction and demolition material from the transfer station. That was incorporated into the transfer station regulations.

"The State of Kansas also required a plan to address how do we handle special waste, such as household hazardous waste. Household hazardous waste includes materials such as paints, oils, pesticides, batteries, other materials we might have around the house that contain hazardous chemicals. We did address this in our plan. Our plan has many recommendations on improvement of how we collect household hazardous waste, increased operating hours, increased education, and programs such as having what we call a swap and shop where residents can pick up paints that someone else did not want. Therefore, you don't have disposal of that material and you're reusing it. How we will exactly implement household hazardous waste is yet to be determined. I'll talk more about that at the end of my presentation where I'll present a time line with a decision matrix on it.

"Another component of our solid waste plan is known as volume based trash rates, or many communities call it pay as you throw. Pay as you throw requires residents to pay for each unit of waste they dispose of. This gives a person more control over their trash bill. The charge is based on usage, similar to your electric bill or your water bill. The more you use, the more you pay. Pay as you throw is based on the more trash you dispose of the more you pay. Then one thing we heard throughout our community discussion meetings and public hearings is people do like equitable pricing over their trash. Pay as you throw is available in some communities throughout most of the United States. As you see from this map, the states in white, there are only four of them, do not have a community with pay as you throw. The other states have at least one community, that is in the light blue. Yellow states have over 200 communities with pay as you throw in operation. All over the United States there are over 2,000 communities doing this process.

"Pay as you throw is implemented in different ways throughout these communities. Some you have to buy prepaid tags or stickers that you place on your trash. Here is an example of a sticker from one town. You see this is a one dollar sticker. The stickers are placed on the bags. If it does not have a sticker, they do not pick up your trash.

Regular Meeting, October 13, 1999

“Obviously, the more trash you produce, the more stickers you need to buy so it costs you more. Some communities, you must buy certain prepaid bags. If your trash is not in that bag, it is not picked up. Again, the more trash you produce the more bags you must purchase, therefore it costs you more. Some communities use carts, different numbers of carts so the more carts you have, more trash cans, the more you pay. Some use different sizes, 30, 60, or 90 gallon carts. Again, the larger the size the more you pay. How we will exactly implement volume based trash rates or pay as you throw has not been determined yet. Again, this is on the time line I'll review at the end of the presentation.

"Improved recycling is something we heard throughout the community discussion meeting and the public hearings. The public said we want to recycle. We want something improved over what we have now where we have to pay extra if it is picked up at the curb or we have to take it to a drop off site. Our plan recommends curb side recycling to be in place with the new system. What we heard from the public is this should be voluntary and not mandatory. That it should be separated by type to improve the quality of the material and not just dumped in with the rest of the trash to be sorted out later which limits the quality. That the material will be taken to a privately owned material recovery facility and again, this makes the quality of the material higher. People stressed time and again that they wanted convenience. That's why they wanted curb side recycling was the convenience factor. We heard from many people if we have to put it in our car and take it someplace, we won't recycle. But because there are areas such as multi-family units or some unincorporated areas it would be hard to do curb side, you would need to incorporate drop off boxes along with the curb side program. Again, exactly how to implement this has yet to be determined and is a decision the Commissioners need to make.

"The State requires that we develop a schedule for reducing our solid waste. Because of that, we came up with a diversion goal of 40% to divert the material from going through the transfer station. The goal is to be reached by the year 2003. Now, to help reach that goal, we looked at the yard waste. Earlier, I mentioned yard waste is 12.5%. If you just look at the grass clippings and the leaves, that's 10.5%, construction and demolition is 19.5%. That equals a total amount of 30%. So the bans alone will not give us the self imposed 40% goal. To get the rest of that percentage, we will need to incorporate the volume based trash rates and the curb side recycling to reach our 40% goal.

"The time line I mentioned earlier shows when we can discuss some of these issues and make decisions. Today, October 13, I'm giving you the basic overview of what is in the solid waste plan and some of the key components. In November, on the 3rd, I'm planning a presentation to you on household hazardous waste, the options that are available for proceeding with that plan and staff recommendations. A week after that, a public hearing on household hazardous waste will take place. “The following week, on November 17, the Commissioners can make a decision on how to implement the household hazardous

Regular Meeting, October 13, 1999

waste programs. The same sequence will happen in December for recycling and pay as you throw. A presentation will be given to the Commissioners. The following week, public hearing on December 8 on this issues, followed by a decision on December 15. That is it for my overview. I know you may have quite a few questions on specific components. So I will be willing to answer any questions at this time."

Chairman Hancock said, "Commissioners, questions or comments for Susan? Commissioner McGinn."

Commissioner McGinn said, "Susan, earlier in your overview, you talked about the collection of trash. Currently, the Commission decided a year or two ago to stay with the free market system. When we talk about implementing the recycling program, it may mean another truck coming by. With the free market system, it seems like we've already got trucks going this way and that way and so we may increase that. That concerns me because I'm concerned about our local infrastructure on our city community streets. Then I'm also concerned about the increase in emissions in the local area. Particularly, I know Wichita perhaps from what I've been reading is kind of reaching some upper limits as far as emissions and may have to enact a plan and make some changes. It is also my understanding that we are the largest community of our size using the free market system. Could you share a little bit about what other communities our size are doing as far as the collection of trash."

Ms. Erlenwein said, "The research when we developed the plan and it has been several years ago now, we looked at other communities in the Midwest area of similar size to Sedgwick County. Most communities do not have a free market system where we choose our own hauler. They either have public collection, where they operate their own trash service or they have a franchise system where they have a contract with one or more private haulers to pick up the waste for the citizens. Some of the communities we investigated that waste collection included a truck going down for trash, another one going down for recyclables, going down the road. Sometimes a third one going down for yard waste and on-call bulky waste pick-up. What we discovered through that is that because of the efficiency of being able to pick up every house on the block instead of one company picks up two houses and then they go two blocks over and pick up two more homes, that it was cheaper for the collection if you pick up every house on the block. So other communities are paying less per month than our residents were at that time because of the efficiency factor of having every customer in an area."

Commissioner McGinn said, "I think that makes sense. I think as we go on down the road with this, we want to make sure that we can offset any increased costs with this plan. I was looking back as the solid waste plan and looking at how franchising of solid waste collection has in fact lowered collection

Regular Meeting, October 13, 1999

prices for people. It also seems to me that it just makes sense to be more efficient, to decrease those costs and also decrease the amount of emissions in the local area. Since I wasn't on the . . . I guess I have to ask my colleagues, but I wasn't on there when they made this decision. I would like to see us revisit the franchising of the collection of solid waste and have another report on that and a discussion on that."

Ms. Erlenwein said, "If you direct staff, we can do some research and come back to you with some information. If that's the will of the Board, we can do that."

Commissioner McGinn said, "Thank you."

Chairman Hancock said, "Very good. Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. I think it is no mystery to anybody what my position has been for a long time on this whole trash issue and I was not a supporter of the transfer station concept. However, I elected early into my term here that I was not going to take a defiant position and be in the minority and vote no on everything. I was going to try to work with my colleagues in ensuring the fact that if a transfer station concept was the way we were going to go, we would have the most economically efficient one. I applaud Commissioner McGinn's concept of maybe readdressing this whole idea of franchising. To me, if we can reduce the expense that haulers have in collecting the trash, it would be my hope and logic, but I know sometimes government and logic aren't two words that are synonymous. Logic tells me that there is a good chance that the end user, the home owner, might have a slightly lower trash bill if it is more economically efficient.

"Now, over the years, even before I came on the Board, one of the negatives to franchising has been the fear of the independent haulers and they may be out of business and what have you. I researched this a little bit even with you and you were telling me I believe in Tulsa, which does do franchising I believe, that the independent haulers formed a coop or what have you and actually bid on one quadrant and were a successful bidder in being awarded a quadrant. So I no longer have that fear that we would be doing something that would guarantee the demise of the independent haulers. Is my statement correct?"

Ms. Erlenwein said, "Yes. We took the Solid Waste Committee down to Tulsa and visited Tulsa and talked to the people down there, what Tulsa did, they kept 25% of the city for public collection and in 75% they franchised out. What happened was the small haulers got together as a group and bid on that franchise and beat the larger national haulers."

Regular Meeting, October 13, 1999

Commissioner Sciortino said, "My understanding was correct then."

Ms. Erlenwein said, "It was a correct statement."

Commissioner Sciortino said, "Let me switch gears a little bit. Twenty states, you indicated, have banned yard waste from landfills. Are any of those states in the Midwest here, Oklahoma, Colorado, Nebraska, Missouri."

Ms. Erlenwein said, "The one that comes off the top of my mind is Iowa has. I'd have to research the exact states for you."

Commissioner Sciortino said, "I'd like to see that because I am not a supporter of mandatory banning of yard waste. I have been mulching for 13 years and I'm amazed at why anybody wants to cut their lawn any other way because it is so convenient. I'm convinced it is healthy for the lawn. So why anybody would purposely like to mow, pick-up and bag and what have you, but to mandatorily ban those is just going to be an added expense and it may be to seniors. It may be that they've just mowed their lawn a certain way for a number of years and they don't want to change. That is going to impose an additional expense. I've heard that if they wanted to bag it and someone figure out how they can put it into their car and then haul it away to a facility here locally, it would probably cost them 50 cents or such a bag and whatever. I don't think that's needed and I'm not going to support mandatory banning of yard waste. Again, I'm thinking that the owner of a transfer station, the more waste that they can get it might even improve their efficiencies and again the home owners might have a less cost on their trash pick up or minimize what is going to be an increase. I'm convinced that this is going to end up being an increase to the people.

"The voluntary curb side recycling. I know we're going to have to look at that on December 1. I don't have any problem on something that a citizen wants to do voluntarily. Again, I'll use myself for an example. My wife and I have recycled. We've paid, indirectly, but directly to BFI \$3.00 or whatever the bill is, and we get a little blue bag. I have to remember it is every other week to put out the bag. But we do it because it makes us feel good. It makes us feel as if we're doing something.

"But if voluntary means that everybody's bill goes up \$3.00 a month and then if you want to recycle you can, this is going to be one Commissioner who is not going to support that. That is almost defacto mandatory waste recycling. Again, my goal is to try to help this Board get the most effective recycling transfer method of disposing of our trash. The pay as you throw, that little map you showed said Kansas

Regular Meeting, October 13, 1999

had one to twenty-five. What cities?"

Ms. Erlenwein said, "Eureka."

Commissioner Sciortino said, "Is Eureka the only city in the State of Kansas . . . "

Ms. Erlenwein said, "That I'm aware of. I'm doing more research on that for the presentation in December."

Commissioner Sciortino said, "I'd like to ask you to maybe give us details on what Eureka is doing. It sounds great. I know there are certain fixed expenses that a trash hauler has to have. He's got to have the drivers in the truck, he's got to have the truck, and he's got to drive the truck past your house. I don't think a big expense is whether it is 90 gallons or 60 gallons or 30 gallons. I think the overall expense is going to be in getting that vehicle and personnel up to your house. I would like to see, if it is carts, what substantial savings is it from 90 to 60 to 30. If it is the bagging up and it is \$1.00 a tag and everything . . . I'm getting a lot of phone calls and I shared this with you, from constituents wanting to know, in the ball park. I presently have a 90 gallon container in front of my house. My volume of trash is going to be the same as it has always been, how much more am I going to pay? I say I don't know yet. I'd like to pretty quickly now be able to tell those people, within reason, how much they are going to be expected to pay for this new method of disposing of trash."

Ms. Erlenwein said, "Part of that depends on some of the decisions that are made."

Commissioner Sciortino said, "Correct. You had asked Commissioner McGinn whether or not she was wanting to direct staff a little bit more about this franchising, but I would certainly be interesting in having staff share that with us. That's all I have. Thank you."

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

Commissioner Winters said, "Thank you. I don't think I have any problem of revisiting almost any issue that we've talked about up to this point. I do get a little bit concerned to the fact that as business and industry goes about preparing for October 2001, that we need to have some issues that we're pretty firm

Regular Meeting, October 13, 1999

on and we're not going to be changing around on. People are making plans and moving forward. If I remember correctly, and it has been several years now. When the previous Commission visited about the franchising, I think we did spend time talking about that and analyzing that. I'm certainly prepared, if we need to do that again, I would support that. I think that was one of the few things, as Commissioners, we all agreed on, when we came to the conclusion that we were going to continue with the free market system. That may or may not be the case with the Commission now, but I would certainly support us going ahead and continuing to talk about those issues to make sure everybody has as much information and that Commissioner McGinn and Commissioner Sciortino, who weren't here through those early discussions, I don't have a problem of rediscussing those. If we need to do that, lets get the information and take a look at it. I think we do need to be cautious that we've got this ship going. If we're going to make some kind of radical turn, I think we need to be pretty cautious how we think about that.

"I guess then the only other comment I had is on your time line, the household hazardous waste and the pay as you throw. Will we have a recommendation from the Solid Waste Committee before, like on November 10, you've got public hearing and we make a decision on the 17th. Will we have, from the Solid Waste Committee, their recommendation on the 10th?"

Ms. Erlenwein said, "Yes, I'm presenting to the Solid Waste Committee November 1, prior to coming here, as to what we're looking at for household hazardous waste. We'll get their input on November 1 and Milt Pollitt, the Chairman of the Committee in fact is here today and he plans to be here at those other meetings."

Commissioner Winters said, "In the past, there always comes times when you get into time crunches where sometimes we take things out of order and we don't touch base with every committee that we're trying to work with. On these two issues, in particular, it is going to be very important to me to know what the Solid Waste Committee's recommendations are going to be."

Ms. Erlenwein said, "Also, if we are going to revisit collection, that would have influence on the curb side recycling and the pay as you throw."

Commissioner McGinn said, "So we would need to have that discussion prior to that."

Ms. Erlenwein said, "Prior to or in place of and then push recycling and pay as you throw into January. Because if you decide on the franchise system, part of the franchise would probably be requiring the

Regular Meeting, October 13, 1999

haulers to do certain things, such as provide recycling. It is a sequence problem."

Commissioner Winters said, "If I remember right too, when we were going through some of that discussion early on, we had a couple of half day workshops of two to three hours on these. I would certainly think it might be a little something to discuss to schedule some kind of workshop, not our regular Wednesday meeting, but to sit down and do an in-depth talk or presentation as we've done in the past. Maybe we could take a couple of these issues and do that."

Chairman Hancock said, "Looking at the calendar, would it possible Susan at the Tuesday staff meeting, and it really is a matter of discussion and presentation, and then if looks like something we want to do, we can always bring it to a more public meeting than our staff meeting. This is the 13th, we have the 19th and the 26th and even the 2nd of November before the presentation on household hazardous waste. Was there any plans on doing anything at any of those staff meetings between now and then?"

Ms. Erlenwein said, "No, there were not plans. If you want us to bring something to the staff meetings we can."

Chairman Hancock said, "It might be a good idea. It is something we can review and I think it will probably pretty much tell us whether we want to reconsider and go forward or not. I know you had some data and information pretty much available that we have seen before and maybe there is some updated stuff."

Ms. Erlenwein said, "Next week I'm going to the Solid Waste Association North America annual meeting and I'll be able to obtain more information at that meeting."

Chairman Hancock said, "All right. Should we try to schedule it for the 26th then, to bring back information on franchising at a staff meeting?"

Ms. Erlenwein said, "That might be a little early."

Mr. William Buchanan, County Manager, said, "We'll figure it out Commissioner."

Chairman Hancock said, "I understand we have a few weeks and we need to probably get it in as quickly as possible. I know there are some things I need to be reminded of. I know we made that decision but sometimes I wonder what it was that made me go that direction."

Regular Meeting, October 13, 1999

Ms. Erlenwein said, "A comment made earlier about the amount of material going through a transfer station when the City of Wichita went out for bids for a transfer station about five years ago, they had asked for certain amounts of trash, 1,500 tons a day. What they discovered was it really wasn't much of a difference in the price per ton if it was a small amount or a large amount going in. So there are issues like that which we have visited in the past that maybe need to be brought up again."

Chairman Hancock said, "Okay, very good. Thank you. Commissioner McGinn."

Commissioner McGinn said, "I just wanted to concur with Commissioner Winters about when we come back to this, I would like to hear the Solid Waste Committee's recommendation and some of their comments. Also, I appreciate his comment about we need to move this along. We need to make some decisions quickly, because I do think that business and industry need to know where they're at and help give them as much time as possible. I do appreciate having the opportunity to revisit this because to me I think it makes good economic sense and I think it is also being responsible to the environment. I appreciate it."

Ms. Erlenwein said, "That's one of the reasons for the time line is so we could make decisions to give businesses plenty of time to implement what we decide."

Commissioner McGinn said, "Thank you."

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

Commissioner Sciortino said, "Thank you, Mr. Chairman. I have a question directed to Rich Euson, just to educate me. Have we already put in place a ban that will go into effect when we take over the trash of yard waste? Has it already been voted on and that is done?"

Ms. Erlenwein said, "Yes."

Commissioner Sciortino said, "Okay, so if I wanted to relook at that as a way of maybe doing away with that ban, which I think I've made it pretty plain that I'm not supportive of it, what do I have to do in order to do that? Bring it up as an item on the agenda?"

Mr. Richard Euson, County Counselor, said, "You would have to bring that up as an item on the agenda and I'd present that as something that you want to run back through the Solid Waste Committee possibly. But you can bring that back up at any time and make a change in that."

Regular Meeting, October 13, 1999

Commissioner Sciortino said, "Thank you. And to Susan, assuming I might want to do that, is there time constraints as to where my window of opportunity is?"

Ms. Erlenwein said, "The next Solid Waste Committee meeting is November 1. So if it was to be brought up in front of the committee, we would need to coordinate that with the committee meeting."

Commissioner Sciortino said, "Okay, thank you."

Mr. Euson said, "Commissioner, I think the way we have our plan done, that may require an amendment to our solid waste plan too."

Ms. Erlenwein said, "Yes, it would."

Commissioner Sciortino said, "Which would have to be done at this level?"

Mr. Euson said, "Yes."

Commissioner Sciortino said, "Okay. Thank you."

Chairman Hancock said, "Commissioner Winters."

Commissioner Winters said, "Susan, do you remember what was the Solid Waste Committee's recommendation on yard waste bans the first time they considered it?"

Ms. Erlenwein said, "To ban grass and leaves, grass clippings and leaves from final disposal. Because there are other more environmentally safe ways to handle the material instead of just burying it someplace."

Commissioner Winters said, "Just as we may reconsider some options, they've certainly got the ability to reconsider and they may come up with their same conclusions or different ones."

Ms. Erlenwein said, "It is in our solid waste plan and it is in our transfer station regulations. So all of that would have to be changed if you were to change the decision."

Commissioner Winters said, "How many states again have bans on yard waste?"

Ms. Erlenwein said, "Over 20."

Regular Meeting, October 13, 1999

Commissioner Winters said, "In those states, are those state-wide bans?"

Ms. Erlenwein said, "State-wide bans. That's correct."

Commissioner Sciortino said, "Are any of those states in our area?"

Ms. Erlenwein said, "I'll have to research that specifically."

Commissioner Sciortino said, "That was some action generated by the state not by individual communities. Are there any other individual communities that you know of in any of the states, Kansas, Nebraska, Oklahoma, Missouri, Colorado, that have banned yard waste from their landfills or transfer stations?"

Ms. Erlenwein said, "I'd like to research that before I answer."

Commissioner Sciortino said, "Okay, thank you."

Chairman Hancock said, "Thank you, Commissioner. Commissioners, further questions or comments? Susan, thank you very much. The Chair would entertain a Motion."

MOTION

Commissioner McGinn moved to receive and file.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Regular Meeting, October 13, 1999

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

H. RESOLUTION AUTHORIZING SEDGWICK COUNTY TO JOIN THE REGIONAL ECONOMIC AREA PARTNERSHIP.

Mr. Aaron Dunkel, Management Intern, County Manager's Office, greeted the Commissioners and said, "The Resolution before you would allow Sedgwick County to join the Regional Economic Area Partnership, also known as REAP. It is an organization designed to solve mutual problems within the seven county area of Sedgwick, Butler, Cowley, Harvey, Kingman, Reno, and Sumner Counties. Membership had been open only to cities in the region. On June 14, REAP voted to invite county governments to participate in order to strengthen the position of the organization.

"Sedgwick County will be the fifth County to join the organization since June 14 and they join the 25 current member cities, nine of which are in Sedgwick County, including Wichita. The cost to join REAP for the remainder of 1999 will be \$1,530, which is prorated amount based on what would have been Sedgwick County's full year membership fee of \$6,121. I recommend that you adopt the Resolution."

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

Commissioner Sciortino said, "On a five cents per capita, if a city within the corporate boundaries of Sedgwick County is a member of REAP, are they paying five cents for capita?"

Mr. Dunkel said, "The City will pay the five cents per capita if they're a member. Otherwise, the County pays the five cents per capita on non-member cities."

Commissioner Sciortino said, "Okay, if Wichita is already a member and they are paying five cents per capita, we don't have to pay \$2,500 plus five cents per capita of households that are already within the boundaries of the city that is a member?"

Mr. Dunkel said, "Yes, we just strictly pay unincorporated and incorporated non-member."

Commissioner Sciortino said, "Okay, thank you."

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

Commissioner McGinn said, "I know you attended a meeting the other day, was that your first meeting?"

Regular Meeting, October 13, 1999

Chairman Hancock said, "About the third."

Commissioner McGinn said, "Just looking at the reasons for the formation of REAP, I guess I was under the impression that they were also trying to come together and sale south central Kansas tourism. Have you heard anything about that at all or is that not even a focus of this?"

Chairman Hancock said, "No. There is a tourism committee that has been working and they give us a report at each meeting and I can give you a copy. They do have a tourism committee along with a legislative committee, economic development committee, and I'll be glad to share that with you."

Commissioner McGinn said, "Thank you."

Commissioner Sciortino said, "Just one follow-up on the non-member cities. We pay the five cents per capita for non-member city but next year this city decides to join, our five cents per capita goes down and then they get charged, is that correct?"

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

Commissioner Sciortino said, "Thank you."

Chairman Hancock said, "Further questions? What's the will of the Board?"

MOTION

Commissioner Sciortino moved to adopt the Resolution.

Commissioner McGinn seconded the Motion.

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

VOTE

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

Regular Meeting, October 13, 1999

Chairman Bill Hancock

Aye

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

I. RESOLUTION CONSENTING TO THE ASSIGNMENT OF THE CABLE TELEVISION SYSTEM FRANCHISE HELD BY MULTIMEDIA CABLEVISION, INC.

Ms. Michelle Daise, Assistant County Counselor, greeted the Commissioners and said, "You have before you a resolution that would allow you to consent to the assignment of a cable franchise agreement for Multimedia Cable vision to Cox Comm, Inc. Just to give you a little bit of background on this. As you are probably aware, Multimedia currently holds a non-exclusive franchise agreement for the unincorporated areas of Sedgwick County. That was granted to Multimedia in 1980. It was then renewed for 15 years in December of 1993 by this Board. Recently, Multimedia has entered into an asset purchase agreement with Cox Communication which is the owner of Cox Comm, Incorporated. Part of that asset transfer agreement involves the transfer of the franchise that has been granted by Sedgwick County. Federal law and Sedgwick County resolution prohibits this Board from arbitrarily refusing to transfer this franchise agreement. Multimedia and Cox Communications has submitted the necessary FCC forms as well as information talking about the qualifications of Cox Communications. That information has been reviewed by the County Counselors Office and the County Manager's Office. All that information does appear to be in proper form.

"As a result, the Resolution that you have before you would allow that to go into effect. Basically Cox Communications would take over the transfer of that franchise agreement. They then would hold the franchise for the unincorporated areas for the remainder of the term, which would put that to December of 2008, unless it was renewed that time. I'm available for questions and I would recommend you adopt this Resolution."

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

Commissioner Sciortino said, "Thank you, Mr. Chairman. Michelle, when does Cox propose taking over the franchise?"

Ms. Daise said, "They have a time line that they have to follow through FCC. Once we get the approval today, if that is done by the Board, then they will proceed through their time line. That is, as I indicated, mandated by the FCC."

Regular Meeting, October 13, 1999

Commissioner Sciortino said, "Again, I think everybody knows in my past life what I did for a living. I wanted to emphasis again, what we have with Multimedia is a non-exclusive franchise. Any other cable operator could come before us requesting a franchise and we would be free to grant that or not grant that as the case may be."

Ms. Daise said, "That is correct."

Commissioner Sciortino said, "That's all."

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

Commissioner Sciortino said, "Well, I guess I can make the recommendation. That wouldn't be a conflict of interest for me to make a recommendation because I used to work for the company or not Mr. Chairman?"

Mr. Euson said, "Not that I know of, do you have a current interest in the company?"

Commissioner Sciortino said, "Well, there is a retirement benefit but I haven't executed that retirement benefit. I'm not working for the company."

Mr. Euson said, "You don't have a substantial interested as defined . . ."

Commissioner Sciortino said, "I'm not working for the company."

Mr. Euson said, "You can make a Motion."

MOTION

Commissioner Sciortino moved to adopt the Resolution.

Commissioner Winters seconded the Motion.

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

VOTE

Regular Meeting, October 13, 1999

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

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

J. DIVISION OF HUMAN SERVICES.

1. AGREEMENT WITH A. J. INVESTMENTS, L.L.C. TO PROVIDE REMODELING OF COMPREHENSIVE COMMUNITY CARE OUTPATIENT SERVICES OFFICES.

Ms. Marilyn Cook, Assistant Director, COMCARE, greeted the Commissioners and said, "This first item has to do with an agreement with A.J. Investments and we would like authorization to proceed with the professional remodeling of our outpatient facility on 1919 N. Amidon. The medical services office, or basically the physician office is what we're talking about, currently on the second floor of that building. We'd like to relocate that office down to the first floor where another part of outpatient services is already housed. We would like to do that to be able to provide additional waiting space for the considerable number of consumers that we are serving there, approximately 1,700 at any one time. The remodeling would also create a central point for patient check-in. Remodeling costs will be \$33,620 coming from state funds. I'd be happy to answer any questions you may have."

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

MOTION

Commissioner McGinn 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

Regular Meeting, October 13, 1999

Commissioner Betsy Gwin	Absent
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. AMENDMENTS TO CONTRACT (TWO) WITH MENTAL HEALTH ASSOCIATION OF SOUTH CENTRAL KANSAS.

! INCREASED FUNDING FOR COMPEER, A PSYCHOSOCIAL SUPPORT PROGRAM

! PROGRAM EXPANSION FUNDING FOR ATTENDANT CARE SERVICES

Ms. Cook said, "This item involves two amendments to a contract we have with Mental Health Association here in town. The first one is an amendment to the contract that we have with the Mental Health Association for Compeer services. The contract amendment would provide a 3% increase in the funding to the Mental Health Association for the Compeer Program. The increase would amount to an additional \$726 total for the contract. Compeer services are services that are provided to individuals who have severe and persistent mental illnesses and to children with severe emotional disturbances. The COMCARE program is a psycho-social support program that matches trained volunteers with individuals in the community with mental illnesses. It helps them to maintain their ability to be maintained in the community and to function to their maximum extent of their capabilities. It also provides community and outreach socialization groups.

"The second amendment has to do with a one time increase in the contract with the Mental Health Association for attendant care services. The amount would be \$17,850. This money would assist the Mental Health Association with program expansion costs that were accrued when the Mental Health Association attendant care program was dramatically increased due to the number of children served as a result of the Wichita Child Guidance Center contract expiration and them no longer being able to provide attendant care. So the one time payment would provide desks, chairs, computers, and other necessary office supplies for that increased number of staff. I'd be happy to answer any questions on either one of these amendments."

Regular Meeting, October 13, 1999

Chairman Hancock said, "Thank you. Commissioners, questions on this item? I presume that the second item, the \$17,850 would come out of what would normally go to the Child Guidance Center budget."

Ms. Cook said, "That would come from state funds."

Chairman Hancock said, "Very good. Commissioners, further questions? If not, the Chair would entertain a Motion."

MOTION

Commissioner Winters moved to approve the Amendments to Contract 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	Absent
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

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

K. AGREEMENTS (TWO) FOR ADVERTISING RIGHTS AT THE KANSAS COLISEUM.

! UNITED STATES ARMY RESERVE

! PAPA JOHN'S PIZZA

Regular Meeting, October 13, 1999

Mr. John Nath, Director, Kansas Coliseum, greeted the Commissioners and said, "We have two of our standard agreements for lease of advertising space at our facility. The first one is with the United States Army Reserve. They want to be all they can be, having a recruiting presence at select events at the Kansas Coliseum. The second one is with Papa John's Pizza. We have found a better pizza. It is a multi-level agreement. Their agreement with us is purely marketing. They have leased advertising space.

"They have a two level agreement with Swanson, who is our concessionaire. The first one being as a subcontractor it would operate the pizza parlor at the south end of the building. They will also act as a supplier, supplying finished ready to serve product for all the other concession stands. So this will be available at every stand we have. We recommend you approve the agreement."

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

Commissioner Sciortino said, "I just want to know if John is a paid spokesman for these people? You don't have any logo on the back of your shirt?"

Mr. Nath said, "They're paying me enough, yes I am a spokesman."

Commissioner Sciortino said, "Okay."

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

MOTION

Commissioner Sciortino moved to approve the Agreements 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

Absent

Regular Meeting, October 13, 1999

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. AGREEMENT WITH KANSAS STATE HISTORICAL SOCIETY FOR USE OF HERITAGE TRUST FUND GRANT MONIES TO CONSERVE, RESTORE AND REPAIR THE INSIDE OF THE SEDGWICK COUNTY SOLDIERS AND SAILORS CIVIL WAR MONUMENT.

Mr. Marty Hughes, Revenue Manager, Division of Finance, greeted the Commissioners and said, "About a year and a half ago Don Brace came to me and asked me to attend a meeting with him. I went along. It was a really interesting meeting. It was a committee of local citizens known as the Friends of the Sedgwick County Soldiers and Sailors Civil War Monument. That is the monument that sits just south of the historic courthouse across the street.

"This group of citizens interested in restoring the monument have been meeting for over a year now, about a year and a half now. They've been working toward collecting donations to restore the monument. Recently, this past summer, they developed some grant applications for funding for this restoration move that they're doing. One of the grant applications they submitted as a success. They applied to the Kansas State Historical Society for funding to make certain repairs to the monument and the application was successful. This agreement that you have before you is a result of that hard work on behalf of Sedgwick County and the historic preservation for the community. This grant provides \$41,240 funding to restore specifically the interior of the monument. It specifies the exact work to be undertaken. Plans and specification of the project must be approved by the Kansas State Historical Society before the work can be done. There is a 20% match in the amount of \$10,310 that would be provided by the County.

"Today, we have in the audience, several members of that committee. We have Dora Turman who is the president of the committee, Pam Kingsbury, and Donald Brace. I'd recommend that you accept the grant award and authorize the Chairman to sign on it. I'd also like, if you'd take a minute, to hear from Dora Turman, the president of the committee. She wanted to take a few minutes to address you."

Regular Meeting, October 13, 1999

Chairman Hancock said, "Thank you, Marty. Good morning Dora, how are you?"

Ms. Dora Turman said, "Good morning. It is a delight to be here this morning. I know you've had a number of rather complicated and tricky issues to think about. I hope you will just feel that is one that is absolutely wonderful and pleasant to make a decision on. I do want to thank you for your interest and support of the restoration of this monument. I think you all are aware that it is one of the premier civil war monuments in the country, not just Sedgwick County. Sedgwick County is the proud owner of this monument.

"I wanted to bring you a quick update on what is happening in addition to the grant that we have received recently that you are considering this morning. Pam Kingsbury has been our grant writer and she has done a magnificent job. We have several grants ending, two of which are very large. As you know, this grant today, takes one part of the monument. There are many parts to the monument and we have written grant applications for the different parts so we expect to have two grants decided toward the end of the year that would be substantial. The exciting thing about this grant today is that it puts us on a solid foundation to spring from. Several grant funding organizations have said well, we can't give you any money because you don't have any money. Well now, we have a solid foundation and this gives us great credibility and we have provided the ability and value of the project.

"The other things I would like to tell you would be that Project Beauty has donated \$5,500 to the project. We have received a grant from Wichita Greyhound Charities in the amount of \$5,000, and we have between \$5,000 and \$10,000 at the Wichita Community Foundation in private donations. So we really think that within the next few months we will have almost what we need and then we will decide how to fund the rest of the project. Of course, we are open to donations at any time. Again, we thank you. It is a privilege to work with you on the restoration of this major national monument."

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

Commissioner McGinn said, "I have some questions for her. I think this is a great project. I think when we have the ceremony it is around \$200,000 for the total."

Ms. Turman said, "Exactly."

Commissioner McGinn said, "That will take some time over the years. I'm just curious, nobody has been able to answer this question for me, but I look at that tree that is out front and the fence goes up to the tree and so does the sidewalk curbing. My question is, did that tree get planted at some time and can't

Regular Meeting, October 13, 1999

be removed? The point I wanted to make is when you drive by, you can't see the memorial and it would be nice if maybe that tree was replaced with a Bradford Pear or something. I may be stepping on some shaky ground here, but is there some history to that tree?"

Ms. Turman said, "To my knowledge there is not. I would be glad to check into that. Certainly, as we actually begin working on the monument, that would be an excellent time to see what could be done about that. Of course, visibility of that monument is one of the important factors so of course I'd like to hear what you all, maybe some of your fellow Commissioners know about the tree."

Chairman Hancock said, "We don't know nothing about no tree."

Mr. Don Brace said, "I'm the tree king. I got taken to court for shaking the trees in front about ten years ago. I'm very familiar with trees. That tree out there we plan on taking it down. There is also one on the west side that hopefully will come down so that people can have a good view of the monument when it is all finished."

Commissioner McGinn said, "I don't mind replacing it with a tree, but it needs to be a smaller tree."

Mr. Brace said, "We would put the replacement someplace inside if you agreed with it when the time comes."

Commissioner McGinn said, "Mystery solved, thank you."

Chairman Hancock said, "I think Don has promised to plant several soapberries out there. Commissioner Sciortino."

Commissioner Sciortino said, "I have a question of Marty. Are there grants pending that would require a percentage of participation by the County in addition to this \$10,000 that we're being asked for right now?"

Ms. Turman said, "Yes. However, we would come to you, we have talked with Bill Buchanan about those and we have received some assurance that overall you would be willing to do some matching grants on that."

Commissioner Sciortino said, "Do you have a feel for how much of the dollars we would be committing to if you were successful in getting all the grants?"

Regular Meeting, October 13, 1999

Ms. Turman said, "Pam has been working with it. I think her understanding of the various figures would probably be better than mine. Maybe it would be better if we would just check that for you. Our Save Outdoor Sculpture, which is a national grant, it would be a one to one match, \$24,000 to \$24,000, making a total of \$48,000. Then the other one would be Save America's Treasures and it is a 50% match, so that would be \$48,000 to \$48,000 from the government. The rest there are no matches. We have a number of grant requests that do not require a match."

Mr. Brace said, "The total match for the County would be \$82,000 for a \$225,000 project."

Commissioner Sciortino said, "That's in addition to the \$10,000?"

Mr. Brace said, "That's included."

Commissioner Sciortino said, "So around \$82,000?"

Mr. Brace said, "That would be the County match for this. We're going to try to raise about \$140,000."

Commissioner Sciortino said, "I understand Don. I just thought it would be beneficial for all of us. Because if we're going to approve this one, it would be difficult not to approve future ones, so let everyone know how many tax dollars are going to be spent."

Mr. Brace said, "The total would be about that much. The thing is, it is a County piece of property and it is a treasure of the nation really. We're lucky to have that monument here."

Commissioner Sciortino said, "I want to know how many sailors from Kansas were involved in the Civil War."

Ms. Turman said, "That is a surprise."

Commissioner Sciortino said, "I think there are two sailors in Kansas."

Mr. Brace said, "I think you have more sailors in the military service from Kansas than you have Air Force or Army people. Maybe lack of water or something."

Commissioner Sciortino said, "I meant in the Civil War. Thanks Don."

Regular Meeting, October 13, 1999

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

MOTION

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

Chairman Hancock said, "Thank you, Marty, Dora, Don. Thanks for being here. Next item please."

M. GRANT APPLICATION TO FEDERAL HOME LOAN BANK OF TOPEKA FOR AFFORDABLE HOUSING PROGRAM FUNDING.

Mr. Brad Snapp, Director of Housing Office, Division of Community Development, greeted the Commissioners and said, "We're doing a resubmit of a proposal we sent to the Federal Home Loan Bank in April for home ownership opportunities within Sedgwick County. We were first alternate on that round and I expect to do better this time. We're proposing 30 homes for buyers that involve 60% of the area median income according to the mortgage revenue bond scale. That would be 50% for one and two person households, would be slightly over \$25,000. For three persons and above, \$29,153. For 60% of area median income, \$30,350 for one and two person household and almost \$35,000 for a household with three or more persons in it. We're proposing to Federal Home Loan Bank with their affordable housing money that we would be able to pay a maximum of \$3,333 for down payment closing costs assistance. Qualified buyers would be credit worthy, first time home buyers. They would maintain the home they purchase as their primary residence and they must take home ownership training that would be

Regular Meeting, October 13, 1999

provided by Community Housing Services of Wichita.

"The County would contribute \$25,000 for this grant. That money would be used for home modifications for very low income people or people with persons with disabilities. The project area would be throughout Sedgwick County. I've had letters of support from Derby, Haysville, Mulvane, Park City, and Clearwater. I'd entertain question if you have any."

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

MOTION

Commissioner Gwin moved to approve the Grant Application 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	Absent
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you. Good luck with the project. Next item, please."

N. WAIVER OF POLICY TO HIRE AN ATTORNEY AT RANGE 24, STEP FIVE.

Mr. Doug Roth, District Attorney's Office, greeted the Commissioners and said, "We've got the opportunity to hire an attorney with seven years trial experience. The only way we can hire them is at a

Regular Meeting, October 13, 1999

Range 24, Step 5. Anything lower than that rate would result in coming to work for us at a pay reduction, which isn't going to happen. We're asking for a waiver of the policy to allow us to do that. The difference between a Step 3, which wouldn't require the waiver is my understanding and the Step 5, is approximately \$2,500 a year. What we're asking for the salary authorized is \$41,995. We're asking for the waiver to allow us to do that. We hope the attorney can start next Monday, so we're asking for action today. We've got sufficient funds in the existing budget to absorb it in our salary savings. We anticipate doing the same thing next year."

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

MOTION

Commissioner Sciortino moved to approve the policy waiver.

Commissioner Winters seconded the Motion.

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

VOTE

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

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

- O. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE AND FINAL, WITH RITCHIE PAVING, INC. ON SEDGWICK COUNTY PROJECT NO. 634-W 1/2 30; 63RD STREET SOUTH BETWEEN K-15 AND BUCKNER. CIP #R-**

Regular Meeting, October 13, 1999

208. DISTRICT #5.

Mr. David C. Spears, P.E., Director/County Engineer, Public Works, greeted the Commissioners and said, "Item O is a modification of plans and construction for the road improvement project on 63rd Street South between K-15 and Buckner, designated as R208 in the Capital Improvement Program. This project has been constructed and is ready to be finished out. There will be a net increase of \$11,334.28 due to variations in planning quantities from actual field measurements. Recommend that you approve the modification and authorize the Chairman to sign."

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

MOTION

Commissioner Sciortino moved to approve the Modification of Plans and Construction and authorize the Chairman to sign.

Commissioner McGinn seconded the Motion.

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

VOTE

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

Chairman Hancock said, "Thank you, David. That's a good project by the way, really nice. Next item, please."

Regular Meeting, October 13, 1999

**P. REPORT OF THE BOARD OF BIDS AND CONTRACTS' OCTOBER 7, 1999
REGULAR MEETING.**

Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, "You have Minutes from the October 7 meeting of the Board of Bids and Contracts and there is just one item for consideration today.

**(1) PERSONAL COMPUTER HARDWARE & SOFTWARE - EMERGENCY MEDICAL SERVICES
FUNDING: EMERGENCY MEDICAL SERVICES**

"That is personal computer hardware and software for Emergency Medical Services. The recommendation was to reject all bids. We will revise the specifications and re-solicit at a later date. I will be happy to take questions."

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

MOTION

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

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

Regular Meeting, October 13, 1999

CONSENT AGENDA

Q. CONSENT AGENDA.

1. Right-of-Way Agreements.

- a. Two Easements for Right-of-Way and two Temporary Construction Easements for Sedgwick County Project No. 807-K, L, N ½ M; Maize Road between 21st and 45th Streets North. CIP #R-246. Districts #3 and #4.
- b. One Easement for Right-of-Way and one Temporary Construction Easement for Sedgwick County Project No. 616-16-3148; Bridge on 13th Street North between 151st and 167th Streets West. CIP #B-330. District #3.

2. Section 8 Housing Assistance Payment Contract.

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V99057	\$273.00	4	Curtis Whitted

3. The following Section 8 Housing Contracts are being amended to reflect a revised monthly amount due to a change in the income level of the participating client.

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
C97039	\$315.00	\$000.00
V98063	\$232.00	\$232.00

4. Agreement with Nations Title to provide on-line access to Sedgwick County's

Regular Meeting, October 13, 1999

electronic data.

- 5. Ratification of Agreement with Inter-Faith Ministries - Wichita, Inc. for use of Sedgwick County Park October 10, 1999 to hold a hunger walk.**
- 6. Order dated October 6, 1999 to correct tax roll for change of assessment.**
- 7. General Bills Check Register of October 8, 1999.**
- 8. Budget Adjustment Requests.**

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

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

MOTION

Commissioner McGinn moved to approve the Consent Agenda as presented.

Commissioner Winters seconded the Motion.

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

VOTE

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

Regular Meeting, October 13, 1999

Chairman Hancock said, "Thank you. Further business?"

R. OTHER

Commissioner Winters said, "It is my understanding we need an Executive Session today, ten minutes, is that correct?"

Mr. Buchanan said, "Ten minutes or less."

MOTION

Commissioner Winters moved that the Board of County Commissioners recess into Executive Session for 10 minutes to consider consultation with Legal Counsel on matters privileged in the Attorney Client relationship relating to legal advice, and to personnel matters of non-elected personnel, and that the Board of County Commissioners return from Executive Session no sooner than 12:25 p.m.

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Absent
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
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 12:25 p.m. and returned at 12:35 p.m.

Regular Meeting, October 13, 1999

Chairman Hancock said, "I'll call the meeting back to order. Let the record show there was no binding action taken in Executive Session. Is there anything else? We're adjourned."

S. 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

Regular Meeting, October 13, 1999

BETSY GWIN, Chair Pro Tem,
First District

THOMAS G. WINTERS, Commissioner,
Third District

CAROLYN McGINN, Commissioner,
Fourth District

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

James Alford, County Clerk

APPROVED:

_____, 1999