

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

### **REGULAR MEETING**

**August 9, 2000**

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., on Wednesday, August 9, 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 Betsy Gwin; Commissioner Bill Hancock; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Mr. Joe Kisner, Chief Attorney, Consumer Fraud and Economic Crime Division, District Attorney's Office; Ms. Jane Moralez, Compensation Specialist, Division of Human Resources; Mr. David Spears, Director, Bureau of Public Works; Mr. Darren Muci, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and Lisa Davis, Deputy County Clerk.

### **GUESTS**

Mr. Bill Guoloddle, 10330 W. 93rd Street North, Valley Center, Ks.

Ms. Willamae N. Elder, 10330 W. 93rd Street North, Valley Center, Ks.

Mr. Russell Knowles, 10240 W. 93rd Street North, Valley Center, Ks.

Ms. Nancy Knowles, 10240 W. 93rd Street North, Valley Center, Ks.

### **INVOCATION**

The Invocation was led by Bishop Rex Owens of the Church of Jesus Christ of Latter-day Saints.

### **FLAG SALUTE**

### **ROLL CALL**

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

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**CONSIDERATION OF MINUTES:**

Regular Meeting, July 5, 2000  
Regular Meeting, July 12, 2000  
Special Meeting, July 11, 2000  
Special Meeting, July 14, 2000

The Clerk reported that Commissioner Hancock was absent at the Regular Meeting of July 5th, 2000 and that all Commissioners were present at the Regular Meeting of July 12th, 2000, the Special Meeting of July 11th, 2000 and the Special Meeting of July 14th, 2000.

**MOTION**

Commissioner McGinn moved to Approve the Minutes of July 5th, 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	Abstain
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "Commissioners, what's the will concerning the Regular Meeting July 12th, the Special Meeting July 11th, Special Meeting July 14th?"

**MOTION**

Commissioner McGinn moved to Approve the Minutes of the Regular Meeting of July 12th, 2000, and the Special Meetings of July 11th and July 14th, 2000.

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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, “Commissioners, I have an Off Agenda item I’d like to take up, concerning the Proclamation for the Military Order of Purple Heart week.

**MOTION**

Chairman Winters moved to take an Off Agenda Proclamation.

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**

**Chairman Winters** said, “Commissioners, I’d like to read this Proclamation for your consideration.

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**PROCLAMATION**

**WHEREAS**, representing the finest this nation has to offer, the members of our armed forces have given everything of themselves in defense of the independence and democracy that we hold so dear; and

**WHEREAS**, in remembering these heroic men and women, it is with profound respect and solemn appreciation that we single out those who paid an extreme price. They are the soldiers who were wounded in combat while defending their country; and

**WHEREAS**, on August 7, 2000 the flag of the United States were flown as a symbol of our nation's covenant with those who defend us- the brave individuals who have earned our everlasting gratitude.

**NOW THEREFORE BE IT RESOLVED**, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim August 7-11, 2000 as

**“MILITARY ORDER OF THE PURPLE HEART WEEK”**

and encourage all citizens in honoring all combat wounded veterans as a result of their dedicated service to our great country.

“Commissioners, that is the proclamation. What's the will of the Board?”

**MOTION**

Commissioner Hancock moved to adopt the Proclamation.

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

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Commissioner Ben Sciortino  
Chairman Thomas G. Winters

Aye  
Aye

**Chairman Winters** said, "I believe we have Charles Wasyk here to accept this proclamation. Is Charles here? All right, we'll see that this proclamation gets to him. If he should come in just a little later, please let him know. All right, we're back on schedule. Madam Clerk, read the next item."

### **YOUR COUNTY SERVICES**

#### **A. DIVISION OF FINANCE.**

**Chairman Winters** said, "Each week we take a few moments to hear a few details from a specific County department to learn a little bit about what some of our employees are involved in. So, today we're going to talk about Finance Department."

**Mr. Darren Muci**, Purchasing Director, greeted the Commissioners and said, "We should also note that riveting means something different to the rest of you than it does to the Division of Finance folks, so we'll just bore you to tears."

**Mr. Phil Hanes**, Management Analyst, Division of Finance, greeted the Commissioners and said, "We'd like to talk about a few of the services that the Department provides. The Division of Finance consists of four departments. Darren, of course, is representing the Purchasing Department. I represent the Budgeting Department. We also have Accounting and Risk Management and between the four departments in the division we develop long-range financial plans to assure short-term decisions not impair the County's financial condition over the long-term."

**Mr. Muci** said, "In about two minutes, you will see an example of a balanced budget and we make sure that we stick to it."

**Mr. Hanes** said, "We also protect County assets and employees, through a combination of self-insurance programs, insurance coverages and aggressive claims management."

**Mr. Muci** said, "We do an outstanding job of working with the departments to buy everything that is needed in a timely basis."

**Mr. Hanes** said, "We invest idle funds to generate non-tax revenues and we monitor grants and pay all the County's bills, including the most important, County payroll."

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**Mr. Muci** said, "Very important. And, of course, we keep score. We provide you, and County staff, and the citizens and our taxpayers with monthly and annual financial reports, to make sure that the money is going where it's supposed to be going."

**Mr. Hanes** said, "And recently, we've had a number of successes in the Division of Finance that we'd like to highlight, just briefly for you. The first you've heard about is our AAA bond rating. Bond rating agencies evaluate cities and counties throughout the country on their financial condition, and AAA is the highest rating that a municipality can receive on its financial stability and ability to repay bonds. And we've achieved that from one of the three rating agencies. In fact, two of the three rating agencies gave us upgrades this year."

**Mr. Muci** said, "We've also recently implemented the first ever county investment policy, due to the diligence of our Chief Financial Officer, Chris Chronis and the County Controller, Daryl Gardner."

**Mr. Hanes** said, "And we've been working with providing county services in new and different ways, particularly web-based services. We've now got the budget process on the Internet. People can view the County's proposed and recommended budgets on-line and we've also recently conducted the first web-based bond sale in the State of Kansas."

"We've also . . . the GFOA distinguished budget presentation award we've had for seventeen consecutive years. In fact, we've just received that again for this year. So, wanted to make that announcement. And also, the Comprehensive Annual Financial Report (CAFR) award from the Government Finance Officers Association. We've now received that for eighteen years in a row."

**Mr. Muci** said, "And on the purchasing side, Commissioners, a couple of projects. First, the County is in its second year of the first local website that posted all requests for bids and proposals. I expect to be taking a little bit of that knowledge with me to the Wichita Public Schools here in the next week or two. And also, I am Co-Chair of a travel initiative, which we hope to be lobbying the airlines to provide lower airfare rates for local governmental entities. So, a couple of things that Purchasing does."

**Mr. Hanes** said, "If people in the audience need to contact the Division of Finance, we're located on the eighth floor here in the Main County Courthouse. You can reach us through the main Finance number at 383-7591 and, Commissioners, we'd be happy to answer any questions you might have."

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**Chairman Winters** said, "All right, thank you. Commissioner McGinn."

**Commissioner McGinn** said, "Yes, I just wanted to say thank you for putting it on-line. I know people want more and more information. And when you look at a book like this, it's like trying to distribute a phone book and then after people use it, throwing it away and what a waste of paper and time and everything else. So, I think that it's great that it's on our webpage. I went to it the other day and you can just look up whatever you want and you're there. So, good job."

**Mr. Hanes** said, "Thank you."

**Chairman Winters** said, "All right, Commissioners, any other questions?"

**Commissioner Hancock** said, "I just wanted to ask Phil. Phil, this is the day that we approve our annual budget, so what are you going to do next, after we get done?"

**Mr. Hanes** said, "I'm leaving."

**Commissioner McGinn** said, "Isn't that strange that both of them are leaving?"

**Mr. Hanes** said, "I think that's why we got suckered into doing this this morning. This is the last day for both Darren and myself."

**Mr. Muci** said, "Chris made it very clear that he was still our boss until 9:15 this morning."

**Commissioner Gwin** said, "Well, we wish you both well."

**Chairman Winters** said, "We certainly do. We have certainly appreciated all of the work that you've both provided for Sedgwick County and we wish you the best success in your new endeavors. Thank you. Commissioners, do we have a Motion to receive and file?"

### **MOTION**

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Commissioner McGinn moved to Receive and file.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "All right, next item."

**PUBLIC HEARING**

**B. PUBLIC HEARING REGARDING THE 2001 BUDGET FOR SEDGWICK COUNTY.**

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, "This is the portion of the Meeting where you hear from the public. This is the last public hearing and a couple of minutes after this hearing is over we will be then discussing the budget with you. I would remind you and the public that we are proposing a budget of \$287,000,000 to continue providing the level of services that we have in the past. We have gone through the last up day, which was two weeks ago. That is the day when the maximum amount of revenues could be . . . we've established that we can receive or collect for taxes. So, the pie can't get any bigger than that. We can readjust how the pieces are sliced, but the budget cannot exceed what you adopted two weeks ago.

"Mr. Chairman, if it would please you and the Commissioners, I would suggest that you open the public hearing and allow the public to express their wishes and desires regarding the 2001 Sedgwick County budget."

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**Chairman Winters** said, "All right, thank you. At this time, this is the day on our Agenda that we intend to adopt the County budget, but before we do that, we are going to hold a public hearing. So, at this time, I will open the public hearing. If there is anyone here in the Meeting Room that would like to address the Commissioners on our budget for 2001, this is the time to do it. Is there anyone who would like to come forward? Is there anyone here who would like to address the Board of County Commissioners today on our 2001 budget? Seeing no one, and I know a number of you have visited with us before, at previous public meeting, so seeing no one, I will close the public meeting and we will proceed. Mr. Manager. I guess we need to call, Madam Clerk, call Item C."

### **C. RESOLUTION TO LEVY ADDITIONAL TAXES TO FINANCE THE SEDGWICK COUNTY BUDGET.**

**Mr. Buchanan**, said, "Commissioners, last year the State Legislature adopted a new piece of legislation that requires local governments to go through some steps to allow us to collect tax dollars. It is entitled the 'Truth in Taxation' legislation. How that affects you is significant because you must take affirmative action to collect some taxes. To explain that in some detail, is the Chief Financial Officer, Chris Chronis. If it please you, I would ask that Chris be able to talk to you about this item."

**Mr. Chris Chronis**, Chief Financial Officer, greeted the Commissioners and said, "The Truth in Taxation resolution that you have before you says, in the pertinent part, that you are resolving that the 2001 budget requires an increase over the desired maximum defined in KSA 79-25B of \$7,330,647. That resolution is in a format that had been prescribed for us by the State. We are not levying \$7,000,000 of taxes."

### **OVERHEAD PRESENTATION**

"In fact, and I realize this is very difficult to read, I put that up there not so much because I hope that you can read it, but because I want you to see the formula that the State has prescribed in the Truth in Taxation legislation. Essentially, what the State is attempting to do, with this law, is have us declare affirmatively whenever we intend to impose property taxes in one year in an amount greater than the taxes that we imposed in the prior year, except for new taxes that we might get from new improvements, new construction, from increases in personal property value or, in the case of cities, from annexed territories, and finally from properties that have changed in use. For example, a residential parcel that had an industrial complex constructed on it. We're allowed to collect additional taxes because of that change of use. So, what we're doing with this worksheet is running through all of the values that we've received from the property appraiser for the next tax year, for tax year '01, and we're computing the amount of

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taxes that we would be allowed to impose without adopting a special resolution. At the bottom, we arrive at a maximum levy that we can impose of 72,335,000 without a resolution. That includes debt service taxes, which are the line right above there, of \$4,465,000.

“That contrasts with the numbers at the very top of the page, which show the taxes we have imposed in the current year, total taxes of \$74,602,000 and debt service taxes of \$9,253,000. This is all very convoluted and very complex and I apologize for that. Blame your legislators. The bottom line is that next year, in order to avoid doing a Truth in Taxation resolution, we would have to reduce the amount of property taxes that we collect in this community by about \$6,000,000. That is despite the growth that’s occurring in this community. That’s simply the way the formula works and it happens because we are having a big change in debt service taxes from one year to the next.

“So, the resolution that you have before you addresses that change in taxes to get to the amount of tax that was advertized from your action a couple of weeks ago, when we had the public hearing. You authorized us to advertize a maximum property tax levy of \$76,048,918. In the Truth in Taxation resolution the \$7,330,647 that is cited at the very bottom of that resolution is the amount over the authorized Truth in Taxation level that gets us to \$76,048,918. I see a lot of puzzled looks.”

**Commissioner Gwin** said, “You pointed out, it’s a very complex way to go about . . .”

**Mr. Chronis** said, “By adopting this resolution, you’re declaring your intent to impose taxes above the level that the State has said is desired, under the Truth in Taxation legislation. The amount that you will be authorized to levy is up to \$7,330,647 over that level. It doesn’t mean that you need to levy that much. It means that you can levy up to that much.”

**Commissioner Sciortino** said, “And didn’t you indicate to us, Chris, that the main reason for this was the way we have our debt structured?”

**Mr. Chronis** said, “That right.”

**Commissioner Sciortino** said, “I have one question. Has the State imposed on themselves the same

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convoluted thing that they're imposing on all the counties and cities?"

**Mr. Chronis** said, "No, sir."

**Chairman Winters** said, "Do you have any other questions, Commissioner? Chris, do you know . . . just what I know about the City's budget is what I've read in the newspaper, and it appears they're going to hold the line of their mill levy also. Do you know, will they be required to pass this same resolution?"

**Mr. Chronis** said, "Yes, they will."

**Chairman Winters** said, "Commissioners, are there other questions or comments?"

**Commissioner Hancock** said, "I might ask Chris, and I think I know what the answer is. This is a result of the State deregulating taxes in the form of the tax lid. In its place, this is the substitute. Quite frankly, folks, we wouldn't do this any differently with a tax lid than we're doing it today. As a matter of fact, we would probably not even mention it. We would be under the tax lid, as it was imposed to us, even today. And so, while this is just another imposition on local government, fine, we'll live with it but it's not changing the way we do business at all. Thank you, Mr. Chairman."

**Chairman Winters** said, "Thank you. Good comment. Are there other questions or comments?"

**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

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**Chairman Winters** said, "Call the next item please."

### **D. BUDGET ADOPTION.**

#### **1. ADOPTION OF THE 2001 SEDGWICK COUNTY BUDGET.**

**Mr. Buchanan** said, "Commissioners, now you appreciate why I had Chris Chronis explain that.

"This is the point in the year when you adopt our financial plan. The plan for Sedgwick County is based on, a lot, how you allocate the resources. We have continued to provide services to this community in a number of different ways. We directly affect citizens in how they live and how they get to and from work and where they work and how they work. We affect those who have been clobbered by birth or accident. We work with people who are ill. We work with infants and those who are in terrible accidents. We work with folks from the cradle, literally, to the grave and we, in fact, provide service to those folks all throughout Sedgwick County.

"So, this is an important day for all of us. We have proposed to you to spend \$287,266,403. What we have done, in the past, is to show you where we are because, since the last time in June, that I recommended this budget there have been some changes that we need to take into consideration and I would like to go through those changes and then I'm sure you want to make some changes also. But, let's show you where we are.

### **POWERPOINT PRESENTATION**

"You will see, Commissioners, that the total mill levy is 28.542 mills. The last up day we approved \$287,266,403 and that we have . . . you've allocated on the last up day \$76,048,918. We have proposed to keep about a tenth of a mill reduction. Currently, it's a little higher than that. Let me talk to you about how . . . a little lower than that, excuse me. Reduction is . . . more of a reduction than proposed.

"On August 8th we had a valuation decrease. We expected to have a decrease in the valuation. We anticipated it to be higher. We had new numbers yesterday that indicated that we were going to collect \$274,877 less than what we anticipated. So, that has reduced that number.

"The sales tax reduction; you know we've had a sales tax problem. There's a \$2,191,219 of sales tax

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reduction. The State has indicated that although the State of Kansas is growing in collection of sales tax, the economy is good, people are employed, there's a low rate of unemployment. But the collection rate, for Sedgwick County, is less than it was last year, or this year, 2000. And 2000 is less than it was last year. It just doesn't make sense. There's an old saying, 'when common sense makes good sense, no other sense is needed'. Well, this isn't common sense, nor is it good sense. The State has suggested that there are reasons why this occurred, but we can't verify those reasons yet. And so, we are now anticipating, in budgeting for 2001, that we are going to collect \$2,000,000 less in 2001 than we anticipated.

"We are going to continue to struggle with the State, with the City of Wichita, as a partner with other municipalities, the KAC, Kansas Association of Counties and Kansas Municipal League are all partners in this to try to determine what is happening with the Department of Revenue, so we will keep working towards that solution, but the information that we have currently is that it's a \$2,000,000 reduction of what we anticipated.

"You will recall that what we have agreed to with voters regarding sales tax, in this community, is that half of that would go to roads and bridges and so we know that this is a problem, not only for the general fund, but we know this is a problem for roads and bridges and we have a plan to solve it.

"The plan is that we will use sales tax reserve of \$1,000,000 and we'll increase use of the fund balance. We hadn't planned to. We have a fund balance that we were spending down. We have the opportunity, we think, this year in 2001 to take those funds, equal shares out of those funds and make up the difference of the \$2,191,000.

Every year we have Staffing Table, so this is a reduction. This is adding in a \$1,000,000. This is adding in \$1,000,000 and we're going to add in another \$280,000 that we have an opportunity . . . that we didn't a month and a half ago. It's the Staffing Table update. Every day we, during the budget process, periodically, we look at the Staffing Table. How many people are employed? What are their salaries? And if they were employed here a year from now, and all through 2001, what would that cost be? And because we have 2,300-2,400 employees, people come and people go, we hire people at lower steps than they retire or leave at. And so, the current Staffing Table would suggest that we have \$280,000 more money than we had six weeks ago. We've been discussing with the District Attorney the positions and she's been losing folks and Doug Russell and Human Resources have worked with the District Attorney about her positions. She brought the proposal to the table where she needs to do an upgrade of most of

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those attorneys. That's going to cost \$235,000. She's bringing to the table \$19,000 in salary savings that she projects will keep positions open and another \$94,000. So, it's in excess of \$113,000 to help solve that problem. So, she's adding those funds to that and we recommend that. That makes sense to us.

"Budget requests for Cowtown were reviewed and we realize that Cowtown is in an anniversary year. We understand that. In fact, the positions that were requested, the \$23,000 were requested were for interpreters. That's the core of their business. We understand that. One of the reasons that some of our other facilities are successful is because they've focused on the core of their business and made it appropriate. So, we're recommending another \$23,000.

"That leaves available to you, still on the table is \$135,000 that has not been allocated any where. There are several proposals I know that you've talked about and this would be, also, and it would not affect that reduction. If you take the \$135,000 and allocate it, then it will still be about a tenth of a mill reduction in taxes. So, that's the recommended budget and the adjustments that we are recommending at this point."

**Chairman Winters** said, "All right, thank you, Mr. Buchanan. There's several lights flashing. Does anybody have a question of clarification? I think, what some of them are probably about is they want to start talking about projects. Do you have a question?"

**Commissioner Sciortino** said, "I have a question on clarification. Mr. Buchanan, I want to visit again on this reduction of sales tax revenue that we're getting back from the State. I know, we first realized the problem early this year and I took it upon myself to go up to Topeka and try to make some sense of it and I came back with my tail between my legs saying, mumbling, because they came up with a bunch of double-speak that didn't make any sense to me. But for the public to understand, we charge a 5.9% sales tax on retail goods and services and the State, supposedly, reimburses us back 1%. And you were right in saying half of that we've dedicated to roads and bridges. With our economy doing what it's doing, I've spoken to the Chamber, I've spoken to retailers, everybody's telling me their business is up. But yet, for the last two years, or since 1998, their showing us not even staying even, but actually almost like it's in a recession, our revenues are going down. I've also been told, I think by Chris Chronis, that the State is telling us we don't have the authority to audit them. If that is correct. I'm getting a nod from Chris Chronis. I don't know what it's going to take to try to find out what's fair and are we getting our fair share. There are other counties, I believe Johnson County is also experiencing this phenomenon. I know the City of Wichita is and other cities. I'm glad that we're banding together and I hope we don't have to sue them to get to the records but I wouldn't mind, if that's what it takes, I wouldn't mind doing that if

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that's what it takes for the citizens of Sedgwick County to receive their fair share back. So, that's just a comment and a little frustration, because I didn't get anywhere when I went up to Topeka."

**Commissioner McGinn** said, "I just want to add to that. I'd like Chris to make a comment to that. It doesn't make sense to me, if these are public dollars going to the State, as well as here and everywhere else. Chris, our books are open to the public, is that correct? Is there some State statute that says we can't look at their books?"

**Mr. Chronis** said, "The department has cited a statute which they say makes certain of the sales tax records that they possess proprietary. That is, they say that they are prohibited from releasing that information to us. We are in discussions with them, as you know, about the problem that we've had with sales tax receipts and that other jurisdictions around the State have had with sales tax receipts. The Department is working with us. They're trying to produce the information in a way that they feel they are allowed to release and yet that answers our questions. At this point, they've given us explanations that are plausible, as Commissioner Sciortino indicated, at this point we've been unable to verify that information and we've working with them to try and obtain that verification. I want to emphasize that the Department is, in my estimation, they are attempting to cooperate with us. They are trying to give us the information that we feel we need, without violating the law, as they interpret it. We're continuing those discussions, and I'm hopeful that we'll reach an agreeable solution in the near future."

**Commissioner McGinn** said, "Thank you, for that explanation."

**Chairman Winters** said, "All right, thank you very much. Commissioners, what I think I would suggest that we do, to begin with, I know several Commissioners have got projects they'd like to talk about. What I would suggest that we do is that as each of you visit about your project, without taking a formal vote, we will look to consensus or non-consensus of a proposal here. We'll ask the Budget Department to make those additions or subtractions. We'll walk through the whole process. If we come up with some number at the end that we don't like, we'll start back through the process till we figure out what exactly what it is and we may need to take some votes then. But if it's acceptable with you, we'll begin. I know there's a couple of lights flashing now that want to talk about special projects and we'll just really take an informal consensus of whether we add them in or take them out. So, Commissioner Gwin, would you like to begin?"

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**Commissioner Gwin** said, “Yes sir, thank you, Mr. Chairman. As my colleagues have known and some of the staff have known, I’ve been troubled lately by the recent cutbacks for State funding for our transportation program that’s provided by our Department on Aging. This particular program provides essential transportation services to physically disabled, elderly and low-income residents. It permits them to remain productive members of our community.

“Because of this service, some of my constituents have been able to go to work and contribute to the community, instead of having to resort to public assistance and, if you’ll bear with me, I want to read some excerpts from a letter I got from a young woman about this program back in June. She writes, ‘I’m writing to you to express how upset I am about the loss of funding for the Ride to Work program. I am physically handicapped and walk with crutches. I am permanently disabled and am unable to drive. I have used the ride program, provided by the Sedgwick County Transportation Brokerage Service, for transportation to work every day for one year. With the loss of funding, my personal cost to ride in a cab to work would be \$26.00 a day. I cannot financially afford this on a daily basis. I am working two jobs in order to support myself and receive no federal or state assistance. Since I walk with crutches, I do not use a wheelchair. I have tried the various handicapped bus transportation services. I am four feet tall and cannot climb into any of the handicapped accessible vans or buses. My only available method of transportation is to use the cab company. The Ride to Work program enables the disabled to get to work at an affordable price. This program serves a great need and is beneficial to everyone involved. I do not know how I will get to work without the ride program. Please find a source of funding for the Ride to Work program. It is serving those who want to work and support themselves and is good for our community.’ Based upon that eloquent letter and many other phone calls I’ve gotten from other people who have used this service, I’m going to propose that we look into this.

“This program costs a lot of money, to provide door to door transportation on demand. This is not a cheap proposition. The target population of physically disabled and elderly requires specialized equipment and vehicles and, in many cases, it’s not simply a matter of using a taxi, as this young woman can do, for they can’t ride in standard passenger vehicles. Others have to use specialized transportation. I’m told it will take \$100,000 to provide transportation to work and back five days a week for ten to twelve people. Now, as much as that is, and that’s a lot, it is less than the cost to society if these people are forced to go

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back onto public assistance.

“I wish our friends in state government recognized this but, so far, they haven’t. This program is too important, I believe, to debate which level of government should be responsible. If the State’s not going to do the right thing, I believe we must. Therefore, I propose that we add \$100,000 to the Department on Aging’s transportation program. I say so because I believe it’s an investment that’s good for our community and makes good economic sense. That’s my proposal, Mr. Chairman.”

**Chairman Winters** said, “Mr. Manager.”

**Mr. Buchanan** said, “I just want you to watch what occurs here. The descriptions here and it will change these figures.”

**Commissioner Gwin** said, “I’d appreciate your consideration of that and I would stand for questions.”

**Chairman Winters** said, “Commissioner McGinn.”

**Commissioner McGinn** said, “I just want to make sure we are all clear on this. This is totally . . . these dollars will totally go towards just getting back and forth to work at all hours of the day.”

**Commissioner Gwin** said, “That’s correct.”

**Commissioner McGinn** said, “Because I did see some of the letters too, and some people had second and third shifts and you can’t even catch a bus.”

**Commissioner Gwin** said, “They do, and it goes without saying that there is still a need for some folks who are unable to drive, as this young woman is, to go to doctors’ offices and to go to the grocery stores and those kinds of things. There’s still a need out there. However, what I am proposing is that there are some folks who just are not, whose needs aren’t being met. They work. They work other than first shift, sometimes second, sometimes third, and the intent of this funding is to help those folks get to and from work only.”

**Commissioner McGinn** said, “Thank you.”

**Chairman Winters** said, “Commissioner Sciortino.”

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**Commissioner Sciortino** said, “Thank you. Commissioner Gwin, I’m going to be wholly supportive of this, because as I understand what you’re proposing, these people right now aren’t on public assistance. They’re actually productive citizens and this is a program that is just, what I would consider, a hand-up and opposed to a hand-out. I think that if we can continue to encourage people to stay off of public assistance, because it’s so easy to fall into that syrupy morass where government will take care of me from cradle to grave. I was very moved by that letter that you had. This young lady is working with severe obstacles but she’s still feeling that it’s better to be productive and support yourself than to go and ask big government’s help. If we can assist these people in staying productive, I really believe this is the right thing and I agree with you. I’m going to, personally, try to see if our legislature, this next session, can realize that this doesn’t cost government anything. This actually will benefit government, not only in the long-term, but immediately because I assume these people are paying taxes. I’m 100% supportive of this.”

**Commissioner Gwin** said, “And I appreciate that, too. I appreciate your comments. I’ve gotten two letters and several phone calls from this young woman who wrote this letter and it would be my intent, that through whatever means possible, she would be an eloquent spokesperson for this case and I’d like to be able to travel with her to Topeka next session, to have her come along with us and tell her story. It’s pretty amazing. Thank you.”

**Chairman Winters** said, “Okay, thank you. I can count one, two, . . . We’ve got one taken care of. Commissioner McGinn.”

**Commissioner McGinn** said, “Thank you, Mr. Chairman. As many of you know, or may not know, we’re a large partner in helping of the Kansas African-American Museum which sits right downtown in the heart of Wichita. We probably fund, oh, maybe half of their services. Maybe not quite that. But the year 2001 is going to be a big year for them. They’re going to start their capital campaign and start looking at how they’re going to put the museum, perhaps, in a better located place. But they’re going to explore their options and in doing that, they may need some assistance to get the capital campaign off the ground. The other thing is some of the things that they’re trying to . . . The level that they’re trying to get the museum to, they need to be able to show the folks they bring in to sell them on the capital campaign, they need to be able to show them some of the art pieces that they’re trying to get. The third thing is, one of the key elements of their museum is some of the programs that they bring to town throughout the year. It adds a great expense to their budget. But that’s what the success of their whole program is all about.

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“So, what I’d like to propose, it’s a little bit different. This will not go into their budget line item. We have a separate source of funding and its purpose is to enhance the collections of the African American Museum. I’d like to propose adding \$35,000 and this will be used to underwrite special exhibitions, or acquisitions of art for the permanent collection of the museum. The other thing is, about this being in a different line item is because I think we’d like to see what the results are. So, before they purchase anything or anything like that, they’d have to have Board of County Commission approval, since it’s in the separate line item. So, I would like to propose that we take a hard look at doing that.”

**Chairman Winters** said, “All right. Commissioner Sciortino.”

**Commissioner Sciortino** said, “Commissioner McGinn, if I understand this right, this would be in addition to what we’ve already budgeted for their operation or whatever.”

**Commissioner McGinn** said, “That is correct. We’re going to hold the line on what we currently fund them and this will be a separate line item that we would have to have Board approval on.”

**Commissioner Sciortino** said, “Would this also allow them, say for example . . . and I really applaud them on their effort for their capital campaign. If they’re maybe wanting to bring in a guest speaker that might enhance their efforts, would that be considered on that line item also?”

**Commissioner McGinn** said, “And they bring key figures in throughout the year. That’s what gets people to come to their museum and that kind of thing.”

**Commissioner Sciortino** said, “And then you did indicate that even though, since that was a separate item, they would still have to come to us and say, ‘we wish to purchase this art item or something’ and then we would still have final approval or disapproval?”

**Commissioner McGinn** said, “That is correct.”

**Commissioner Sciortino** said, “I have no problem with that concept at all. I would be supportive of that.”

**Chairman Winters** said, “Okay, that’s one, two, three, four, five I guess.”

**Commissioner McGinn** said, “Thank you.”

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**Chairman Winters** said, "All right. Anyone else? Commissioner Hancock."

**Commissioner Hancock** said, "Thank you. There were a number of supplemental requests presented to us, during the course of the hearing. One of them was from the Register of Deeds. In discussions with the Register of Deeds and with the Manager's Office and Chief Financial Officer Chris Chronis, we arrived at something that we think would be very helpful for the Register of Deeds.

"In my discussions with Bill Meek, it was my intention and his as well that we work very hard with that department and try to make that department, as important as it is for Sedgwick County, one of the better departments of register of deeds in the State of Kansas. We think it's very important. Their mission there is important to the security of the property owners of this County and what they do need to be, as nearly as possibly, mistake free. It needs to be done rapidly and in a timely manner. It is of some consequence, however, it is a revenue generating department and we appreciate that very much. So, we need to do as good as possible there.

"While I wasn't able to do, precisely, what was requested of us in the supplemental request, I think that probably there could be some support for the following suggestions: The first is to include the three positions as requested in the supplemental request but with the provision that there is no identified funding for them at this time. We can do that, by the way. The second thing is in direct conjunction with these three positions, and that is approve a contract with an accounting firm to work with the Register of Deeds to examine the processes, the business practices and the personnel in the Department and report the findings and suggestions back to the Board of County Commissioners. That contract should not exceed \$12,000 and it would be paid for out of the CFO budget, if I'm correct in saying that. Thirdly, to assign an individual, and this may be a part of the three individuals of approved staffing, to work with the Register of Deeds to begin the process of imaging. That technology has been added to that Department. To set that up and make that operational and do-able. Fourth, the Register of Deeds has requested \$3,000 in travel and training, approve that. And that would probably be in addition. And fifth, to include \$20,000 as supplemental to purchase and upgrade equipment within that department. As near as I can figure, that has a budget impact of \$23,000."

**Commissioner Gwin** said, "I have a suggestion or question of clarification. On the issue of the professional accounting firm and examining business practices, including accounts receivable and personnel needs, I suppose we'd like to proceed with that and pay that out of the 2000 budget. I also would suggest that we might want to do the same thing, Commissioner Hancock, with the equipment replacement and

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find those sources within the \$12,000 for the accounting study and the \$20,000 for some equipment upgrades in this year's budget and that way you wouldn't have a budget impact next year. And I think those funds, we can find those, if we ask Mr. Buchanan to identify those for us so that we could proceed with some, I think, very necessary equipment replacement and a very helpful study of the processes and those things that would help the Register of Deeds' Office succeed."

**Commissioner Hancock** said, "Essentially, the equipment replacement would be withdrawn as a part of the 2001 budget and just taken care of this year."

**Commissioner Gwin** said, "Right, that's what I would suggest and the only thing that you're talking about is the additional \$3,000 for travel and training. That would be my thought, if that helps anybody."

**Commissioner Hancock** said, "Very good."

**Chairman Winters** said, "Okay, is that your comment? Thank you. Commissioner Sciortino."

**Commissioner Sciortino** said, "Commissioner Hancock, on the three positions that you're proposing, you're saying no provision for funding, but if this accounting firm says we need it, we're going to find the funds then, right? Or, how do we work that?"

**Commissioner Hancock** said, "I think the Board of County Commissioners should be committed to doing that, in the event that the accounting firm comes back with a recommendation that they need some folks up there to do the business. I think that's the right thing to do. It really is a compromise between what the Manager has proposed and what the Register of Deeds has requested."

**Commissioner Sciortino** said, "And you've visited with our Register of Deeds a little bit on this?"

**Commissioner Hancock** said, "I haven't talked to him about this but I would imagine that the possibilities that three people can come on board, if it's the right thing to do, would be agreeable to the Register of Deeds. Otherwise it's zero."

**Chairman Winters** said, "That's better than zero. Well, I'd like to make a quick comment. We are, for years and years, I think we have had a good Register of Deeds Office here, who's kind of done things in a tried and true way. We've made a commitment to really upgrade this Department. The current Register of Deeds, Bill Meek, is doing an exceptional job in helping lead this upgrade. Mr. Manager, remind me again what we've committed for technological advances in the Register of Deeds Office that we've already

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committed to.”

**Mr. Buchanan** said, “We’re committed to half a million dollars, \$500,000 for scanning, imaging programing that will begin in January and equipment will be installed and be up and running in July or August, one year from today.”

**Chairman Winters** said, “And that’s really going to take the Register of Deeds Department hopefully up another notch in technology and I’m confident that the Board of County Commissioners has a great deal of confidence in the current Register of Deeds to get that project done and going and I think we’re all committed to making that the best Register of Deeds Office in the State of Kansas. As we get into next year, if we need to make some adjustments, I think Commissioner Hancock, your proposal would let us have some latitude to do that.”

**Commissioner Sciortino** said, “I agree with you. I think Bill Meek has done an exemplary job and I think the fact that we’re willing to commit a half a million dollars in technologies, it states what the Board’s feeling is towards that individual and what he’s done to the office since he’s been in there. I’m heartened by the fact that, while we’re saying these positions, we’re not providing the funding, but we are saying that if the auditing firm says we need the funding, we’re going to find the funding for those positions, because I know Mr. Meek feels that he needs those positions. Thank you.”

**Commissioner Hancock** said, “Bill Meek is very concerned about this transition from what we’ve been doing, essentially, by hand to the new system and rightly so. His experiences, or his knowledge of other experiences in the area has led him to believe that there really need to be some kind of a special attention and approach to this transition. He may be absolutely correct. It has been suggested that he is not. So, we need to figure out a way, in case he is, we need to be prepared to set up a dual system and run that dual system and make the transition. Or set up the system, put it on-line, check it out, make sure it’s okay to go and then start using it. There’s a couple of ways to approach this. But it’s such an important function for the citizens and it isn’t an important function for Bill Meek. It isn’t an important function for Sedgwick County. But it sure as heck is an important function for the folks who have property in this County and who do filings of all kinds, whether they be property or other legal documents. It has to be right and it has to be timely. So, I think Bill should have every advantage. I think that he has expressed just about the right level of concern for all of this. I appreciate what he’s done.”

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**Chairman Winters** said, "All right, thank you. So, then we've got the support for the money part for this year, if we follow Commissioner Gwin's lead and find that in this budget, which I think that's possible to do."

**Commissioner Hancock** said, "I appreciate that suggestion by Commissioner Gwin. It was good."

**Commissioner Gwin** said, "The only thing I would see that would impact then would be the training for \$3,000 in next year's budget."

**Commissioner Sciortino** said, "Can we do what we're thinking we can do?"

**Commissioner Gwin** said, "Yes, I guess that's my question. I had an idea, but can we do that? Can you find that?"

**Mr. Buchanan** said, "Yes. If I may suggest, if I've done the math correctly, we've provided for the study. We've provided for the equipment and the travel and training is the only issues and it's a relatively small number. Rather than adjust those figures, we'll find a way to move it from within our current funds and so, the impact on the budget on this sheet will be zero. There will be an addition, whatever that number is, \$3,000 or \$4,000 to the Register of Deeds Office. The expenditure line item for him will increase in next year's budget. So, that will be an additional increase to his budget."

**Commissioner Gwin** said, "Okay, and then we can go ahead and proceed, or give him authorization for the CFO to proceed with the accounting contract and for a transfer to be made to Mr. Meek's budget for \$20,000 to upgrade some of the equipment he's requested and we can do that in this year's. I have an idea for one of the sources but we'll talk about that later."

**Mr. Buchanan** said, "Rather than transfer the money to his budget, why don't we buy the equipment. It matters not where the money goes."

**Commissioner Gwin** said, "Fine, that works for me."

**Mr. Buchanan** said, "Or, Mr. Meek could increase his budget this year by \$20,000 and . . ."

**Commissioner Gwin** said, "Whatever, there are certain pieces of equipment that you and I have talked

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about that I think he needs right away. That's easy."

**Chairman Winters** said, "I think we have agreement on that. Commissioner Hancock, do you have others? The only one that I would like to comment on, and I'm not sure what your feelings are, is the Extension Service had made a request that was really not all that significant but I think it would help them in their program operations. They have really, I think, outlined some goals and objectives that fit very well with what some of the major emphasis of the Board of County Commissioners has been in the past year and going into the future, and those two are prevention efforts with young kids and programs out there, availability for young people. And secondly, the environmental, solid waste kind of issues, they have committed to doing strong work in that area and that's certainly something that's going to affect us in the future.

"Now, I know that some of us have, or some of my colleagues are concerned about, as they outline either salary requests or computer needs, I would just like to look at it in the terms of program enhancements. I'm not sure that I'm that concerned exactly what the final allocation is. I know that their programs are out there and I know that they need to keep staff support, so I would like to consider, they had at a kind of a minimum request level of an additional \$23,000. I'd like to consider that, but again I know that a number of you think that we have made an increase in their budget, so I'm just going to toss that out to see if there's any support for that. I would certainly be one that supports it. Am I counting to one?"

**Commissioner Sciortino** said, "I'll make a comment. I don't support that request. We've increased, this year, the amount of actual cash that we're giving to the Kansas State Extension Services about 2 1/2%. Actually, the amount of cash and in-kind we have done is about 3.2% because some of the items that we've allocated over to them, the operation or the maintenance of the building, we absorb. My position has always been, since we have absolutely no say in how the money is spent, that I've always felt that when we give this very generous, I believe, contribution, and I think the Extension Service does a tremendous amount of good. Don't get me wrong. I still have a problem with it being called the Kansas State Extension Service and if it is, then maybe they should, perhaps look to Kansas State to help them a little bit more than they do. I think it should be incumbent upon their Board to decide how they spend the money that we give them. I assume they may have given their employees some sort of a raise last year. And this year we're raising their budget 2 1/2% and if they used a portion of that money for salaries, then

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in my over-simplification it would seem to me they have a way of giving the other employees at least another 2 ½% raise. But I can't support itemizing monies. I'd be willing to talk to them, if they would like to have all their employees come under the Manager and become Sedgwick County employees, we could talk about how that might be structured. But, under the present scenario, where they have an elected autonomous board that decides the destiny of this Extension Service, then I think that we should continue doing business the way we have."

**Chairman Winters** said, "Okay, thank you. Commissioner Gwin."

**Commissioner Gwin** said, "Thank you, Mr. Chairman. I look at the Extension Council, though their mission is different, similarly as I look at the Sedgwick County Zoo and the Zoological Society, in that we have a partnership with each of those boards. And that partnership means that the County, on an annual basis, gives well over \$1,000,000 to each of those entities to use to operate their organization as they see fit. The Extension Council is an elected body. The Zoological Society is a self-appointing board but each of those entities I think is, in my opinion, held responsible for how they allocate and how they utilize the County funds that come to them. I have a great deal of confidence in each of those, the Council and the Trustees at the Zoo, that they spend the money as they believe is appropriate. They know their department. They know their entity better than I will ever know it. So, I wouldn't take it upon myself to question the Zoo Trustees as to how they utilize the allocation that the County gives them every year or to look at their line items and demand that they do certain things because they are autonomous. I feel the same way about the Extension Council. I think it is within their right and their responsibility to determine how they utilize the grant, if you will, that Sedgwick County government gives them every year. And so, I believe they can make those decisions for and by themselves, and I have a great deal of confidence that they will use the money as they believe is most appropriate. I'm comfortable with the money we give them and the method in which they choose to spend it. Thank you."

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

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**Commissioner McGinn** said, "Thank you. I knew there was a reason I wanted to let you go next. So that you could say it better. That's kind of . . . I agree with Commissioner Gwin. I think about the Zoo and that they have a Board of Trustees that decide their budget and then I think about WSU. They have a set mill levy and they have to stay within the constraints of the dollars they receive. I guess, where I'm struggling is the fact I think Sedgwick County Extension provides a tremendous service to this County and, you know, so people think that Sedgwick County Extension is just out there helping the agricultural producers and that kind of thing. But Sedgwick County Extension here in Sedgwick County is having to change the programs that they have. I haven't asked Bev this. I'm sure she could give me the numbers sometime, but it would be interesting to see the amount of citizens who are actually from the urban communities that Sedgwick County now serves.

"The other reason that I'm struggling is I think last year I said the same thing. We need to work on this and here I am again saying we need to work on this. It does come down to, I think what Tom said, we need to be looking at program dollars and not looking at it as salaries for employees. I felt this way. If they are our employees, then maybe we need to put them under our Manager and if that's something that the Extension wants to do, I hope we can talk about that in the coming year. I'm still wanting to explore what other counties are doing. I know we are different, as a county because of the urban nature, and so it's hard to compare us to say Wyandotte which doesn't have agriculture in it at all. So, there are some other counties out there and I guess I'm going to say no one more year and hope we can come up with a solution to continue to be good partners with Sedgwick County Extension in the future."

**Chairman Winters** said, "All right. Well, thank you. Commissioners, I certainly did not mean to put any of you on the spot about this. But again, as this is one of the few times when we really have an opportunity to discuss these issues. I've been, in the past, a supporter of the Extension and I appreciate your comments today. I'll probably continue to be a strong supporter of the work the Extension does. So, I appreciate your comments and at least your consideration. I could only get the one, I think, maybe two.

"Are there other questions? Other comments? I don't think anybody has any program kind of comments we want to make. Commissioner McGinn."

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**Commissioner McGinn** said, "I just have one, I guess. It's not a program or anything. It's a department that I'm going to approve the funding for but I have some concern and I'm talking about the Metropolitan Area Planning Department. When I look at the En Banc commitment between the City and the County I don't know that that's been reviewed for a while and, Mr. Manager, can you give me an idea when it is reviewed and if it's been throughly reviewed by both governing bodies lately?"

**Mr. Buchanan** said, "You're referring to the interlocal agreement which lays out the operation and the funding for the Metropolitan Area Planning Commission and the Department. That comes to us every year, with an offer for us to review it and adopt it and it allows us, then, to pay quarterly, I believe it is, or month the City of Wichita for the operation and it lays out the operation of the department. We have used the same formula, the same format for that contract for several years and we have not reviewed it as long as I can remember. So, if you wanted to take a look at how that . . . approve the funding today and then affect how that operation occurs, that's possible."

**Commissioner McGinn** said, "Okay, and I think that's in October, I believe."

**Mr. Buchanan** said, "Well, it has in the past. I think last year we adopted it in October. It has to happen before the first of the year. If the City of Wichita wants to get paid, it needs to occur before the fiscal year begins. So, it happens routinely in the fall. It provides us the legal means by which to spend public dollars."

**Commissioner McGinn** said, "Okay. Well, and again I'm happy to approve the dollars but I do want to have us review the interlocal agreement this fall, since we haven't looked at it for several years."

**Chairman Winters** said, "All right, Commissioners, other questions or comments?"

**Commissioner Gwin** said, "If not, Mr. Chairman, I think I'm prepared to make a Motion. Mr. Manager, I had some numbers originally presented to me, based upon where we thought we were going. Have any of those numbers changed?"

**Mr. Buchanan** said, "No. The \$287,266,403 is the total budget. We will use the \$75,774,041 in taxes, ad valorem taxes. The mill rate is 28.593 mills. The only number that is not on this sheet, which we've calculated and Renfeng Ma has given me, is the legal budget which is what we need to submit to the State, is \$196,239,707. So, those are the numbers that you need to fill in the blanks on your resolution."

## **MOTION**

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Commissioner Gwin moved to Adopt the 2001 Sedgwick County total budget of \$287,266,403. The total budget includes a legal budget of \$196,239,707 with \$75,774,041 in budgeted ad valorem taxes, which is approximately equivalent to 28.593 mills, subject to review and technical adjustments.

Commissioner Hancock seconded the Motion.

**Chairman Winters** said, "Is there additional discussion on the Motion? Commissioner Hancock."

**Commissioner Hancock** said, "Thank you. This is my last operating budget that I'll be approving before I go off and I just wanted to get in my last shot before I left. I'll have other things to say on the Capital budget before we're done. But, you know over the years the County Commission has used this budget as a policy document and it has evolved over the years into something that is pretty important for all of us. It always was, but something that really reflects what we're doing. We all know that, at one point, we put a lot of energy and resources into public safety. We've moved away from that somewhat and we put energy and resources now into our young people here in our community and trying to prevent them from getting into trouble. And I think there will come a time we'll probably more than likely peak out. About the time that we build a new detention facility and support buildings to go with that, I think that will probably be the highlight of that focus, along with possibly an increase in funding for prevention. I hope that happens, for the young peoples benefit here in the community. There's a lot of folks at risk out there and we've learned a lot of things, over the years, in how to identify those folks and how to answer their needs. If we're going to be, as I've heard many times, a world-class society or a world-class community then we need to address those needs and that responsibility lies with this Board of County Commissioners and that's a heavy burden to be responsible for so many folks in our community. So, I would encourage them to conclude that work and then think about some things in the future.

"I think we have, somewhat, not been where we should be, where the rubber meets the road, and that's delivery of fundamental services: The Treasurer, the Clerk, the Register of Deeds, Code Enforcement, Animal Control, even EMS. Sometimes we need to rethink what we're doing there and make sure we're delivering the kind of services that we're going to be needing for the 21st century. As an example, the

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Register of Deeds has moved beyond the paper and pencil recording system and gone into the electronic. So, another concept that didn't get passed and I know it's made the news recently and that we need to think about and there's certainly other issues that will come up to take precedents over what I think we need to start looking at again here in the next two, three, four years.

"One of the comments that I have is with the one rank structure of the Sheriff's Office. It's a very expensive concept. There's been some unhappiness among Detention Deputies recently, as we saw yesterday in the news. One idea, one concept is the one rank structure, where we train all the Sheriff's Deputies to be commissioned deputies and that they are interchangeable from folks who work outside the detention and they can work on the road or in the detention and we can rotate folks in and out. That's something I wish the Commissioners will look at next year as an idea and consider it. It's expensive but it's something we've talked about for three or four years and I think we need to consider it in the future.

"I just wanted to make sure the Commissioners knew that there's a legacy here and that is that we need to take care of our kids. I talked to Carolyn yesterday briefly and there's another . . . we visited about the future of the museum here. I've asked Carolyn to keep in mind that in order for us to remain one of the most viable communities in this part of the country, that we need to think about our ethnic groups and about our heritage and where we're going and not put that aside. It's very important that we include everyone in our community and take them with us on this ride. It's been a wonderful one for the last few years. So, anyway, just want to remind the Commissioners that when they get done with kids, maybe we ought to think about other things and always remember, in my view, that this document is a policy document and this tells the community where you're going and it also reminds yourself of where you're going. If you look in the past, it will tell you where you've been. Anyway, be that as it may, thank you, Mr. Chairman."

**Chairman Winters** said, "Thank you for those comments. Commissioner Gwin."

**Commissioner Gwin** said, "Just real quickly, since this is Bill's last budget that he's going to adopt. This is my tenth. I just counted on my fingers. It's the tenth one that I've adopted and when I first got here, Bill's office is next to mine, our offices are arranged by our district number. So, when I first got here Bill came in, was very helpful, was my mentor, my tutor about budgets, wanted to show me how they work, how you go about putting them together. I just want to say, ten years after that fact, I still don't understand budgets. Thank you for that legacy, Bill, and the teaching that you gave me. It was invaluable. Thank you, Bill. I'm going to miss you."

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**Commissioner Hancock** said, “Well, you should know now, I was making that stuff up.”

**Commissioner Gwin** said, “Yeah, that’s what I thought. Thank you, Mr. Chairman. That’s it.”

**Chairman Winters** said, “Thank you. Commissioner McGinn.”

**Commissioner McGinn** said, “I just have a quick comment. I want to say that I think that the Manager and Chris Chronis and his staff have put together a good budget. A couple of things that we didn’t talk about today, because they were already in the budget, deal with something that is a little bit different for county government. I think they’re important. One is that we added the \$200,000 to help out some of our neighborhoods that are in need of help. I know I have two that I’m looking at, McAdams and the historic Midtown. We’re going to, as soon as the dust settles after the budget, I know we’re going to roll up our sleeves and figure out how we’re going to allocate these dollars. I know my colleagues have neighborhoods that need help, as far as revitalizing their neighborhood. As Betsy talked about earlier, about the program to help disabled people to get back and forth to work, that’s a program that was started by the State and then it went away. And here we are picking it up. My short time that I’ve been on the Commission, I’ve looked at how our budget is put together and things, and I see more and more every day we’re about service to our community. We provide services. I think we do a good job. I think the reason we do is because we have an excellent staff. So, I wanted comment on those two items and that’s all I have. Thank you.”

**Chairman Winters** said, “Thank you. Commissioner Sciortino.”

**Commissioner Sciortino** said, “Thank you, Mr. Chairman. This is only my second budget. In a former life I handled budgets before, so I have a little idea what it is. It’s, basically, you figure out how much money you have been coming in and you try not to spend more money than you have been coming in. I

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also know the secret of cash flow. Take it in real fast and let it out real, real slow. I know there are some people out there that aren't happy because they maybe didn't get everything that they asked for, but I'm rapidly coming to the idea that government is a business with limited resources, trying to satisfy unlimited needs. That puts a lot of pressure on us, because the overwhelming majority of the requests that I saw were credible requests. They weren't frivolous. We have to sit here and try to balance, or prioritize these needs because we have limited resources and I, for one, am pledged, and I believe all of you are, to being as fiscally responsive as we can to the citizens of Sedgwick County. And I believe this budget has done that. I do commend the Manager, the Financial Department, all of the department heads that have worked on this budget. I'm heartened by the fact that this is the third year in a row that we've been able to reduce the mill levy. I know a lot of people out there will say, 'well, property values have gone up and I'm actually paying more in taxes' and that's a true statement. But I think that we are the only governing body in Sedgwick County, I could be mistaken on this one but I don't think so, that actually, while being beneficiary of increased property values, actually lowered their mill levy. I may stand corrected on this but I thought we were the only ones that did that. I think that's paying attention to our pledge to be as fiscally responsive as we can. So, that's all I have. Thank you."

**Chairman Winters** said, "All right, thank you, Commissioner. Commissioners, we have a Motion before us to adopt this budget. Any other discussion? Seeing none, Madam Clerk, 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, "Next item."

**2. ADOPTION OF THE 2001-2005 CAPITAL IMPROVEMENT PROGRAM (CIP) AND THE 2001 CAPITAL BUDGET.**

**Mr. Buchanan** said, "Commissioners, you have the capital budget and the capital plan before you. You have before you the Capital Improvements Plan for the program of \$205,122,800, including a \$54,000,000 financial plan, capital budget for the 2001 fiscal year. We've gone through that plan and I'd recommend that you approve that Capital Improvements Plan."

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**Chairman Winters** said, "All right, Commissioner Hancock, do you have some comments?"

**Commissioner Hancock** said, "Thank you, Mr. Chairman. Mr. Chairman, as proposed to the County Commissioners, there were a number of Capital items that were removed from the budget, primarily because of the sales tax situation. They were having to do with bridges. I would like to suggest some changes that we might be able to add those items back in.

"If you have your budget books, they're on page 402. These are items that are all under the bond column. There are three columns: cash, bond and other. These fall under the bond projects. They are as follows, I'd like to put back into the year 2001 the following items: B-329, at a cost of \$443,000."

**Mr. Buchanan** said, "You're on page 402? And what number is that?"

**Commissioner Sciortino** said, "Item 22."

**Commissioner Hancock** said, "You want it by the number? I was just giving it by the project number. I can give you by the line number. B-316, at a cost of at a cost of \$197,000. B-319, that is item 25, at a cost of \$205,000. Line 27, B-347, at a cost of \$370,000. Line 28, Bridge 349 at a cost of \$460,000 and line 29, B-351, at a cost of \$121,000. Also as follows: Bridge project number 350 on line 37, Bridge 361 on 38, 366 line 39 and 370 line 40, each at a design cost of \$48,000 each. That brings a total of \$1,988,000 returned to the bond column in the year 2001.

"Now, how do we pay for that? It's real simple. I'd like to reduce line 6 on page 401 by \$550,000. And reduce line 36 by \$1,438,000 and that provides the \$1,988,000. I would also suggest that we combine line 32 and what's remaining in line 36. That's \$1,687,000 and rename that Drainage, 87th-Hydraulic, 103rd-Bluff, 103rd-Broadway. That's all I have. That's revenue neutral changes."

**Commissioner Gwin** said, "So are you going to move . . . are you suggesting then the balance of item 36 move up to be number 32 in priority?"

**Commissioner Hancock** said, "I'm suggesting combining the two. The reason is that a diversion channel and the detention ponds are long-range projects that we may or may not be prepared to do next year. I know that the projects that I have talked about just now, the 87th and Hydraulic, the 103rd/ Broadway, the 103rd/ Bluff will be ready to do next year and if they're not, we can still use them for other projects."

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**Commissioner Sciortino** said, "So you're saying, take the remaining balance of item 36 and move it up to 32. Okay, I understand."

**Commissioner Gwin** said, "The only change, then, as you said it's revenue neutral, the only difference is that the bridge projects that you're suggesting being moved from 2002 cash are now going to be moved to 2001 bond because you've found the money in the bond fund for 2001 to do that."

**Commissioner Hancock** said, "Right. Chris Chronis assures me that this is within our plan and our capability to do within the framework of this budget."

**Commissioner Sciortino** said, "Does that also keep us within our on self-imposed cap?"

**Commissioner Hancock** said, "Yes it does."

**Commissioner Sciortino** said, "The only other question that I have, I guess of you Mr. Chronis. On the bonding we're not going to bond it unless we actually do the project, is that correct or how will that work?"

**Mr. Chronis** said, "Yes, that's correct. Before we would sell those bonds, we would come back to you for action on those bonds."

**Commissioner Sciortino** said, "Okay. I have no problem with that. I think I will support what you're trying to do, especially since it's the last time you're going to try to do it."

**Mr. Buchanan** said, "Commissioners, if you approve the suggestions made by Commissioner Hancock, that would not affect the Resolution, because . . . it would affect the programing but not the Resolution. The resolution proposed to you is, because the suggestions are revenue neutral, the same numbers would apply. Therefore, we've heard what you've said, if you approve this, we will accomplish what you have asked."

**Commissioner McGinn** said, "Bill, would you give me a net on the drainage. What was the net that's going to be remaining?"

**Commissioner Hancock** said, "On item 36 the net would be \$937,000. On 6, Household Hazardous Waste, it would be . . ."

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**Commissioner McGinn** said, "Just on the drainage. The net would be \$937,000."

**Commissioner Hancock** said, "The total would be \$1,687,000."

**Commissioner Sciortino** said, "Line item 36 then goes away. So, there's zero on line item 36 and 32 increases to \$937,000."

**Commissioner Hancock** said, "It's zero for the year 2001."

**Commissioner Sciortino** said, "Correct."

**Commissioner Gwin** said, "And then 32 become \$1,687,000."

**Commissioner Hancock** said, "Correct."

**Commissioner Sciortino** said, "What was the \$937,000?"

**Commissioner Gwin** said, "That's the balance of 36 added to the total of 32."

**Commissioner Sciortino** said, "And 32 becomes what again?"

**Commissioner Gwin** said, "\$1,687,000."

**Commissioner Sciortino** said, "Got it."

**Chairman Winters** said, "Mr. Manager, do you have any comments about these changes?"

**Mr. Buchanan** said, "I would recommend that you approve the CIP."

**Chairman Winters** said, "Redefined as Commissioner Hancock described it?"

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

**Commissioner Hancock** said, "One other item that I may or may not have and I'm going to ask the advise of the County Engineer. The City and the County are working together to design a roadway from MacArthur to 63rd Street South on Hydraulic and I think the plan is to make that four lane. They're

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closing the open ditches and making it curb and gutter. It requires an extensive drainage plan, extensive right-of-way acquisition and utility relocation, David. Is it necessary for us to have the \$200,000 for design this year?"

**Commissioner Gwin** said, "It's one of those items, David, it's R-265. It was moved to . . . we're on page 402 in our budget book, line item 31. It's road project 265, Hydraulic between Wichita city limits and 63rd Street South and that was one of those things that was moved, Dave, at the same time the bridges were, to 2002, because of the sales tax."

**Mr. David C. Spears, P.E.**, Director/ County Engineer, Bureau of Public Works, greeted the Commissioners and said, "Yes, that project is under design at the present time. That was already approved before. That money, the \$200,000 in 2002, is for right-of-way, not design. So, it's being designed now."

**Commissioner Hancock** said, "That would be right-of-way from 57th Street South to 63rd."

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

**Commissioner Gwin** said, "Okay, so can that item wait until 2002, for right-of-way acquisition?"

**Mr. Spears** said, "Yes."

**Commissioner McGinn and Sciortino** said, "And it is."

**Commissioner Gwin** said, "I know, but I mean, that's one of those things that was scheduled for 2001 but had to be moved because of the sales tax dilemma. So, we can wait for that."

**Mr. Spears** said, "That's okay."

**Commissioner Gwin** said, "Okay, does that answer that?"

**Commissioner Hancock** said, "That's it. Thank you. Thank you, Mr. Chairman."

**Chairman Winters** said, "Are there any other comments?"

**Commissioner Gwin** said, "If not, are you ready for a Motion? I'm ready to read again."

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**Chairman Winters** said, "Yes. Are you going to detail all these changes or will that come later?"

**Commissioner Gwin** said, "I'm just going to read big numbers. Someone else has to fill in the little numbers."

### MOTION

Commissioner Gwin moved to Adopt the 2001-2005 CIP of \$205,122,800 including \$54,989,010 for 2001 Capital Budget with changes (if any) from adoption of the 2001 operating budget, subject to review and technical adjustments.

Commissioner Sciortino seconded the Motion.

**Chairman Winters** said, "Is there any further discussion? Commissioner Hancock."

**Commissioner Hancock** said, "Thank you, Mr. Chairman. One more time, on this program with our road and bridges. It's been a very good program for Sedgwick County. In leaving, again I have some more suggestions. Let's begin to think about how we're doing that just a little bit.

"While we want to remain, I think in my view, I think we want to remain aggressive in our highway and bridge program. When you enter Sedgwick County you know you've gotten there. There may not be any signs but you can sure tell the difference in what the streets look like. That's a good thing, folks. That's a good thing for this community. There may be some new criteria that we want to look at in the future for how we decide which bridges to do, if it becomes more difficult over the years to finance the program. But we want to remain just as effective as possible.

"The other thing is, while this is the first time that I've seen in our program exclusive drainage money. I think we're going to see more of that in the future. I think it's real important that we begin to think about drainage and water and how it's affecting the development of our community. I have an area south of the Big Ditch, between the Arkansas River and the Cowskin Creek where development has virtually stopped, 100%, because we can't drain the area properly. That's a shame. That's not very good use of our land, especially when land can be developed and that be the highest and best use.

"So, begin to think about those two things, how we finance and how we decide on our bridge program.

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If I was going to be here next year, I'd certainly look at a drainage department and keep that in mind. It's going to be real important for the future of the community. Any commissioner representing the second district it's going to be real important to them, because development has virtually stopped in a large portion of my district because of it. Thank you, Mr. Chairman."

**Chairman Winters** said, "Thank you, Commissioner Hancock. We have a Motion to approve the CIP, Capital Improvements Program. 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, "Commissioners, what I'd like to do, with your approval, now is to recess this Meeting, go right to the Sewer and the Fire and do those budgets. I don't think that should take very long. I think they should go much quicker. So, I'm going to recess the Regular Meeting of the Board of County Commissioners."

**The Board of Sedgwick County Commissioners recessed into Regular Sewer District and Fire District #1 Meetings at 10:45 a.m. and returned at 10:53 a.m.**

**E. RECESS TO THE SEWER DISTRICT MEETING.**

**Chairman Winters** said, "I'll call back to order the Regular Meeting of the Board of County Commissioners, August 9th, 2000. We're ready for Item F. Madam Clerk, would you call Item F."

**DEFERRED ITEM**

**F. CASE NUMBER PUD2000-00001 - RESOLUTION CHANGING THE ZONING CLASSIFICATION FROM "LC" LIMITED COMMERCIAL AND "SF-20" SINGLE FAMILY RESIDENTIAL TO "PUD" PLANNED UNIT DEVELOPMENT (PUD) FOR SINGLE-FAMILY RESIDENTIAL AND EQUESTRIAN USES, LOCATED ON THE**

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**SOUTHEAST CORNER OF HARRY STREET AND 127TH STREET EAST.**

**POWERPOINT PRESENTATION**

**Mr. Marvin Krout**, Director, Metropolitan Area Planning Department (MAPD), greeted the Commissioners and said, “This first item is an item that you deferred for two weeks and I’ll be brief. This concerns a Planned Unit Development for Single-Family Uses and equestrian uses on a quarter section of land at Harry and 127th Street. We presented it two weeks ago. The Planning Department, at the time, had expressed concern about the fact that the adopted Transportation Plan shows the likely need for a new facility, a new freeway facility in the long-term future of the community that would extend down from the interchange of K-96 at Kellogg, in a general south direction and towards Derby and Mulvane to the south, in one of or both of either of two directions, as a bypass or a corridor linking to K-15 south of Mulvane.

“There is no funding for construction. There is no funding for even design studies or feasibility studies at this time, but the likely corridor is an area that is under rapid development, both urban development in the first few miles south of Kellogg, and suburban development below that. So, we felt like we needed to use the fact that this rezoning case, which is in the possible path of that corridor, we needed to bring to the Planning Commission’s attention and to your attention the fact that if we’re going to be looking at this area, we need to be doing it fairly quickly.

“We have recommended to the Planning Commission a temporary setback along the western portion, along 127th Street, for a temporary period of time during which time we had hoped to do the study. The applicant did not accept that proposal. The Planning Commission did not include it in the recommendation. We talked about it two weeks ago. You deferred it so that we could talk to legal staff. I guess I would conclude by saying that we didn’t determine that it was illegal for us to establish this setback, but we came to an agreement that it would not serve that much of a purpose, in creating the setback. The developers plans do not indicate that this area, along 127th Street, is going to be undergoing development in the next two or three years. We hope that that does give us a window where at least we can begin that dialogue.

“So, I notified Commissioner Sciortino and also the applicant, who is here this morning, that we are withdrawing our request for that setback and we’d recommend that you approve the plan as recommended by the Planning Commission. We do intend to move forward and try to initiate some discussion and study of this area. In fact, we’ve begun talking already to the staff of Derby and Mulvane

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and to the K.D.O.T. (Kansas Department of Transportation) staff and there is an interest in pursuing the dialogue and continuing this discussion. So, we'll keep you informed as that progresses. If you have any questions, I'll be glad to answer them at this time. The applicant is here if you have questions of him."

**Chairman Winters** said, "All right. Commissioner Sciortino."

**Commissioner Sciortino** said, "I have a comment and then a question of Marvin. I had an in depth meeting with the developer. I'm extremely confident that this is a very worthwhile project that they're working on. I also had discussion with our Legal Department and I'm comfortable with what they have recommended to us. Marvin and I have had some discussion on this. I'm naturally going to be supportive of this, Marvin. Shouldn't I, if I'm making the Motion, approve the PUD with its conditions, as recommended by the MAPC on July 27th, so there's absolutely no confusion that we're actually going to be doing exactly what the MAPC recommended?"

**Mr. Krout** said, "Right, I'd recommend that."

**Commissioner Sciortino** said, "I have nothing else. If somebody else has other comments, I'm ready to take a Motion whenever appropriate."

**Chairman Winters** said, "I'm just going to ask if there's anybody here who would like to comment? If there's anybody here who would like to comment on this case, we'd be glad to here them now but I think we're back on the right track here. Seeing no one then, Commissioners, are there other comments or questions? Marvin? Commissioners, I see no other questions or comments. I think we're prepared for a Motion."

### **MOTION**

Commissioner Sciortino moved to Approve the PUD with its conditions, as recommended by the MAPC on June 27th, 2000, subject to the requirement of platting within one year, and adopt the Resolution.

Commissioner Hancock seconded the Motion.

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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. Next item."

**PLANNING DEPARTMENT**

**G. METROPOLITAN AREA PLANNING DEPARTMENT (MAPD).**

- 1. CASE NUMBER CON2000-00019 - RESOLUTION AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW A RURAL HOME OCCUPATION ON 5.1 ACRES, LOCATED EAST OF 103RD STREET WEST (MAIZE ROAD) ON THE NORTH SIDE OF 93RD STREET NORTH.**

**POWERPOINT PRESENTATION**

**Mr. Krout** said, "Commissioners, the black outline tape indicates the five acre tract that is under

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discussion this morning. It is just one lot to the east of 103rd Street West and on the north side of 93rd Street North. All this land is zoned Rural Residential. The lots along 93rd Street have suburban density homes. The rest of the area is agricultural. The request is a Conditional Use for a Rural Home Occupation.

Rural Home Occupations are permitted in rural areas, the rural district, by right if they are larger in acreage and more separated than this property is from a residential district. If it doesn't meet all the criteria, people still have an option to apply for a Rural Home Occupation Use through the Conditional Use process. Normally, that goes to the Planning Commission and the Planning Commission normally approves those and they're usually not brought forward, since the 1996 Zoning Code, to the County Commission. In this case, we do have a case where there is the property owner to the west, adjacent to this track, who is appealing, protesting the approval of the Planning Commission for this Conditional Use permit.

"The request specifically is to allow for a tractor trailer to be parked in the rear of the property, when it's not being used on the road by the applicant, who is the homeowner on this property. The homeowners are here this morning, if you have questions of them. The staff recommended approval, subject to a number of conditions which are in your staff report. There are several letters also in the staff report that indicate support from neighboring property owners to this request. We did get a call from the property owner to the west before the Planning Commission meeting, indicating some concerns. We tried to address some of those concerns in the conditions of approval, dealing with where the truck was going to be parked, so it won't be parked right next to the house next door and also that it won't be running all night or it won't be a refrigerated truck that would cause a lot of noise on the property. That neighbor did not come to the MAPC meeting to protest but then filed a written protest, after the MAPC meeting, which is why this case is coming to you now.

"The Planning Commission recommended approval by a vote of 9 to 3 and the only real discussion in the . . . There's the aerial photograph and I think this should be the site plan. At the Planning Commission level had to do with . . . this would be 93rd Street, on the right hand side. So this is looking north. On this, this would be the drive approach, to the rear of the property. There's a barn on the property and the truck would be parked on one side or the other of that barn.

"We also recommended, which is a standard condition for these uses but can be waived, on a case by case basis, that the applicant plant evergreen screening along the perimeter of the property, back where the truck would be parked, adjacent to the nearby properties. Where there is already screening, we've tried to see that a use like this is screened and we try to supply the screening by filling in where it's not. In this particular case, the applicant indicated that they didn't mind doing the planting but that this property

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owner, who is the protesting property owner, has encroached with their fence 10 to 12 feet into this property. If that property owner was willing to relocate their fence back to their property line then these property owners would be glad to do the landscaping along the property line. Maybe we'll hear more about that.

"The Planning Commission felt that with the neighbor not being there at the meeting to express their concerns, that in this case they felt that . . . and this complication of the fence, that this condition of requiring the screening by planting evergreen trees could be waived in this case and that is part of their recommendation to you in the conditions of approval is to delete the original staff recommendations that called for planting along that rear side. As I said, the applicants are here this morning if you want to hear more from them about that.

"The protest petition that was filed constitutes less than 20%. By the way, this is the property. We're looking at the owners, who are the applicants, and this is the drive that would go back to the property. That building is actually to the rear of the protesting owner, on a separate property. The protesting owner is here and here's their house. We're near 93rd Street. This is the barn that I was talking about in the rear of the applicant's lot and the truck would be parked way back there."

**Commissioner Sciortino** said, "Is that the fence that's in question there?"

**Mr. Krout** said, "You can see it. It's in line with the light pole there and apparently is encroaching along that line, onto this lot by 10 to 12 feet."

**Commissioner Sciortino** said, "So, just for clarification, the applicant feels that the fence is actually on their property?"

**Mr. Krout** said, "That's right, and they said they'd be willing to do some planting, back here around the barn, if this owner agreed to relocate their fence back to their property line.

"I'll go through the slides quickly. The protest represents less than 20% of the total area within 1,000 feet of this request and so it does take just a simple majority of the County Commission to approve. This is looking down 93rd Street, to the north and the east of the property. This is looking down 93rd Street east. We're just circling around, looking southeast across 93rd Street, south across from the property in question. Now we're looking west down 93rd Street, at the intersection of 103rd. And to the northwest, an open field except at the corner. This is the northwest corner. There's a farm property and this is the

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property north and just adjacent to the property. This is the driveway that's in question."

**Commissioner Hancock** said, "Marvin, are these platted lots?"

**Mr. Krout** said, "No, I don't believe that they're platted. Okay, I'll try to answer any questions that you have at this time."

**Chairman Winters** said, "All right, are there any questions before we asked for any public comment, Commissioners? I see none. This is not a formal public hearing, but we do take comments from citizens who would like to address the Board on issues such as this. So, if there are persons here who would like to address the Board of County Commissioners, we would like to hear from you. Is there anyone here? Please come forward. Just stand at the microphone and please give your name and address."

**Ms. Willamae N. Elder**, 10330 W. 93rd Street N., Valley Center, greeted the Commissioners and said, "I'm the one who's protesting. I live next door to it. I think we're agriculture. We're not commercial. That road is pretty close to my trailer. I'm sure if anyone was there or if I wanted to sell, I'm getting up in age, where I'm not going to be able to keep all this and if I was going to sell and had a trailer like that parked next to me like that, I wouldn't buy it. He's traveling all times of days and nights. He brings the trailer up next to the road there. Parks it. Lets it run and probably goes into the house. It's not very desirable place to be. I thank you for all your help."

**Chairman Winters** said, "Thank you, ma'am. You have a question for her? Ms. Elder, we have a question for you. Would you come back? Commissioner McGinn has a question."

**Ms. Elder** said, "Yes, I talked to her yesterday."

**Commissioner McGinn** said, "How long have you lived there? I'm just curious."

**Ms. Elder** said, "Between six or seven years. I was there first."

**Commissioner McGinn** said, "Okay. That's all I have right now. Marvin, if this isn't platted, don't you have to . . . now you have to plat if you're under 20 acres, right?"

**Mr. Krout** said, "Yes."

**Commissioner McGinn** said, "But at that time you did not."

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**Mr. Krout** said, "That's right."

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

**Chairman Winters** said, "All right, is there anyone else who would like to address the Board? Yes, sir. Come forward. Give your name and address please."

**Mr. Bill Guolodde**, 10330 W. 93rd Street N., Valley Center, greeted the Commissioners and said, "I live at the same address as Willamae. This truck, at night time, when it comes in, it comes in all hours of the night and it vibrates the lady's windows. You ought to be out there and listen to it. The thing I read, it's supposed to be parked out at the barn at all times. He'll pull it from the barn, down right by Willy's house and let it sit there for 30, 45 minutes at a time. I see this. It really irritates her. It's not right guys. It's not right."

**Chairman Winters** said, "Okay, thank you very much. Is there anyone else who would like to address the Commission? Yes, sir. Please come forward to the microphone please. Please give your name and address."

**Mr. Russell Knowles**, 10240 W. 93rd Street N., Valley Center, greeted the Commissioners and said, "I'm the owner/ operator of the truck. I have moved everything to the rear of the lot. The trailer that I own is a grain trailer. It's permanently parked back there because I do not pull it anymore. What I do do is I pull for Dillons. I pull dry trailers. I do not pull refrigerator trailers. "I can't stress this enough. Dillons would completely have a fit if I bring a refrigerated trailer home and left it running. When they release a trailer to me it is to go to the store and that is it. There is a lot of high security with that. It is sealed from their warehouse and the seal is broke at their store. All I do is pull it there. The one and only time I ever pulled a Dillons trailer to my lot it was just a regular box trailer. It was not a refrigerator trailer.

"There has been occasion when I have drove up and I have forgotten something and I park the truck in the driveway and I went in and get may it be paperwork, whatever I might have to have during my trip. My concern is, during the winter, this is why I need the permit, the truck, if it's not plugged in during the winter, they don't start. So, you have to keep an engine heater on them during the winter. In the barn I keep a lot of my maintenance equipment back there. I'm pretty much going to comply with anything you guys suggest. I am not trying to be un-neighborly. This is just my occupation. That's all I've got."

**Chairman Winters** said, "Thank you, Mr. Knowles. We've got a couple of questions. Commissioner

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Sciortino.”

**Commissioner Sciortino** said, “Mr. Knowles, okay, if I understand this right this is your livelihood but primarily you’re driving the tractor to and from your home. Is that correct?”

**Mr. Knowles** said, “I drive the semi. When it is not in use, it is parked back there by the barn.”

**Commissioner Sciortino** said, “One of the complaints I heard from Ms. Elder was that you would park it next to your home, which is right adjacent to her home, and just leave the engine running for an extended period of time. Not arguing about have you done it in the past. Could you admit that that would be something that you wouldn’t do in the future?”

**Mr. Knowles** said, “When I first purchased the truck and the trailer I had a difficult time getting the truck into my lot, which we had to put in an additional 12 feet on the driveway so I could pull in. I left the truck and the trailer, at that time, up there by my home. Somebody told me that, or one of the neighbors told me that the view, the trailer was blocking the view of my neighbor’s, you know, just looking out. Once I heard that, I did pull the trailer to the back. I was still pulling the tractor in the driveway, where the cars were. After we went through the Planning Commission, where they said the truck would have to be parked in the back, I have parked it back there.”

**Commissioner Sciortino** said, “Okay, but my question to you is that there was an allegation made that you’re leaving the tractor on when it’s parked but in the future you wouldn’t do that. Is that correct?”

**Mr. Knowles** said, “No, in fact, I try to start it up and just as soon as I get enough air pressure to release brakes, I usually try to get rolling and get out of there.”

**Commissioner Sciortino** said, “Okay. That’s all I had.”

**Chairman Winters** said, “Okay. Commissioner McGinn.”

**Commissioner McGinn** said, “Thank you. The trailer that’s back behind your house right now, I don’t even know, is that allowed to just sit there?”

**Mr. Knowles** said, “That’s a grain trailer. That’s one of the things that I put in for a permit for. I have, not that I won’t ever use it, but I am not using it currently. But that is a grain trailer and they do not have motors or anything like that. The only thing I own that has a motor in it, it would be the tractor itself.”

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**Commissioner McGinn** said, "Okay. I'm going to need some clarification from Marvin here in minute on that. Then the travel time in the day?"

**Mr. Knowles** said, "It varies. Like tonight I will be leaving at 6:15 and I go up to Topeka and I'll probably be back about 4 or 5 in the morning."

**Commissioner McGinn** said, "Okay, so you work mostly nights?"

**Mr. Knowles** said, "Yes, right now. I am to lease on with a different company in about a month."

**Commissioner McGinn** said, "The other question I had, because I was out there the other day and I noticed your driveway is awfully close to Ms. Elder's house. Has there been any consideration that you not pull in at that point and you pull in at the east side and come around to the rear?"

**Mr. Knowles** said, "Like I told them in the Planning Commission, right now I'm willing to do most anything."

**Commissioner McGinn** said, "So that's a possibility."

**Mr. Knowles** said, "Yes. That road was established, when we bought the place, to go to the back of the barn. It gets pretty soupy during rainy weather. They said that I'd have to haul in rock, which I'm fine with that. I'm currently building a corral for a horse, so if I need to go on the east side, I appreciate if that's what you need."

**Commissioner McGinn** said, "Is there another home next to that?"

**Mr. Knowles** said, "Yes."

**Commissioner McGinn** said, "But is it close to that property line? Like her, her home is like very close to it?"

**Mr. Knowles** said, "It's about 10 feet from that property line."

**Commissioner McGinn** said, "Is it. Okay. All right. Let me ask Marvin a quick question, then I'll let somebody else talk. I feel like I need to be talking to Glen, I guess, really. Refresh my memory on the rules, if you can, on what can be parked on ground. This is currently, what is it, Ag?"

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**Mr. Krout** said, "Rural Residential."

**Commissioner McGinn** said, "Because we don't have Ag, that's right. Shame on me. Okay, and so from a Code Enforcement, would that trailer have to be under a roof or something?"

**Mr. Krout** said, "Yes, and that's part of their application is to have the ability to have the tractor and the trailer that's part of the business operation. It's not an Ag Use. The fact that it's a grain trailer doesn't make it an Ag Use unless he's using it to carry his crops back and forth. So, it is a business use and it would be outside storage that would not be permitted, except through this Conditional Use."

**Commissioner McGinn** said, "Okay, thank you. That's all I have for now."

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

**Commissioner Hancock** said, "The applicant may have answered this. I'm just curious. I don't quite get it. Is there a trailer involved when you come home, or is there just the tractor?"

**Mr. Knowles** said, "When I come home I drop the trailer off at Goddard. That's where Dillons is, sir."

**Commissioner Hancock** said, "So, really all you're driving home is the tractor?"

**Mr. Knowles** said, "Just the tractor. And the reason that I do own that grain trailer is cause I did haul grain for a period of time."

**Commissioner Hancock** said, "You own it. Okay, thank you. That's all I have, Mr. Chairman."

**Commissioner Sciortino** said, "I just have one other real quick question."

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

**Commissioner Sciortino** said, "Let me try to understand this. Let's pretend like you just work at Boeing and you're driving to Boeing and working whatever shift you work and you drive home, park your car and go in your home and do whatever you do for the remainder of the day. Is that basically what you're doing? You're driving your tractor to get to your work. You get done with your work, you drive your tractor back, park it in the garage or wherever you park it and go inside your house, right?"

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**Mr. Knowles** said, "That is it."

**Commissioner Sciortino** said, "Okay."

**Mr. Knowles** said, "There is, periodically, maintenance. I go back there and do maintenance on the truck."

**Commissioner Sciortino** said, "Any good at that. I think I understand."

**Mr. Knowles** said, "There's a lot of heavy equipment out there and it's not un-normal to see this out there, I don't believe."

**Chairman Winters** said, "All right, thank you, Mr. Knowles. Is there anyone else who would like to address the Board? Yes, please come forward."

**Ms. Nancy Knowles**, 10240 W. 93rd Street N., Valley Center, greeted the Commissioners and said, "I am the wife of Russ and the co-owner. We didn't even know that there was a problem with our semi until Sedgwick County came out. We tried to work with the neighbors. If there's any kind of problems, let us know. We didn't know there was a problem or we would have tried to do something about it without all this mess going on. Because we don't want any problems. We love it out there where we're at."

"She was talking about everything being such an ugly mess out there. She's got a yard full of mess out there. I know this isn't part of it but yet she's talking about the sites being, you know, our semi and our trailers making the site ugly, and she's got a bunch of trash and stuff in her own fields that the goats and the horses live in. We have never had the refrigerator trailer on our property. I've never seen it on our property and I live there."

"When my husband come up, sometimes he will stop to like unload like a box and then an ice chest, a small one to carry into the house, instead of having to walk from the front to the back. You're loading all that stuff, trying to carry all that stuff on five acres, that's a lot to carry. But he does stop the engine there. It's not running. Cause, number one, with the price of fuel, you don't want those things running a six miles to a gallon. When you're paying your own fuel, you've got to watch and conserve wherever you can. And it's just one of those things. We're willing to comply and they have moved part of their fence. We are putting up our own fence out there. We do want to put some trees out there when it's the planting time. I've talked to some people now, like Johnson's Garden Center, they say it's not the planting time."

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for the trees. That's why we are asking if we could wait until whatever is the planting time. The County Extension, we can get trees from them to help us out to plant the trees.

"We want to anyway. That's the thing. We want to comply. We want to work together. We get along with all of the other neighbors out there. I don't know what the . . . but we do want to comply and we are going to plant the trees as soon as the planting season is in, we are going to do that and we have started our fence on the west side. So, we are trying to comply and to work with the situation because we do love it out there. We like the people out there.

"That's just all I've got to say. But you know you guys can even verify Dillons and verify that, you know, the trailers are dispatched in at what time, when they go out, what time, where they are. They're always documented where they're at. They have to be. Otherwise, they would lose their trailers. So, you can always verify Dillons if you ever had to. So, that's just all I've got to say."

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

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

**Chairman Winters** said, "Yes. We'll just give you one brief moment. We don't want to try to get an argument going back and forth, but would like to hear what you have to say."

**Ms. Elder** said, "The only thing that I've got to say that if you give them a permit, there's going to be three or four trailers out there or trucks, big trucks, 18 wheelers out there. I know of one guy, right next door, that's wanting to put some trailers out there. I know the next door on down, he works with a big truck and if he can afford it, he's going to get a trailer and we're going to have just a bunch of trailers out there. I don't think that's very good for children either."

**Chairman Winters** said, "Okay, thank you very much, ma'am. Commissioner McGinn."

**Commissioner McGinn** said, "Thank you. Now, I've got to get back to where I was at. There's two items, I guess, that I'd like us to take a look at. One is I think it's important to maybe have the tree barrier, but I guess there's a problem with the property lines. I don't know if it was just a misplaced fence or an incorrect survey. Are you willing to move your fence? Okay, so there's two possible solutions that are probably not going to make you totally happy, Ms. Elder, but I guess what I'm concerned about is the sound, coming in, leaving at night and coming in in the morning. One would be for him to reroute his driveway to where he goes to the other side of his house and back. And the other would be, as you move

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your fence, they could put in evergreens and try to stay consistent with the Conditional Use Permit. That's what I'm trying to do, is be consistent with everybody on that.

"I guess, if the applicant, I don't know if you want to speak to that. Well, you already pretty much have said that you're willing to do that either way. Okay, thank you."

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

**Commissioner Sciortino** said, "Well, once again Carolyn has taken both of my questions up but as I understand it now, the fence has been moved, so the fence is now on your property, Ms. Elder, and then I understood from the applicant that, if the fence has been moved you would be willing to put in some evergreens or some sound barrier and also, like you indicated, the applicant stated they would willing to reroute to the east side of the house."

**Mr. Krout** said, "There is some screen between these two lots, whereas there isn't on the east side of the lot."

**Commissioner Sciortino** said, "So, it would be worse if we tried to get him to route on the east side? The other neighbor would . . . ?"

**Mr. Krout** said, "I think so. It would be more direct. It would be more exposed."

**Commissioner McGinn** said, "Who is the neighbor to the east because I see we have four letters of support?"

**Chairman Winters** said, "All right, Commissioner Sciortino, were you still . . . ?"

**Commissioner Sciortino** said, "Well, I was thinking about maybe mandating that he open up that driveway to the east now. But now I'm not sure that wouldn't just cause more problems. I would be more comfortable if he would go ahead with the landscaping provisos on the west side and I'm comfortable that it's a tractor that's being driven to and from the home and not a tractor trailer. I'm comfortable with what the applicant is saying that he doesn't, as a regular basis, keep his tractor running for 30, 40, 50 minutes between the two houses. Basically, the man needs a tractor for his employment,

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when he's just wanting to go back and forth, which I certainly don't have a problem with."

**Chairman Winters** said, "Thank you. Well, this is kind of an interesting case. I think I'm going to be supportive here. I've just got to think there a way, on five acres, 770 feet deep and 300 foot wide, that there's a way to park a road tractor on there without disturbing anybody. If you'd like to speak again, I'll let you speak. But no more comments from the audience. Commissioner Gwin."

**Commissioner Gwin** said, "Thank you, Mr. Chairman. I think I'm going to support the recommendation that comes to us, particularly as it relates to the site plan. I notice that the proposed planting are back at the back side of the lot, to act as a screening device. I don't see anything that indicates that these folks have the obligation to plant anything along the drive. That's fine. I don't have a problem with that. I think the recommendation as it comes to us is a reasonable one. I don't think I'd have any interest in relocating the drive. I think that would just further complicate matters. I believe there is an appropriate spot, at the back of this lot, for the parking that the applicant has requested and I'd be prepared to approve the Resolution."

**Chairman Winters** said, "Commissioners, any other comments?"

**MOTION**

Commissioner Gwin moved to Adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye

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

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

**Commissioner McGinn** said, "I'd just like to make two comments real quick. One is, and this is not well thought out, I guess is the fact that you come in at 6:00 in the morning. Is it possible that you could just park in your driveway? I know you've got to start it up again and I know that's not always economical. And then turn it off and then later in the day, so that you're not waking people up."

**Commissioner Gwin** said, "The only problem with that would be is if it's cold, he's got to drive that tractor down there and plug it in. You can't leave it sitting there."

**Commissioner McGinn** said, "Yeah, that's true. And then the only other thing is it's in an Ag community and more and more farmers are going to tractor/ trailer rigs. So, it's kind of just . . . that's kind of what we've come to. You don't have grain trucks, and I've been around a lot of grain trucks, including ours that are pretty loud sometimes. So, it kind of goes back to . . . it's kind of the nature of the area, too. That's all I had."

**Chairman Winters** said, "All right. Thank you very much. All right, Madam Clerk, call the next item please."

- 2. CASENUMBER ZON2000-00023 - RESOLUTION CHANGING THE ZONING CLASSIFICATION FROM "RR" RURAL RESIDENTIAL TO "LI" LIMITED INDUSTRIAL, LOCATED AT THE SOUTHEAST CORNER OF**

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**GREENWICH ROAD AND 29TH STREET NORTH INTERSECTION.**

**POWERPOINT PRESENTATION**

**Mr. Krout** said, “Commissioners, this property consists of a quarter section of land that is on the east side of Greenwich. It’s north of K-96 and south of 29th Street, with the exception of one separate property that’s right on the corner there, by the K-96 interchange. The applicant is requesting the rezoning of that property that’s outlined, the 159 acres from Rural Residential category to Limited Industrial. In the immediate vicinity there’s still agricultural land but this is an active, developing area. This is Tallgrass East subdivision. This is an area proposed for commercial development. There’s a cemetery that’s developed here and churches and schools along 21st Street. This area was zoned Limited Industrial, subject to similar restrictions as proposed in this case and it’s undergoing development today for business park types of uses.

“The staff recommended approval, subject to some conditions in a Protective Overlay similar to the conditions that were established on the tracts on the north side and on a portion of the south side of K-96, on the west side of Greenwich. They will assure the sort of clean business park, industrial park type of use by adopting some of the rules in the Industrial Park zoning. The applicant is interested in having some flexibility to have some of the more commercial uses that aren’t permitted in the Industrial Park zoning and so that was the compromise that was established.

“This is also, potentially, could be a major regional mall that’s one and a half the size of Towne East, based on its acreage, and so we did have some concerns about traffic and put some proposed caps without further traffic study of the amount of retail commercial that would be permitted on the site. It’s proposed for business park uses. The applicant doesn’t have any immediate plans. It’s a developer who plans to use a small portion of this property, initially, for contractor storage and needs the zoning in order to be able to do that on a more immediate basis.

“At the Planning Commission hearing this property owner, who lives at the house at that location, came

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to the Planning Commission hearing. He did not object to this request. He was mostly wanting to know whether or not, when and if he decided to rezone his property, would he be treated similarly to this property. I think that the answer is that the courts would force you to say yes. Otherwise, you would be arbitrary and capricious. So, I think he did not have objections at the Planning Commission and the Planning Commission approved this request by a unanimous vote, 11 to 0. No protests were filed. So, it will take a simple majority to approve this request. As you're talking about it, I'll just run through the slides to save time."

**Chairman Winters** said, "Commissioners, are there questions or comments?"

**Commissioner Gwin** said, "The only comment I would make on it is that it's very seldom that we get projects that have no protesters and it's even more seldom when we get a unanimous vote from the Planning Commission. Just to confuse everybody, we could deny it. But I'm supportive of this and I think the recommendation that comes forward is a reasonable one."

**MOTION**

Commissioner Gwin moved to Adopt the Resolution, subject to the condition of platting within one year.

Commissioner Sciortino seconded the Motion.

**Chairman Winters** said, "I don't think we did ask if there is anybody here from the public who would like to comment. Is there anyone here who would like to address the Commission on this case? Seeing no one, we have a Motion. Commissioners, are there questions or comments? If not, 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, "Next item."

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- 3. CASENUMBERZON2000-00025 - RESOLUTION CHANGING THE ZONING CLASSIFICATION FROM "RR" RURAL RESIDENTIAL TO "LI" LIMITED INDUSTRIAL WITH PROTECTIVE OVERLAY TO LIMIT USES TO THOSE REQUIRED FOR APPRENTICESHIP PROGRAM, LOCATED 1/4 MILE EAST OF RIDGE ROAD ON THE SOUTH SIDE OF 95TH STREET SOUTH.**

**Mr. Krout** said, "Commissioners, last but not least, this is an 80-acre parcel in the south part of the County. It is unplatted. It's a quarter mile east of Ridge Road and the south side of 95th Street South. It's a former hog farm and you'll see pictures, as I run through this.

**POWERPOINT PRESENTATION**

"The application is to rezone from the Rural Residential district to Limited Industrial, to permit a very specialized use, in this case the applicant's a non-profit organization that provides apprenticeship training for individuals to become operators of heavy construction equipment. They intend to build a classroom and shop building for indoor education, vehicle repair on the site but the bulk of the site would be used for grading operations, as part of the learning process, to move lots of earth around. So, the soil's the resource out here. This is the kind of use that normally we would have reservations about. Industrial Uses in locations like this. This seems to be an appropriate use, given the resources out there. So, we recommended approval, subject to: the specific use that's being requested and not other industrial uses that would normally be allowed in Limited Industrial district, subject to a site plan, to maintaining trees around the edge of the property, giving Public Works authority to review the grading plans. There is a flood plain along the western portion of the property. And also, the Health Department to monitor the site, as the remains of the hog farm are removed from the site.

"There were several letters of support that the Planning Commission received. They voted to recommend approval by a 11-0 vote for the 80 acres. Originally, the staff was suggesting maybe, since not all of it is going to be used, we would zone less than the 80 acres. We have no objection to zoning the entire acreage, because it will still be governed by the site plan. The Planning Commission also eliminated our original suggestion that there be operating hour limitations for 7:00 a.m. to 7:00 p.m. They didn't think that was necessary. There were no property owners in the nearby area who expressed concerns at the Commission meeting about that. I would recommend approval. The applicant is here, if you have any questions."

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**Chairman Winters** said, "All right. Questions of clarification? I see none. Is there anyone who would like to address the Board of County Commissioners on this zoning case? Seeing no one, Commissioners, any questions or comments?"

**MOTION**

Commissioner Gwin moved to Adopt the Resolution, subject to the condition of platting within one year.

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, "This one is adopted. Thank you very much, Marvin."

**Mr. Buchanan** said, "On Item H, we ask that it be tabled one week."

**NEW BUSINESS**

**H. AMENDMENT TO THE 2000 CAPITAL BUDGET FOR WORK RELATED TO ROOF REPLACEMENT ON THE SEDGWICK COUNTY JUVENILE RESIDENTIAL FACILITY. CIP #2000 PB 454.**

**MOTION**

Commissioner Hancock moved to table Item H for one week.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Next item."

**I. CONTINUATION OF ONE FULL-TIME ASSISTANT ADMINISTRATIVE INVESTIGATOR POSITION, RANGE 21, ON THE DISTRICT ATTORNEY'S STAFFING TABLE.**

**Mr. Joe Kisner**, Chief Attorney, Consumer Fraud and Economic Crime Division, District Attorney's Office, greeted the Commissioners and said, "I'm here representing my boss, District Attorney Nola Foulston today. The District Attorney is requesting approval to continue funding an Assistant Administrative Investigator position. This position works within our division, Consumer Fraud and Economic Crime area. It was originally approved by this Board in July of '99 to become effective in September of '99 for a one year period. We're requesting now that that be continued through an assessment of investigative fees. The Division has funds available to fully fund this Assistant Administrative Investigator position through December of 2001. We would request that the Commission approve continuation of the position on the District Attorney's Staffing Table through December 2001."

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

**MOTION**

Commissioner Hancock moved to Approve continuation of the position on the District Attorney's Staffing Table through December 2001.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

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

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

**J. ADDITION OF ONE ADMINISTRATIVE PROJECT MANAGER, RANGE 26, TO THE SOLID WASTE STAFFING TABLE.**

**Ms. Jane Moralez**, Compensation Specialist, Division of Human Resources, greeted the Commissioners and said, "I'm here today to request the addition of one Administrative Project Manager, range 26, to the Solid Waste Staffing Table. This position will provide project management for the solid waste project. I recommend addition of this position to the Staffing Table and will be happy to answer any questions."

**Chairman Winters** said, "Commissioner, question, comments? If not, what's the will of the Board?"

**MOTION**

Commissioner Hancock moved to Approve the addition to the Solid Waste 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

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Chairman Thomas G. Winters                      Aye

**Chairman Winters** said, "Next item."

**K.      WAIVERS (TWO) OF POLICY.**

- 1.      APPOINT ADMINISTRATIVE PROJECT MANAGER AT RANGE 26, STEP 6.**
  
- 2.      APPOINT ENTERPRISE RESOURCE PLANNING PROJECT MANAGER AT RANGE 28, STEP 8.**

**Ms. Morales** said, "I'm here today to request a waiver of policy to appoint an Administrative Project Manager at range 26, step 6. Budget impact for 2000 \$24,793 and for 2001, \$68,596 and also to appoint an Enterprise Resource Planning Project Manager at range 28, step 8. Budget impact for 2000, \$5,155 and for 2001, \$13,834. I would recommend approval of the policy waivers for these two appointments and will be happy to answer any questions."

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

**MOTION**

Commissioner Hancock moved to Approve the policy waivers.

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

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

**L. PUBLIC WORKS.**

- 1. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE AND FINAL, WITH HWA DAVIS CONSTRUCTION AND SUPPLY, INC. ON SEDGWICK COUNTY PROJECT: LAKE AFTON – NORTH DRAINAGE CROSSING; CIP# PB-391. DISTRICT #3.**

**Mr. David C. Spears**, P.E., Director/County Engineer, greeted the Commissioners and said "Item L-1 is a modification of plans and construction for the Lake Afton- North Drainage Crossing project, designated as PB-391 in the Capital Improvement Program. This project has been constructed and is ready to be 'finalized'. There will be a net decrease of \$2,608, due to variations in plan quantities from actual field measurements. I recommend that you approve the modification and authorize the Chairman to sign."

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

**Commissioner Hancock** left the Meeting at 11:40 a.m.

**MOTION**

Commissioner McGinn moved to Approve the Modification of Plans and Construction and authorize the Chairman to sign.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Absent

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

**Chairman Winters** said, "Next item."

**2. RESOLUTION RELATING TO EXTENSIONS, ADDITIONS, OR SUBSTITUTIONS IN STREET LIGHTING EQUIPMENT TO BE FURNISHED BY KANSAS GAS & ELECTRIC COMPANY. DISTRICTS #1, #2, #3, #4 AND #5.**

**Mr. Spears** said, "Item L-2 is a resolution prepared by KGE for modifications to street lighting in Sedgwick County. The resolution calls for the installation of two streetlights at the intersection of 13th Street North and 127th Street East. The resolution also removes from the County's bill, seventy-six lights in various locations throughout the County, due to annexation by Wichita and the surrounding cities. The lights are still there. Just the billing has changed. There will be a decrease in the yearly compensation of \$12,339.44 for such additional, extended or substituted equipment and service. This will make the annual compensation for streetlights paid by Sedgwick County to KGE \$94,722. I recommend that you adopt the resolution. I also want to give credit to Stephanie Payton for helping me with this."

**Chairman Winters** said, "All right, thank you."

**MOTION**

Commissioner Sciortino moved to Adopt the Resolution.

Commissioner Gwin seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Absent
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye

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Chairman Thomas G. Winters                      Aye

**Chairman Winters** said, "Thank you, Stephanie, wherever you are. Next item."

**3. ESTIMATE BY THE CITY OF BENTON FOR THE RELOCATION OF AN EXISTING WATER LINE IN CONNECTION WITH SEDGWICK COUNTY PROJECT NO. 839-N; 143RD STREET EAST BETWEEN 13TH AND 21ST STREETS. DISTRICT #1.**

**Mr. Spears** said, "Item L-3 is the approval of an estimate from the City of Benton for the relocation of an existing waterline, at a cost of \$26,923. This relocation is in connection with a project on 143rd Street East, from 13th Street North to 21st Street North. Their line is in a private easement. I recommend that you approve the estimate."

**MOTION**

Commissioner Gwin moved to Approve the estimate.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Next item."

**Commissioner Hancock returned to the Meeting at 11:44 a.m.**

**Regular Meeting, August 9, 2000**

**4. AGREEMENT WITH CERTIFIED ENGINEERING DESIGN FOR CONSTRUCTION STAKING SERVICES OF TOWN & COUNTRY ADDITION; PAVING IMPROVEMENTS PROJECT. DISTRICT #2.**

**Mr. Paul E. Taylor**, P.E., Director of Sewer Operations and Maintenance, greeted the Commissioners and said, "Item L-4 is an agreement with Certified Engineering Design for construction staking services for the Town and Country Addition paving improvements. The agreement is for a lump sum fee of \$4,500. All costs will be assessed to the benefit district through special assessments. We recommend that you approve the agreement and authorize the Chairman to sign."

**Chairman Winters** said, "All right, thank you, Paul. Questions or comments, Commissioners? If not, what's the will of the Board?"

**MOTION**

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

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

**Regular Meeting, August 9, 2000**

Chairman Thomas G. Winters                      Aye

**Chairman Winters** said, "Now, with a little drum roll for his final meeting, call the next item, Madam Clerk."

**M.     REPORT OF THE BOARD OF BIDS AND CONTRACTS' JULY 27 AND AUGUST 3, 2000 REGULAR MEETINGS.**

**Mr. Darren Muci**, Director, Purchasing Department, greeted the Commissioners and said, "You have Minutes from the July 27th and August 3rd Meetings of the Board of Bids and Contracts. For July 27th there are four items for consideration.

**(1)     SEWER IMPROVEMENTS- BROOKHAVEN ESTATES- PUBLIC WORKS  
          FUNDING: SPECIAL ASSESSMENTS**

"Item one, sewer improvements, Brookhaven Estates for Public Works. It is recommended to accept the low bid of Dondlinger and Sons, \$78,880.

**(2)     SOFTWARE LICENSES- DIVISION OF INFORMATION AND OPERATIONS  
          FUNDING: DIVISION OF INFORMATION AND OPERATIONS**

"Item two, software licenses for the Division of Information and Operations. It was recommended to accept the low complete bid of ASAP Software, \$41,302.80.

**(3)     FIRE HOSE PARTS- FIRE DEPARTMENT  
          FUNDING: FIRE DEPARTMENT**

"Item three, various fire hose parts for the Fire Department. It was recommended to split this bid among two vendors that were each low. Danko Emergency for several items, \$4,348.74. And Fire and Rescue, \$291. The grand total \$4,639.74.

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**(4) EVIDENCE LOCKERS- FIRE DEPARTMENT  
FUNDING: FIRE DEPARTMENT**

“Item four, evidence lockers, also for the Fire Department. It was recommended to accept the proposal of Material Handling, \$9,998.

**ITEMS NOT REQUIRING BOCC APPROVAL**

**(5) UNIFORMS FOR VARIOUS COUNTY DEPARTMENTS  
FUNDING: VARIOUS DEPARTMENTS**

“There was one item that was tabled at that time, uniforms for various County departments. A few pages of tabulation follow. If you don’t mind, I’ll just roll right on into August 3rd.”

**Chairman Winters** said, “That’s fine.”

**Mr. Muci** said, “August 3rd there were seven items for consideration.

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

“Item one, sanitary sewer improvements for Public Works, Balthrop Addition, Phase 3B. Recommended to accept the low bid of Dondlinger and Sons Construction, \$72,610.

**(2) RESTROOM REMODEL- JUDGE RIDDEL BOYS RANCH & FACILITY  
PROJECT SERVICES  
FUNDING: FACILITY PROJECT SERVICES**

“Item two is a restroom remodel for the Judge Riddel Boys Ranch. It was recommended to accept low bid, with alternate, of Van Asdale Construction, \$183,700.

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**(3) PAPER TOWELS- DIVISION OF INFORMATION & OPERATIONS  
FUNDING: DIVISION OF INFORMATION & OPERATIONS**

Item three, paper towel products for the Division of Information and Operations. The low bid is Southwest Paper, \$12,447.

**(4) SOFTWARE- DIVISION OF INFORMATION AND OPERATIONS  
FUNDING: DIVISION OF INFORMATION AND OPERATIONS**

“Item four, software for the Division of Information and Operations. It was recommended to accept the sole source bid of Datastream Systems. They are the publisher of this product. \$10,850. The following is a memo identifying the recommendation.

**(5) FINANCIAL ADVISOR- DIVISION OF FINANCE  
FUNDING: DIVISION OF FINANCE**

“Item five, financial advisor services for the Division of Finance. This is an extension of an existing contract. It was recommended to accept that proposal of A.G. Edwards and Sons. This is for one year. Estimated amount, \$20,000.

**(6) ANNUAL ENROLLMENT SERVICES 2001 YEAR PLAN- DIVISION OF FINANCE  
FUNDING: DIVISION OF FINANCE**

“Item six, annual enrollment services for the year 2001 plan, also for the Division of Finance. This is with Great Lakes Strategies. This is an extension. Great Lakes Strategies was identified through a proposal process a few years back. Recommended to accept their proposal, \$140,850.

**(7) UNIFORMS- VARIOUS COUNTY DEPARTMENTS  
FUNDING: VARIOUS DEPARTMENTS**

“Item seven, uniforms for various departments. This was tabled previously. After review, it was determined that we need to revise the specifications. Therefore it was moved to reject all bids, so that we could re-solicit. A complete tabulation follows.

“Commissioners, be happy to take questions and recommend approval of the Minutes from July 27th and

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August 3 Board of Bids and Contracts.”

**Chairman Winters** said, “All right, thank you. Commissioners, questions, comments? What’s the will of the Board?”

**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, “Again, Darren, best wishes. Hope everything goes well and successfully for you.”

**Mr. Muci** said, “I know I’m not retiring but if I may, I want to thank the Manager, Chris Chronis, and before him Bob Rogers and my staff for making it an enjoyable six and a half years. Hope to see you around.”

**Chairman Winters** said, “I’m certain we’ll see you around.”

**Commissioner Sciortino** said, “Just remember, we stole you once.”

**Commissioner Gwin** said, “Yeah, we can steal you again.”

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**Chairman Winters** said, "All right, next item."

**CONSENT AGENDA**

**N. CONSENT AGENDA.**

**1. Right-of-Way Easements.**

- a. One Easement for Sanitary Sewer Pump Station and one Temporary Construction Easement for Sedgwick County Project – Sanitary Sewer Pump Station; 13th Street North between 127th and 143rd Streets East. District #1.

The following tracts of land have been granted by Easement for Right-of-Way at no cost to the County. The Director, Code Enforcement, requested each Easement as a condition of receiving Platting Exemptions on unplatted tracts.

- b. Road Number 803-AA, Owners: Ronald E. Robertson and Wanda G. Robertson, located in the Northeast Quarter of Section 14, Township 29 South, Range 2 West, more specifically located on the west side of 135th Street West and south of 87th Street South. Ninnescah Township. District #3.
- c. Road Number 803-AA, Owners: Ronald E. Robertson and Wanda G. Robertson, located in the Northeast Quarter of Section 14, Township 29 South, Range 2 West, more specifically located on the west side of 135th Street West and south of 87th Street South. Ninnescah Township. District #3.
- d. Road Number 596-20, Owner: Ted Decker, located in the Southwest Quarter of Section 20, Township 25 South, Range 1 West, more specifically located on the east side of Maize Road and north of 93rd Street North. Valley Center Township. District #4.

**2. Floodway Reserve Easements.**

The following tracts of land have been granted by Easement for Floodway Reserve at no cost to the County. The Director, Code Enforcement, requested each Easement as a condition of receiving Platting Exemptions on unplatted tracts.

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- a. Owners: Chad W. Luckner and Deborah J. Luckner, located in the Northwest Quarter of Section 16, Township 29 South, Range 1 West, more specifically located on the east side of Tyler Road and south of 87th Street South. Ohio Township. District #2.
- b. Owners: Ronald N. Ketzner and Mary E. Ketzner, located in the Northeast Quarter of Section 20, Township 26 South, Range 34 West, more specifically located on the west side of 279th Street West and south of 53rd Street North. Sherman Township. District #3.
- c. Owners: Ronald E. Robertson and Wanda G. Robertson, located in the Northeast Quarter of Section 14, Township 29 South, Range 2 West, more specifically located on the west side of 135th Street West and south of 87th Street South. Ninnescah Township. District #3.

**3. Section 8 Housing Assistance Payment Contracts.**

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V2055	\$375.00	5	Ginnett R. Johnson
V2056	\$375.00	5	William Favreau
V2058	\$205.00	2	Brent Lawrenz
V2059	\$262.00	4	Valley View Apartments
V2057	\$600.00		R & J Rentals

**4. 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>
C97044	\$377.00	\$000.00
C97046	\$229.00	\$268.00
V99052	\$346.00	\$346.00
V97059	\$174.00	\$30.00

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V99052	\$325.00	\$346.00
V95117	\$168.00	\$207.00
V99051	\$221.00	\$425.00
V95118	\$199.00	\$195.00
V99053	\$307.00	\$294.00
V94081	\$201.00	\$176.00
V99014	\$291.00	\$306.00
C62017	\$190.00	\$200.00

**5. 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:

Cheney Baptist Church 1st Addition  
HWS Stables at Hollenbeck Farms Addition  
Lundry Addition

- 6. Resolution assigning the street name of Bumgardner Street to a private street, MAPD Case No. DR 00-07.**
- 7. Orders dated July 26 and August 2, 2000 to correct tax roll for change of assessment.**
- 8. General Bills Check Registers of July 28 and August 4, 2000.**
- 9. Payroll Check Registers of July 31 and August 4, 2000.**
- 10. Budget Adjustment Requests.**

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

**MOTION**

Commissioner Gwin moved to Approve the consent agenda as presented.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Is there any other business to come before this Board? Seeing none, this Meeting is adjourned."

**O. OTHER**

**P. ADJOURNMENT**

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There being no other business to come before the Board, the Meeting was adjourned at 11:48 a.m.

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

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

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**CAROLYN McGINN**, Chair Pro Tem  
Fourth District

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**BETSY GWIN**, Commissioner  
First District

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**BILL HANCOCK**, Commissioner  
Second District

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**BEN SCIORTINO**, Commissioner  
Fifth District

ATTEST:

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**James Alford**, County Clerk

APPROVED:

\_\_\_\_\_, 2000