

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

FEBRUARY 2, 2000

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, February 2, 2000 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chair Pro Tem Carolyn McGinn; Commissioner Bill Hancock; Commissioner Betsy Gwin; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Paul Rosell, Chief Deputy Clerk; Ms. Jo Templin, Director, Division of Human Resources; Ms. Jeannette Partridge, Contract Administrator, COMCARE (Comprehensive Community Care); Ms. Irene Hart, Director, Department of Community Development; Ms. Deborah Donaldson, Director, Division of Human Services; Ms. Annette Graham, Director, Department on Aging; Mr. Jarold D. Harrison, Assistant County Manager; Ms. Allison Ohlman, Management; Ms. Stephanie Knebel, Project Manager, Facility Planning & Remodeling Department; Mr. Brad Snapp, Director of Housing Office, Division of Community Development; Ms. Jan Kennedy, County Treasurer; Mr. Jim Weber, Director, P.E., Sewer Operations and Maintenance; Ms. Nola Foulston, District Attorney; Mr. John Nath, Director, Kansas Coliseum; Dr. Charles Magruder, MD, MPH, Director of Community Health; Mr. David C. Spears, Director, Bureau of Public Works; Mr. Darren Muci, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and Ms. Heather J. Knoblock, Deputy County Clerk.

GUESTS

Mr. Bobby Stout, Member, Sheriff's Civil Service Board.

Mr. Tim Norton, Mayor, City of Haysville.

Ms. Mary San Martine, Director, Tiyospaye.

Ms. Andre Sisco, Member, Oaklawn Improvement District.

Mr. Brad T. Murphree, Esq., Attorney for Petitioner, Martin, Churchill, Blair, Cole and Hollander.

Mr. Joe Norton, Bond Counsel, Gilmore & Bell, P.C.

Mr. Harlan Seeber, 955 N. Stagecoach, Wichita, Ks.

Ms. Tricia Hoobler, 239 W. Rosewood, Wichita, Ks.

Mr. Gary Booker, 14729 Sharon Lane, Wichita, Ks.

Ms. Iva Goodwin, 14720 Sharon Lane, Wichita, Ks.

Mr. Bud Roat, 14710 Sharon Lane, Wichita, Ks.

Mr. Pat Preboth, 14430 Sharon Lane, Wichita, Ks.

Ms. Candy Ramsey, 940 N. Stagecoach, Wichita, Ks.

Ms. Rose Gangel, 855 Sagebrush, Wichita, Ks.

Regular Meeting, February 2, 2000

Ms. Tammy Baker, 848 N. Sandpiper Court, Wichita, Ks.

Mr. Herb Hobble, 938 N. Sagebrush, Wichita, Ks.

GUESTS (con't)

Mr. Bob Ramsey, 940 N. Stagecoach, Wichita, Ks.

Mr. Gary Booker, 14729 Sharon Lane, Wichita, Ks.

Mr. Bob Shrum, Trustee, Minneha Township.

Mr. Jim Reilly, 800 N. Stagecoach, Wichita, Ks.

INVOCATION

The Invocation was given by Ms. Judith Press, of the Mid-Kansas Jewish Foundation.

FLAG SALUTE

ROLL CALL

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

APPOINTMENTS

A. APPOINTING RESOLUTIONS (THREE).

- 1. RESOLUTION APPOINTING CARRIE JONES (COMMISSIONER MCGINN'S APPOINTMENT) TO THE WICHITA-SEDGWICK COUNTY BOARD OF HEALTH.**

Mr. Richard A. Euson, County Counselor, greeted the Commissioners and said, "We prepared this Resolution, making this appointment for a four year term, to expire in January of 2004. The Resolution is in proper form."

Chairman Winters said, "Thank you. Commissioners, what's the will of the Board?"

Regular Meeting, February 2, 2000

MOTION

Commissioner McGinn moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Chairman Winters said, "I'm not sure if Carrie Jones is here this morning. Is Carrie here this morning? We'll make sure she gets this certificate. Next item."

2. RESOLUTION APPOINTING BOBBY STOUT (COMMISSIONER HANCOCK'S APPOINTMENT) TO THE SHERIFF'S CIVIL SERVICE BOARD

Mr. Euson said, "Commissioners, this is a reappointment to this board for a three year term expiring January 2003."

Chairman Winters said, "Commissioners, you've heard the recommendation. What's the will of the Board?"

MOTION

Commissioner Hancock moved to adopt the Resolution.

Regular Meeting, February 2, 2000

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, "I see Bobby Stout is here. Mr. Stout, if you'd come to the podium please. We're going to have to swear you in."

Mr. Paul Rosell, Deputy County Clerk, said, "Raise your right hand and say 'I do swear' after I read the oath.

"I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas, and faithfully discharge the duties of the office of Sheriff's Civil Service Board, so help me God."

Mr. Bobby Stout said, "I do swear. I appreciate this opportunity, Commissioner Hancock, as your appointee to serve for a second term. This has been both a challenging and rewarding appointment, probably much more time consuming than I had anticipated. The pay remains the same, I noticed. I do appreciate the opportunity to serve. I would encourage other people in this County, if they haven't, they should come forward and volunteer to be involved in the County government. It is alive and well and I commend all of you for the excellent job you do, and to Mr. Buchanan as well. Thank you, very much."

Chairman Winters said, "Thank you. We appreciate you and other citizens' willingness to serve on these boards. We especially appreciate all the efforts that you do to support law enforcement in this community, Bobby. The group you are affiliated with, we appreciate very much their involvement in making this a better place to live. Thank you, very much."

Commissioner Sciortino said, "Mr. Chairman, I'd support doubling Mr. Stout's salary."

Regular Meeting, February 2, 2000

Commissioner Hancock said, "Mr. Chairman, I appreciate Bobby taking the time to serve on the Civil Service Board. He's been my appointment for the last term. It was a tough choice. Fortunately, I was blessed with a number of folks who wanted to serve on the board. Bobby has been there for several years. He's involved with many organizations in the community and many folks know him. It was a difficult choice and because I chose Bobby, I just want him to know that he is an outstanding individual. Head and shoulders above many folks. I appreciate your time, Bobby. Thank you."

Chairman Winters said, "Thank you, very much. Next item please."

3. **RESOLUTION APPOINTING RANDY DORNER, ERIC EVENSON, JANE HENRY, KAY JOHNSON, KIRK MILLER, MILTON POLLITT, SUSAN SAIDIAN, KAROL SCHLICHER, NICKI SOICE AND JIM SPENCER (BOARD OF COUNTY COMMISSIONERS' APPOINTMENTS) TO THE SEDGWICK COUNTY SOLID WASTE MANAGEMENT COMMITTEE.**

Mr. Euson said, "Commissioners, the appointment of Kirk Miller to this board is a new appointment. However, the remaining nine appointments are reappointments of two year terms to this board, all expiring December 31, 2001. The Resolution is in proper form and I recommend you adopt it."

MOTION

Commissioner Hancock moved to adopt the Resolution.

Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye

Regular Meeting, February 2, 2000

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

Chairman Winters said, "Are any of those folks in the audience today? Any of those folks being appointed to the Solid Waste Management Committee? Thank you. Next item."

AWARD PRESENTATIONS

B. PRESENTATION OF 1999 CAREER DEVELOPMENT CERTIFICATES.

1. EXECUTIVE DEVELOPMENT.

! JUDY ADDISON, COMPREHENSIVE COMMUNITY CARE

! MARK CLARK, APPRAISER'S OFFICE

! CHRISTOPHER DEYOE, INFORMATION SERVICES

! MARVIN DUNCAN, FLEET MANAGEMENT

! RANDALL DUNCAN, EMERGENCY MANAGEMENT

! SUSAN HENDRICH, COMCARE

! THOMAS KIMBRELL, JUVENILE INTAKE AND ASSESSMENT

! LINDA KIZZIRE, REGISTER OF DEEDS

! JANE MORALEZ, HUMAN RESOURCES

! RUSSELL PHELPS, INFORMATION SERVICES

! BRADLEY SNAPP, COMMUNITY DEVELOPMENT

Regular Meeting, February 2, 2000

! GARY STEED, SHERIFF'S DEPARTMENT

! GREGORY THOMPSON, FIRE DEPARTMENT

! GARRY TOLLE, EMERGENCY MEDICAL SERVICE

! JACQUE WEDEL, KANSAS COLISEUM

Ms. Jo Templin, Assistant Director, Division of Human Resources, greeted the Commissioners and said, "I am very happy today to be before you, once again, to present career development certificates. This morning, to start, we have the 1999 Executive Development Institute graduates. As you know, this is in partnership with the City of Wichita. These are the Sedgwick County participants, and we would like to present them with plaques today. If you are here and you hear your name, come on up and we'll present you with your plaque.

"The first is Judy Addison from COMCARE. Jane Moralez from the Division of Human Resources. Mark Clark from the Appraiser's Office. Christopher Deyoe from Information Services. Randall Duncan from Emergency Management. Marvin Duncan, Fleet Management. Susan Hendrich, COMCARE. Tom Kimbrell from COMCARE is not able to be here today. Linda Kizzire from Register of Deeds. Russell Phelps from Information Services. Brad Snapp, Community Development. Gary Steed, Sheriff's Department. Gregory Thompson from the Fire Department. Gary Tolle from Emergency Medical Service. Jacque Wedel from Kansas Coliseum.

Chairman Winters said, "That is the first round, right? Those applause were kind of quiet, fan club, private applause, so we'll give that group a round of applause."

Ms. Templin said, "I'm sure they will tell you they were the best class that has ever gone through."

Commissioner Gwin said, "Jo, for the public, can you tell me what these folks had to go through to get that certificate?"

Ms. Templin said, "Yes, Commissioner. It is a commitment to time. It is every Friday through the month of March, April, and May. It starts again in September and October. Several courses are involved and some papers are written and turned in to the instructors. Most of the courses are in conjunction with the Hugo Wall at WSU, as well as the training vendors. It is a time commitment and the participants have certainly shown a commitment, as public service employees, by enhancing their knowledge."

Regular Meeting, February 2, 2000

Commissioner Gwin said, "Congratulations to them all. Thank you."

2. SUPERVISORY/MANAGEMENT.

! LORI DAVIS-LAMER, APPRAISER'S OFFICE

! TERRI VIERTHALER, CORRECTIONS

Ms. Templin said, "We also have employees who have received Supervisory Management Certificates and we have them here with us today. The first is Lori Davis-Lamer from the Appraiser's Office. Terri Vierthaler from Corrections has received a Supervisory Management Certificate."

3. PROFESSIONAL DEVELOPMENT.

! VICKI JOHNSON, AUTO LICENSE

Ms. Templin said, "We also have one employee receiving the Professional Development Certificate and that is Vicki Johnson from the Auto License Department. Thank you."

Chairman Winters said, "Thank you, Jo. We appreciate all of our employees who want to continue their education. We're in a day and age where education never stops. We appreciate the work that you do with the City and making sure that our employees have that opportunity. It is a great program. Keep up the good work and keep recruiting those employees. Thank you, all. Next item."

PUBLIC HEARING

C. PUBLIC HEARING REGARDING PETITION FOR PROPOSED ANNEXATION TO, AND INCORPORATION INTO, CRESTVIEW COUNTRY CLUB IMPROVEMENT DISTRICT.

Regular Meeting, February 2, 2000

Chairman Winters said, "Brad, do you want to begin and lay out an overview and then we'll open up the public meeting for any comment."

Mr. Brad Murphree greeted the Commissioners and said, "I'm an Attorney with Martin, Churchill Law Firm, appearing on behalf of the Crestview Country Club Association. As indicated, the nature of the matter before the Commissioners this morning is a petition requesting annexation to an incorporation of the petitioners real property, described in Exhibit A to the petition, into the Crestview Country Club Improvement District.

"For a brief background and history, the Crestview Country Club Improvement District was formed by an order of this Commission in June of 1970, pursuant to the General Improvement District Statutes of KSA 192753 and 2754. It incorporated a portion of Section 14, Township 27 South, range 2 East in Sedgwick County, Kansas. This was, basically, an area that was included in the Section that has 127th Street on the west, 143rd Street on the east, 13th Street on the north, and Central on the south. The original Improvement District was then enlarged by the annexation and incorporation of the west half of Section 13, Township 27 South, range 2 East with certain minor exception by a proceeding comparable to this proceeding before the Commissioners in September of 1977. Basically, at that time the west half of the Section immediately adjacent to the east was added to the improvement district. The boundaries were enlarged to include that area. Again, it would have been between, essentially, 13th Street on the north, Central on the south, 143rd Street on the west and then the half-section line on the east of that Section 13.

"The Sedgwick County Clerk's Office has previously provided us with a sketch map showing the current relative boundaries of the Improvement District and I believe a copy of that has been provided to the Commissioners, through the County Counselor's Office. Crestview currently has a portion of its property situated within the Improvement District and we are now seeking to have the balance of this adjacent property included in the Improvement District as authorized by statute. In conformity with those statutes, we submit to the Commission that the petitioner is the owner of the area adjacent to the improvement district as set forth in Exhibit A to its petition. Evidence of that ownership is established by a certified ownership list which was issued by Security Abstract and Title, a copy of which has been provided to the County Counselor's Office in advance of this hearing for review by the Commission.

"Furthermore, the existing Improvement District was established, like I said before, and incorporated under the General Improvement District Statute. There are no resident taxpayers within the area sought to have included within that district as it consists basically of the golf course and the facilities of Crestview Country Club. The owner of the described area and territory desires to be next to and incorporated within

Regular Meeting, February 2, 2000

the Improvement District, as evidenced by the filing of the petition and our appearance for the hearing today. Furthermore, notice of the hearing was published in the Daily Reporter, a newspaper of general circulation within the County on January 25, 2000, which was at least seven days prior to the hearing.

"Last but not least, written consent of the Board of Directors of the Improvement District has been filed with the County Clerk and a copy delivered to the County Counselor's Office prior to this hearing, as required by statute and is available for review. Basically, ladies and gentlemen of the Commission, we submit that the allegations in the petition are true and that the petition is in compliance with the applicable statutory requirements and that the relief request, if they grant the annexation and incorporation into the Improvement District and authorize the change in boundaries to incorporate that land described in Exhibit A to the petition is warranted. Therefore, we request that the relief be granted and an appropriate order be entered. We do also have present today the president of the Crestview Country Club Association, the immediate past president and the general manager, in the event the Commissioners have any questions of our petition."

Chairman Winters said, "Would you just introduce them and ask them to stand, so we could see who they are?"

Mr. Murphree said, "First of all, I'd like to introduce the current President of the Crestview Country Club Association, George Fahnestock. The immediate past President of the Crestview Country Club is Tony Madrigal. The General Manager is Bobby Conner."

Chairman Winters said, "Okay, thank you. Do you have anything else at this time, Brad?"

Mr. Murphree said, "No, Mr. Chairman."

Chairman Winters said, "I think we're prepared to open the public hearing. We are discussing our Item C on today's Agenda, a public hearing regarding a petition for proposed annexation into an incorporation into Crestview Club Improvement District. At this time, I'll open the public hearing. Is there anyone here in the audience today who would like to address this issue before the Board of County Commissioners? Is there anyone in the audience who would like to address Item C? Anyone like to address Item C?"

Regular Meeting, February 2, 2000

Seeing no one, we'll close the public hearing and limit comment to Commission and staff. Commissioners, do you have questions, comments, concern?"

MOTION

Commissioner Gwin moved to approve the annexation petition.

Commissioner Hancock seconded the Motion.

Chairman Winters said, "Brad did a good job of explaining it but without a map in front of you, what it does is squares up what this Improvement District is. It had boundaries that were curving around the golf course that eliminated that portion. By this action, we'll square that improvement district up so it looks correct on the map and for other reasons, as you explained. It is really a boundary alignment issue to me. Commissioners, any other questions or comments? Seeing none, call the vote."

VOTE

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

Chairman Winters said, "Thank you, very much, for being here. We're glad you all came, in case there were some lingering questions. We're glad that we could be of assistance."

Mr. Murphree said, "Thank you, very much, we appreciate it."

Chairman Winters said, "Madam Clerk, we're going to skip over Item D for the time being. Please call the next item."

NEW BUSINESS

E. DIVISION OF HUMAN SERVICES.

Regular Meeting, February 2, 2000

1. PRESENTATION REGARDING REMAINING 2000 COMMUNITY CRIME PREVENTION FUNDING.

Ms. Jeannette Partridge, Contract Administrator, COMCARE, greeted the Commissioners and said, "I'm here at the recommendation of the Commission at the January 19 meeting to determine the impact of funding to Tiyospaye for \$80,000 to the prevention funds. Tiyospaye is a substance abuse intervention and prevention and early intervention treatment program for adolescence. They have had a prevention grant in both '98 and '99 and performed very well to date. At the January 19 meeting, the Commission had requested that I research with Tiyospaye to understand the impact of funding them in 2000 from the prevention fund at \$80,000.

"I had met with Tiyospaye on several occasions and am assured that they can offer a quality program for \$80,000 with a few reductions in services over the 1999 level. They will be able to meet their outcomes and goals, which were the biggest concerns, at \$80,000. If you have any other questions, I'm available for questions and also Mary San Martine from Tiyospaye is available for any program specific questions."

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

Commissioner McGinn said, "Thank you, Mr. Chairman. I would like to ask Mary a couple of questions. I was looking at the goals to serve and it was 225 and you actually served 319. So it sounds like the program is really out and capturing the people they need to."

Ms. Mary SanMartine said, "There is a really large demand for services right now."

Commissioner McGinn said, "My concern is, I know you addressed how, because of that, you probably need more funds and it looks like it is going to be about \$80,000. I just want to make sure you'll be able to do that. Could you talk, just a little bit, about how you plan to adjust with that budget item and still succeed with the children."

Ms. San Martine said, "Sure. One of the adjustments that we are making is that we had, initially, wanted to provide 150 adolescents with the treatment counseling portion of our services, and we didn't do that last year, by the way. We served way over the number, but we did it through our level one services, which are more short term. So the goals that I am submitting really reflect more what we were able to do with the staff that we had. What we're going to do it target 75 adolescence with more in-depth treatment services and 150 for the early intervention level one services. In reality, if it goes the way it did last year, we'll do a lot more level one services than we did prior and we have the staff to do that.

Regular Meeting, February 2, 2000

"The other adjustment that we made because, with adolescence, we need more staff coverage. We have to have two staff to every seven adolescence and so what we've also done, we've varied our format and rather than having weekend activities every weekend, we're having them every other weekend. Then, planning more experientially during the week so that we can do the staff coverage."

Commissioner McGinn said, "Okay, thank you. I have a comment but I'd like to hear from other Commissioners if they have questions first."

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

Commissioner Gwin said, "Thank you, Mr. Chairman. One of the things I noticed in the material we got about Tiyospaye is that you use part of our funding to access additional monies, particularly I think the Robert Wood Johnson Foundation."

Ms. San Martine said, "It is a matching grant. It is a 50-50 match. So whatever we can gain, in terms of local support, they will match 100% of what we can get here."

Commissioner Gwin said, "So if we're not able to give you more then you don't get that match from that foundation, is that correct?"

Ms. San Martine said, "That's right. Right now we also have some match from the United Methodist Health Ministries Fund who are helping us. So we'll be able, I feel comfortable, we'll be able to provide the level of services that we did last year and make the adjusted targets."

Commissioner Gwin said, "The Robert Wood Johnson Foundation, I also noticed, requested that you increase the number of youth served in early intervention and primary treatment stages levels two and three. At only the \$80,000 amount, you're not going to be able to do that, is that correct?"

Ms. San Martine said, "I'm going to have to get back with Robert Wood Johnson and I called them yesterday after we had the meeting and visited with them. They seem amenable to adjusting some targets, given what we are able to do locally, and work with us on that."

Commissioner Gwin said, "My concern is that this is a very viable and productive and important program and your outcomes indicate that. They have since we've become a partner with you all and watching you do the things you say you're going to do and in most part exceed those things. I have some concern that the \$80,000 that we're talking about today would eliminate or reduce several important positions for you

Regular Meeting, February 2, 2000

to be able to achieve what I believe you can achieve. I will certainly support the \$80,000. However, as one Commissioner, I could support giving you the balance of the fund in order to help you succeed, as I know you will. I don't know that my colleagues would support that, but I feel very strongly about this program and its importance, its niche that it fills and its success in the past. I thank you for being here and encourage your continued success, whatever our funding level. Thank you, Mr. Chairman."

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

Commissioner Sciortino said, "Thank you, Mr. Chairman. Mary, I also echo what Commissioner Gwin has said. I've heard nothing but good reports from your organization. The one item I want to clarify though, maybe it is a question for Jeannette. In the prevention area, what we are looking for is the services Tiyospaye gives us in level one, is that not true?"

Ms. Partridge said, "The prevention funds fund both prevention and early intervention, so it would be mainly level one and two. Level three is the primary substance abuse treatment. But it is kind of a fine line, particularly with adolescence, between prevention and early intervention."

Commissioner Sciortino said, "What I'm trying to get comfortable with, and I think I heard it from Mary, that at the \$80,000 level, you can replicate what you provided for us last year. Is that not what I heard?"

Ms. San Martine said, "Yes, in terms of the numbers served and the outcomes. What it is going to effect is that last year we were able to get a bilingual marriage and family therapist as a practicum student from Friends University. About 45% of our adolescence are Hispanic with Spanish speaking parents. Since this young lady has graduated and now expects to be paid. I tried to talk her out of it and she wouldn't listen. What this is going to affect is us being able to maintain the level of bilingual family services that we had last year."

Commissioner Sciortino said, "If 45% are Hispanic speaking children that don't speak English, how do you . . ."

Ms. San Martine said, "The children speak English, their parents are monolingual . . ."

Commissioner Sciortino said, "It doesn't affect the primary prevention program that we're looking at."

Regular Meeting, February 2, 2000

Ms. San Martine said, "No."

Commissioner Sciortino said, "Okay, that's all I have."

Chairman Winters said, "Commissioner McGinn."

Commissioner McGinn said, "I guess I'm willing to support the \$80,000 for sure and continue to look at and evaluate the pros of this program. What I'm reading is that it is quite a success. The other thing, as we talked about yesterday in our meeting, was the family counselor. To me, that sounded like a great concept because we have kids that go to programs and we work hard to get them straightened out and maybe they go home to a climate that is not so good and then they go backwards again. I think that, perhaps, is a key element that we need to take a close look at. With that, as you suggested, was having the bilingual counselor being able to speak two languages. I would like to support the \$80,000 and continue to look at this program and evaluate some different parts of it maybe over the next few months and see if maybe we need to up that amount."

Chairman Winters said, "Thank you. I pretty much agree with everyone here but that kind of leaves us in a little bit of limbo. Commissioner Hancock."

Commissioner Hancock said, "Jeannette, what is the total balance?"

Ms. Partridge said, "There is \$113,665."

Commissioner Hancock said, "Are there any other plans for the remaining \$33,665?"

Ms. Partridge said, "No, it is my understanding that the Commission would like to have what they consider a contingency fund. We've worked with those the last couple of years. They just happened, not intentionally, and they've been very handy the last couple of years."

Chairman Winters said, "Mr. Manager."

Mr. Bill Buchanan, County Manager, said, "One of the things that occurred in the first go around and

Regular Meeting, February 2, 2000

certainly in the second one was that there have been funds available, we didn't use all the funds on the first go around and discovered in mid year several programs, the most recent one I remember was the Club Buddies program for Big Brothers and Big Sisters and the Boys and Girls Club to combine. They came to us for some interim funding for that program. As these programs develop, to prevent crime and to intervene in childrens' lives, they don't usually develop according to our budget calendar. So it is often helpful to have some money in reserves to be able to address those when they present themselves to us. We would recommend that the unused money be placed in that sort of a reserve, at least for now."

Chairman Winters said, "Thank you. Do we know of any other method of where part of this funding could be made up? I don't know if the City of Wichita has any kinds of CDBG money that might be available. We're not talking a huge amount here. My first question would be, would it be possible for us to help Tiyospaye explore another method to help make up those funds. Then, speaking to the reserve issue, now we're getting in the area of where we have about \$2,000,000 coming in to prevention funds of one kind or another. Mr. Buchanan gave one example. Another example would be in our truancy efforts with Jaime Lopez's program, who got caught in a calendar change over on part of his state money that he was receiving toward the end of 1999. We stepped in with some reserve funds that were able to let him not have a break in that program on his state funding issue. Again, dealing with both the state money in prevention and our money in prevention, I think a reserve is kind of a good thing to have.

"The other thing I would say is we did have the unfortunate event that our review committee really didn't have a chance to go through Tiyospaye's proposal because of lateness. So, if they could have done that and if they could do that next year, as Commissioner McGinn has said, maybe funds would be shifted around to the level of where they are requesting now. Right now, I guess I'm kind of on the \$80,000 number. I'd certainly listen to others. Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. I echo what you say. Mary, I have a real strong sense that, had the proposal from your organization been submitted on time, I think the selection review committee, there was a good chance they would have probably recommended it. Maybe next year you can up the time that you submit it to us. I'm going to be supportive of the \$80,000. I just get a little uncomfortable if we don't have a little bit in reserves to be prepared to act on something that might come along this year that we'd really like to act upon. We're really committed to prevention programs. We have limited resources and there is unlimited need out there. The review committee has to determine, in their opinion, which is the best and most efficient way to spend our dollars. I think you've got a tremendous

Regular Meeting, February 2, 2000

program and I hope you continue to be as successful as you have been. Next year, maybe get it to us a little bit earlier. That's all I have."

Chairman Winters said, "Commissioner Gwin."

Commissioner Gwin said, "Thank you, Mr. Chairman. I obviously can count and understand that there is certainly, at this time, a majority that would support the \$80,000. I just would like to remind you, though, that I believe one of the most important keys to the success of this program has been the bilingual family counselor. As Commissioner McGinn indicated, we can get a lot of the kids to programs but the important part is integrating their parents and having them be a part of their child's and their families success. Dealing with families, adults who do not speak English, and being able to bridge that gap is a very important part of the success of this program. This individual provided these services free, previously, because this person was a student. The person has now graduated and certainly as most of us do, have an expectation that we're going to be able to be paid for our skill and our knowledge. Beyond the degree, the report also states that this person has exceptional bilingual skills and cultural competency with the families in this program and had a significant impact on engaging Hispanic parents in the treatment process of effective positive outcomes for the clients and their families. I'll support the \$80,000 because that is where the majority is, but I really do think that position is a very important part of the success of this program. I hate to see it cut in any degree. Thank you, Mr. Chairman."

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

Commissioner McGinn said, "One more question. I can't remember if I asked this yesterday of you. Can you get another intern for that?"

Ms. San Martine said, "We're working on it. One of the real impressive things about this particular individual, and you never want to build a program around an individual, but this lady lived in Mexico for nine years. She has lived in Texas, on the boarder, for most of her life. She is very culturally competent in addition to being bilingual. I'm sure there are students coming out all the time. They aren't always

Regular Meeting, February 2, 2000

bilingual, so we may be able to get another practicum student down the line. I don't know how effective they're going to be with the families. There is more than the language involved in that. I'm certainly going to work on it, obviously."

Commissioner McGinn said, "It sounds like this individual wants to be there and to serve those people. I hope that can happen, too, but as your program grows, it may not hurt to have an intern anyway, to help you out."

Ms. San Martine said, "What our plan was, was to have her and then to continue to recruit marriage and family interns, social work interns, who are bilingual, that ultimately could be trained to either work in our program or be available to the community as resources. Right now, in Wichita, bilingual services are very very difficult to obtain anywhere, in terms of counseling."

Commissioner McGinn said, "Thank you. Sounds like you have a great program."

Chairman Winters said, "Commissioner Sciortino."

Commissioner Sciortino said, "Just a brief follow up and then we've got to get past this. I've had personal experience, in having taken Spanish for five years at WSU and my involvement at Friends. I know both have a very intensive Spanish program. Both have social services as a degree that they can get. I would think Dr. John Copenhaver or Judy up at Friends, if you could pursue that, there is going to be an interim period of maybe one year, where you have to fill the gap before we can figure out how to fund this position, that you could still provide some family consultation. I agree with my colleagues on the Board. I think that is an integral part of the overall goal we're trying to achieve and would encourage you to explore those areas."

Chairman Winters said, "Thank you. If there are no other questions, we're ready for a motion. Commissioners?"

MOTION

Commissioner McGinn moved to fund Tiyospaye at \$80,000 for our prevention programs.

Commissioner Sciortino seconded the Motion.

Chairman Winters said, "Jeannette, I would hope that you would help look for, if there are other funds

Regular Meeting, February 2, 2000

available in the community that we could help find, if you would do that. I know we are looking at you as our expert in prevention. We're committed to these issues. We're looking at outcomes and contingency funding. We really appreciate the hard work you're doing, Jeannette. You are really going to be our expert in the future. Commissioners, any other comments? Seeing none, call the vote."

VOTE

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

Chairman Winters said, "Thank you, very much. Before we take the next item, Irene Hart with Community Development has an Off Agenda item."

MOTION

Chairman Winters moved to take an Off Agenda item concerning a request for matching funds for the City of Haysville economic development."

Commissioner Hancock seconded the Motion.

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

VOTE

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

OFF AGENDA ITEM

Regular Meeting, February 2, 2000

Chairman Winters said, "Irene."

Ms. Irene Hart, Director, Division of Community Development, greeted the Commissioners and said, "You'll recall, last May Haysville suffered serious damage from a tornado. Part of the damage was to a large portion of their Commercial and Industrial District. A number of businesses were destroyed and a primary concern to that area was to relocate those businesses within the Haysville area while they were still viable, before they relocated out of town. We've been working since last summer with SCKEDD, South Central Kansas Economic Development District to access federal funds of different varieties. We've gone through pre-applications. We've been held up, due to Congresses appropriating funds for the federal fiscal year that began in October. We now have approval to file a final application to the Economic Development Administration and to the State Department of Commerce and Housing for community development block grant fund in the total amount of \$470,570.

"Unfortunately, those funds require matching funds. The City of Haysville will be providing over \$43,000 in matching funds and the request to us today is for \$30,000, to provide the local match to obtain this additional money. The funds would be used to implement phase two of Haysville's Industrial Park. It would provide the water, sewer, and street infrastructure that enabled eight lots to be available in that phase two. All lots are committed, so there are businesses waiting to get into this area. There is just no street, water, or sewer to serve them. I'd be happy to answer any questions. Mayor Tim Norton of Haysville is here. He can describe this in greater detail and answer any questions that you might have."

Chairman Winters said, "Thank you, Irene. Tim, would you like to come forward please."

Mayor Tim Norton said, "Chairman Winters, Commissioners, I am Tim Norton, the Mayor of Haysville. We've got a very unique opportunity, we've moved forward. Haysville purchased some land at 71st and Broadway. We've moved forward on it, now we're hung up on the money for the infrastructure, which is street, water, sewer. I've got over 25 businesses ready to locate there. We'll only be able to accommodate about 15 of them. Some of them will be in the first phase. Eight will be in the second phase that Irene alluded to.

"This is a wonderful opportunity for us. I've got to tell you, our coffers are pretty empty right now after what we went through last year and \$470,000 worth of infrastructure grants put together will help us recover our industrial climate in the city. Three of the companies will be core companies that were in the downtown area that will relocate in our industrial park. We anticipate it will create around 50 jobs in the

Regular Meeting, February 2, 2000

beginning and could burgeon up to over 150 jobs in that core area. It is a pretty exciting program but we need some help."

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

Commissioner McGinn said, "I just have a question for Irene. The line item for the grant number, what is the description of this?"

Ms. Hart said, "In the County budget there is funds set aside for matching funds to match grants. That is what this line item does."

Commissioner McGinn said, "Within Community Development?"

Ms. Hart said, "No, I think it is within . . ."

Commissioner McGinn said, "All grants?"

Ms. Hart said, "I know it is not in my budget, so it is in some place. It may be in finance or the general fund or somewhere."

Commissioner Sciortino said, "I think we're going to find out right now."

Mr. Buchanan said, "We have a contingency budget item that has traditionally been called grant match, which we set aside a dollar figure exactly for these kinds of deals. Every year, we have several grants from the state and federal government that come to us that we don't know about. Those matches are in a contingency and it is about \$200,000 or so."

Commissioner McGinn said, "I'd like to have more information at a later time. Thank you."

Mr. Buchanan said, "Sure."

Chairman Winters said, "Commissioners, other discussion? If not, what's the will of the Board?"

MOTION

Commissioner Gwin moved to approve the matching funds.

Regular Meeting, February 2, 2000

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Chairman Winters said, "Thank you, very much. Good luck, Tim. We know you are putting together some good projects down there and hope this is a big help. Thank you. Before we call the next item, I see District Attorney Nola Foulston has entered the room. We've kind of got our schedule mixed up. At 10:00 a.m., we skipped over our Item D, we're going to have a public hearing at 10:00 a.m. this morning, which will last a time. Commissioners, since the District Attorney is here, would it be appropriate if we take her item up next, so she can get back to work. Madam Clerk, would you call Item K?"

K. DISTRICT ATTORNEY'S OFFICE.

1. WAIVER OF POLICY TO FILL THE POSITION OF SENIOR ATTORNEY (ONE-HALF TIME) AT RANGE 27, STEP 7.

Ms. Nola Foulston, District Attorney, greeted the Commissioners and said, "At the risk of bringing this up on public television, I have a brand new employee in my office I'm very proud of, Bonnie Patrick, is our new computer specialist in the office and she's here with me today. I always hesitate to do that because I know someone is going to try to steal her. Bonnie came to us from Starkey, where she trained individuals and put together their data systems. We're very pleased to have her. She'll be working with us and the County on technology plans, in an effort to make sure that we are all compatible, that we all

Regular Meeting, February 2, 2000

learn to save finances for our community and that we have the very best service that we can in the new technology. I wanted to introduce her to you."

Chairman Winters said, "Welcome, we're glad to have you."

Commissioner Sciortino said, "And what is Bonnie's extension number?"

Ms. Foulston said, "No, I'm not giving that to you, Commissioner. Thank you for moving this up on the Agenda. This is very brief. We have two items on the Agenda. The first is actually a request for a waiver of a demotion policy. We were given a half time senior attorney's position and we were very fortunate that one of our senior administrative attorney's, David Lowden, who is quite accomplished and been with us for a number of years has elected to fill that position. It was a half time position. He'll be working as the diversion coordinator for the County.

"He is going to be moving from a senior administrative position promoting down, so there is no budget impact, but we need to have a request for the waiver of demotion policy. I don't really see it as a demotion for David because I think we're getting more for what our request has been because of his absolute good work and ethic and his ability to work with the juvenile justice system. I'm very proud of his ability to do that. He is going half time. He has three little children at home and he is a part-time at home and the other part with us in the Juvenile Justice system. I'd request that you approve that. There is no budget impact."

MOTION

Commissioner Hancock moved to approve the policy waiver.

Commissioner Sciortino seconded the Motion.

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

VOTE

Regular Meeting, February 2, 2000

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

Chairman Winters said, "Next item."

- 2. DELETION OF ONE OFFICE SPECIALIST POSITION (3/4 TIME), RANGE 15, FROM; AND ADDITION OF TWO JUVENILE COORDINATOR POSITIONS, RANGE 20; ONE LEGAL ASSISTANT POSITION, RANGE 17; AND TWO OFFICE SPECIALIST POSITIONS, RANGE 15; ALL GRANT-FUNDED, TO THE DISTRICT ATTORNEY'S STAFFING TABLE.**

Ms. Foulston said, "The next item is the Juvenile Justice Prevention Grant, the adding of the positions to the staffing table. These are all grant positions. There is no budget impact. The effective date is January 1, 2000. We will be utilizing available resources through our grants but we need to have positions to put the people into. This is required with no budget impact. We just ask that you approve the request."

MOTION

Commissioner Hancock moved to approve the deletion and additions to the District Attorney's Staffing Table.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Regular Meeting, February 2, 2000

Chairman Winters said, "Thank you, very much."

Ms. Foulston said, "Thank you for the opportunity to visit with you and this completes our Juvenile Justice Grant at this time and brings a lot of individual on board to implement the policies that the Commission has worked so hard to obtain. Thank you."

Chairman Winters said, "Thank you. Commissioners, we have our Item I concerning Oaklawn and there is an improvement trustee here. Would you like to take that item before we get into the longer item? Madam Clerk, would you call Item I?"

I. PROPOSED COMMITMENT OF \$15,000 FOR THE OAKLAWN NEIGHBORHOOD DEVELOPMENT PLAN.

Mr. Brad Snapp, Director of Housing Office, Division of Community Development, greeted the Commissioners and said, "I'm a little off on my alphabet today. I'm here before you today to ask your approval for Community Development to commit \$15,000 to the Oaklawn Neighborhood Development Plan. There is three groups of us that will be working this. Sedgwick County has \$15,000, Oaklawn Improvement District has committed \$5,000, and a non-profit group, Community Housing Services has also approved \$5,000.

"Andre Sisco, from the Oaklawn Improvement District, is here today. She is committed enough to come and work this. The plan would hopefully improve . . . one goal of the plan is to implement or design a strategy to implement physical improvements, infrastructure, look at the things like doing a housing market analysis, implement strategies, get a general improvement hearing. I'm a little off key here. I left my notes back there. Anyway, if there are any questions."

Chairman Winters said, "Commissioner Sciortino."

Commissioner Sciortino said, "I think I can say something to Andre, if I could. I just want to commend you, Andre, and your neighborhood association because, as opposed to just coming to us and saying give us money, give us money, I'm really gratified that you stepped up to the plate, your people have decided to actually put some cash into this program. I'm continually reminded by the action that your Neighborhood Association Improvement District has done to really try to recapture and reclaim your neighborhood. I just want to compliment you on the tremendous effort and we're going to try to assist you in any way we can."

Regular Meeting, February 2, 2000

Ms. Andre Sisco, Member, Oaklawn Improvement District, greeted the Commissioners and said, "Thank you, very much."

Commissioner Sciortino said, "Needless to say, I'll be supportive of this."

Chairman Winters said, "I could understand that from your comments. Commissioner McGinn."

Commissioner McGinn said, "I just have a question for Brad. There was a lot of commotion going on up here, so you may have mentioned it, but the Metropolitan Planning Department, I'd like to know what role they're going to play on it."

Mr. Snapp said, "They are actually submitting the request for proposal. We are piggy-backing this plan on another one that they're going to do for south Wichita, in hopes that we'll get a better economy of scale and attract a better community planner to do that plan."

Commissioner McGinn said, "Thank you."

Commissioner Sciortino said, "This is going to be real similar to the plan they did for the center city, isn't that correct?"

Ms. Sisco said, "As well as one for Plainview. Brad came to our meeting. We got a chance to view all three plans that were done. They are very good and they do provide a lot of information we could use further as we move down the road to improving our area."

Chairman Winters said, "Thank you, very much. Commissioners, if there is no other discussion, what's the will of the Board?"

MOTION

Commissioner Sciortino moved to approve the funding commitment.

Commissioner Hancock seconded the Motion.

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

Regular Meeting, February 2, 2000

VOTE

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

Chairman Winters said, "Thank you. I see Treasurer Jan Kennedy and I believe she has one item. Let's take that item and then we'll move to Item D as the hour has arrived at ten o'clock. Madam Clerk, would you call Item J?"

J. ADDITION OF ONE AUTO LICENSE TRAINER POSITION, RANGE 17, TO THE TREASURER'S STAFFING TABLE.

Ms. Jan Kennedy, County Treasurer, greeted the Commissioners and said, "Thank you for taking this item. I am proposing that we add a trainer's position to our staffing table. It would not require adding additional people, it would just be recognizing our need with about 55 employees and continually changing rules and regulations to have a position whose primary function is to continually make sure that we are right on the mark and we know exactly what we're doing at all times and that we're all on the same page. This has already been included in my 2000 budget, so I'm asking only that the position itself be approved."

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

MOTION

Commissioner Hancock moved to approve the addition to the Treasurer's Staffing Table

Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
-------------------------	-----

Regular Meeting, February 2, 2000

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

Chairman Winters said, "Thank you, Jan. As the hour has arrived as ten o'clock, Madam Clerk, would you please call Item D."

DEFERRED ITEM

D. PUBLIC HEARING AND RESOLUTION OF ADVISABILITY FOR MAKING CERTAIN ROAD IMPROVEMENTS IN SEDGWICK COUNTY, KANSAS (OVERBROOK 2ND ADDITION - PHASE 4, NINTH STREET).

SLIDE PRESENTATION

Mr. Joe L. Norton, Bond Counsel, Gilmore & Bell, P.C., greeted the Commissioners and said, "As you may recall, back on December 1 of 1999, the Commission adopted a resolution which made certain findings, with respect to the advisability of creating a Special Benefit District for improvements to 9th Street east of 143rd Street East. At that time, the action was to call a public hearing for December 22 and also to request that an informational meeting be held on December 20th, at the fire station at 9th Street and 143rd. Both of those actions occurred.

"At that public hearing several property owners in the proposed Improvement District did come to the public hearing and express their comments and concerns to the Commission about this particular project. I'll try, in a moment, to summarize some of those comments to bring you back up to speed. At the conclusion of that public hearing, the Commission decided to defer this action until today for further public hearing and consideration. Notice was published and mailed to the affected property owners at their addresses, as set forth in the County Clerk's Office and so we may have some property owners here today that wish to address the Commission at that public hearing.

"As you may recall, there are two ways in which a Road Improvement District can be created under statute. One is by petition of the majority of effected property owners or two at the initiation of a public hearing and opportunity to protest, which is the format that we are using in this particular project. The step of calling the public hearing has been done and property owners have the opportunity to address the

Regular Meeting, February 2, 2000

Commission. At the conclusion of that public hearing the County Commission has up to six months to adopt a resolution, which would implement the authorization for such a project. Once that resolution is adopted and published, then property owners in the effected district have up to 20 days to sign a protest petition, requesting that the project not be undertaken and assessments be spread. So, we're at the public hearing stage today and after the conclusion of the public hearing you will have up to six months to consider that resolution.

"The area which this Benefit District is created to be established is, again, in the Overbrook 2nd Addition area, generally, and three unplatted tracts located east of 143rd Street East and adjacent to and south of 9th Street. On the screen is a map depicting the proposed Benefit District. The area in the lighter blue line is the proposed Benefit District which includes all of Overbrook 2nd Addition and three unplatted tracts which are located to the north part of that light boundary.

"The proposed improvement is the dark heavy blue-shaded area, which is an urban standard street, curb and gutter paving, with two proposed cul-de-sacs which would connect to the existing paved street, 9th Street, which is located immediately west of the proposed improvement and the improvement would go to the east edge of the Overbrook 2nd Addition.

"The Bureau of Public Works has established a proposed budget for this project which would, with all costs included, be approximately \$339,000. There are 221 parcels within the proposed benefit district and the method of assessment is a little bit complicated so I'll take a second and go over that. The method of assessment is that each platted lot and unplatted parcel receive an equal cost per unit of about \$1,500, which would spread the cost of the improvement to the entire subdivision. In addition, those lots which will be abut 9th Street, will have five additional cost components, which would have a cost total of about approximately \$9,200 per lot.

"The existing property in Overbrook 2nd Addition, go back to the map, it is not located adjacent to 9th Street. It has already had their residential streets improved and various cul-de-sacs there, and have received over three different phases, assessments, for their residential streets, which vary in amount but basically, I know that is very light in the screen, vary in amount but run approximately from about \$6,500 up to a little over \$9,000, if my memory is correct, for their individual streets. So, the idea was to kind of balance the costs out so each one of the properties would have an approximate assessment of about \$9,000 per lot for street improvements.

"I believe Jim Weber of Public Works has, since that December 22nd public hearing, has obtained some additional research and has some information and slides to show you with respect to this project. It may

Regular Meeting, February 2, 2000

be appropriate at this time to review that information before we open up the public hearing."

Mr. Jim Weber, Director, P.E., Sewer Operations and Maintenance, greeted the Commissioners and said, "This is the three phases that Joe is talking about where they came in. We've got the first phase project is down here in yellow and the second phase project is in blue and then the white is the third project. Just to maybe expand just a little bit. The street up here is intended to be 41 foot from back of curb to back of curb, a collector street. It is a wider street than most of the residential streets. Sagebrush, coming down through here, is a narrower street. It is 35 foot back to back. It is not a full collector. It is a residential collector. Then these cul-de-sacs that come back are 29 foot back to back.

"So, part of the rationale for spreading the cost to the entire subdivision is that this extra width up here benefits, by being the collector street, benefits the entire subdivision. We're taking that cost back down through the rest of these projects, where they have not had an opportunity to help pay for that kind of a collector street.

"Once again, we're talking about Overbrook 2nd, we're going to call this phase four. After the meeting that we had out in the neighborhood and the hearing that you held on December 22, we really identified what we think are three primary issues with this project. One is a long standing issue with emergency access. If you follow these cul-de-sacs up in here, you are half a mile from the entrance into the subdivision and as we went out there to take some pictures, you get buried in there pretty quickly. So, emergency services people have an issue with that and there are residents who have expressed concern about not having a second way into the subdivision.

"Another one that we've heard about, repeatedly, over the years is school buses and accessibility to the area for school buses and how far kids have to come out to get to the bus. Then there is an issue of residential development along 9th Street that has not been completed, cannot be completed without the construction of appropriate street paving.

"We went out and did take some photos. This one is right at 143rd Street, looking east on 9th Street. Station 38 is just to the left, that driveway to the left is the fire station. This is a long distance shot but as you wind down the street, it is sort of a curve linear and kicks back in here and then winds back up this way. These are some of the barns that are back there that will show up a little better later. Move on down the intersection. Over there, this is Stagecoach which goes south. This is the street right-of-way

Regular Meeting, February 2, 2000

that follows a route that comes in right through here and around the corner. There is a house right on the corner here. This house is one of the homes that has now bought the lot behind it, between the house, and the trees and has incorporated that into the back yard."

Chairman Winters said, "Jim, that is the beginning of 9th. This is where we're talking about the beginning of the project."

Mr. Weber said, "This is the west end of the project. We've gone in about halfway through that stretch that is not paved, looking on west again. Once again, the street does curve. This is one of the houses down in the third phase. The street kind of curves back through this way. This is a shot at one of the two barns that are on the unplatted parcel. Just turned a little bit to see the two structures and third one back here. Power is back here. It is fairly well developed for an agricultural area.

"Turn back around, headed west at that same spot. So we're looking back. Station 38 would be around the corner here, back down the tree line and on this gravel driveway that is in here. The lots once again, residential lots, that we are talking about on the other side of the trees. This next shot, I've just stepped back behind the trees and looking straight west, down what would be the front yards of the lots on 9th Street. There is housing back over here to the left. Come up here on Sagebrush, which is that long street that has no way out. This would be the 'T' intersection of 9th Street. The end of development stops right here at the curb. Just so you know, this is where they've been dumping concrete from wash outs of concrete trucks in here. Once again, this is the back side of the barns that we're talking about. Ninth Street would go east from here and will go west from here.

"From that same location, looking back west again. The tree row, the barns, give you some idea of what we're looking making an improvement on. This is looking back east towards, this row would be the property line between these unplatted parcels and the platted lots in Overbrook 2nd. The other side of that line would be the Moxley properties. This is just looking back south on Sagebrush at the existing development. If we went through there, what I would tell you is I think we only found one lot in Overbrook 2nd that has not been built on at this time. Basically, development of this area has been completed.

"I'll go back over the issues. We've talked to the folks over at Andover. Their policy prohibits bus drivers from backing buses up. They prohibit their bus drivers from entering into any cul-de-sac. One of the things that had been suggested was a possibility of putting some kind of a turn around at the end of

Regular Meeting, February 2, 2000

Sagebrush. That is not going to do it for the bus people. If something has asphalt, they want a three inch minimum of thickness. Of course, we build more than that. Anything less than that, their buses will tear up. With gravel, they want to see it stable. They want to see that it is well maintained. Whatever it is, they want to be able to see a bus and a car be able to pass each other without that bus having to pull off on a shoulder to an awkward position.

"Subdivision regulations, at the time Overbrook was platted and still today, this would be classified as an urban-scale subdivision. It is smaller lots. As such, they are required to have urban standard streets, curb and gutter with storm sewer. Open ditches are not suitable in that kind of environment because you have too many driveways and culverts and it is just too difficult to make the drainage work and keep everybody happy. Subdivision regulations do require the installation of any required improvements, in this case the urban standard streets, prior to the issuance of any building permits. Construction, if we were to do some or allow some kind of a substandard street to go in here, you just connect the two streets, but not allow the development of the adjacent residential lots.

"Our recommendation is that an urban standard street be constructed with storm sewer as required by subdivision regulations. That is everything I've got. I'd be happy to try to answer any questions that you might have."

Chairman Winters said, "I don't see any questions now, Jim."

Mr. Norton said, "As indicated, I will try to summarize some of the comments that were received at the information meeting and the December 22 hearing. Some of those people that were at those meetings are also here today and may wish to speak again but I know some were not. Basically, some the property owners located north of the proposed 9th Street improvement do not have residential properties on their real estate, basically, requested that the County not make this improvement and request that there be some kind of a gravel or sand street be done because they don't feel that they need it and would have costs in excess of the value of the property, if that went in. Other people, who own some of the platted lots toward the east end of 9th Street improvement did request that the Commission pave this street, so they could develop those properties. So, there is a difference of opinion between some of the property owners

Regular Meeting, February 2, 2000

of platted lots and some of the unplatted tracts along 9th Street. Some people were at the public hearings information sessions that live in Overbrook 2nd, that request the project go forward, so that the safety and school bus issues could be addressed.

"Since the time of that public hearing, the County has received some written material from the Minneha Township, which is the township that governs this particular area and is responsible for road maintenance. One of the items at their particular meeting, held on January 12, was a resolution to pave 9th Street from Stagecoach to Sagebrush out of the township road funds for 2000, sand road with culvert drainage only. So they have, in essence, taken the position that they would do that improvement. One of the township officers is present today and may wish to make comment or you may have questions for that particular person.

"That sand road was also, we have some information of minutes of the Crestview Country Club Improvement District that would agree to that type of improvement also. Those are things that have occurred, that I am aware of since the last public hearing. If there are no questions, it may now be appropriate to open the public hearing and receive comments from those that are wishing to address the Commission."

Chairman Winters said, "Before we do that, would it be possible to put the map back up there, because we may need to look at that map for clarifications. At this time, we will open the meeting for public comment concerning our Item D, an addition on 9th Street in the Overbrook Addition. Is there anyone here in the audience who would like to address the Board of County Commissioners? Please come forward. Please state your name and address for the record. We are going to try to limit comments to five minutes. At the end of five minutes, there will be buzzer that does sound. Please begin with your name and address."

Mr. Harlan Seeber said, "I live at 955 North Stagecoach, the corner of 9th and Stagecoach on the west side of the street. I think the presentation by Mr. Weber overlooked one area that is really a concern to the people in the Overbrook 1st Addition. You have over 70 houses up in there now. They are all funneled down out Sharon Lane, out 143rd Street. It is the only way in and only way out. The County did a traffic check, a two day traffic check there last month. It showed around 1,300 vehicles a day entering or leaving Sharon Lane at 143rd. Over 1,000 vehicles a day leaving Overbrook 1st and going into Stonegate and the additions over here. This creates an awful lot of dangers and problems for everybody along Sharon Lane. The County allowed development as Mr. Weber explained at the last

Regular Meeting, February 2, 2000

meeting piece meal in this area because of the bankruptcies, tax sales, et cetera, that occurred amongst the developers in this area and you had money invested in the area, so you allowed piece meal development to occur in there without going ahead and finishing the streets as originally proposed. So, this has created this horrendous traffic on Sharon Lane. Any other solution other than given another way of ingress and egress on 9th Street is just going to be a Band-Aid. You could put in a roundabout for school buses or you could put in a gravel road if you wanted, but nobody is going to use the gravel roads during inclement weather. In dry weather you've going to have a dust problem. You are not going to take your newly washed car down that street, you're going to go out the way you have and brave that traffic.

"You have three detriments that occurred, but I think the first one is traffic that is thrown onto Sharon Lane going through the Overbrook 1st Addition. The second, addressing one of the problem areas is the school buses. There are seven school buses a day go into there and they can't go any further than Sandpiper and Sheridan. So, you've got a constant stream of kids standing out there in yards, playing in the streets, running, chasing. There is a tragedy in the making there, if something isn't done.

"Then the third problem, this paving of 9th Street won't alleviate, but we need more law enforcement there than what we're getting. The Sheriff has sent cars out there. They've written tickets. Traffic slows down while they're there and as soon as the black and whites leave it is right back up with the speed again. I don't have any figures for this, the County didn't provide me with any figures for the traffic survey they took last month. In 1992, they did a traffic survey and on all the streets out there, the highest observed speed was 70 miles an hour. I don't think it has dropped down any from that. There is a real problem out there. Any solution other than paving 9th Street with an all weather road is just a Band-Aid that isn't going to alleviate the big problem. Thank you."

Chairman Winters said, "Thank you, sir. We appreciate you coming. Commissioner McGinn."

Commissioner McGinn said, "He mentioned Sharon Lane a lot and I was wondering if Jim could point that out or somebody."

Mr. Seeber said, "Sharon Lane is the collector street for the whole area. They can only get through Sharon Lane. During the rush hours, it is a race to get to the stop sign at 143rd Street."

Chairman Winters said, "Thank you, Mr. Seeber. Next speaker."

Ms. Tricia Hoobler said, "My current address is 239 West Rosewood. It is in Rose Hill. I'm living with my parents, currently, and I'd like to build on my piece of property. When I purchased the property it was

Regular Meeting, February 2, 2000

platted to receive streets. However, that development never occurred and I'm on block one, lot seven. He had a picture of it."

Commissioner Gwin said, "As long as we know where it is, Ms. Hoobler, I think we're okay."

Ms. Hoobler said, "I would like to see it developed. If the streets go in, that is the only way I'll have a buildable lot. That is all I have to say. I'd like to see it developed."

Commissioner Gwin said, "Have you tried to get a permit to get it developed?"

Ms. Hoobler said, "I have gone back and forth to the office and was told it is not going to be buildable unless I have paved streets because they have to have water and sewage. That cannot go in unless the streets are paved."

Commissioner Gwin said, "I see, thank you."

Chairman Winters said, "Thank you, very much. Next speaker."

Mr. Gary Booker said, "Thank you for having this hearing on the issue of 9th Street. I am one of the home owners that lives at 14729 Sharon Lane, Overbrook 1st Addition. I live back in this area here, the corner of where Sharon Lane meets Stagecoach. That is the junction of where the school buses congregate daily to pick up all the children from kindergarten to high school. Those that don't get on the bus, they do their speeding through our area and create a terrible hazard in the morning and evenings for the children that live in there, for even the adults who live in that area. It is just like living on Broadway, for the traffic that goes in and out of there. For a quiet neighborhood that my wife and I purchased our retirement home in, it is not that any more. It was, at one time, a quiet neighborhood. It is a nice neighborhood, but they really need to have 9th Street completed. I echo the sentiments of the past president of our home owners association, that 9th Street should have been required to be completed to 143rd, prior to allowing the rest of that addition to be built and therefore the taxation of that should have been spread easier and a long time ago for all the platting in there and would have been much easier on the current residents today.

"I'm asking the Commission to please vote yes for this improvement, so that we can get on with our quiet lives in our neighborhood. I thank you, very much. Is there any questions?"

Chairman Winters said, "I see no questions. Thank you, Mr. Booker, we appreciate you being here.

Regular Meeting, February 2, 2000

Next speaker."

Ms. Iva Goodwin said, "I live at 14720 Sharon Lane. My house is about 7 ½ years old. We purchased our lot and I think there were two lots available in the first phase of Overbrook when I bought my lot. I was real excited that I was able to buy it and I can still remember standing on my lot thinking 'this is going to be such a peaceful place to live'. Within a period of about 7 or 8 years, I totally changed my mind from a peaceful place to build a house to almost a nightmare situation. When I became informed of the current traffic count, I thought 'my God no wonder it feels like I live on Rock Road'.

"I have made several phone calls to Commissioner Gwin over the past several years because I've just become aware of how the problem has progressed. I also would support opening 9th Street up. I personally have some issues. I have two teenage children so there is a lot of cars that are pulling in and out of my driveway. I really fear for the safety of all the young drivers that are coming to my house. On any given time that I am pulling into my driveway, it doesn't make any difference whether I am going to work or the weekend, I can look both ways to see if it is clear. By the short time that I've backed out of my driveway and on to Sharon Lane, there will be somebody right up behind me and often they are rude and they are honking. I live on Sharon Lane, to the point where I am very close to the second phase and people come around that curve and I know they are going fairly fast by the time they hit Sharon Lane close to my house.

"I do hope you will give this serious consideration. I think all the reasons that were said earlier by Mr. Weber I would totally support. I feel that something, essentially, needs to be done and I think just sand and rock won't do it. I think we need to pave the street. Thank you for your support."

Chairman Winters said, "Thank you, ma'am. We appreciate you being here. Next speaker. Is there anyone else? Yes, please come forward."

Mr. Bud Roat said, "I live at 14710 Sharon Lane. We purchased our home out there in 1989. At that time, there was probably 200 to 300 cars a day. Like they told you, there is 1,300 to 1,400 by there now. When we moved there, probably everybody in the neighborhood drove 20 miles an hour. Now

Regular Meeting, February 2, 2000

they drive 40 to 50 miles an hour. I think one important point that has not been brought up yet is safety. We built a town there with a dead end. There is a way in but no way out. If we had another disaster like Andover or the Haysville tornado, you've got one way in but no way out. I think that is something that needs to be looked at and I really hope you consider opening up 9th Street. It needs to be done and it needs to be done now. Thank you."

Chairman Winters said, "Thank you, Mr. Roat. We appreciate you being here. Next speaker. Are there others who would like to address the Board? Yes, please come forward."

Mr. Pat Preboth said, "I live at 14430 Sharon Lane, which is on the corner of Sharon Lane and 143rd. I am the closest house to the stop sign. I am the epitome of the road race that goes on. I look out my window daily and see 70, 60 mile an hour cars coming to the stop sign. I have three children, a teenage 16 year old, a 9 year old and 3 year old. It is terrifying to allow them out in my front yard. We've actually installed extra locks on my home, only because of the traffic and a three year old that is very capable of getting out the door.

"The home was built in 1984 in a quiet neighborhood. It is absolutely amazing to watch the traffic. By the time they leave the back end of Overbrook 2nd Addition and get into the 1st addition, they really have the ability to pick up some speed. It is terrifying. For the few times that my nine year old has missed the school bus and we've had to do the quick run and take her down to the next stop, it is pretty amazing to watch something in the neighborhood of five or ten cars piled up in all different directions on both sides of the street with children piling out in front of, I'm sorry, I don't know whose house it is, a pile of children trying to get on a school bus.

"There are also trash trucks coming in, recycle trucks. It is beyond common sense, in my view, why we are not already having a paved street. I am 100% for a paved street on 9th Street as soon as possible. It is a disaster waiting to happen. It is a child's life or an adult's life in danger here. This is much farther than just an economic problem. I certainly appreciate your time and hope you will really consider paving 9th Street as soon as possible. This is a wonderful and peaceful neighborhood that is completely out of control right now. Thank you for your time."

Chairman Winters said, "Thank you, sir. We appreciate your coming. Next speaker."

Ms. Candy Ramsey said, "I live at 940 N. Stagecoach and I guess listening to all the concerns because

Regular Meeting, February 2, 2000

I am along 9th Street and the 60 and 70 mile an hour speeds, I'm wondering if we're not just creating two 60 or 70 mile an hour speed zones. Thank you."

Chairman Winters said, "Thank you, Ma'am. Commissioner Sciortino."

Commissioner Sciortino said, "Are you for us paving it or not paving it?"

Ms. Ramsey said, "I'd like to see if we have other alternatives."

Chairman Winters said, "Thank you. Are there other speakers?"

Ms. Rose Gangel said, "I live at 855 Sagebrush, which Sharon Lane turns into Sagebrush. Everybody comes in on Sharon Lane and then goes to Sagebrush. I am right at the corner, across from the swimming pool. I do have a child that gets on that bus stop and there is like 25 kids that get on in the morning for the K through 5 bus and then there is the 20 to 25 that get off in the afternoon. It is a safety issue. You have kindergartners that might only have a house to walk to that are walking down the street. You have your first and second graders that are walking down the street. Even the middle schoolers and high schoolers that do ride the bus have to walk. It is almost a half mile walk to get back to my house. It is a real safety issue for these kids. I would be in favor of doing some type of either paving or the gravel road, although it sounds like the school district is going to make it as difficult as possible to do anything other than paving. That's the way it appears."

Commissioner Gwin said, "To help clarify, if opening up 9th Street would make it easier for buses to get in and out by what means? I know they can't go down the cul-de-sac, so talk to me a little bit more about that, would you?"

Ms. Gangel said, "On 9th Street, what happens is, you come in down here. You come in around and it kind of curves back here and then you're going to keep going and right here, that is where 9th Street would connect, so that they would become and actually make the entire loop in the neighborhood. Now, they come in and they make their loop on Sandpiper and do that right there and that's it. So, everybody back in this area here, all their kids are going forward. It is a young neighborhood back there. That is the kids that are getting on now. I know there are a number of kids under the age of five that in a couple of years will be going to school."

Commissioner Gwin said, "I just needed clarification for my colleagues too, thank you."

Regular Meeting, February 2, 2000

Chairman Winters said, "Thank you Ma'am. Next speaker please."

Ms. Tammy Baker said, "I live at 848 North Sandpiper Court. We own the two lots right in back of our house. I think you saw it on an earlier picture. The back lots do abut 9th Street. So we have no intention of selling the lots. They are just incorporated into our back yard. They are landscaped. There is a tree line there that I am concerned about, if they put this wide road in that we will lose the tree line. I guess the bottom line is that we're going to be assessed quite a bit of money for owning those two lots for the road that in reality is of no benefit to us, personally. I can understand them needing another access but I'd like to see it done as cheaply as possible. The township offering to put a gravel road in there, I guess that is what I would like to see happen there, which would be at no cost. Over a 15 year period, we would end up paying in so much money for a road that we wouldn't use. It would just be an access road which apparently is needed. But for us, personally, we would never use the road. Our driveway comes out to the front. Thank you."

Chairman Winters said, "Thank you, Ma'am. We appreciate you coming. Next speaker."

Commissioner Hancock said, "I just want to reconfirm from Jim or Joe, I don't know who said it. The subdivision regulations does not allow a gravel road, is that what I'm lead to understand here?"

Mr. Norton said, "On the size of lots that we have platted here and the zoning category, it does not allow gravel roads, in fact you cannot even do an open ditch paved road until you get up to a half acre lots, the next step up."

Commissioner Hancock said, "I see."

Mr. Norton said, "For sand roads, you need acre lots."

Commissioner Hancock said, "I've got you. It is zoning regulations concerning the size of lots."

Mr. Norton said, "Zoning determines the lot size which then ties into subdivision regulations."

Commissioner Hancock said, "I'm thinking that, for some reason, there was some kind of covenant that didn't allow it, but that's not the case."

Mr. Norton said, "No, it is actually regulations."

Regular Meeting, February 2, 2000

Commissioner Hancock said, "I got you."

Chairman Winters said, "Thank you. Next speaker."

Mr. Herb Hobble said, "I live at 938 North Sagebrush. I'm a torn parent. I'm torn between the safety of my children who go to Sandpiper and Sharon Lane to board a bus where you've got 25 to 30 kids all standing around waiting for a bus. I'm a person that drives from the front of Sharon Lane all the way back to the back. The next time I look at my speedometer and it says 25, I'll have to realize that I'm going 60. But yes, I do know there are a lot of vehicles that go faster than the speed limit. A lot of those were construction vehicles, as the neighborhoods in the back were getting built.

"The one thing I would like to see is the access for the bus but I would also like to see it done in the least amount of economic impact to the entire area. That is the only request I would have."

Chairman Winters said, "Thank you, very much. Next speaker."

Mr. Bob Ramsey said, "I own the lot at 940 N. Stagecoach and this lot here and the lot next to it. I spoke to you before in December about this. I've done a lot of thinking about it and it is kind of a difficult issue. What I find most unfortunate and the thing that is frustrating is an entire development was put together back here without this consideration being foreseen. I think we really need to, throughout the County, especially in the future because I'm starting to feel that this is a done deal. We need to take a better look at ingress and egress to developments before we get to this situation. I don't really have a homeowners association. I'm not a part of either group. I'm kind of the no man's land here. So, the situation is, at this point, that these lots up here are going to require sewers, water, et cetera, to improve them. I don't know what the owners plan to do at this point. What they had expressed to me was that these cul-de-sacs may not be necessary. I'm not sure that the additional street width is necessary because I don't believe any development is planned to the east out here. I don't see that a main feeder street would be necessary.

"This is a very expensive solution. I'm looking at better than \$18,000 worth of improvements, that will not be improvements for me. I fully understand the safety concern. I think my wife does bring up an important issue that I think we're going to have two speedways out of there, there will just be less cars on each speedway. I'm concerned that this is really an overkill. I would like to still see a situation where we can explore what is the best design for this street. It looks to me like something is needed but I think maybe we have overdone what the requirement is."

Regular Meeting, February 2, 2000

Chairman Winters said, "Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. Sir, when you purchased those two lots, were you aware you were purchasing lots in a platted area."

Mr. Ramsey said, "When I bought the first lot back in '91, I specifically asked the Public Works Department at the time what am I going to be liable for for specials, other improvements. I understood at that time that since my main access was to Stagecoach, that the lot would not be liable for street assessments, if 9th Street ever went through. Well, I don't have anything in writing, so I don't have any way to judge that. The lot behind me was owned by someone else for a time and never paid their taxes, so I picked up that lot at a Sheriff's auction, I think in '95 or '96. I've been paying taxes on it since and as others have said, it is our backyard addition, at this point.

"In any case, that was unmaintained. It was an eyesore. Really, the weeds helped to seed my lawn. So, when it became available, I picked it up, assuming that if 9th ever went through I would end up paying assessments for that. What's been the shock, through this whole process, was that both lots are going to get hit and that I'm looking at a major hit to my budget."

Commissioner Sciortino said, "You were aware that they were platted lots that you were buying. I understand that perhaps you bought those lots not to develop them and it is an extension of your yard. But would you not agree that if we did go ahead and pave that road and put in the sewers and what have you, you would have an option to do something else with that land that maybe you hadn't originally planned and maybe sell them for a substantial profit over what you paid for them."

Mr. Ramsey said, "I can say that for sure on the lot directly behind my house lot. If I decided to sell it, it could be with an improved street that would make it buildable. So, obviously, I would be getting some benefit there. I guess I question whether I get any benefit to the house that actually faces Stagecoach, because I really have no access from my lot out to there. The assessment is going to do nothing more than add to the cost of that lot, with no enhancement value."

Commissioner Sciortino said, "Thank you."

Chairman Winters said, "Commissioner Hancock."

Commissioner Hancock said, "Does your lot or any of the lots along there, have they had any

Regular Meeting, February 2, 2000

improvements on them at all?"

Mr. Ramsey said, "I believe, you'd have to speak to Public Works to know for sure. I believe we're fully improved back here, the lateral, sewer and electrical is all in. I believe water is in to about this point, this cul-de-sac is not in. But water is in to somewhere around that point. I believe to develop these lots further would require some improvement. I don't know the specifics."

Commissioner Hancock said, "What I was talking about is, are there buildings of any kind, structures?"

Mr. Ramsey said, "Well my house here on lot one, block one. Then the two barns out back, here on the unplatted part."

Commissioner Hancock said, "Your house doesn't face 9th Street?"

Mr. Ramsey said, "It actually faces Stagecoach. I've asked but I've never heard whether any assessment for Stagecoach was ever paid by that lot and I don't know."

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

Chairman Winters said, "Thank you, sir. Other speakers. Is there anyone else who wishes to address the Commission. Have you spoken once? Then just make it very brief then."

Mr. Gary Booker said, "I'm at 14729 Sharon Lane. I can understand the cost that they are talking about there. The only thing that I have to say is that maybe to shorten that cost or expense is just to extend 9th Street from the end of . . . it would be the end of the existing 9th Street. It extends down from the fire house today, to the end of Sagebrush, which would only be a partial paving instead of a full paving, I believe that is the beige area there for the new platting since there are no houses that are currently planned to be built there. Thank you."

Chairman Winters said, "Thank you. Any other speakers that haven't spoken? Please come forward."

Regular Meeting, February 2, 2000

Mr. Bob Shrum said, "I'm a trustee of Minneha Township. I'm also on the improvement district of both areas which are concerned with this. I am almost in a no win situation here. I have no recommendations, except the last one that I heard. I do not live in this area. I live across the street, in the Crestview area. I do want to pass along some information. The probably almost 30 years of the improvement district, that the area that you're looking at in pink has failed every three years across every piece of property, over and over and over it goes for sheriff's sale. It is picked up by people, I assume speculating, and it never has occurred in this area. I am not a developer but I do question as to why this area doesn't develop. Obviously, it is agricultural. There are pieces on the other side, which are barns, agricultural. I really can't see anybody building in this area. The last proposal is, to me, the best proposal that I've heard. That's just pave the short piece. The second piece, as I'm listening, uninvolved but only because these are my constituents is the cost. The first people who were here, very good reason to have this paved. But under this plan, they're not paying for it. I don't quite understand how it got that way. The first people here and at your last meeting were down further and they have a very good reason but they're not involved in the specials for some reason, I don't know.

"I will reiterate that the township would be more than happy to put in a sand road in there at our cost, which to me, I think, the best proposal is, like the last said, just a short piece. It takes care of the buses. It takes care of the traffic. Is there any other questions for the Township Board Improvement District?"

Chairman Winters said, "See no questions. Thank you, Mr. Shrum. Appreciate you being here. Are there others?"

Mr. Jim Reilly said, "I live at 800 North Stagecoach. In regard to the road going in, keep it small. I don't see any necessity for that feeder road, as we discussed previously. It is laid out on the 30 or 40 foot width. It goes into the pasture back there that is not going to be developed. It goes in to the eastern end of it, which is not going to be developed. Cheapen the thing up if they have to pay but take it from Sagebrush or whatever it is to 9th Street. Do the curb and gutter but see if you can do it on a smaller version rather than the feeder road or whatever you call it."

Regular Meeting, February 2, 2000

Chairman Winters said, "Thank you, very much, Mr. Reilly. Is there any one else? We're going to draw this to a close, unless I see a hand. Is there anyone else? At this time we will close the public hearing and limit discussion to staff and Commission. Commissioner Gwin."

Commissioner Gwin said, "Thank you, Mr. Chairman. Jim, I guess I have questions of you to start with. Could you show me on the map, Mr. Booker said something about paving to Stagecoach."

Mr. Weber said, "This is 9th Street coming in. This is Stagecoach."

Commissioner Gwin said, "Paving from Stagecoach to Sagebrush, show me where that is."

Mr. Weber said, "Sagebrush is right in the middle of this white area right here, so he is talking about paving just this section."

Commissioner Gwin said, "Are there not platted lots to the east of that?"

Mr. Weber said, "I think there are seven platted lots and an unplatted parcel back in that portion."

Commissioner Gwin said, "Talk to me, too, about the comment that Mr. Reilly just made about building a road that is not 41 feet from curb to curb. I know you indicate that this is a collector street, but do we have any . . . I'm assuming that is because we're projecting that there would be development to the east of this?"

Mr. Weber said, "I think Mr. Shrum is probably familiar with this, but we've had some discussion about the Crestview Improvement District earlier this morning. As you will recall Mr. Murphree's explanation, this whole half section, clear up to 13th Street, was originally included in the Crestview Improvement District. There was a preliminary plat for that whole half section that showed a street system coming off of 9th Street clear on up to 13th Street. So, under that preliminary plat was planned to be the collector in this half section and then go on to the next half section. I think that the concern I have about making a change from 41 foot here to something less here is that it really is a geometric thing of sucking the street, if you go from 41 to 35, you've got to pull it in 6 feet. Where do you do that and how do you do that in such a way that somebody doesn't end up bouncing right through the curb? I'm not saying that we can't do something less, but I'm not prepared, today, to tell you how we would do that or if our traffic people would think that was a safe situation or not but we wouldn't want anything less than the 35 that is back here right now. So, really the question is . . . this is easy to see at a 'T', a 35 into a 41 and everybody has to stop and turn where this is a straight through and we've got the eyebrow cul-de-sac. I'm not quite sure

Regular Meeting, February 2, 2000

how that works out."

Commissioner Gwin said, "The picture of it is a little worrisome to me, too, but I wanted to get some information from you. Are there other Commissioners who have questions or comments?"

Chairman Winters said, "I have a quick comment or question. Can you show me where the lots are that those barns are that you showed earlier? Do you know approximately where they are?"

Mr. Weber said, "I'm a little confused. There is an unplatted stub that comes up through here and there is a larger unplatted parcel here and there is one back in here. Those two barns, either one of them sits here and one sits here or they're both here."

Chairman Winters said, "Okay. The other question in talking about this shorter paving. If you go on past then the street to those lots, would they then be in the assessment district? If you take them out of the assessment district, the remaining are still going to be looking at similar to the same cost, won't they?"

Mr. Weber said, "Yes. Most of the cost that would pull out of the project would be these lots that are adjacent to that piece back there would not pay the \$7,500. They would be paying for the over sizing, the \$1,500. So it is not going to cause a dramatic shift in the numbers."

Chairman Winters said, "The numbers are still going to be about the same. Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. Jim, trying to remember what you had discussed when you were first up there. I think I heard somebody say it is not fair, we're having to pay \$9,000 and some of these other people are going to get the benefit of it and they're not paying nearly as much. But if I heard you right, had this all been developed at the same time, everybody would have paid around \$9,000, if I heard it right."

Mr. Weber said, "That's what we think would have happened."

Commissioner Sciortino said, "So what these lots are going to be asked to pay, basically, is what they would have been asked to pay or would have been assessed to the lot for sale, had the development occurred earlier. I agree with your assessment. I like the idea of shortening it, but I don't see that there is going to be any substantial savings in dollars. Then you still have the problem that these people that have these other lots up there. They bought into a platted area and I think they have certain rights to expect

Regular Meeting, February 2, 2000

what a platted lot says they have the right to expect and that is roads and sewers and gutters and whatever."

Mr. Weber said, "I think our recommendation to you is, and I think we've got some good history, it is an area that has gone repeatedly to tax sales. The development, as it has finally occurred, has happened much like we'd see one today which would come around in phases and eventually link back. The problem that has occurred is that the ownership got so cut up in here that nobody could get control of it and submit a petition to get this all finished up. So, our recommendation to you is let's get this thing done. Why leave seven lots cut off now. Let's take care of the whole thing."

Commissioner Sciortino said, "I think if we ever have any chance of getting it developed we've got to put in the infrastructure which would induce development. That's all I have, Mr. Chairman. Thank you."

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

Commissioner Gwin said, "Thank you, Mr. Chairman. Jim, I think I'm through. I just have some comments and thoughts. I appreciate the comments from both today and the previous meeting. I also appreciate the letters and phone calls I've gotten over the years. Ms. Goodwin, it is nice to finally meet you because you were one of the first ones who called me several years ago with concerns."

"This issue for me doesn't have to do with speeding, necessarily, but as Mr. Seeber and others know, I've asked the Sheriff's Department from time to time to come out there and monitor. They tell me they do ticket at speeds above the speed limit, otherwise they wouldn't be issuing tickets and it continues to be a problem but not one that weighs heavily for me. I know it is an enforcement issue there and we'll continue to deal with that."

"The issues for me on this project first has to do with traffic and the traffic counts. Back in August of '92, the County did a traffic count out there of about anywhere from 110 cars a day to a high of 436 cars a day. In January of this year, when we did a traffic count, we have a count of anywhere from 945 cars a day, and that is the low, to 1,269 cars a day. To me, that is a huge amount of traffic to be carried on a residential street. I do worry about those kinds of numbers. The bigger issue, though, I've talked to the fire department and our EMS people. A bigger issue is the safety emergency issue. Wherein for our equipment, or anyone's equipment, whether it is Andover's responding to an incident of ours or station 38, which I know you all value as a neighbor. Heaven forbid, if something should happen to block Sharon Lane to our equipment and these are not small pieces of equipment. These are big heavy demanding units with all sorts of equipment that you are going to need. Heaven forbid something should happen at Sharon

Regular Meeting, February 2, 2000

Lane, it would be very difficult, I believe, to get to some of the far northeast part of this subdivision as quickly as you all would want it to happen. I would hate to take the responsibility of saying that someone in a critical circumstance couldn't be served because I didn't have the courage to give another ingress and egress.

"I appreciate comments or suggestions that we may want to look at another road surface to try sand or gravel, something not quite so expensive. I think what seems right to me and I'm sure some of you will disagree, is that I think we ought to look at a long term solution. I'm fearful that if we ask the township to do an interim solution, that you and your neighbors would not be satisfied with that solution very long and we'd be back discussing this yet again.

"The other issue has to do with the standards for zoning and subdivision regulations that require urban standards. That is curb, gutters, and storm sewers for proper drainage. If we're going to comply with those and there are rules and we probably ought to comply with them, that would eliminate anything, other than the road, that our public works people have recommended.

"Certainly an issue is school bus access. I know, for all of you, whether you have children in school now or whether you've had them in the past, the safety and security of your children and their ease to get to and from school is right up there at the very top of your list. I'm concerned that children have to congregate in such a limited area. If the school bus would have a loop that would be weather proof that they could use every school day of the year and be assured that they could get to and from those homes. I think that would make me feel better.

"The issue of special taxes is, of course, the issue here and who pays and why. If this were free, I don't think we'd have anybody complaining. This happens to be one of the few states left in the country that does issue special taxes for public improvements. The Public Works has tried to come up with a reasonable solution that is equitable in the total cost of paying for roads in and out of this subdivision. Some of you, who have not yet paid as high as some of your neighbors are using the streets and roadways that your neighbors have paid for in the past. So, they're trying to look for an equitable solution to the cost of public improvements. It is not always very easy. It is never something folks want to hear us talk about, but it is the way we have to do business. The only way to make it better and I know this just complicates things, because we're not prepared to do it today, but the only way to make it better, if for some reason this does not proceed, either by the vote of this Commission or by a protest petition of those people involved who can stop it with a protest petition. If for some reason it doesn't proceed, the only way to make it better is for you and your neighbors to ask the entire subdivision to split the cost and then see what happens.

Regular Meeting, February 2, 2000

"This is difficult for me. It has been very difficult because when a subdivision or a group of neighbors disagrees, it is very difficult to understand what it is they really want. There are lots of people I know in the southern part of this area who won't be paying for it, but they see the benefits because of traffic and safety and access for school buses and those kinds of things. People to the north and northeast who have to pay for it, who are obviously less enthusiastic about having to pay for it because the burden on this particular project will and does fall on them. So, one of the issues, however, that comes to bear in this is that, as Mr. Norton pointed out earlier, there are two ways to create road improvement districts in this County. One is by a petition of the neighbors, the affected neighbors, who bring a petition to us saying we see a need and we want this road to be paved.

"The other is the method we're currently using, wherein County personnel saw a need and brought this to us. Our Fire Department, our Public Works people, others said this needs to happen. We're going to ask, saying the County sees a need. No matter what the outcome is today, or particularly if we approve it, if we approve it then those folks who will be affected, those folks who are included in the road improvement district, have a right to tell us whether or not they agree with that decision.

"If I believe it is the right thing to do and I do believe that, that's couched because I don't live out there. I'm probably not going to drive on 9th Street a lot, although I will when I come to that neighborhood and certainly I don't have to pay for it nor do any of my colleagues. But if we should vote to approve this today, then this resolution has been crafted to make democracy work, because I can't possibly hear from all of your neighbors. I've heard from a lot of you but not all of you. I have not heard from everyone who is going to be affected. So, if we should approve this today, the resolution says those people in the Improvement District then have a right to bring a petition back to this Board and the majority rules, which is the way democracy is supposed to be. If we think it is the right thing to do and the majority of the neighbors think it is the wrong thing to do and don't want to do it as it has been presented to us, as we've considered it, then a petition will stop this project. Then some other solution is going to have to come from you and your neighbors, as to what the right thing to do is. Like I said, when we see a need, we crafted the resolution specifically so that if the County sees a need for an improvement but the majority of the neighbors disagree, the majority of the neighbors have the final say. Even though I think it is right, I believe there are any number of reasons that I listed for you that I believe it is the right thing to do, mine will not be the last decision. You, as those people in the Improvement District and the Road Improvement District will have the right to express whether or not you agree with me and the will of this Board, whatever that might be.

Regular Meeting, February 2, 2000

"I want to tell you that I appreciate the tone of your comments and your calls and your letters. Sometimes, when we have a divisive neighborhood issue it gets pretty testy. We've seen it in this board room and we've seen it in letters and phone calls. I want to commend both sides of this for your demeanor and your behavior. I know sometimes you have very strong feelings about it. But I am prepared to support this today, understanding that those folks who are personally affected will have the right to tell me whether or not they agree with this decision today. Thank you, Mr. Chairman."

Chairman Winters said, "Thank you, Commissioner. I see no other comments or questions? Is someone ready to make a motion?"

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Hancock seconded the Motion.

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

VOTE

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

Chairman Winters said, "At this time, we will proceed with this project."

Commissioner Gwin said, "If there are folks, then, who want a protest petition, who are not supportive of the Board's action, who do they see and what do they have to do?"

Mr. Norton said, "We anticipate that this resolution will be furnished for signature by the Commission and be published some time next week. We will then send written notification to each of the property owners that got written notification of this hearing, informing them that the resolution was adopted and providing

Regular Meeting, February 2, 2000

a copy of that and outlining the protest opportunities. I think that the proper way to do that is for one or more of these people to consult with their own legal counsel to prepare that petition. We don't want to have a situation, if there are technical problems. If they have a majority, we want that to rule. So, if that counsel would like to contact me, I'm sure we would be able to visit with that but I think they should seek their own legal counsel to do that."

Commissioner Gwin said, "Thank you, Joe. Thank you all for being here and for following this so closely."

Chairman Winters said, "Thank you, very much. Those folks who are looking for that publication might be reminded it will be in the Derby daily paper, which is the official newspaper of Sedgwick County. Thank you, Joe. This would be a normal time for us to take a break but we've got such a big agenda I'd like us to keep on going. We'll pause for just a moment while people leave the meeting room. "Madam Clerk, would you call the next item and I believe we should be at E-2."

2. CONTRACT WITH JOB READINESS TRAINING, INC. TO PROVIDE PSYCHOSOCIAL SERVICES FOR MENTALLY ILL YOUTH.

Ms. Deborah Donaldson, Director, Division of Human Services, greeted the Commissioners and said, "Commissioners, this particular contract is with the job readiness training program. This is a program that provides psychosocial groups for youth who have a serious mental illness. To help them work toward job skills and the ability to have those skills, once they are eligible for employment. I'd be glad to answer any questions. The contract is for \$40,000 and those are state funds."

Chairman Winters said, "Thank you. Commissioners, what's the will of the Board?"

MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

Regular Meeting, February 2, 2000

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

Chairman Winters said, "Next item."

3. CONTRACT WITH SOUTH CENTRAL EDUCATION SERVICE CENTER - PROJECT BRIDGE TO PROVIDE HOME- AND COMMUNITY-BASED SERVICES FOR SEVERELY EMOTIONALLY DISTURBED YOUTH.

Ms. Donaldson said, "Commissioners, this particular contract is for them to provide waiver services and those services would be attendant care, wrap around facilitation, independent living services, parent support, and respite care. I'd be glad to answer any questions."

Chairman Winters said, "Thank you. Commissioners, questions? Seeing none, what's the will of the Board?"

MOTION

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

Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Absent at vote
-------------------------	----------------

Regular Meeting, February 2, 2000

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

Chairman Winters said, "Next item."

4. CONTRACTS (TWO) WITH MENTAL HEALTH ASSOCIATION OF SOUTH CENTRAL KANSAS.

! GROUP HOME RESPITE BEDS FOR ADULT COMCARE CONSUMERS

! COMPEER: PSYCHOSOCIAL SUPPORT FOR SEVERELY AND PERSISTENTLY MENTALLY ILL CONSUMERS

Ms. Donaldson said, "Commissioners, the first contract is for group home respite beds for adults. These are adults with a serious and persistent mental illness. We do have 12 beds we purchased from them. These are for individuals coming home from the state hospital and it gives them an opportunity to find an apartment or other living situation. They are also used when people end up in some kind of crisis situation and we need to put them in a more stable and supervised environment, so we can work through that. These beds cost \$143,800, and \$91,958 are County funds and \$51,842 are state funds.

"The second contract is for COMPEER. This is a mentoring and support program for adults with a serious mental illness for \$21,500 and those are County funds. I'd be glad to answer any questions."

Chairman Winters said, "Thank you. Commissioners, questions or comments?"

Regular Meeting, February 2, 2000

MOTION

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

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

5. AGREEMENTS (FIVE) FOR 2000 PREVENTION FUNDING.

- ! BOYS AND GIRLS CLUB OF SOUTH CENTRAL KANSAS, INC.: \$97,000**
- ! COMMUNITIES IN SCHOOLS OF WICHITA/SEDGWICK COUNTY, INC.: \$144,000**
- ! KANSAS SCHOOL FOR EFFECTIVE LEARNING: \$93,000**
- ! WICHITA A.C.T.S ON TRUANCY: \$165,000**
- ! EPISCOPAL SOCIAL SERVICES, INC.: \$43,440**

Ms. Donaldson said, "Commissioners, these are five of the contracts for prevention funds. The first one is with the Boys and Girls Club of South Central Kansas for \$97,000. This program works with suspended and expelled students, in terms of getting them back in school, keep them current with grade levels, and following them after they've returned to school to make sure there is a successful transition.

Regular Meeting, February 2, 2000

The second is Communities in Schools. It is \$144,000. Their program connects families and children with needed resources, no matter what that may be for them to succeed, whether that be tutoring or mental health or mentoring or any of a variety of other services. The third is the Kansas School for Effective Learning or KANSEL. That is \$93,000. They work with individuals who are not in school, who need to obtain their GED or other education to work towards employment. This is often the only alternative that many of these individuals have. The fourth is Wichita A.C.T.S. on Truancy, \$165,000. They actively work on truancy issues and keeping people in school. Then the fifth, Episcopal Social Services, \$43,440. That particular program is a shoplifting program dealing with those first time shoplifters and helping them work through those issues, so we don't see them again in the court system. I'd be glad to answer any questions."

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

Commissioner McGinn said, "Debbie, I was looking in the back-up material, KANSEL, it says youth can obtain a GED or diploma. I guess somebody shared some information, a few weeks ago, that there wasn't any place to get a diploma. Is it correct that you can get a high school diploma at KANSEL?"

Ms. Donaldson said, "I'm going to let Jeannette answer that."

Ms. Partridge said, "I think there are some kids who don't qualify for the GED, maybe because of age. The majority of kids that come through that program get the GED but, I do believe, they help some work toward their diploma."

Commissioner McGinn said, "I'd like to know if KANSEL offers a high school diploma."

Ms. Partridge said, "I think they offer service to help them get the diploma. I don't think they can grant the diploma."

Commissioner McGinn said, "The State would have to do that, but that's what I'm getting at. Thank you."

Chairman Winters said, "Thank you, Commissioner. Commissioners, you've heard about the agreements, what's the will of the Board?"

MOTION

Regular Meeting, February 2, 2000

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

Commissioner McGinn seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

6. AGREEMENT WITH DIANE OVERSTREET, MOT, OTR TO PROVIDE OCCUPATIONAL THERAPY SERVICES.

Ms. Donaldson said, "Commissioners, this particular contract is for \$26,000. Those are state funds. This individual helps adults with a serious mental illness learn daily living skills and kinds of things you need to know to live in an apartment, to live in the community. She also works with staff and teaches them the best way to approach individuals to develop these, not only our staff but the staff of affiliates, and also supervise any OT students that come to our program. I'd be glad to answer any questions."

Chairman Winters said, "Thank you. Commissioners, questions or comments? What's the will of the Board?"

MOTION

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

Commissioner Hancock seconded the Motion.

Regular Meeting, February 2, 2000

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

VOTE

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

Chairman Winters said, "Next item."

7. GRANT AWARD CONTRACT WITH KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES, DIVISION OF HEALTH CARE POLICY, FUNDING A COMMUNITY INTEGRATION PROJECT.

Ms. Donaldson said, "Commissioners, this grant is for \$12,000 from the State. These are one time funds to be used for purposes to help individuals coming from the State hospitals to settle in the community. I would recommend your approval."

MOTION

Commissioner Hancock moved to approve the Grant Award Contract and authorize the Chairman to sign.

Commissioner Gwin seconded the Motion.

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

VOTE

Regular Meeting, February 2, 2000

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

Chairman Winters said, "Thank you, Debbie. Do you have an Off Agenda item?"

MOTION

Chairman Winters moved to take an Off Agenda item considering response to the City's request for proposals requiring special liquor tax funds.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, "Thank you. Debbie."

Ms. Donaldson said, "Commissioners, this proposal allows for oversight of the liquor tax dollars and to monitor agencies who receive them to make sure they are setting and meeting appropriate outcomes for these goals. I would request your approval of this proposal."

MOTION

Commissioner Sciortino moved to approve the proposal.

Regular Meeting, February 2, 2000

Commissioner Hancock seconded the Motion.

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

VOTE

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

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

8. AGREEMENTS (EIGHT) FOR LEVEL I CARE ASSESSOR.

- ! KATHRYN COIT**
- ! CINDY CRANGLE**
- ! NORMA FRY**
- ! KYLE JONES**
- ! WILMA LOGANBILL**
- ! JODY LUJAN**
- ! DEBBIE MCCLELLAN**

Regular Meeting, February 2, 2000

! LISA PARKER

Ms. Annette Graham, Director, Department on Aging, greeted the Commissioners and said, "These eight contracts that I bring you are contracts that cover the client assessment referral evaluation program, which is a state mandated program. These are assessor contracts are for Kathryn Coit, Cindy Crangle, Norma Fry, Kyle Jones, Wilma Loganbill, Jody Lujan, Debbie McClellan, and Lisa Parker. The program is fully funded through reimbursement from the State at a unit cost per assessment. No County funds are being requested."

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

MOTION

Commissioner Hancock moved to approve the Agreements and authorize the Chairman to sign.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Commissioner Hancock said, "Thank you, Annette. Next item."

F. LAKE AFTON PARK.

- 1. AGREEMENT WITH KANSAS SOARING SOCIETY FOR USE OF LAKE AFTON PARK JUNE 23-25; AUGUST 12; OCTOBER 14; AND NOVEMBER 4, 2000 TO HOLD RADIO CONTROL GLIDER CONTESTS.**

Regular Meeting, February 2, 2000

Mr. Jarold D. Harrison, Assistant County Manager, greeted the Commissioners and said, "This is a first request by this organization for use of Lake Afton Park for radio control glider contests. This organization is insured and governed by the same national organization that the Wichita Radio Control Club is governed by, who we also have a use agreement for a powered flight at the park. I would recommend your approval."

MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

2. AGREEMENT WITH MIDWEST KARTING ASSOCIATION FOR USE OF LAKE AFTON PARK MAY 6-7 AND SEPTEMBER 9-10, 2000 TO HOLD ENDURO KART RACES.

Mr. Harrison said, "This request is from Midwest Karting Association. We've had go-kart races at Lake Afton for a period of years. This is a renewal of an Agreement that we've had with them for several years. We would recommend your approval."

Chairman Winters said, "Thank you. Any questions?"

MOTION

Regular Meeting, February 2, 2000

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

Commissioner McGinn seconded the Motion.

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

VOTE

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

Chairman Winters said, "Thank you, Jerry. Next item."

G. AGREEMENT WITH MANAGEMENT PARTNERS, INC. TO PROVIDE MANAGEMENT CONSULTING SERVICES.

Ms. Allison Ohlman, Management Intern, greeted the Commissioners and said, "Sedgwick County recently completed its 1999 contract with Management Partners. We would like to present the 2000 contract to you. It is identical to the 1999 contract, except that it is for \$75,000 instead of \$50,000. They provided services for several of our departments and had a lot of positive results."

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

Commissioner McGinn said, "This is the second year we've used this company and how many units did we use last year?"

Ms. Ohlman said, "Last year we used 20 units. That's why I think we've increased their request for this year."

Commissioner McGinn said, "Who decides the units? Do they come before you and say this will take three units before we go ahead?"

Ms. Ohlman said, "Yes. The Manager will review those proposals and it is kind of an agreement

Regular Meeting, February 2, 2000

between Management Partners and the Manager."

Commissioner McGinn said, "Okay, thank you."

Ms. Ohlman said, "Any other questions?"

Chairman Winters said, "I see no other questions. Commissioners, what's the will of the Board?"

MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

H. CONTRACT MODIFICATION NUMBER THREE WITH SCHAEFER JOHNSON COX FREY AND ASSOCIATES FOR WORK ASSOCIATED WITH THE ADDITION AND REMODEL OF THE SEDGWICK COUNTY ADULT DETENTION FACILITY. CIP #1996 PB-258.

Ms. Stephanie Knebel, Project Manager, Facility Planning & Remodeling Department, greeted the Commissioners and said, "The agenda item this morning requests your approval for contract modification number three with Schaefer, Johnson, Cox, Frey. We signed a contract with them in 1993 for work related to the addition and remodel of the Adult Detention Facility. We have come back to you twice before, once in '95 for a \$22,000 contract modification and once in 1996 for an \$840,000 modification.

Regular Meeting, February 2, 2000

This request is in the amount of \$148,189 and it reflects work that Schafer Johnson did for the County, specifically working with us and through us on our church relocation as related to the expansion. They provided some video tape. They also did some preliminary studies for us to ensure that electrical and mechanical systems were in place in the event that another expansion is every needed. This contract can be paid from the project budget within the jail bond money and I request your approval."

Chairman Winters said, "Thank you. Stephanie, where does this then put us on the Jail Adult Detention Facility project? I know we just completed the finalization with Law Company and now with the architects."

Ms. Knebel said, "I believe this will be the last time I come in front of you for a contract modification. I still have probably six or seven purchase orders that are outstanding. I will be closing that project out by April 1 to meet our bond issue obligations. As far as an end of project report, I believe that we will still be under our budget by around \$250,000."

Chairman Winters said, "Okay, very good. Commissioners, questions or comments? I wasn't here when the original portion of this jail was constructed, but I've heard the stories from some of you who were here. Again, I think one of the reasons that we've had such a good project here is by the quality and type of professional services we've had, which has included Schaefer, Johnson, Cox and Frey and the Law Company both. I think they've done extraordinary work. I don't think we could be more pleased with the result. Commissioners, you've heard the proposed action, what's the will of the Board?"

MOTION

Commissioner Gwin moved to approve the Contract Modification.

Commissioner Hancock seconded the Motion.

Chairman Winters said, "Commissioner Sciortino."

Commissioner Sciortino said, "Mr. Buchanan, I assume when we budgeted for that Detention Facility, the full amount that we were budgeting for we bonded. Is that how we got the money?"

Regular Meeting, February 2, 2000

Mr. Buchanan said, "We did it in two phases, but yes."

Commissioner Sciortino said, "Well, we come in \$250,000 under budget, do we make a payment against that debt or what do we do with that money?"

Mr. Buchanan said, "There are several things that can be done with that money. One of the things that could be done would be, if there are additions to the project that we left out or equipment that could be legitimately purchased, we could look at that. The second thing we could do is to return that money to the bond and interest account which would do an advance payment. Whether that would be in our fiscal advantage to do that, we need to examine. Or leave it in reserve, in that account just to make the next payment and then not use the monies that were budgeted or replace the money used that would be budgeted in future years. There are several things that we can do with that. Mostly, it would be used to pay off the debt early, if that is advantageous to us. We will bring a report back to you when we know the final number."

Commissioner Sciortino said, "Thank you, very much."

Chairman Winters said, "Thank you. Any other discussion? Seeing none, call the vote."

VOTE

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

Chairman Winters said, "Thank you, Stephanie. Thank you, Joe for sitting through our long meeting. Next item, and I believe we've had Item I, J and K, so we're at Item L."

L. KANSAS COLISEUM MONTHLY REPORT.

Mr. John Nath, Director, Kansas Coliseum, greeted the Commissioners and said, "You may have to bear with me a little bit. We're having a little technical difficulty, which I'll try to work around. The report today is on December of 1999. However, we may want to recap the year a little bit and talk about how we performed last year and some of the things that we've been able to do."

Regular Meeting, February 2, 2000

"Last year, 1999, was a good year for the Coliseum. A lot of things happened. We got a new concessionaire. We signed our third major franchise, our third major tenant with the War Lords. We developed something through the concessionaires agreement that allows us to expand our event calendar. The concessionaire is fronting a promotions account which allows us to buy talent, which I'll get into a little bit later in the presentation. Again, December of '99 was a good month. We had over 45,000 people attend events at the Coliseum from 15 events. Our net revenues were in excess of \$115,000. One of the highlights of the month was the Amy Grant concert. This was one of our first in-house promoted Christmas shows, very well received. She was accompanied by the National Symphony. Just a really good event. The production values were tremendous. We hope to be able to prevent something now every December, in a Christmas theme, bringing in a big name entertainer and doing a show.

"We also had almost 10,000 people attend soccer games during the month of December and over 25,000 people attend hockey games. That's because there are more hockey games during the month than there were soccer. As I was talking about, it was a year of firsts. There were three events that we presented during the year, the indoor football exhibition game, the George Jones concert, and the Amy Grant concert that drew over 13,000 people. Now, these three events would never have occurred had we not had that promotion account. It is so tough for promoters today to take what they would consider a low return event or a marginal event, not every event can be Elton John. The business of promoting events in this country has changed dramatically over the last ten or fifteen years. It used to be where a promoter could rely on 30% of the proceeds for his investment in the event. The Elton John promoter probably has a \$500,000 worth of risk out there in putting on the show with the chance of maybe making \$20,000. So that risk to return is really tough.

"What has happened is that promoters around the country have joined forces. They've been purchased by SFX or Universal Concerts, who are now doing business under the House of Blues name. They've gotten together where they are now building owners. They own arenas. They own amphitheatres. They can no longer rely just on ticket sales to do their business. They have to have those ancillary revenues, parking, ticketing revenue, concessions. They have to have that because the deal with the acts right now is that there is not a big margin. They take a lot of risk with very little chance of return. We took the risk on these three events. We pulled in over 13,000 people, as I said.

"Now, lets look a little bit at how that worked out financially. We had over \$288,000 in ticket sales.

Regular Meeting, February 2, 2000

Now, if we were just the promoter and forget about the first line and lets concentrate on that. If we're just the promoter, that's what we would have to live on. As a promoter, \$288,000, we made \$12,000, as a promoter. So our return there was very small for that big figure. However, as the house, we also had almost \$42,000 in food and beverage. We had over \$20,000 in ticketing fees and over \$5,000 in parking. Once we looked at the program, those three events, we netted incomes of \$60,000 by having the ability to go out and proactively buy our own events.

"We're also looking at some very interesting trends that happened from 1988 to 1999. The business on the phones and the Internet has really taken off. In 1998, we did very well. We did a little over 30,000 some tickets. We did almost 40,000 tickets in 1999, an increase of 16% or almost 7,000 tickets more in 1999. But look at the dollar volume. The dollar volume is up over \$238,000. That is because the average ticket price in '98 was \$21. The average ticket price in '99 was \$24. That increased tremendously. We're up 26% on the phones.

"For Elton John, we had almost 500,000 hits on January 17, on our web site, crashed the site, just way too much. We've been averaging maybe 100,000 a month. For the month of January, we had 1,000,000. So the interest was there. That's where the business is going and we are going to continue to look at product and the technology which will allow us to be on the Internet real time. If we're on the Internet real time, Elton John would have sold out in three minutes rather than the 40 it took. That's where our industry is going. That's where our business is going. That's one of the reasons why promoters are now looking at owning real estate and becoming houses, so they can rely on concessions and those other revenues because the industry has really adapted and it has really changed. The promoters have consolidated and became building owners because they've adapted to the change and the cost of the talent. We've got some pretty exciting things coming up this year. If there are any questions, I'd be happy to answer them at any time."

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

Commissioner Sciortino said, "Mr. Chairman, thank you. Just one real quick question, John. Is there any concern on your part, I think it is smart on their part to vertically integrate their business, that we may be, some time in the future, competing against owned and operated facility in close proximity to where we're at?"

Mr. Nath said, "That could always be a possibility. That's one of the reasons we want to be proactive. We want to be that promoter that also owns and operates the facility. We've taken a very baby step here by doing three events. We hope to do five or more in 2000. We're trying to position ourselves at this

Regular Meeting, February 2, 2000

market."

Commissioner Sciortino said, "So you're acting right now, anticipating."

Mr. Nath said, "Yes. We're trying to foresee it and we're trying to react to it."

Commissioner Sciortino said, "Thank you. That's all I have."

Chairman Winters said, "Okay, thank you. I see no other questions."

MOTION

Commissioner Hancock moved to receive and file.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, "Thank you, John. That was a very good report. Next item."

M. COMMUNITY HEALTH DEPARTMENT MONTHLY REPORT.

Mr. Charles Magruder, MD, MPH, Director of Community Health, greeted the Commissioners and said, "Let me just impart three items to you that will be involved in some upcoming discussions with the State. The first is related to our immunization program. I think you will see in our monthly report a draft that shows our progress in that area. Specifically, with what we call WIC/IAP. We're continuing to see

Regular Meeting, February 2, 2000

increased immunization rates regarding the population that we serve directly. We will be having a meeting with the State Epidemiologist next week to formally examine our progress in that program and to determine the possibility of additional funding.

"I should also relate to you regarding our TB program. The state has sent us a proposal that would allow \$104,000 in funding for calendar year 2000. That is in addition to \$12,000 that they provide during the State fiscal year for indigent services. That is a proposed increase from the \$60,000 that they provided last year in addition to the \$12,000 for indigent services. The year prior to that we had received no additional money. We hope to meet again with the State officials next week to finalize that agreement.

"Finally, to make you aware that the State has initiated discussions with us regarding our role in the inspection of foster care homes. That discussion has reached the point of examining budgets and specific responsibilities. Those discussions will be going on over the next two to three weeks. I'll be happy to answer any questions."

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

Commissioner McGinn said, "In lieu of a lagoon, the new proposal for household site sewage treatment involves an aeration tank. It looks like we're going to look at something different maybe?"

Dr. Magruder said, "Yes, my understanding of that, as I believe was explained when we had the joint meeting with the KDHE officials, this is an idea that has been utilized somewhat extensively in Johnson County. We are going to examine it here and see how it functions. I think the staff in our water quality department are very optimistic about what we will find with that experiment."

Commissioner McGinn said, "Do you know when it will begin?"

Dr. Magruder said, "No, I do not, but I will get that detailed information back to you this afternoon."

Commissioner McGinn said, "Thank you."

Chairman Winters said, "Thank you. Any other questions or comments?"

MOTION

Commissioner Gwin moved to receive and file.

Regular Meeting, February 2, 2000

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Chairman Winters said, "Thank you, Dr. Magruder. Next item."

N. SELECTION OF ONE REPRESENTATIVE AND ONE ALTERNATE TO SERVE ON THE REGIONAL ECONOMIC AREA PARTNERSHIP (REAP).

Chairman Winters said, "Commissioners, we are a member of the Regional Economic Area Partnership known as REAP. Past Chairman Hancock was a representative to that organization, our official designee. We need to select a designee for this year and one alternate. I'm open to suggestions."

MOTION

Commissioner Hancock moved that Chairman Winters serve as the designee and the Manager serve as the alternate.

Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Aye

Regular Meeting, February 2, 2000

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

Chairman Winters said, "Next item."

2. AUTHORITY TO AWARD CONTRACT ON KANSAS DEPARTMENT OF TRANSPORTATION PROJECT NO. 81-87 K-7098-01, SEDGWICK COUNTY PROJECT NO. 634-821; SIGNAL REPLACEMENT AT 63RD STREET SOUTH AND BROADWAY. CIP# I-76. DISTRICT #2.

Mr. Spears said, "Item O-2 is similar to the previous item. It is the authority to award contract commitment of County funds for the Kansas Department of Transportation. This is for the replacement of a signal and new left turn lanes on Broadway at 63rd Street South, designated as I-76 in the Capital Improvement Program. The low bidder was Wittwer, Incorporated, out of Wichita at \$388,613.19. Sedgwick County's share will be 5% of construction plus a small percentage for construction engineering totally \$20,887.96. I recommend that you approve the authority to award contract and authorize the Chairman to sign."

Chairman Winters said, "Thank you, David."

MOTION

Commissioner Hancock moved to approve the Authority to Award Contract and authorize the Chairman to sign.

Commissioner Gwin seconded the Motion.

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

VOTE

Regular Meeting, February 2, 2000

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

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

P. PURCHASING DEPARTMENT.

1. RECONSIDERATION OF ITEMS 6 AND 7 OF THE BOARD OF BIDS AND CONTRACTS' NOVEMBER 23, 1999 MEETING: PERSONAL COMPUTER HARDWARE AND SOFTWARE - INFORMATION SERVICES/PURCHASING.

! GATEWAY

! DELL

Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, "As noted, items 6 and 7 were deferred from the November 29 meeting of the Board of County Commissioners. I visited with you previously and I would like to request approval for item 6, which is an extension of a contract with Gateway computer hardware. The estimated cost is \$250,000 through June 30, 2000. Also item 7, which is a contract with Dell personal computer hardware and software, estimated amount of \$250,000, also through June 30, 2000. There is a memo following, outlining the recommendation. Be happy to take questions."

Chairman Winters said, "Thank you, Darren. Questions or comments? If not, what's the will of the Board?"

Regular Meeting, February 2, 2000

MOTION

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

Commissioner McGinn seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

2. REPORT OF THE BOARD OF BIDS AND CONTRACTS' JANUARY 20 AND JANUARY 27, 2000 REGULAR MEETINGS.

Mr. Muci said, "You have Minutes from the January 20 meeting of the Board of Bids and Contracts. There are just three items for consideration.

**(1) HAZARDOUS WASTE PLAN- ENVIRONMENTAL MANAGEMENT
FUNDING: ENVIRONMENTAL MANAGEMENT**

"Item one, hazardous waste plan for Environmental Management. This was a request for information. There were two responses received from this solicitation. They are being reviewed by a committee. This is just to receive and file.

**(2) RISK MANAGEMENT APPLICATION- RISK MANAGEMENT
FUNDING: RISK MANAGEMENT**

"Item two is a risk management application for Risk Management. It was recommended to accept the

Regular Meeting, February 2, 2000

proposal of DORN Technology Group. That amount, \$69,995. There is complete tabulation and a summary of recommendation attached.

**(3) SCAN STATION MAINTENANCE- SHERIFF'S DEPARTMENT
FUNDING: SHERIFF'S DEPARTMENT**

"Item three, scanner maintenance for the Sheriff's Department. It was recommended to accept the sold source bid of Printrak International. This amount, \$20,747. It is through January 18 of the year 2001. Printrak is the publisher of this particular application. There were no items tabled and I recommend approval of the minutes from the January 20 meeting of the Board of Bids and Contracts."

Chairman Winters said, "Thank you, Darren. Are there questions or comments? If you'd like to proceed with the 27th, we'll take them together."

Mr. Muci said, "We'll do. On January 27, there were two items for your consideration."

**(1) HARDWARE MAINTENANCE, PRINTERS - DIVISION OF INFORMATION & OPERATIONS
FUNDING: DIVISION OF INFORMATION & OPERATIONS**

"Item one, hardware maintenance for printers for the Division of Information and Operations. It was recommended to accept the sole source bid of Xerox Corporation. That amount, \$116,295. Xerox is the manufacturer of those printers."

**(2) SOFTWARE MAINTENANCE, DATA CENTER - DIVISION OF INFORMATION & OPERATIONS
FUNDING: DIVISION OF INFORMATION & OPERATIONS**

"Item two, software maintenance, also for the data center and the Division of Information and Operations. It was recommended to accept that sole source bid of IBM Corporation. That amount, \$533,411."

ITEMS NOT REQUIRING BOCC ACTION

**(3) PERSONAL COMPUTERS - DIVISION OF INFORMATION & OPERATIONS
FUNDING: DIVISION OF INFORMATION & OPERATIONS**

Regular Meeting, February 2, 2000

"There was one item that was tabled, personal computers for the Division of Information and Operations. Those bids are being reviewed. I'll be happy to take questions and recommend approval of Minutes from the January 20 and 27 meeting."

MOTION

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

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Chairman Winters said, "Thank you, Darren. Next item."

CONSENT AGENDA

Q. CONSENT AGENDA.

1. Right-of-Way Agreements.

- a. One Easement for Right-of-Way for Sedgwick County Project No. 807-K, L, N ½ M; Maize Road between 21st and 45th Street North. CIP #R-246. Districts #3 and #4.
- b. Two Easements for Right-of-Way and two Temporary Construction Easements for Sedgwick County Project No. 624-11-3516; 23rd Street South between 231st and 247th Streets West. CIP # B-344. District #3.

Regular Meeting, February 2, 2000

- c. Two Easements for Right-of-Way for Sedgwick County Bluestem Acres; located near 61st Street North and 247th Street West. District #3.

2. Section 8 Housing Assistance Payment Contracts.

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V2007	\$210.00	2	Springcreek Apts.
V2003	\$298.00		Kevin and Tammey Beatson
V2008	\$183.00	5	Cottage Grove
V2009	\$244.00	2	Springcreek Apts.

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>
V98009	\$382.00	\$464.00
V96003	\$101.00	\$99.00
V99065	\$000.00	\$150.00
V97048	\$205.00	\$206.00
V98039	\$205.00	\$206.00
C99005	\$319.00	\$312.00
V97061	\$231.00	\$330.00
V99038	\$260.00	\$377.00
V99084	\$94.00	\$116.00
V99044	\$113.00	\$000.00
C98051	\$208.00	\$204.00
V98043	\$337.00	\$350.00

Regular Meeting, February 2, 2000

- 4. Agreements (two) with Rusty Eck Ford and Alexander, Floodman and Casey to provide on-line access to Sedgwick County's electronic data.**
- 5. Letter to Superior EMS Service, Inc. canceling an Agreement for transportation service.**
- 6. Application for License to Retail Cereal Malt Beverages.**

Applicant Name

d/b/a

Levi J. Trotter

Red Rooster Inc.

- 7. Plats.**

Approved by Public Works. The County Treasurer has certified that taxes for the year 1999 and prior years are paid for the following plats:

Seery's First Addition
Vina Del Rey Estates Addition
Four Oaks Addition
Timberwolf Addition

- 8. Pollworkers Payroll Check Register of January 20, 2000; Payroll Check Registers (two) of January 21, 2000; and Payroll Check Register of January 31, 2000.**
- 9. General Bills Check Registers of January 21 and January 28, 2000.**
- 10. Orders dated January 19 and January 26, 2000 to correct tax roll for change of assessment.**
- 11. Budget Adjustment Requests.**

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

Regular Meeting, February 2, 2000

MOTION

Commissioner Gwin moved to approve the Consent Agenda as presented.

Commissioner Hancock seconded the Motion.

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

VOTE

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

Chairman Winters said, "If there is no other business at this time, I'm prepared to recess this meeting. I'll call the meeting back to order. Is there other business?"

R. OTHER

MOTION

Commissioner McGinn moved that the Board of County Commissioners recess into Executive Session for 5 minutes to consider consultation with Legal Counsel on matters privileged in the Attorney Client relationship relating to pending claims, litigation, and legal advice, and that the Board of County Commissioners return from Executive Session no sooner than 11:55 a.m.

Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye

Regular Meeting, February 2, 2000

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

Chairman Winters said, "We're in Executive Session for five minutes."

The Board of Sedgwick County Commissioners recessed in Executive Session at 11:50 a.m. and returned at 12:01 p.m.

Chairman Winters said, "We're back in session. Let the record show that no binding action was taken in Executive Session. Mr. Euson."

Mr. Euson said, "While in Executive Session, we discussed two cases and we're proposing settlements in each one. They would require separate action. The first of those cases is a case involving Mary Fisher versus the Board of County Commissioners. In that case, we are recommending to you that we enter into a settlement in the amount of \$47,500 in exchange for a settlement and dismissal of the case. That is our recommendation."

MOTION

Commissioner Hancock moved to enter into a settlement in the amount of \$47,500 with Mary Fisher in exchange for settlement and dismissal of the case.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Mr. Euson said, "Commissioners, the second case discussed is a case of long standing, Dillon Company

Regular Meeting, February 2, 2000

versus the Board of County Commissioners. In that case, we are recommending a settlement of \$330,000 with Dillon Companies and \$7,554.71 to ABC Rent to Own. We make that recommendation to you."

Chairman Winters said, "Thank you. Before we take a motion and vote on this, I would like to make a couple of quick comments. If we remember, back in 1990, the Sedgwick County Appraiser's Office began a process to more aggressively pursue escaped personal property taxes from several local businesses. The purpose of this effort was to encourage businesses to report all their personal property, thus ensuring that each business pay its fair share, so ordinary citizens would not have to make up for any lost personal property taxes. Dillons and ABC Rent to Own paid their escaped property taxes in protest, disputing Sedgwick County over the amount. The Board of Tax Appeals and the Courts ultimately ruled in favor of Dillons and ABC Rent to Own. The legislature has also passed new laws relating to exempt personal property tax since this program was initiated. Today, we've been presented and as a result of the court rulings and the changes in law, Sedgwick County, I believe, should return the \$330,000 to Dillons and the \$7,554 to ABC Rent to Own.

"The pursuit of escaped personal property taxes was established to help ensure a fair and equitable system for the citizens and businesses of Sedgwick County. The Sedgwick County's Appraiser's Office continues to work closely with business in our community, help them understand what types of property taxes must be reported. Commissioners, with those few comments, I would entertain a motion concerning these two settlements."

MOTION

Commissioner Hancock moved to approve both the settlements.

Commissioner Gwin seconded the Motion.

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

Regular Meeting, February 2, 2000

VOTE

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

Chairman Winters said, "Thank you. Is there any other business to come before this Board? Seeing none, we're adjourned. Thank you."

S. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 12:04 p.m.

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

THOMAS G. WINTERS, Chairman
Third District

BETSY GWIN, Chair Pro Tem,
First District

BILL HANCOCK, Commissioner,
Second District

CAROLYN MCGINN, Commissioner,
Fourth District

Regular Meeting, February 2, 2000

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

James Alford, County Clerk

APPROVED:

, 2000