

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

JULY 26, 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, July 26, 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. Maxey Harrell, Counseling Corrections Coordinator, Judge Riddel Boys Ranch, Department of Corrections; Ms. Deborah Donaldson, Director, Division of Human Services; Mr. Doug Russell, Director, Division of Human Resources; Ms. Jo Templin, Assistant Director, Division of Human Resources; Ms. Irene Hart, Director, Division of Community Development; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Mr. Chris Chronis, Chief Financial Officer, Division of Finance; Mr. Glen Wiltse, Director, Code Enforcement Department; Ms. Jacque L. Wedel, Sales/Marketing Manager, Kansas Coliseum; Mr. Randy Duncan, Director, Emergency Management; Ms. Annette Graham, Director, Department on Aging; Ms. Stephanie Knebel, Senior Project Manager, Facility Project Services; Mr. Paul E. Taylor, P.E., Director, Sewer Operations & Maintenance, Bureau of Public Works; Mr. James Weber, P.E., Deputy Director, Bureau of Public Works; 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. Joe L. Norton, Bond Counsel, Gilmore & Bell, P.C.
Mr. Don Beggs, President, Wichita State University
Mr. John DuVall, Retired Executive Officer, Appraiser's Office
Dr. Val Brown, Member, Wichita/ Sedgwick County Board of Health
Mr. John Mies, Chairman, Sedgwick County Extension Council
Ms. Bev Dunning, Director, Sedgwick County Extension Service
Mr. Dale Bukaty, Chairman, Advisory Board for Senior Services
Ms. Nikki Schoenhals, Program Director, Sunflower Chapter, Alzheimer's Association
Ms. Kathy Dittmor, Member, Wichita/ Sedgwick County Board of Health
Mr. Karl Peterjohn, Executive Director, Kansas Taxpayers Network
Ms. Dianne McNabb, Financial Advisor, A.G. Edwards
Mr. Jim Spencer, District Manager, Waste Connections Inc.

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GUESTS

Mr. Kenny E. Hill, Civil Engineer, Poe & Associates
Mr. John D. Greenstreet, Developer, Plaza Real Estate
Mr. Brad T. Murphree, Attorney, Martin & Churchill Law Firm
Mr. Chris Carrier, Storm Water Manager, Wichita Storm Water Management Department

INVOCATION

The invocation was led by Laskshmi Kambampati, Sanskrit.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, June 21, 2000
 Regular Meeting, June 28, 2000

The Clerk reported that all Commissioners were present at the Regular Meetings of June 21 and June 28, 2000.

Chairman Winters said, "Commissioners, you've had an opportunity to review the Minutes, what's the will of the Board?"

MOTION

Commissioner McGinn moved to approve the Minutes of the Regular Meetings of June 21 and June 28, 2000.

Commissioner Sciortino seconded the Motion.

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

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VOTE

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

Chairman Winters said, "Next item."

YOUR COUNTY SERVICES

A. DEPARTMENT OF CORRECTIONS.

Chairman Winters said, "Commissioners, we have begun the process of beginning our meetings with a brief description about a County department and what one of our employees specifically does with that department. This morning, we're pleased to have someone from Judge Riddel Boys Ranch. Welcome to the Commission Meeting."

Mr. Maxey Harrell, Counseling Corrections Coordinator, Judge Riddel Boys Ranch, greeted the Commissioners and said, "I'm the Counseling and Independent Living Coordinator at Judge Riddel Boys Ranch. In the next few minutes, I want to give you a brief overview of what we do and who we are. The Boys Ranch is located 23 miles west of Wichita, just on the southwest corner of the Lake Afton State Park. The Boys Ranch is a level five residential treatment and rehabilitation facility housing 13 to 18 year old youth. These are juvenile offenders who have been placed in custody by the court."

"We've just completed raising our population from 42 to 47 beds. We're on track with that, moving those kids in. The clients that are placed there, at the Boys Ranch, come to us with a wide variety of treatment issues that we try to address while they are there. Some of these issues, I'll mention briefly, are the illegal acts, of course, that got them in front of the court in the first place. They also have a high use of substance abuse, history of drug use, history of inhalants or history of alcohol use. We try to deal with those while they are there. These clients exhibit aggressive behaviors, which we address and out of control behaviors."

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"One of the main issues, also, we found among our clients was education neglect. Our students have refused to go to school and/or when they did go they had inappropriate behavior in the classroom. So they are placed at the Boys Ranch and we address those, too. I'll mention how we do that in just a minute.

"We also found among our clients poor family relationships, poor parental guidance, sometimes absent parenting. One of the other issues would be mental health issues. Our clients come in with a diagnosis of mental health concerns, A.D.D.(Attention Deficit Disorder), A.D.H.D. (Attention Deficit Hyperactivity Disorder), L.D. (Learning Disability), B.D. (Behavior Disorder) concerns that we have to also deal with in a very short period of time. So, anger management becomes one of our basic focuses on the kids while they are there.

"Health concerns are also prevalent. We have kids that we have to address the K.D.H.E. (Kansas Department of Health and Environment) requirements while they are there also. To do this, we use a treatment team approach. We use youth correction workers, senior counselors and school teachers and other support staff. Our major emphasis there is to try to get the individual to focus on their individual needs that can be met while they are there. The team must develop strategies, implement strategies that can assist the client to regain behavior and also to maintain that behavior once they leave and go back into the community.

"The counseling program consists of five master level counselors that meet with the kids on a one to one basis weekly. They are also involved in other programs. All of these counselors have masters degrees in sociology, psychology, and/or educational counseling. We feel the strength of our program is the approach that we take to addressing the issues I just mentioned. Basically, on a one on one basis we meet with the clients weekly. We do group therapy sessions on campus. We also have family counseling on campus where we bring the families out. We have family counseling where we take the kid and the staff in town to do home visits with the family. We also have an on-site school with staff who are familiar with handling these types of problem kids. One of the strong points of our school is we have staff escort our kids to and from class which is something different for the kids. They don't get the chance to gyp on the way to class.

"We have a G.E.D. program that is one of the best in the State. Over 90% of our kids who enter that program get a G.E.D. in 4 ½ months while they are there. We also do job readiness training, independent living classes. The last issue that I will mention is that our J.R.B.R. (Judge Riddel Boys Ranch) counselors

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also come into town once a week and provide a parent group for parents of our children who are located at the ranch. We hold this at the J.D.F. (Juvenile Detention Facility) facility.

"It is not all work at the ranch. Also, we do recreation therapy. Our students also participate in a wide variety of team building sports and team building recreational activities both on and off campus. I've mentioned a lot of programs and a lot of things that we do very quickly. However, our students can successfully complete this program in 140 days, if they are meeting all the program elements. That's just a brief look at J.R.B.R. If you have any question, I'd be happy to answer at this time."

Chairman Winters said, "Thank you very much, Max. We appreciate the thumbnail sketch about what you all do. I know the Commissioners are proud of that facility. We think that you all do a good job and we hope you continue the hard work that you do perform out there in a very needed manner. Commissioner Hancock."

Commissioner Hancock said, "Thank you, Mr. Chairman. Max, just wanted to ask you a couple of questions. First of all, I know that J.R.B.R. has been there a long time. I guess you can say it's been in business a long time. Has the program evolved over the years and changed over the years?"

Mr. Harrell said, "It has. At one time it was a longer program. About four years ago we reduced the program to 140 days. It is very challenging to get the kids through and get the problems addressed and get them out again. So that is one of the changes. We've also updated the services that we provide. Our counseling services are more intense. Also, our one on one with the kids has been upgraded."

Commissioner Hancock said, "Thank you very much. One other question. It has been a while since I've been there and the last time I was there the boys that were there had a job sometimes refinishing furniture. Do they still do that?"

Mr. Harrell said, "We still do that program, our J.R.T. program. This is for our senior kids in our J.R.T. program, our Job Readiness Training program. Basically, the G.E.D. kids and kids who are entering into the independent living program."

Commissioner Hancock said, "Very good, thank you, Max. Appreciate it."

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Chairman Winters said, "Commissioner Gwin."

Commissioner Gwin said, "Thank you. Max, Bill alluded to one of the programs. Aren't there other activities that you have the boys involved in, besides school?"

Mr. Harrell said, "Quite a bit. We do therapy programs, group programs, we also have activities, kids involved in community service. We take them off campus for a variety of sports events and also neighborhood involvement types of community services. We also take them to K.S.R. once a month. There are a lot of programs I didn't mention because of time, but yes Ma'am, we do, we have a lot of programs."

Commissioner Gwin said, "We appreciate your hard work and your success with that program. Thank you, Max. Thank you, Mr. Chairman."

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

Commissioner Sciortino said, "My first question was already answered, the length of the stay and you said about 140 days. But maybe for some people in the audience, could you just give us how the ranch got started, who Judge Riddel is and how it got started?"

Mr. Harrell said, "Actually, it was started in 1961 and it was changed over to Judge Riddel's a few years later. Basically, a lot of the programs we are using now was continued by Judge Morrison, one of our judges, while he was involved in our program. It started in 1961 as a residential live-in facility. We no longer have staff living in, but we do have residents living in 24 hours a day."

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

Chairman Winters said, "Thank you Commissioner. Max, thank you for sharing with us this morning. Please know that the Commissioners do appreciate the work that you and all the staff do at the Boys Ranch. It is very important work and we think you're being quite successful in a number of cases. Keep up the good work. Thank you. Commissioners, do we have a motion to receive and file Max's report?"

MOTION

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Commissioner Sciortino moved to receive and file.

Commissioner McGinn seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

DONATION

B. DONATION OF A POOL TABLE AND BILLIARD STICKS, VALUED AT \$1,378.20, BY STEVE JAMES, BILLIARDS & GAMES, ETC., FOR USE BY COMCARE PSYCHOSOCIAL PROGRAM CONSUMERS.

Ms. Deborah Donaldson, Director, Division of Human Services, greeted the Commissioners and said, "This donation of a pool table we really are appreciating because we do have a pool table at our Community Support Services Program that serves adults with a serious mental illness, but it is very old. As you know, once a pool table gets to a certain point, it is kind of like we're really not doing a skill but just kind of guessing which direction it is going to go. So, we're very pleased to see this. We really would appreciate it if you would accept the donation and authorize a letter of appreciation. I'd be glad to answer any questions."

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

MOTION

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Commissioner Gwin moved to accept the donation and authorize the Chairman to sign a letter of appreciation.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

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

APPOINTMENTS

C. APPOINTING RESOLUTIONS (TWO).

1. RESIGNATION OF ERIC EVENSON FROM THE SEDGWICK COUNTY SOLID WASTE MANAGEMENT COMMITTEE.

Mr. Richard A. Euson, County Counselor, greeted the Commissioners and said, "This written resignation has been tendered to you and I recommend you accept it."

MOTION

Commissioner Hancock moved to accept the resignation.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

2. RESOLUTION APPOINTING BRIDGET LEMEN (BOARD OF COUNTY COMMISSIONERS' APPOINTMENT) TO THE SEDGWICK COUNTY SOLID WASTE MANAGEMENT COMMITTEE.

Mr. Euson said, "Commissioners, this appointment will fill the vacancy you just created and is for a term to expire in December of 2001. The Resolution is in proper form."

MOTION

Commissioner Hancock moved to adopt the Resolution.

Commissioner McGinn seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

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3. RESOLUTION APPOINTING KURT WATSON (COMMISSIONER GWIN'S APPOINTMENT) TO THE SEDGWICK COUNTY PUBLIC BUILDING COMMISSION.

Mr. Euson said, "Commissioners, this is a four-year appointment to this board to this commission. I recommend that you adopt the Resolution."

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Hancock seconded the Motion.

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

VOTE

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

Chairman Winters said, "I don't believe that I saw Bridget Lemen or Kurt Watson here. Are either of them here in the meeting room this morning? I didn't think I saw either one of them. Thank you. Next item."

RETIREMENT

D. PRESENTATION OF RETIREMENT CLOCK TO JOHN DUVALL, EXECUTIVE

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OFFICER, APPRAISER'S OFFICE.

Ms. Jo Templin, Division of Human Resources, greeted the Commissioners and said, "John DuVall will retire from Sedgwick County on August 1 of 2000. John began his employment on October 1, 1970 and has worked for COMCARE, formally known as Sedgwick County Department of Mental Health, for 29 years and 8 months as Director of Operations. He transferred this year to the Appraiser's Office on June 1 of 2000.

"John will be spending time with his family during the month of August, including his wife Carolyn, son Scott in Kansas City, and daughter Gretchen here in Wichita. His daughter is expecting and will hopefully deliver their first grandchild during the month of August.

"John says, 'I have enjoyed working for Sedgwick County with the constant challenges that arise on a daily basis. I am most impressed with the high caliber of professional staff that work within the County.' John will take the month of August off and get caught up on various projects at home and in September he will begin a new career at Wichita State University in the Office of Research Administration. John."

Chairman Winters said, "John, we have this certificate for you, but we also have this clock that we would like to present to you on behalf of the Board of County Commissioners. We certainly want to acknowledge all of the years of service that you have given to the citizens of Sedgwick County and we would like to present this clock, as a token of that appreciation, from the Board of County Commissioners. I remember I had not been here but only a few days and made the connection that I had known John's father in previous business experience. John's father was in the trucking business, locally, here in Wichita as our family was in the trucking business. So, we've certainly have known the DuVall family for many years and certainly we have appreciated all that you have done for Sedgwick County. We say congratulations and ask if you'd like to make a comment or two as you start off on a new adventure. We certainly wish you all the best."

Mr. John DuVall, Executive Officer, Appraiser's Office greeted the Commissioners and said, "I think it is important, after 29 years, to kind of look back and recognize the people who have really helped you. I'd like to publicly thank the staff at COMCARE for their support and trust. In addition, my sincere gratitude for the staff at the Appraiser's Office, who really went out of their way to kind of make me feel welcome. I appreciate that immensely. In addition, I think it is important to thank you, the County

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Commissioners, who have supported and encouraged both of these really excellent departments. They both offer a quality service to the citizens of Sedgwick County. I've enjoyed my employment here and I look forward to new challenges at Wichita State. My sincere thanks to everyone."

Chairman Winters said, "Congratulations."

Commissioner McGinn said, "Clerk, call the next item please."

ELECTION RESULTS

E. SEDGWICK COUNTY EMPLOYEE BENEFITS ADVISORY COMMITTEE (SCEBAC) ELECTION RESULTS.

- 1. JANICE FINE, DIVISION OF INFORMATION & OPERATIONS**
- 2. PHILIP ROSS, BUDGET DEPARTMENT**
- 3. KAYETTA REA, TREASURER'S OFFICE**

Ms. Templin said, "I am here today to announce the newly elected three members of the SCEBAC Committee, Sedgwick County Employee Benefits Advisory Committee. I believe some of them or all of them are here. If you are, please step forward. The first is Janice Fine from the Division of Information Services and Operations. Philip Ross, Division of Finance, Budget Department. Keyetta Rea from the Treasurer's Office. Congratulations to these three employees and we look forward to their involvement in SCEBAC."

Chairman Winters said, "Congratulations. This is a good organization and we appreciate your folk's willingness to be on that board and best of luck. I'm sure we'll be hearing about your activities in the

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future. Next item."

AWARD PRESENTATIONS

- F. PRESENTATION OF CERTIFICATES FOR COMPLETION OF CAREER DEVELOPMENT COURSES.**
- 1. SUPERVISORY/MANAGEMENT: JOHN TAPLER, DEPARTMENT OF CORRECTIONS**
 - 2. PROFESSIONAL DEVELOPMENT: APRIL WARREN, SHERIFF'S DEPARTMENT**

Ms. Templin said, "We are pleased today that two of our Sedgwick County employees have completed career development certificates. These involved required classes, as well as elected courses, and takes one to two years to complete. We appreciate their department head's cooperation with allowing these employees to attend our training program. Today, we have John Tapler from the Department of Corrections. He has earned the Supervisory/Management Certificate. "We also have April Warren from the Sheriff's Department. She has earned her Professional Development Certificate."

Chairman Winters said, "Congratulations to both of you. Thank you, Jo. We certainly appreciate employees who take the opportunity for career development. It is very important and we appreciate your efforts. Next item."

PUBLIC HEARINGS

- G. PUBLIC HEARING REGARDING THE 2001 SEDGWICK COUNTY BUDGET.**

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "You've been presented with the budget two weeks ago. It called for us to deal with the priorities that you have set. It calls for the spending of an excess of \$287,000,000. One of the most important parts of the process occurs now and will occur in two weeks. That is hearing from the public about their concerns, questions, and how they think you need to redistribute the pie. So, I would suggest that we proceed to open the public hearing. Following the public hearing, there will be an agenda item about publishing the budget and we'll discuss that at that time. If it pleases the Commission and Mr. Chairman, open the public hearing and

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proceed with the public comments."

Chairman Winters said, "Thank you, Mr. Buchanan. At this time, we will open the public hearing and we will receive public comment on our proposed 2001 budget for Sedgwick County. The public hearing is now open and I'd like to recognize Dr. Don Beggs from W.S.U. to begin. Dr. Beggs, welcome to Sedgwick County Commission Meeting."

Dr. Don Beggs, President, Wichita State University, said, "Thank you. It is my privilege. It is my second year to be making the presentation to the Commission concerning the mill levy support for the cooperation with the County, the City, and with Wichita State University. This is indeed a very unique relationship. It is a relationship that allows us to work together in a way that lets us do things together for the betterment of individuals in our County. It is also an opportunity for me to comment to you that as a result of the Senate Bill 345 Legislation, that the out of district tuition that is being paid to community colleges will be cut in 1/4 this year, which will be an added asset for us as a community. But as far as the mill levy, I think it is important for me to share with you that we continue the same priorities that we've had with respect to debt service, which respect to the funding of individuals for scholarships, and maintaining our programs to the best of our ability."

"For your information, the budget as it has been presented to you, has been presented to the Board of Trustees of the University. The Board of Trustees have reviewed this, have taken official action upon it. The Chairman is unable to be here today because he is out of town, Mr. Oatman. It was unanimously supported by this Board that meets with us quarterly to review our expenditures, how we have expended our dollars in accordance with the budget request. This will be submitted to you. It will also be submitted to the City and, finally, will be presented to the Board of Regents. We're here to answer the questions that might be appropriate, as we have presented the budget to you at this time. I'll step back and answer any questions that might be appropriate."

Chairman Winters said, "Thank you, Dr. Beggs, very much. I know that we have received several pieces of correspondence from you, representing your budget request and how that mill levy will be. They've been very thorough and very explanatory. At the current time, Commissioners, I don't see anybody's light flashing with a question. We have one. Commissioner Hancock."

Commissioner Hancock said, "No questions Dr. Beggs, just a comment. I'm glad to see that the revenue amount is growing, as the City and the County develops and our valuation goes up. It's a good

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program. It reflects our economy as well. I've always had a lot of confidence in the University and how they have applied these funds to their needs. The Board of Trustees should be complemented for their decisions. I think they have made wise decisions for the university and the community. I wish to extend to them our thanks, and our appreciate as well, for their work. All we have to do is just say yes to a mill and a half, that's pretty easy work. Taxpayers do the rest for us. But then the Board comes and does their work and we appreciate what you do."

Dr. Beggs said, "Thank you. These nine individuals do put in a considerable amount of time and we interact with them considerable concerning the topics. Our Wichita debt network.com cooperative, in terms of the web site, is indeed phenomenal and as individuals visit the area, the first question they ask is how can the City, County, and University and the Chamber work as well as we do. I think this allows us to do those kinds of things. It is a compliment to the County and the City, as well as for our Board of Trustees. Thank you."

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

Chairman Winters said, "Dr. Beggs, thank you very much for being with us this morning. We appreciate your comments. Are there others here who would like to address the Board of County Commissioners concerning the budget for 2001. Please identify yourself and I didn't mention before Dr. Beggs, we try to limit our comments to five minutes, but we certainly want to hear what folks have to say."

Dr. Val Brown said, "I'm a physician here in Wichita, Kansas, born and raised in Wichita. This is my first opportunity to address a governing board, city or county. I want to say 'hi' to my representative, Commissioner McGinn.

"I'm here today representing the City/County Board of Health. I am the immediate past chairman of that board. We also have here today Carolyn Ernest, who is the current board chairman, and Kathy Dittmer and also Tom Pollan. I am on the E.M.S. subcommittee. The Board of Health does oversee activities of E.M.S. I don't want to give you a lot of facts and figures today. I did have Tom give me a crib sheet and he did a real good job. I think there are certain issues that have been brought to your attention. I think the major issue is an attitude or a feeling. That is that Wichita is growing and Sedgwick County is growing. We all have one basic need and that is a need for health care.

"Injury or illness is the one great equalizer of us all, regardless of what walk of live we have, whether we're professionals or whether we're not. We all have one basic need if we are ill or injured. That is that we get timely attention and timely care. As Wichita begins to grow and expand, I think this is going to be even

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more crucial. You've heard that there is an increased workload on personnel for E.M.S. There is a youthening of the E.M.S. workers. We are losing some of our older more experienced people. The time is now for us to perhaps continue to look at personnel issues. We need to look at what we can do to keep response times low. I know you have been given graphs that tells you what happens when response times for serious emergencies is above eight minutes. That's an important number. I ask you to once again look at those when you are looking at budget issues.

"We want to retain competent personnel. This has been partially addressed in the Manager's recommended budget. We certainly thank you for that. We need to continue to look at this work load of individuals, high turnover rates, more and more individuals with less and less experience. I just wanted to speak, in behalf of the Board of Health, as a member and a concerned citizen. Thank you."

Chairman Winters said, "All right, Doctor, thank you very much. Can I ask the other members of the Health Board to please stand that are here? Thank you very much. I just wanted to publicly thank you for the work that you put in on this board. It is very important and we certainly do take your comments very seriously. Thanks, for your work on this board. Next speaker."

Mr. John Mies, Chairman, Sedgwick County Extension Council, greeted the Commissioners and said, "I'm here today to visit with you about the Council supplemental budget request that we've made previously but were not included in the Manager's recommended budget. The first request was for salaries, \$39,729, which is 5% of the County's portion of the Extension salaries. I know that the Manager has recommended 3% for other County employees' raises, but since extension was given no raise last year, we felt that 5% was not out of line. Should you decide to reduce this request to 3%, that amount would be \$23,837. With the present professional staff we have, you will note in your budget book that our goals line up very well with your budget goals in terms of programs and services we provide to people of Sedgwick County.

"A quick review of a few of those goals are: to help young people develop the life skills they will need to become self-directing, contributing, adult members of society, Sedgwick County families will achieve a balance in their personal, family, community, work roles, by learning parenting skills, financial management, food management, and safety and healthier quality of life for all ages. Improved sustain ability and viability of Sedgwick County agricultural production, protect the environment and natural resources of Sedgwick

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County through targeted educational programs, waste reduction, food crops, and efficient use of water. These are but a few of the programs we provide for Sedgwick County people and believe that the professionals directing those programs are worthy of acknowledgment for what they do.

"The second supplemental request was for \$10,000 to be used for contract computer support. We have 42 work stations in the Extension education facility. KSU provides training, E-mail access and support, but in-house help is needed almost daily to keep equipment and programs running efficiently. Our present budget cannot support that help.

"I appreciate the support you have given us in the past and believe that the unbiased research-based education and information we provide Sedgwick County people is worth your consideration of these supplemental requests. Do you have any questions at this time of Bev Dunning, your Extension Director or myself?"

Chairman Winters said, "Thank you, John. Yes, I think we do have a question. Commissioner Hancock."

Commissioner Hancock said, "John, on the computer support, that would be for an outside contract to bring someone in to fix things?"

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

Commissioner Hancock said, "You have how many?"

Ms. Bev Dunning, Director, Sedgwick County Extension Office said, "Forty-two computer work stations."

Commissioner Hancock said, "Okay, thank you, John."

Chairman Winters said, "Commissioner Sciortino."

Commissioner Sciortino said, "Thank you Mr. Chairman. I don't have a question of the applicant but I do have one of the Manager. Didn't our contribution to the Extension Service go up from 1999 to the year 2000? Something tells me it was about a 17% increase."

Mr. Buchanan said, "Well, it was a shifting of some of the responsibilities but in real dollars it did go up."

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Commissioner Sciortino said, "Am I right, we don't fund personnel, we give them a lump sum and they can do with it as they wish, is that correct?"

Mr. Buchanan said, "Yes sir."

Commissioner Sciortino said, "So I'm confused, we're not funding, specifically, personnel. We give you the money and you have the option to give it to your employees or more or less do with it as you wish, is that not correct?"

Mr. Mies said, "Commissioner, I'll let Bev Dunning, our Director, answer that if you don't mind."

Commissioner Sciortino said, "Okay."

Ms. Dunning said, "You're right, the Board, of which John is the Chair of that, do make the decisions about the financial decisions that are needed. But, salaries are at a certain limit and there is no money, other than operating expenses, that can be used for that. So we'd have to decrease these programs a great deal."

Commissioner Sciortino said, "But that would be the decision of the Board to do that, is that correct?"

Ms. Dunning said, "That's correct."

Commissioner Sciortino said, "I don't understand what you're coming to us for, since we're giving you X number of dollars a year and that is increasing slightly every year, but it is the Board's decision whether or not to pay that to employees or to spend it on other services or to buy a computer or what have you. Is that not true?"

Ms. Dunning said, "We'd have to cut programs is what we do for Sedgwick County people if we were to have to have more money."

Commissioner Sciortino said, "The point I want to make is that we're not denying salary increases because we don't fund specific money for salaries, we give it to the Board to make that decision."

Ms. Dunning said, "I understand."

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

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Chairman Winters said, "What I think John . . . John, are you the President of the Executive Committee, or Director, or Chairman or what's your title?"

Mr. Mies said, "Director."

Chairman Winters said, "Director of the Executive Committee. What they are talking about is if we would up this percentage that what they would use it for is wages. What you say, Commissioner, is certainly correct. The only other thing I would mention is that a 17% from 1999 to 2000 was all the maintenance for that building was shifted out of the regular County budget to their budget, so we could more adequately determine where the expenses were. So, they did not have a 17% increase in money to use for programs, salaries."

Commissioner Sciortino said, "I know that, but that was to give the citizens clear understanding of how much money we're actually funding to the Extension Service."

Chairman Winters said, "I just wanted to make clear that we didn't give them a 17% increase in funds available to them. John, are there any of your other board members here or are you it this morning? We certainly appreciate the work that you do. Commissioner McGinn, I'm sorry."

Commissioner McGinn said, "I just have a question for the Manager about the \$10,000 computer support. Has that been looked at, as to whether it would be cost effective for some of our folks that are trained in that area to help, or is this an overhaul of the current system that you have? Is it mostly just technical support?"

Ms. Dunning said, "That's right. We'd be glad to have any help."

Commissioner McGinn said, "We could look at that as an option, too."

Ms. Dunning said, "That would be fine."

Commissioner McGinn said, "We're going to talk about Right to Farm here in just a little bit, and since you're with Extension, you may want to stick around a little bit."

Ms. Dunning said, "John has to leave in a little bit but I'll be here."

Chairman Winters said, "Thank you, John. We appreciate your volunteer work on this very important

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board."

Mr. Mies said, "Thank you, Commissioners for your time."

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

Ms. Dale Bukaty, Chairman, Advisory Board for Senior Services, greeted the Commissioners and said, "I am Chairman of the Advisory Board for Senior Services. On behalf of Senior Services, I would like to thank you for your commitment to the welfare of older people and for your support of Senior Services in the past. I'm here to address a concern that we have this year for our senior employment program. The concern is that at the State level, we received a \$5,000 cut in funding. The Senior Employment Program helps job seekers, most under 65 years of age, between 55 and 65 year old bracket of low income workers. These clients fill between 600 and 700 unsubsidized jobs in a fiscal year. Now, our state funding for this program has been slashed for a number of years and will be cut \$5,000 this year. Our budgets were already made out when we received this news. The result of this cut is that Senior Services will have to stop sending older workers for training that enhances their employability, and in particular, computer training. We know what that means in today's world.

"It takes \$1,000 a year to train these low income job seekers in computers. We are requesting these additional monies of \$1,000 from the County for the year 2001. The Senior Employment Program has not received any increase from the County since 1995. The \$1,000 will go directly to the clients, returning them to taxpayer status so it is really a win/win situation. We respectfully request this additional \$1,000 for the Senior Employment Program for the County for the year 2001. Judy Finnell has some handouts that might help you and some of the statistics of the program. Can we answer any questions?"

Chairman Winters said, "Thank you. Commissioner Gwin has a question."

Commissioner Gwin said, "I don't know if it is for Dale. Mr. Manager, is that the employment services that we would look at on page 195 of your recommended budget? Is that what Ms. Bukaty is referring to? I'm not sure which program."

Ms. Bukaty said, "It's called the Senior Employment Program, I believe the amount requested this year is \$47,000 and something from the County."

Commissioner Gwin said, "It's \$47,250, so I'm looking at the correct line item. And you're asking for an increase to?"

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Ms. Bukaty said, "Of \$1,000 to \$48,250, to cover part of the loss from the cut in the State funding, because we consider it to be such a vital issue."

Commissioner Gwin said, "Okay. Now I know which program she's addressing. Thank you."

Chairman Winters said, "Commissioner McGinn."

Commissioner McGinn said, "Hi Dale, it has been 20 years since I've seen you. We were in a class at W.S.U."

Ms. Bukaty said, "She almost hit me in the head with a golf ball."

Commissioner McGinn said, "Oh yeah, I did do that. I forgot. I forgot about that. Dale, you may have said this at the very beginning, but would you repeat, if you haven't said so already, how much decrease did you take because of State cuts?"

Ms. Bukaty said, "It was \$5,000."

Commissioner McGinn said, "It was \$5,000 total. And of all the programs in Aging or just for this."

Ms. Bukaty said, "No, the senior employment program. That brings the State funding down to about equal of what we had requested from the County."

Commissioner McGinn said, "Okay, thank you."

Chairman Winters said, "Thank you very much, Dale and Judy, we appreciate your being here. Next person who would like to address the Commission."

Ms. Nikki Schoenhals, Program Director, Sunflower Chapter of the Alzheimer's Association, said, "I'm here today in place of my Executive Director, Laura Alcar, who was unable to be here today. The Sunflower Chapter of the Alzheimer's Association has requested just over \$16,000 to fund a part-time case manager social worker, who would work with families through our help line program. This person would help respond to calls and walk-ins at the chapter office and assist families who are caring for a loved one with Alzheimer's disease. Their main responsibility would be to follow-up with families who have received information from chapter staff but who may need more assistance in getting through the maze of elder care."

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"The case manager can perform a home assessment to help families make informed decisions about their care options. This case manager will keep up on services available, including facility openings, in order to provide the most current information to families. Options can include homemaker and attendant care services, home health, in-home respite, day care, family counseling, support groups, as well as referrals to care facilities. Last year the staff offered assistance to 1,400 contacts with only two full-time staff. Follow-up was often impossible with just the two of us there to help people with the information they need to get. This position would allow the chapter to follow families from the time of the initial call until services are put in place for the family.

"The chapter works with a number of other aging service providers, including the Department on Aging, long-term care facilities, hospitals, hospice providers, physicians, home health agencies and social service agencies. This position should strengthen the services that the chapter can provide to families, whether they are in crisis or just finding out about the disease. So to reiterate, the importance is that we get a lot of calls in our office and we only have two full-time staff members to field those calls. Last week, I got a call from a woman who not only was her mother-in-law in the early stages of Alzheimer's disease, but her father-in-law was, too. So her husband was dealing with two early stage dementia residents and they needed a lot of help finding services and of course the mother and father-in-law were resistant to any assistance from the family. We would like to be able to follow up with families like that, but we're just getting so many new calls a day that it is really hard to get the follow-up done. If I can answer any questions for you, I'd be happy to."

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

Commissioner Gwin said, "Nikki, your request was for how much?"

Ms. Schoenhals said, "The exact amount is \$16,212.50."

Commissioner Gwin said, "Thank you. I notice that the Manager has recommended, not that amount precisely, but has recommended \$15,203 in the 2001 budget. By not recommending the full amount, how would that . . . I mean, we're maybe a thousand dollars short."

Ms. Schoenhals said, "Right. I think that will be sufficient. When you work in this type of care, you really need to have passion for what you do. You cannot be motivated by money. I think we would like to find a social worker that has a passion for the Alzheimer's disease and wanting to help families. We may just have to adjust the amount of time that they spend in the office."

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Commissioner Gwin said, "We had a request from your organization in previous budgets that we did not fund, so I believe this will be the first funding that has been recommended for your association, is that correct, from County government?"

Ms. Schoenhals said, "I believe so, I'm not sure. I've only been with the Association since November."

Commissioner Gwin said, "I'm assuming, and obviously we haven't adopted the budget and won't do that until the 9th of August, but if we do approve the Manager's recommendation, which includes the \$15,203 for your service, will you keep our folks posted on how successful you're being and how many folks you were able to help and assist so we know how the money is working for you?"

Ms. Schoenhals said, "Yes. We also applied for a grant in order to obtain some software to be able to better track our calls. Right now, we're doing it on paper and we thumb through books. But we'd like to get that on computer. That would help us out with that even more."

Commissioner Gwin said, "We appreciate hearing of the successes that you have. Thank you."

Chairman Winters said, "Thank you. Nikki, I think we have another question. Commissioner Hancock."

Commissioner Hancock said, "Thank you, Mr. Chairman. Nikki, I'm concerned, not because of the request and your request. I'm concerned about the demographics in Sedgwick County. I know that over the next 20 or so years, they are going to be changing significantly. We're going to have a much older population, in general. I believe last year, here maybe, I'm not sure. Maybe I saw it on television or some place else. I'm not sure. I'm not even sure of the statistic, but I heard somewhere that 60% of the individuals over 80 have some form of Alzheimer's. Is that correct?"

Ms. Schoenhals said, "That's correct. Our focus this year is also on women and Alzheimer's disease. It especially effects women. Almost 90% of care givers, for people with Alzheimer's disease, are women. That is our focus this year, so a little plug on that. That number increases as a person ages."

Commissioner Hancock said, "Are you looking to the future in a little grim manner?"

Ms. Schoenhals said, "It is a little daunting. Just last week we attended the World's Alzheimer's Congress in Washington, D.C. So, a lot of people probably saw a lot of press on Alzheimer's disease just

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in the last week. It seems like there was something in the Wichita Eagle almost daily and on the news stations. It is going to become epidemic proportions, the numbers of people. We're living longer and hopefully they will find a cure or prevention sometime in the very near future."

Commissioner Hancock said, "Thank you, Nikki, for being here today. We appreciate it."

Chairman Winters said, "Thank you very much. We appreciate your comments. I neglected to ask if there were any members of the Aging Advisory Board here with Judy and Dale and I see that Margaret McCue is here. Margaret, would you please stand up and be recognized for your service on the Aging Advisory Board? We rely on the Aging Advisory Board a great deal. Your job is very important and Margaret has certainly been at every budget hearing that I've been to since I've been a Commissioner. Margaret, we thank you for all your work on that board. Mr. Manager."

Mr. Buchanan said, "Since it is Margaret's last budget hearing, I know, one more in August. Margaret is relentless. Church and state do mix. You can't go to church without Margaret cornering you, even on Sunday morning."

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

Ms. Kathy Dittmer, Member, Wichita/ Sedgwick County Board of Health, greeted the Commissioners and said, "Commissioners, thank you for this opportunity. As you have already been made aware of, I'm a member of the Wichita/Sedgwick County Board of Health. I currently serve in the capacity of Vice-Chair of that Board and am also Chairman of the Budget Review Committee of the Board of Health. It is as that Chair that I am hear before you today.

"First of all, I wish to say that it is very apparent to the Board of Health that there is an overall serious commitment to the general well being and health of the citizens of Sedgwick County and your commitment to the public health. This is made obvious in this very budget, by your commitment of over \$300,000 to the maternal and child welfare program and helping us to improve that program and your consideration today for funding for implementation of the health alert network. That being said, and the review committee for the budget being quite impressed with your commitment to it, we have one concern. That has to do with the Environmental Health Department and your proposal to remove two sanitary

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and/or nuisance abatement workers from that department. Currently, that department has five employees that service the majority of Sedgwick County residents. That being those who reside in the unincorporated area and those who reside within the City of Wichita.

"We are of the firm belief that this current system works well and that having these abatement officers within the Health Department facilitates their communication and work with other health officers, County and City employees, as it affects this issue of health abatement. We believe, being worried and concerned about the removal of those two positions equaling a lack of service to a majority of citizens. We asked for more input and received that, due to the kind meeting with us of Irene Hart and Phil Ross. They explained to us that the County Commissioners are hopeful to make more efficient and offer one-stop shopping to many of the citizens of the County and that these two positions would then become incorporated and be part of your Code Enforcement Department. So that then the emphasis would shift from nuisance abatement to Code Enforcement, as its secondary role of these two people.

"While we applaud your effort to streamline government and make it more user friendly, we still remain concerned that this move may have the opposite effect than what is intended and in fact stress the services to the citizens of the County in the area of nuisance abatement. We are also further concerned that the amount of dollars you chose or are asking to remove from the Health Department budget, being \$125,731 exceeds by about \$25,000 to \$30,000 the current amount the Health Department uses to staff those two positions. For these reasons, we ask the County Commission and your budget analysis staff to please revisit this issue, if at all possible. Again, I want to thank you for the time you have given me, and again, I want to reiterate that we of the board appreciate all that you do to protect the public health of the citizens of this County. Thank you."

Chairman Winters said, "Thank you. We do have a couple of questions. Commissioner McGinn."

Commissioner McGinn said, "I think my questions are for the Manager. I want to thank Kathy, though, for sharing this information with us and their concerns. I know, when we had talked about this a long time ago, we talked about a more efficient system, one-stop shopping and that type of thing. I know I've been out on a situation where I had to bring both Code Enforcement out and had to bring the Health Department out because one thing was different from the other. It frustrates constituents out there as to who to call and who is the enforcer and that type of thing. I guess, I'd like to have some comments from the Manager about this change that we're proposing."

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Mr. Buchanan said, "Commissioners, the proposed change has been discussed for some time. It has come to our attention that it seems to us that it would make more sense for the Code Enforcement function to rest with Code Enforcement and the public health issues rest with the Health Department. We are seeing that about 96% of the calls are going for trash, junk, inoperable vehicles, dilapidated structures, weeds, and grass. These are property maintenance issues. They sometimes cross over to public health, but there are two philosophical views of public health. Ours is much narrower. It believes that public health should be doing the essentials of prevention and enforcement and these issues belong in Code Enforcement.

"As it has been stated, there is an efficiency of one-stop shopping to stop at the County Code Enforcement Office so that you can get building's certified, construction inspection permits, and have all those things done at one location, which would ease the citizen's burden of, when they're building houses or rehabing houses, going through a number of different hoops and locations.

"The other compelling reason is that Code Enforcement is a local issue. It is based on some local standards. We find that other cities in Sedgwick County, every other jurisdiction reflects those standards and every other city in Sedgwick County performs its own nuisance code enforcements without County funding, without the Health Department's intervention, except for the City of Wichita. It seems to us that it makes sense to separate the nuisance issues and place them in Code Enforcement and to have the Health Department, call upon the Health Department, pay when we call upon the Health Department for the issues that are absolutely public health related. If it is a discussion about money, we're clearly happy to enter those discussions. We think it is a significant change in the way we should be doing business to have both departments focus on what their mission is, Public Health on public health and Code Enforcement on property maintenance and nuisances. So, that is why we continue to have these discussions."

Commissioner McGinn said, "Bill, I know one of the concerns that they had and while I was reading the Health Department minutes, it had to do with under State law, the County lacks legal authority of the Health Officer for nuisance abatements. Do you have any idea of, like last year or whenever, a percentage of actually has to be handled by the Health Department individual?"

Mr. Buchanan said, "We do have that and I don't have that on the top of my head. In a note that the City Manager sent me regarding this issue, it was clear that their concern was that Health Department folks do Health Department business and we're prepared to pay for that. It is a very small percentage of when those folks who go out into the County and when they go out into the County, 96% of those are about what we think are code enforcement issues."

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Commissioner McGinn said, "I appreciate that you're looking at trying to make a more efficient system because I think that's good for our citizens out there. I guess, I'd just like to investigate this a little bit further, if we can."

Mr. Buchanan said, "Absolutely, and we'll be glad to take these suggestions into review with the other cities in Sedgwick County and how successful their programs are, without the Health Department."

Commissioner McGinn said, "Thank you."

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

Commissioner Sciortino said, "I withdraw my question. Commissioner McGinn covered the question I had."

Chairman Winters said, "Thank you very much for being here, Kathy. Next speaker."

Mr. Karl Peterjohn, Executive Director, Kansas Taxpayers Network, greeted the Commissioners and said, "I'm the Executive Director of the Kansas Taxpayers Network, which is the only Wichita/Sedgwick County based taxpayer organization in the State. My reason for speaking with you today is to share some of the comments and concerns I hear from where I sit. Concerns from taxpayers who are facing significant increases in appraised value. Of course, this is not a new problem and I know some of the members of the Commission have talked about this in the past. We're in a situation where many people say 'wait a minute, I don't care if the mill levy hasn't been increased because my appraisals are being raised' and there is no elected official who is involved in this process. So, I would urge you very strong to look very carefully at the spending in this budget since it is . . . we're looking at the first County budget, the current budget that we're in was the first budget that exceeded \$200,000,000.

"I would cite to you, very carefully, to read page 25 of your budget document where it talks about the truth in taxation area. Because in 1997, the voters in this community voted to keep the County under the tax lid and because of changes in State law, the tax lid is gone. But on page 25 of the budget, it talks about how you're going to have to pass a resolution to exceed the property tax basis that would exist if the tax lid was still around and still viable. So in effect, you've got an increase of almost \$7,000,000.

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"When we talk about the first \$200,000,000 budget, I want to cite a few items, because the average citizen was looking for certain basic services, but they are concerned about overhead. I'd like to say just a couple of examples from the budget comparing 1999 actuals with what you have proposed before you for 2001. In the Human Resources area, on page 31, there is an increase of about \$648,000 was the actual amount in 1999, increasing to \$948,000 proposed for 2001. That is an increase of about \$300,000. That is an increase, percentage wise, that is way into double digits. Another example in the over head area, Fleet Management on page 29. It was \$5,300,000 in 1999. This year you have projected a \$5,500,000. But the budget for next year has a spending increase projected of \$8,900,000. That is an increase of way over 50% and it raises real concerns, in terms of how fiscally accountable this budget is going to be, in terms of being concerned about the tax dollars that you're asking everyone here in the County to pay for.

"I'll close with one other line item and there are more. Financial management on page 30. In 1999, the actual number was around \$35,000,000. This year you're looking at a figure of \$54,500,000 and these are rounded numbers, which is almost a \$20,000,000 increase over two years. On a percentage basis, it is a very substantial percentage increase. Of course, there are some budget items where the increases were very small and very modest and in line with inflation. Even a few cases, there are a couple of items where there is a decrease. But I'm concerned, on page 47, where you talk about future options and look out at where the future is going to take you and the possibility of tax hikes is implicitly listed in there. But there is also discussion about looking at trying to focus on core services, trying to out-service certain items, if it would save money. I had the privilege a few years back of serving with Commissioner Hancock on a privatization board at the State level. A process was set to look into that area. If this board is interested, I'd certainly be willing to share whatever we had and I'm sure Commissioner Hancock would, too, learned from that experience. I think it's important that now we're looking at a County budget of over \$2,000,000.

"In local spending in the County, by my estimate, it exceeds over a billion when you look at all the cities and school districts that exist here in Sedgwick County. So, the budget decisions you all make are important. I really strongly urge you to look at some of these budget items and look at this budget carefully for focusing on the fiscal responsibility because higher property taxes are a real disadvantage for us here in Kansas because we are a high tax point on the prairie when it comes to state taxes. It has been a

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privilege to address you and I'll stand for any questions. Thank you."

Chairman Winters said, "Thank you, Mr. Peterjohn. We do have Commissioner Sciortino and I think the Manager has a comment."

Commissioner Sciortino said, "I don't know, Karl, if I have a question directly for us, but just for the public. The property taxes, as a mill levy, has been going down. Property values have been going up, which means the home that an individual owns is more valuable, which means that that asset in his or her portfolio has increased. I just wanted to point that out. Taxes, the amount of money being paid is increasing but it is because the asset that they own is more valuable."

Chairman Winters said, "Thank you, and I didn't hear a question in there."

Commissioner Sciortino said, "No, that was just a comment I wanted to make."

Chairman Winters said, "Thank you. Mr. Manager."

Mr. Buchanan said, "When this is finished, I'd like to wrap this up, when the public hearing is finished."

Chairman Winters said, "Okay. Thank you very much. Is there anyone else who would like to address the Board of County Commissioners on the 2001 budget proposal? Anyone else from the public? At this time we'll close the public meeting concerning the budget today. Mr. Manager."

Mr. Buchanan said, "We will examine those issues that were brought to your attention at the public hearing. I do think I would like to take the opportunity to point out that we can point to many line items that have changed in the budget and it appears that expenditures have exceeded previous years. We have shifted some funds, from time to time, or the way in which we account for things which is where the majority of the items previously discussed, including new buildings, which caused the cost for Fleet Management, in particular, to go up. We've shifted finance management issues around which cause, in one year, for them to have a pretty high budget. I would refer to you, it wasn't referred to, on page 48, which is the financial plan which does not call for a tax increase for the next three years."

Chairman Winters said, "Okay, thank you very much. Commissioners, it would be my intention that we have now concluded Item G. What I would propose, if it is acceptable with you, that we go ahead with Item H, which will conclude the budget issues in the general budget and then we take up the Right to Farm item. Is that acceptable? We've concluded Item G. Madam Clerk, would you call Item H please."

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H. AUTHORIZATION FOR THE COUNTY MANAGER TO PUBLISH A NOTICE OF HEARING ON THE PROPOSED 2001 SEDGWICK COUNTY BUDGET.

Mr. Buchanan said, "Commissioners, three weeks ago, on July 5, I recommended to you a budget of \$287,000,000 spending plan for 2001. The budget recommendation, at that point, included a tax reduction, a small one albeit, of one tenth of a mill. The finance staff has revisited some of those key financial issues and we're continuing that recommendation. I'm here to report that we still plan to spend \$287,000,000 in 2001, to address five of your strategic plans. They are the youth services, the process improvements and collaboration, the demographics, about how we deliver services to different groups of folks in this community, the economic development and quality of life issues. We can still do that with a tax reduction of .105 mills.

"The budget law in Kansas requires us to publish that notice of public hearing and let the taxpayers know that the amount of taxes we plan to collect and to levy and propose the use and sources subject to the budget law. Since the reserves and grants from other governments are not subject to the budget law, the legal budget we publish is less than my recommended \$287,000,000. So, what we publish in the paper is the money that we are going to collect in taxes. Other revenues aren't included in that process. So, I need your authorization to publish a notice of public hearing on three 2001 budgets, Sedgwick County and I will visit the other two budgets, the Fire District and Sewer District budgets later. But for the Sedgwick County general fund, it is \$196,000,000, with \$76,000,000 in budgeted ad valorem taxes for a tax rate reduction of .105 mills. Be happy to answer any questions."

Chairman Winters said, "All right, thank you. Commissioners, questions or comments? Commissioner Hancock."

Commissioner Hancock said, "Thank you, Mr. Chairman. Mr. Manager, it is my understanding today is what we call the last update. In other words, the budget can't exceed what we decide to publish today. I think it is one of the rare times, in my experience, that anyone is going to suggest any up in the current budget. I think there's plenty to do what we need to do. But fair warning, there will probably be some instances where we want to move items around within the budget."

Mr. Buchanan said, "I understand that there will be plenty of opportunity to do that and plenty of proposals on the table."

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

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

Commissioner Sciortino said, "Mr. Chairman, just one point of clarification. That's the ceiling, but we could always massage the budget lower than it is published, is that correct?"

Mr. Buchanan said, "That's correct, Sir."

Commissioner Sciortino said, "Thank you."

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

MOTION

Commissioner Gwin moved to authorize the County Manager to publish a notice of hearing and establish August 9, 2000 as the final hearing date on the 2001 Sedgwick County Budget.

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, "Thank you very much, Bill. Madam Clerk, would you now, as we tried to get as close to 9:45, would you call Item M?"

M. RESOLUTION PROVIDING FOR THE CONSERVATION AND PROTECTION OF FARMLAND IN SEDGWICK COUNTY, KANSAS.

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Mr. Euson said, "A couple of weeks ago, the Commissioners adopted changes to the County's Comprehensive Plan. An objective in that plan was to enhance and encourage agricultural activities within the County, recognizing that viable agricultural lands exist within the entire Sedgwick County area. One of the strategies under that objective was to prepare and adopt a County resolution that would mirror existing state statutes on Right to Farm. We have prepared such a Resolution and we present that to you for your approval this morning.

"In summary, the Resolution does several things. It is a local recognition that agricultural activity in Sedgwick County are a significant part of the County's economy. It is also a local recognition that agricultural activities, when conducted in accordance with state, federal, and local laws and regulations are presumed to not be adverse to the public health. It is further recognition that agricultural producers, who engage in usual and customary and normal agricultural activities, should not be subject to nuisance law suits by persons who are not engaged in agricultural activities and who move into agricultural areas. That is the sum and substance of the Resolution. It is exactly in accordance with what state law does but it is a local recognition and that is important. I'd be happy to answer any questions."

Chairman Winters said, "Thank you very much. Rich, I appreciate very much your work on this Resolution. As a number of us had been involved in the process, over the last year and a half of working on the Comprehensive Plan and other planning issues, one of the things that we continue to hear from those involved in the agri business industry is, not necessarily that they objected to new neighbors, but they objected to new neighbors which then somehow prevented them from being involved in their livelihood of agricultural producers. Commissioner McGinn brought to our attention a number of states that have Right to Farm issues out there that seemed appropriate to us. We had asked your office to put something together that would work for Sedgwick County, in conjunction with our State Right to Farm resolutions and you've done that. We appreciate that. I think this is another good part that is going to be coupled with what we've done with the Comprehensive Plan. Commissioner McGinn."

Commissioner McGinn said, "Thank you, Mr. Chairman. Yes, this plan does parallel the State plan and other counties as well. It reinforces the State plans, so that people recognize the importance of agriculture in their community. As Chairman Winters did talk about, this process started clear back when we

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discussed the Comprehensive Plan and we started having meetings with ag producers. Two primary concerns came out of some of the discussions. One had to do with their ability to operate without nuisance complaints. The other had to do with farmland preservation. This only deals with the nuisance complaints, at this time. Farmland preservation, we have moved that on to the community advisory board to study that in depth and look at some of the other State programs that are involved in farmland preservation.

"This Resolution does recognize the importance of agriculture in our community. I'd just like to point out a few facts. I think that it is important since we don't often hear about it here in Kansas, as well as Sedgwick County. As far as the leading exporting states, Kansas is ranked sixth in the nation. As far as feed grains and production, Kansas is ranked fifth in the nation, and second in livestock production. The most important is that we're number one in wheat production here in Kansas. Another one that we're seeing a lot more of is, interesting enough, Kansas has now become number three in sunflower production. I thought that was so appropriate since we're the sunflower state.

"Here in Sedgwick County, I think some surprising statistics, in milk production, Sedgwick County is the number two county in the State and up until two years ago they were number one. Sedgwick County number two in milk production and until they started bringing in some of the larger farms in southwestern Kansas, we were number one. Another one that people may not realize is that we're number one in sheep inventory values. We're number three in the State as far as acres harvested. We've always been in the top five counties in wheat production.

"The one that I think that probably would surprise a lot of people is that we are number one in the number of farms in the State of Kansas. I think that surprises a lot of people because we also live in an urban county. That is why I think we're seeing some of the problems that we have. This right-to-farm, it will help reinforce farmers' ability to go about their business. This may sound silly to some people that have grown up in the rural areas, but there actually are some people that move to the county and don't realize that farmers farm at odd hours of the night. They only have a small window of opportunity to get their crop out and to bring it back in as well. Livestock does sometimes have an odor, depending on the prevailing wind. I've heard of farmers having people go out there and trying to shut them down because they're making noise, video taping them because they're spraying. Up in my area, I have a farmer that twice he was just trying to cross the bridge with his combine and he got a funny hand sign both times and it upset him because of how things have changed over the years.

"I do think agriculture is important and I'm glad that we are recognizing the importance of their industry and that this Resolution will be referred to, I believe, Rich, in the Comprehensive Plan as well, is that correct? Is there a reference to it?"

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Mr. Euson said, "That is correct."

Commissioner McGinn said, "Thank you. I have a few other comments but I just wanted to see if anybody else has anything."

Chairman Winters said, "Just keep on going."

Commissioner McGinn said, "I did also want to thank Chairman Winters. He, too, put in a great deal of hours as we worked through this process. I will share, I know there are some people who wish we had gone further and I guess that I'll say to them that we're not done yet. This is just the beginning. We do take agriculture seriously and we're going to work to perfect it in the future."

"Since we are talking about agriculture, I would like to just bring up another concern I have. I know nuisance violations and farmland preservation is important to agricultural people, as well as many urban constituents, because they called and wrote letters on this topic as well. We've heard a lot in the news lately about water quality issues. I have some concerns when agricultural producers, farmers, are stewards of 70% of the land mass, they need to be involved up front in the planning process as we deal with water quality issues. I know the City of Wichita has been involved in planning a water summit here in September. From the information I have, the agricultural producers, land owners, have not been involved in this planning process. The reason they have a concern is, I hate to bring this up, but it does remind me a little bit of Rails to Trails. All the planning was done on the tenth floor of city hall and then, after they had a great plan, they ran out to Bentley, Kansas to share that plan and didn't understand why the folks out there didn't think it was such a great idea. As I've always said, I've never been against Rails to Trails, but I watched that process and the process was not exactly done in the best way it could have been done. The folks that were for Rails to Trails I think learned from that and you're seeing a different thrust in that area, as we look at Rails to Trails issues."

"Bringing it back to water quality issues, what I see is the same type of thing happening. I think if we want to be successful in cleaning up the waters, the rivers, the lakes in the community, we really need to have the stakeholders at the table from the very beginning. I'm just saying this because if we have ag producers out there and other folks who are sincere about the ag community, get on the phone and call your elected officials or call our office and we'll help you get involved in this process."

"The other thing that I guess did kind of disturb me and I understand that they say it was the only time they could get the meeting scheduled. But the summit is September 6, it is on a Wednesday morning at 8:30. The only people that the agricultural producers get to vote for is us and we're going to be sitting here at

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a meeting and not at the summit. I think that is very unfortunate. I just am saying that as a hope that we can get all the stakeholders at the table and be successful in cleaning up our rivers and lakes in the area."

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

Commissioner Sciortino said, "Thank you, Mr. Chairman. Just a comment. I want to thank you and Commissioner McGinn on both of your untiring effort, working on behalf of the farmers of Sedgwick County. I don't know of any other Commissioners who have put in as much time and effort to ensure that the farmers concerns are brought to the floor. I just want to compliment you and Commissioner McGinn publicly."

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

Commissioner Gwin said, "I know it doesn't have to do particularly with this Resolution, but may I tag on to what Commissioner McGinn talked about on the water issues?"

Chairman Winters said, "Certainly."

Commissioner Gwin said, "Monday of this week, the Water Task Force, that the Governor appointed, was in Garden City. Though I am not an expert in this like Commissioner McGinn is, the Governor did ask me to Chair it. One of the things that is important to this task force, as we go about the State and get ready to make recommendations to the Governor by the first of December about preserving and protecting water in the State was, we felt it was real important to get out of Topeka or Wichita and go out and about and see how rules and regs are affecting folks and the way they do business. So, when we were in Garden City we had one panel made up strictly of ag producers: farmers, ranchers, those types of fellows who have depended upon farming and the water out there, particularly, for irrigation purposes to be successful. I would not have thought of going to a community like Garden City and not hearing from those folks. The other panel we heard from were industries in Garden City. We heard from Iowa beef processors, we heard from feed lot operators, we heard from general business and then from the Mayor of Garden City and the economic tie between, particularly in that part of the State, water and their economy and what an integral part it is of Garden City's mere existence. So, I'm shocked and appalled that a water summit would be called, in this community, that doesn't fully involve all different aspects of this community.

"I can assure you that when this task force comes to Sedgwick County next month, that we again are looking for . . . we're putting together an industry panel. We will take public comment. We reserve a part for that, for folks from the general public to come and give us tips and advice on how to preserve and protect the water throughout this state. We'll have public announcements and media releases to let folks

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know when that is going to be. Your information would be flawed, your decisions would be poor, if you didn't glean tips and advice from folks throughout this State. That is certainly what we're hoping to accomplish. I'm disappointed that some very important people have been left out of that process. Maybe there is a way we can change that. Thank you, Mr. Chairman."

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

Commissioner McGinn said, "Just to clarify a little bit on the summit. Ag producers will be invited to that and so I'm glad you brought that up. It was just that there has been some planning processes going on and I think they needed to be a part of that in the beginning, too, to make the summit successful. So if there are some folks who are interested, they need to call City Hall, since they are running it or they can call our office as well and we'll lead them in the right direction and submit those names. I know they are looking for names of folks who are interested in this."

Commissioner Gwin said, "Let me say, the quality of the building depends a great deal upon the foundation. If the foundation isn't put together properly, then you're not going to have a very good product in the end."

Commissioner McGinn said, "That's absolutely right and that was my concern. I guess, I'd just like to close by saying that I think water, that is the top priority of all of us. It is important to all of us, whether you live on a farm or whether you live in the city. As many of you know, I've taught on non-source pollution for a few years now and the interesting thing that I see is with the model that I use, how important it is to urban and rural and how all of us, if we work together, since we all contribute to it, how all of us can clean it up together. I think that is why we all need to be at the table together to solve the problem. Thank you."

Chairman Winters said, "To bring the discussion back to where we're at now on this Right to Farm resolution, I guess I could summarize what I believe this is saying. As we recognize that a number of people would like to move to the country or move to the rural parts of Sedgwick County and we encourage them to do that, where appropriate. But when they do that, they need to understand that they are moving into a highly productive agricultural environment, and that they will be in that environment. They will be confronted with and see agri business at work and that we recognize that agriculture is an important part of rural Sedgwick County and we believe that they have every right and ability to continue their agricultural operations in cooperation with their neighbors."

MOTION

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Chairman Winters moved to adopt the Resolution.

Commissioner McGinn seconded the Motion.

Chairman Winters said, "Is there other discussion? I might make one other, just a couple of quick comments. I think that is important that we publicize and recognize that this has happened. I think we need to be in contact with realtors that deal specifically in Sedgwick County. I think we need to advise them of this action. They are certainly our stakeholders in this issue of getting notices out. I think we need to take out some publicity notices, perhaps in the small town newspapers, perhaps some radio and let people know that if they're thinking about moving to the country there are some things that they need to consider. I know out at the Extension Office, in conjunction with the Health Department, we have a rural living workshop that is presented at least once every year. This certainly needs to be made a part of that. I think Communications, Kristi Zukovich and her department need to really work on publicizing this issue. Commissioners, we have a Motion and a Second to adopt this Resolution. Is there any other discussion? Seeing none, call the vote."

VOTE

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

Chairman Winters said, "Thank you very much. We're going to take a ten minute break and we will reconvene here at 10:45, in just ten minutes."

The Board of Sedgwick County Commissioners recessed at 10:35 a.m. and returned at 10:55 a.m.

Chairman Winters said, "We're back in session from a short recess. I'm going to ask the Clerk to call Item L, which is regarding our bonds and temporary notes, which we took bids for at 9:30 this morning. We need to conclude this item. Madam Clerk, would you please call item L."

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NEW BUSINESS

L. RESOLUTIONS (TWO) REGARDING GENERAL OBLIGATION BONDS AND TEMPORARY NOTES.

- 1. RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY OF \$3,970,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES A, 2000, OF SEDGWICK COUNTY, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF, AND INTEREST ON, SAID BONDS AS THEY BECOME DUE; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.**

POWERPOINT PRESENTATION

Mr. Chris Chronis, Chief Financial Officer, greeted the Commissioners and said, "Thank you for taking this out of sequence, Commissioners. We're going to have a couple of presenters on this item. I'm going to begin and do an overview of what these bond and note sales are for. We're going to talk first about bonds and then about notes.

"Then, we're going to have our financial advisor, Dianne McNabb, speak to you about what the current market looks like and what bids we received in relation to that market. Then Joe Norton, our bond counsel, will speak to you about the legal actions that we're asking you to take to approve the sale of these bonds and notes so that we can go ahead and notify the winning bidder and they can proceed to sell securities.

"A couple of weeks ago, you authorized us to move ahead with the sale of these bonds, a total of \$3,970,000 for the projects that you see listed here. A series of street projects, all of which are done by special assessments, with the exception of the K-96 Greenwich Road interchange, which has 50% contribution from the County government, from the general sales taxes of the County, and the sewer projects, all of which are funded with special assessments as well. The bonds that we are selling today, total \$3,970,000. They will be combined with \$602,000 of sales taxes that are used on that K-96/ Greenwich Road interchange project and \$11,000 of prepaid special assessments that we received, so that we will have a total amount of funds available for these projects of \$4,583,769. They will be used,

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in their entirety, for the special assessment projects that you saw on the prior page and for the underwriter's discount and issuance costs associated with this sale.

"These bonds are General Obligations of the County government. They are payable from special assessments, but to the extent that special assessments are inadequate to pay the debt service, then there is an unlimited pledge of County ad valorem taxes, however necessary, to pay the debt service. These bonds will be dated August the 1st of this year and they will have a maximum maturity of 15 years, so that they will mature, the last bonds will mature 15 years from this year. We have an early call provision built into the deal so that bonds maturing after 2011 can be called by us on August the 1st of 2010. That is a ten-year call provision at par.

"The ratings on these bonds you see listed here. The Moody's rating is AA1, the S&P rating is AA+, the Fitch rating is AAA. The last two of these, S&P and Fitch, are both upgrades from our previous ratings and we're very proud of our ability to obtain these upgrades. These upgrades apply to this new bond issue. They also will be extended to the bonds that we have previously issued, which doesn't cause us to save any money but it causes the owners of those bonds to have more marketable securities in their portfolios and that will, perhaps, cause them to want to invest in our debt in the future.

"These bonds, we expect to close on or about August the 24th and that's when we will have the cash in the bank. With that, I'm going to turn the podium over to Dianne McNabb and she is going to tell you about the results of the sale we conducted at 9:30 this morning."

Ms. Dianne McNabb, Financial Advisor, A.G. Edwards & Sons Inc., greeted the Commissioners and said, "Sale at 9:30 for bonds, as it, I think that it had been explained to you earlier that this was the first year we were going to be allowing underwriters to submit their bids via the Internet. We also continued to allow them to submit bids by fax or by hand delivery. We received four bids via the Internet and three bids by fax. The graph you see in front of you shows the historical interest rates since 1984. The blue line is the long term bond buyer General Obligation Bond index. The blue squares are the interest rates that have been achieved on the Sedgwick County G.O. Bonds that have been issued every year. As you can see, you typically issue considerably less than the long term General Obligation index. So you achieve a lot of savings there. The green line represents the one year note index and the green triangles the rates achieved by Sedgwick County on the temporary notes. One of the reasons why those tend to be above the green line has been, in the past, your notes have been for a term of 18 months instead of one year, such that naturally the interest rate would be a little higher than the one year note index. We use the one year note index simply because there is not an 18-month note index. I think the rates that you have been achieving have been very favorable.

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"This year's note was a one year note and was slightly higher than the one year note index simply because the size of the note, being \$1,400,000, which we'll cover in detail later, was so small that by the time the fixed cost associated with the notes are added in, it causes you to be slightly above that one year note index. I still think it was a very favorable market rate.

"These were a detail of the rates that we received. Seven bids. We received six bids last year. A new bidder this year was Suntrust Equitable Securities out of Atlanta. As I mentioned before, four of the bids were received via the Internet. The Prudential Securities bid, which was the best bid, at 5.05725 was received via the Internet. I'll turn it over now to Joe."

Mr. Joe L. Norton, Bond Counsel, Gilmore & Bell, P.C., greeted the Commissioners and said, "Thanks, Dianne. As the Clerk indicated, we have two action items that are necessary for the Commission today to accept this bid. Item one is to have a motion to accept and award the sale of the bonds to the lowest bidder, which is Prudential Securities out of their Dallas, Texas office. The second action would be to adopt the Resolution, the caption of which is on the screen before you and it contains the interest rates which were received today, as well as the bid parameters and the sale parameters that Chris had discussed earlier, with respect to the maturities and redemption features and so forth. I'm available to answer any questions you may have. We have submitted this to the Legal Department and received no unfavorable comments back. You can take two separate actions or you may take one action, if you so chose, to do both recommended actions."

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

Commissioner Sciortino said, "Thank you, Mr. Chairman. Could you go back to the other slide because I think I want to give somebody a compliment. Did I understand, Ms. McNabb, that Prudential has never submitted bids to us before and maybe because of your involvement we got them to bid."

Mr. Norton said, "I'll help with the compliment. The one who had not submitted a bid was Suntrust out of Atlanta, Item 3. They were not the winning bidder but I think it was through Ms. McNabb's efforts that we did get another bidder into the picture that we had not had before."

Ms. McNabb said, "Prudential did not bid last year, I cannot speak to the history of them bidding in the past, but they were not one of the bidders last year."

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Commissioner Sciortino said, "Okay, thank you."

Chairman Winters said, "Thank you. Commissioners, you've heard this report and you can see the bid tabulation, what's the will of the Board?"

MOTION

Commissioner Gwin moved to award the sale of the Bonds to Prudential Securities, Incorporate as the lowest bidder and adopt the Resolution.

Commissioner McGinn seconded the Motion.

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

VOTE

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

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

- 2. RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY OF \$1,400,000 PRINCIPAL AMOUNT OF TEMPORARY NOTES, SERIES 2000-1, OF SEDGWICK COUNTY, KANSAS; FOR THE PURPOSE OF FINANCING A PORTION OF THE COSTS OF CERTAIN INTERNAL IMPROVEMENTS OF THE COUNTY; AND PRESCRIBING THE TERMS AND DETAILS OF THE NOTES.**

POWERPOINT PRESENTATION

Mr. Chronis said, "The temporary notes are to be sold to provide interim financing for the projects that you see listed here. Once again, you approved these projects and the issuance of temporary notes for

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them in previous Commission meetings. A total of \$1,400,000 of temporary notes and we accepted bids for these at 10:00 this morning. The entire proceeds will be used for construction and engineering and for retirement of interim financing on last year's special assessment projects to the tune of \$312,000 and finally for underwriter's discount and issuance costs.

"The temporary notes are General Obligations of the County. They are payable from unlimited ad valorem taxes to the extent that we do not take them out a year from now with a long term financing and that is our plan. They will be dated as of August 24th and have a maturity as of the same date next year. So they will be 12 month notes, in contrast to the 18 month notes we have traditionally sold. The ratings on these notes are the highest that are available from each of the three rating agencies and they each use a little bit different kind of rating indicator, but you see them listed here. Each of those is the best that is available for short term financing for the public sector. Once again, we expect to close this transaction on August the 24th, and that is when we will have the proceeds from these notes."

Ms. McNabb said, "Back on the bonds, we had seven bids, but each of those represents multiple bidders. They team up, so there were probably a total of 16 or more bidders that were responsive on that bid. We received three bids this year on the notes. Last year we received two. The winning bidder this year was T.G.H. Securities, out of Philadelphia, who had never bid on you all's notes in the past. Now that is somebody that I had a conversation with and called and encouraged to bid and fortunately they did put in a very strong bid, I think, for the notes and I think are very happy to have been the successful bidder. If you have any questions about the note bids?"

Mr. Norton said, "We have a similar action with respect to the temporary notes. We need to take action to not only adopt the Resolution and authorize the delivery upon the terms and parameters that Chris indicated, but also to award the sale to T.G.H. Securities of Philadelphia. Before we do that, I want to make one personal comment. Chris kind of glossed over it fairly quickly, the upgrade in the rating change from Standards and Poors from AA to AA+ and Fitch from AA+ to AAA. I think that is something that this Commission and your financial staff needs to be very proud of. One of the things that they announced when they did that is regarding why the upgrade was done at this point in time. It was the sound financial management of the County, basically the ability of the governing body to manage those finances and direction they have set for the County, as well as the presentations of the various financial reports and budgets that have been done. That is something I don't want to have glossed over because it is very significant. Very, very few entities in the country achieve that AAA rated status. I've been told less than 5% of counties across the country. There was a press conference late last week about that, but I think that is something the citizens of Sedgwick County ought to know and should be very proud of. Personal comment, but I think that is something that should be mentioned."

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Chairman Winters said, "We thank you very much and we do believe that it certainly is a combination of our staff and the work they do in financial management issues, along with that of the Commissioners, that has allowed us to obtain this upgrade in rating. We're very pleased with it. Commissioners, are there questions or comments on this item regarding the temporary notes?"

MOTION

Commissioner Gwin moved to award the sale of the Notes to T.G.H. Securities of Philadelphia as the lowest bidder and 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

Mr. Chronis said, "Thank you very much and thank you for taking this out of order on your agenda."

Chairman Winters said, "Thank you. And thank you to all who helped participate in this bond sale this morning. Thank you. Madam Clerk, would you call Item I. I'm not sure we're going to do Item I, but call it since it is on the Agenda."

I. RECESS TO THE SEWER DISTRICT MEETING, THEN THE FIRE DISTRICT #1 MEETING.

Chairman Winters said, "Let me ask again, is there anyone in the audience who plans to speak to the Commission regarding either the budget in the Fire District or the Sewer District? Is there anyone who plans to speak on the Fire District or Sewer District budget? All right, we're going to delay that item. Is that acceptable with the Commissioners? Madam Clerk, would you call Item J?"

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J. PUBLIC HEARING AND RESOLUTION DETERMINING THE ADVISABILITY OF ISSUING INDUSTRIAL REVENUE BONDS FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION AND EQUIPMENT OF A MUNICIPAL SOLID WASTE TRANSFER STATION FACILITY (WASTE CONNECTIONS, INC. PROJECT).

Ms. Irene Hart, Director, Division of Community Development, greeted the Commissioners and said, "We bring to you today for your consideration a resolution of intent to issue Industrial Revenue Bonds and ask you to hold a public hearing concerning that resolution of intent. We propose to issue Industrial Revenue Bonds in the amount not to exceed \$5,500,000 to pay the costs of acquiring approximately a 17-acre site located at the northwest corner of 37th Street North and West Street, in the unincorporated part of Sedgwick County and to pay the cost of constructing and equipping a solid waste transfer station on that piece of property. Today, we have with us Joe Norton, Bond Counsel, Jim Spencer, local area manager for Waste Connections and his consultant, his underwriter, Jim Reynolds. I'd be happy to answer any questions you might have or if you'd prefer to go directly to public hearing."

Chairman Winters said, "Commissioners, do you have questions of Irene before we take public comment? Proper notice of this public meeting has been given?"

Ms. Hart said, "Yes."

Chairman Winters said, "Thank you. At this time, I will open the public hearing to receive public comment considering our Item J this morning, Industrial Revenue Bonds for the purpose of financing acquisition, construction of a municipal solid waste transfer station. Anyone in the audience who would like to address the Commission on our Item J? Anyone like to address us on our Item J? At this time, we'll close the public hearing and limit discussion to staff and Commissioners. Mr. Norton."

Mr. Norton said, "We have also prepared a Resolution for your consideration today which would declare the intent of the County to issue these bonds, subject to certain conditions set forth in that Resolution with respect to agreement of documents, administrative fees and things like that. Also want to point out to you that under our State statute, since this project is located within three miles of the corporate city limits of

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the City of Wichita, we must send a notice, after this Resolution has been adopted to them and they have seven days after their next regularly scheduled meeting to take action to, in essence, have a veto power of the project since it is so close to their jurisdiction. I just wanted to let you know that that was the procedure that we have to follow by state statute. Otherwise, the Resolution is in proper form and awaits your action."

Chairman Winters said, "Thank you. Commissioner Sciortino has a question or comment."

Commissioner Sciortino said, "Thank you, Mr. Chairman. I guess maybe I have a question of Jim Spencer. As everyone knows, I haven't been a supporter of the transfer station concept but I think I'm going to support this item. Is it my assumption, Jim, that if we're going to go with the Industrial Revenue Bonds that it would reduce the overall cost to Waste Connections for siting the transfer station and ultimately that could be some reduction to the citizens that would ultimately be using it. Is that correct?"

Mr. Jim Spencer, District Manager, Waste Connections, said, "Yes, Commissioner Sciortino, that is correct. The Industrial Revenue Bond situation would allow us to lower our financing for the facility which would then, of course, would be passed on to the consumers."

Commissioner Sciortino said, "Thank you very much."

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

MOTION

Commissioner Hancock 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	Aye
Commissioner Carolyn McGinn	Aye

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POWERPOINT PRESENTATION

Mr. Krout said, "I am too, and I'll try to be as short as possible with this last item. This is a Planned Unit Development. It involves a quarter section of land in the Four Mile Creek area. It is south and east of the intersection of Harry and 127th Street. The proposed plan in the PUD, the Planned Unit Development is a mix of housing types, all single family housing types. Garden family homes in the northwest corner of the site and larger lots in the eastern portion of the site and then the remainder of the site, along 127th Street, is a parcel that is devoted to equestrian or horse related uses. That would include arenas, barns, and a possibility of events, horse boarding, riding academy, those kinds of uses. Part of the concept is that at least some of the people in this subdivision would own horses, would stable them in the equestrian area and would actually be able to ride through their neighborhood on horse back on trails that are part of the proposed planned unit development.

"I think it is an interesting plan and the staff recommended approval. It is in the growth area of the community, with Wichita water and Four Mile Creek sewer. So we recommended approval. The Planning Commission recommended approval by an eleven to one vote. There was no opposition from neighbors expressed at the Planning Commission hearing and no written protests have been filed. There is only one issue that was discussed, brought up by the staff, in regards to this planned development that I want to lay out for you this morning. That has to do with the potential for there to be an extension of K-96, as a southeast freeway, in part of the community.

"The Comprehensive Plan projects growth in the next 30 years. It does project that this area of Four Mile Creek below Kellogg will have substantial development. Derby and Mulvane will have substantial development. There will be substantial suburban development in this southeast sector and, based on that, we did transportation modeling that indicated that in the future a southeast freeway, similar to the K-96 northeast freeway, similar to the northwest freeway that is being discussed now, or by-pass, would be of benefit, in terms of reducing traffic congestion on roads like South Rock Road and other roads in the future. It would carry a substantial amount of traffic. The route could be an arc, that would come south

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from K-96 interchange at Kellogg and would eventually turn back north of Derby to link with the turnpike, or it could be a route that would continue south and would by-pass Derby and Mulvane on the east in their growth areas and could connect to K-15, south of Mulvane. Or, it could be both of those. The point is that a study really needs to be done to determine if this is something that we really need that the community wants and, if so, what is the best alignment for this proposed area.

"We talked about this briefly in the Comprehensive Plan. The Comprehensive Plan says there is a traffic need, We need to do the kind of study we did out in the northwest area in the future. This particular two miles, between Kellogg and Pawnee and 31st Street in this area, because it already has water and sewer available, is more immediately available for development than some of that area out in the vicinity of the northwest freeway. We felt it is really important to point this out at this time that this is a rapidly developing area and that we need to be looking at this in terms of planning fairly quickly. What we want to do is avoid the Kellogg freeway syndrome where the City of Wichita is spending about \$30,000,000 per mile of right-of-way because they're having to acquire developed, improved properties and try to stay ahead of the game. That is what planning is about.

"What we asked the developer in this case, and what we asked the Planning Commission to support, and they didn't by the way, was to look at preserving for a temporary period of time a corridor along 127th Street, basically a 300 foot building set-back. You notice these buildings are behind that 300 foot building set-back. It would permit parking and the riding activities that are proposed in this parcel three. It would affect several lots in this garden home area, although the developer has indicated that their intention is for this to be the last phase and it would be several years away from development. They would be planning to start in the eastern portion first. It would be a building setback that would last for two years or three years, in order to give the County and the City of Wichita, which should be interested in this issue also, and by the way, this will probably be annexed after it is platted to the City, give everyone an opportunity to study this area like we studied the northwest area and determine if there is a need for a freeway and what the best alignment is.

"Our best guess, at this time, is that this would make an excellent location for an alignment. Here is the proposed planned unit development. This is the intersection of Harry and 127th Street. This is the turnpike, Kellogg, K-96 coming down. This is, actually I'll describe in a minute, a suggestion that the applicant has to by-pass it to the east of his proposed development. From the standpoint of serving

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population, taking relief off of Rock Road and Webb Road in the future, it would be better to hug as close as possible the communities of Derby and Mulvane and to bring this road down in this vicinity. 127th Street will not have an access point at Kellogg. It can be used as just a sort of a frontage road in this area. This is a natural bend also. This is a feasible alternative route. It could go straight down, it could go along 127th, which we think makes sense. It could go along this half mile line and this line that is proposed by the applicant is just adjacent to the east. On the other hand, we could have tomorrow someone coming in and file a subdivision application to develop that area to the east and then I might be here asking you the same question. Should we be concerned about preserving this right-of-way?

"The request was to have this setback line for a temporary period. That it would automatically be removed by the Planned Unit Development if there was no action on the part of City or County to take a freeway project further and pursue acquiring land in that corridor after this two or three year period. But it would keep options open and I think that's what we're interested in trying to do in planning.

"The applicant felt that he could not accept this limitation on the property. I think it is probably not just the fact that it interferes with their plan, although not as much as probably if it was coming further to the east, but the fact that a possible freeway on their plan would, in their minds, impair the whole concept of this equestrian stables idea and they don't see the freeway as being compatible and they feel like their plan would be in jeopardy and their financing would be in jeopardy if they had to show that line and disclose to future home buyers that maybe there would be a freeway along 127th Street someday. The applicants and their agents are here to discuss this issue further with you.

"The Planning Commission voted for approval without the setback requirement. One of them said this is the County Commissions problem not ours. Another one said we're not sure if this is in our authority to do. You may want to hear from Rich Euson on it. I think that we are definitely on the cutting edge here, in terms of what we can and can't do to try to protect a right-of-way. This is similar, in some ways, to cases that have been found in favor of the land owner, but there are some differences, in terms of what we're talking about. In discussions with the County Counselor on this issue, I think that he agrees with me that maybe we would benefit from having a two week deferral on the decision, so that we could discuss this issue further amongst ourselves and also with the applicant before making a final decision. I think that really covers it. I could show you slides of the area, but in the interest of time I'll just see if you have any questions."

Chairman Winters said, "Marvin, excuse me, what was your last sentence?"

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Mr. Krout said, "I have slides of this area if you're interested, but in the interest of time, I'll defer unless you want to see those."

Chairman Winters said, "Commissioners, do you want to see the slides? Run through them real quick. Don't spend much time on them."

Mr. Krout said, "This is the McEvoy Addition, to give you a general idea. This is the McEvoy Addition, suburban housing. There is also more housing to the north and the east. This is the existing stables and arena area. This is where the garden homes and the other residential development would occur. This shows you the context, with the K-96 interchange, the possibility of an extension as the applicant suggests, east of his property rather than along the west edge of his property. We felt that, in terms of marketing this project, that putting it in the horse stable area would probably affect it less than putting it in the back of what might be some of the pricier lots in the subdivision.

"This is the proposed plan. This is the PUD, which requires a site plan. This is looking south from Harry street across the site and undeveloped. We're talking about a quarter section of land. You can see in this slide, southwest, we're looking back toward 127th Street and to the south. You can see the horse area, which is in the mid-eastern portion of the section. This is looking east. This would be Harry street to the north, so this is an area that is already being used as sort of a riding area. Looking north, across Harry Street, at some of the scattered homes in that area. North again, looking south and east. This is down 127th Street. This is some of the area devoted to horses today. North and east across the property line. This would be 127th Street. Now we're looking from the site to the east towards the homes that are in the McEvoy Addition, suburban lots that are developed there. That is the intersection, looking north of 127th and Harry, caddy corner from the site in question. Now the northeast area, vacant and scattered residential to the north and east. This is looking again to the west across at the homes that are across in the McEvoy Addition. South down 127th Street, McEvoy Addition, property in question. Again, McEvoy and looking south and west back across the site and back where we were. Try to answer any questions you have."

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

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Commissioner Sciortino said, "Thank you, Mr. Chairman. Marvin, this development is in my district and I recall having a phone conversation with one of the developers months ago but not recently. Am I right, did you tell me the MAPC (Metropolitan Area Planning Commission) did not agree with MAPD's position about 127th Street?"

Mr. Krout said, "I won't say that they disagreed that maybe 127th Street is needed. They didn't feel that it was appropriate for them to recommend encumbering this property in any way by putting the building setback on."

Commissioner Sciortino said, "My question would be, if we were to vote on doing exactly that, does that take four-fifths since that isn't their recommendation or is it a simple majority or what kind of vote would be required?"

Mr. Krout said, "Rich, you may have to help me with this. I guess you would say it is a substantial change from the recommendation of the Planning Commission, because of the nature of the request, so it probably requires a four-fifths vote."

Mr. Euson said, "I would agree as I think it is substantial."

Commissioner Sciortino said, "I think the concept is tremendous. My concern, on the 127th, I don't know maybe if I have a question of the developers but even if there was a setback to the east of their property, wouldn't you have to notify potential purchasers of home sites that there is going to be a freeway right to the east of the property or right to the west of the property or not?"

Mr. Krout said, "I guess that would be a question for the applicants. I think there are disclosure requirements for the realtors."

Commissioner Sciortino said, "So, either way there would have to be a disclosure to the people. Okay. I want to make really sure, when it comes to the question of property rights and setbacks and what have you, that what we're doing is legal. I had a real brief conversation with Marvin and Rich on this and I don't think Rich is real comfortable in definitively saying yes this is right and proper or no it isn't. I would be supportive of deferring this until maybe we could talk more with the developers and have some time for the County Attorney to advise us as to, if we decide to do what Marvin is presenting, that it is legal. I don't want to be embarrassed by doing something and all of a sudden having to get it over turned or what have you. That's what my recommendation would be. That's all I have."

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

Commissioner Hancock said, "Marvin, I've been trying to understand this. You're asking, on the east side of this Planned Unit Development, a 300 foot setback for all buildings?"

Mr. Krout said, "Right, the nearest building is setback today more than 300 feet. The developers plans don't show any additional buildings planned for that area. It does show the possibility of parking and depending upon what kind of events he may have extensive parking. It does show some of these lots in the way and what we recommended as part of that was that the plan be modified to provide some access to Harry Street so that in case something happens along this area there would be alternative access."

Commissioner Hancock said, "So, eliminate those lots that are within 300 feet of 127th?"

Mr. Krout said, "Yes, about five or six lots."

Commissioner Hancock said, "Okay."

Mr. Krout said, "For this period of two or three years, which was the Planing staff's recommendation."

Commissioner Hancock said, "And then allow them in there if nothing happens in the two to three years?"

Mr. Krout said, "Right. After that period is over, that gives the City and the County an opportunity to do this large scale planning study, set an alignment and decide whether or not we need to approach this property owner about acquiring the property."

Commissioner Hancock said, "On the map that you have there, you showed three sections. Is that significant in some way?"

Mr. Krout said, "No, just a way that the Planned Unit Development lays out the different regulations for each of the different parcels. This is, in fact a commercial parcel would have required Heavy Commercial Zoning if it wasn't part of the planned unit development because of the outdoor recreation area. There are special limitations on parking and square footage and signage has all been established for each of those parcels."

Commissioner Hancock said, "Okay. During the Metropolitan Area Planning Commission hearing it was

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heard that with the extension of 96 south on either side, either on the east or west side of this Planned Unit Development, it would not be good for the project itself, did I hear you say that a while ago also?"

Mr. Krout said, "I think you probably should ask the applicant that question. They felt strongly that indicating the possibility of a building setback along the east would not be good for them."

Commissioner Hancock said, "Is the 300 feet the total right-of-way that one would need for something like four lanes of K-96?"

Mr. Krout said, "I think parts of K-96 are squeezed into a little bit less than 300 feet but I think 300 feet has been the standard that we've used for planning purposes."

Commissioner Hancock said, "Okay. My last question is, in considering the extension of 96, I know there was a concept out there and I know when it came out, originally, I got a number of calls from folks in the Derby area and south Sedgwick County area, Mulvane area. All of a sudden everybody got excited, either for or against. There didn't seem to be any in between. Is it more than a concept, Marvin? Where does that stand right now?"

Mr. Krout said, "Right now, that is all it is. It is a concept. What we're saying is that the numbers look like it is worthwhile enough, although long range, we're not talking about something that needs to be built now or in the next ten years. But we looked at a 30 year horizon and looking at the growth in this area it looks like there will be otherwise more congestion on south Rock Road, on south Webb Road, on Greenwich and Kellogg and this can suck up some of that traffic and do what freeways do and that is provide just overall easier mobility in the community. I'm not, normally, very big on highways and roads in terms of community development, but if you're going to keep the options open, then I think we need to do this kind of planning. So, what we're saying is the next step and the Comprehensive Plan says that the next step in the project is to do the kind of planning, in a large scale with a large steering committee, that we did with the northwest by-pass, where stakeholders would be involved, property owners, the communities that would be along the potential route, along with elected and appointed officials."

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

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

Commissioner Gwin said, "A couple of questions about the setback. I'm assuming then that north of this

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to Kellogg, we don't have any land acquired."

Mr. Krout said, "That's right, we have development plans come in and we knew that sooner or later someone was going to come in, in the potential path, and we would be addressing this problem."

Commissioner Gwin said, "The local governments would have to get right-of-way north of this, correct?"

Mr. Krout said, "That's right. There is no right-of-way to the north and no alignment that has been established."

Commissioner Gwin said, "And was there not discussion at one time about using the turnpike to go south of here?"

Mr. Krout said, "There was discussion that maybe this by-pass, because we talked about this again back in the 1994 Transportation Plan, the different options. One of the options is that you could encourage the turnpike authority to build a southeast by-pass further out southeast than they are today in approximately the alignment that we've shown for a freeway and then the turnpike would be literally freed up. It would no longer have a toll on it in its existing location and it would be turned over to local officials to run."

Commissioner Gwin said, "Okay, I remember that discussion. Nothing else. I'd be interested in hearing from the applicant though."

Chairman Winters said, "Okay. Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. I'm really needed to get educated on this too, Marvin. I understood you to say that the applicant is not agreeing with the 300 foot setback that you're asking for on 127th, but they are allowing a 300 foot setback to the west?"

Mr. Krout said, "No, they suggested that if the County is interested in pursuing this, there are still options open to the east, for the K-96 freeway to go to the east of them, instead of through their property."

Commissioner Sciortino said, "Okay. And you're asking for a two or three year option for giving enough time to look and see if this concept has any merit and at the end of that time, what happens to the property?"

Mr. Krout said, "Well, what we would recommend is that the Planning and development be written so

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that at the end of the two or three year period the setback is eliminated on the property and they have the right to build there."

Commissioner Sciortino said, "So they don't have to come back and ask for a vacation or anything?"

Mr. Krout said, "Right. It would have to be the initiative of local officials to find out, they want a road, it needs to be there, and get into the negotiating process with this owner in that period to try to acquire it."

Commissioner Sciortino said, "Am I right in assuming that should this process be completed within a year or 18 months and you had a three year option, that it would revert back immediately upon cessation of the concept?"

Mr. Krout said, "You could write it that way, that if the southeast freeway concept is decided. If there is no decision for that or this alignment in a shorter period of time then the setback requirement would be eliminated."

Commissioner Sciortino said, "This appears to be a brand new concept, 'the Marvin Krout concept' that is coming out."

Mr. Krout said, "I was trying to find out what could I bring you that was controversial enough since the Comprehensive Plan was adopted and this is the best I could do."

Commissioner Sciortino said, "I don't have any other questions other than once again, since this is something totally brand new to us, that we may want to consider deferring this so we could digest it a little."

Chairman Winters said, "My just couple quick comments. On one hand, to me, it is not brand new in the fact that when somebody does a development if we need 5, 10, 15 feet, we do that with the intention of making a better piece of development and better access onto public right-of-ways. Three hundred feet is a whole different story to me. I think it is a different kind of situation, so I guess I agree with that. Commissioner Sciortino, I'd certainly defer to your wishes. I'm prepared to go ahead and take comment today, listen to everybody, and then if you would like to defer it for two weeks we could do that."

Commissioner Sciortino said, "I think public comment would be great at this time, so we can get that done."

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Chairman Winters said, "Okay. Thank you, Marvin, for the time being. Is there anyone here who would like to address the Board of County Commissioners?"

Mr. Kenny Hill, Civil Engineer, Poe and Associates, said, "We prepared the site plan for the applicant and also represent the applicant. We made our arguments to the Planning Commission against the reference to any extension of K-96 Highway through this property because there was no study available saying that it should come through this property. We pointed out that the study has not been initiated, which would locate the route for this highway, nor is the funding available for a study or funding available for the right-of-way acquisition if they determined that they did want to, in fact, locate a highway in this area.

"The Planning staff, as a matter of fact, we started working with them probably three months ago when we first initiated this plan. They asked if we would change our design to provide for the possible extension of this highway. Their suggestions included providing a 300 foot reserve on the east property line, or a 150 foot reserve on the east property line, or making the lots deeper so the back of the lots, the rear of the lots on the east property line could be used for this highway construction. When we were not receptive to those ideas then they moved to the west side and suggested that maybe we could provide a 300 foot reserve on the west side, along 127th Street. Then they have changed that to a 300 foot setback. The point being, nobody really knows where this highway should be located.

"The aerial photo that you saw earlier is one that we provided. That is a current aerial photo that was taken in January. It shows how this highway could be aligned, so that it would be on the adjacent property to the east of this property, without taking anything off of this property whatsoever. Our contention is that without a study, nobody knows where the highway should be located. It makes it impossible to pick a location through this area right now. Second, the highway could be located on the adjacent property. We can see no reason that the highway can't be located on that undeveloped property instead of making provisions on this property. I might point out also that after these studies are completed, it very often takes ten to twenty years before there is any actual construction of the highway. That would be just an impossible situation for the developer to wait to see where that highway might be located.

"We estimate that it will take at least a year, from the time this property is platted and surveyed, before any construction could take place on this property. We're suggesting that maybe in that one year period that a study could be initiated to determine whether or not they actually want to use this property for the location of the highway. Something else I might point out with this study, they'll take into consideration

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facts like topography and drainage and costs. A lot of different things may affect where this highway would be located, which we don't have at the present time. The developer also pointed out, at the Planning Commission meeting, that his investors weren't really interested in proceeding with the project if there were restrictions put on the Planned Unit Development that would show up on that plan as a possible location of the highway.

"Like Marvin said, the Planning Commission agreed with our proposal, without any restrictions for the highway, and voted eleven to one in favor of the project as presented. We feel we have a unique development that will be an asset to the community and we ask for your support of the project. I'd be glad to answer any questions that I can. The developer is also here, if you'd like to ask him questions."

Chairman Winters said, "Thank you, Mr. Hill. I see no questions right now. Is there anyone else from the public who would like to speak to the Commission? Please come forward and identify yourself."

Mr. John Greenstreet, Developer, Plaza Real Estate, said, "I'm the developer of the subdivision. As we spoke at the MAPC, we can see no advantage of losing 17 to 20 acres on the west side of the property, which would detract substantially from what we are trying to achieve. As Kenny Hill pointed out, on the alignment of the highway to the adjacent property to the east, it would allow the highway to extend that direction, without interfering with the speed or the condition of K-96 if it chooses to go south.

"We're in a position and look at it like if the City or County, whichever, is willing and ready to step up and negotiate to take the ground, we'll negotiate with them. Other wise, I think, if we can't get a unanimous agreement here, we'll withdraw the offer and do nothing. We can't have the property encumbered by the highway going through any part of it. If it is, and that is your thought, and I think there are some Supreme Court rulings that show just exactly you can't take a property without compensation and we're not willing to give the property in any way, shape, or form in the way of easement in any way, period. That is our position. If the County wishes to take a different position, then we'll just have to deal with that. Any questions?"

Chairman Winters said, "I see no questions. Thank you very much, Mr. Greenstreet. Is there anyone else who would like to address this Commission?"

Mr. Brad Murphree, Attorney, Martin & Churchill Law Firm, said, "I'm here on behalf of the applicant. I might just take a brief moment. I'm not intending, by my comments, to provide legal advice to the

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Commissioners, that's what Rich Euson is for. But, I might just suggest to the Commission that if it were to pass a resolution, with this 300 foot setback as suggested by the Metropolitan Area Planning staff, that it might open up the governing body to a potential action based upon an inverse condemnation situation very similar to the situation with the Northeast Circumferential under a Kansas Supreme Court case back in 1979. The Ventures in Properties won versus the City of Wichita case. Essentially, what the staff is suggesting to you is a situation of a possible highway at an undetermined location at some undetermined future date and that there should be a 300 foot setback made for that purpose.

"I suggest to you that the MAPC took that under consideration in making their recommendation approving the PUD without that setback requirement. Again, I think that even the situation of some type of temporary situation, as now suggested, could still result in a temporary taking that would require compensation on an inverse condemnation theory. Again, your counsel can represent you and provide you advise on that. We believe that the application should be granted and approved as the Metropolitan Area Planning Commission recommended and that is our position. Thank you."

Chairman Winters said, "Thank you, Mr. Murphree. Any questions of Mr. Murphree? Is there anyone else who would like to address the Commission, either in support or opposition to this case? Anyone else like to address the Commission? Seeing no one, we'll restrict comments to Commission and staff. Commissioner Gwin."

Commissioner Gwin said, "Thank you, Mr. Chairman. First, let me say that Commissioner Sciortino, if you want to take some time I would support that. I'm comfortable today with the recommendation that the Planning Commission gave us. I just asked David Spears, during this discussion, how long it took this community to get K-96, the Northeast Circumferential from its conception, to design, to planning, to construction. David tells me the discussion about that started in the fifties. So it is a 50 year project. I would be real uncomfortable taking property, as Mr. Murphree said or implied, without compensation and to ask this developer or any land owner to voluntarily give up 20 acres give or take a few. It seems a little heavy handed to me. Well, it seems pretty heavy handed to me. Since there is no money, we don't have a study under way, we really don't have a plan. We've talked about this for several years, off and on. I've been a part of those. I think on this particular Planned Unit Development and if we're talking about land use and whether or not this is appropriate, I think that is the issue. I believe this Planned Unit Development is well planned. It utilizes the facilities that are already on the site. It is a reasonable land use for this

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neighborhood as residential use. Then to use the extraordinary equestrian facilities that are already on site, this works for me. I would be perfectly comfortable reaffirming the decision and recommendation of the Planning Commission today. Thank you."

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

Commissioner McGinn said, "Thank you. I think I agree, almost totally, with some of our senior colleagues who have been around here and had a little more experience with issues like this than I have. I guess, for my comfort level and if it is the will of Commissioner Sciortino, since it's in his district, I wouldn't mind deferring it for two weeks just to get more information for my comfort level."

Chairman Winters said, "Thank you. I guess I'd just make one quick comment. I don't think Marvin would be doing his job right if he didn't try to look out into the future and see, on maps, where roads ought to be. I've always been a supporter of making sure we've got an adequate transportation system. Sometimes you have to look at a map and think about the future. I appreciate Marvin bringing this to our attention and I think he probably wouldn't have been doing his job right if he hadn't have. But as we even look at what is going on in the northwest, this is a long process in studying this potential by-pass to the northwest. There are no funds in it, in the ten year Comprehensive Highway Plan. There are no funds for construction of it. So, we're at least ten or more years out on it and it is ahead of thinking about this one. I would agree with Commissioner Gwin and McGinn. I'm ready to move forward, but if Commissioner Sciortino would like to defer this for two weeks, I'm willing to get more information, too. Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. My main reason for wanting to defer this is I need to get myself up-stream on what this whole process is. I think I would have appreciated maybe having some direct contact with the developer and maybe a little bit more closer, so I could have gotten a little more up-stream on this rather than having this come to us just today. I'm not comfortable at all with taking the property, just to take it. The difference of what Marvin presented to us was a two or three year look in, but as I understand it, even if at the look in it was decided to use the property, there would be compensation for the property. I just want to have enough time to find out, to get comfortable in my own mind, that are these types of concepts that are going to be presented to us legal. I want to have the Legal Department tell us. I don't even know that what Marvin is proposing is legal, as evidenced by the one attorney who presented it to us. I am going to recommend that we defer this item for two weeks, so that I can get myself a little bit better educated on the whole concept. Thank you."

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Chairman Winters said, "I think we're ready for a motion if you want to make that as a motion."

MOTION

Commissioner Sciortino moved to defer action on the item for two weeks to obtain more input from Legal Counsel and also from the developer.

Commissioner McGinn seconded the Motion.

Chairman Winters said, "I'm going to be supportive of that. I would ask staff, since we're not meeting next week, there is the potential that the following week could be another long meeting, but let's try to get this as kind of a time certain up towards the front. These gentlemen have been here all day, on the busiest day of this entire year for us. We appreciate that and we'll try to be a little more efficient with our time next time. Commissioners, are there other comments about this motion to defer for two weeks? Seeing none, call the vote."

VOTE

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

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

3. MAPD MONTHLY REPORT.

Mr. Krout said, "Commissioners, I think you're right, I wouldn't be doing my job if I didn't point out this possible corridor. If it does nothing else, maybe it will bring attention to the fact that because there is water and sewer in this area, this potential for a corridor is more threatened even than the northwest area and needs some attention in terms of study. This was one of the cases that the Planning Commission grappled

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with over the month of June, along with the cemetery case that you were lucky enough not to hear.

"The Planning Commission held a public hearing on the wireless master plan. They continued that hearing until tomorrow. We met again with the industry. We've made further changes. We're on draft six or seven, I can't remember now, of the wireless master plan trying to deal with all the special nuances of that growing industry. We are also working on amendments to the zoning code and will be bringing those to the Planning Commission shortly. One of the issues that has been brought to our attention are portable storage containers, which you may have been noticing more and more in the community. They are a way to have temporary storage without building warehouse space or leasing warehouse space. The people who are in that business would like some more liberalization of the rules regarding how those are looked at. The people who talked to us about cemeteries would like us to change the rules on where and how cemeteries are approved in the community. We also have several items coming out of the Comprehensive Plan that we're working on in terms of more flexibility to encourage rehabilitation and more compact development.

"We finalized the proposed modifications to the Comprehensive Plan that you approved earlier this month. We submitted the transportation improvement program to the State Department of Transportation. On the Rails to Trails issue, we did go out, at the invitation of the city councils of Park City and Valley Center, to explain that concept and how it works. This is for the possibility of a trail that would run along the Burlington Northern line, north of 45th Street out to about 81st Street North through those two communities. We told them we were not going to be taking any kind of a lead role but we do have some experience about what to do and what not to do from the past and can suggest how they might go through that process, if they're interested. So we're waiting to see if they'll take the lead on that particular issue.

"We also had workshops with the City and the County Fire Chiefs on fire protection in the community, with Wichita's Director of the Center for Economic Development and Business Research and the consultant working on the Cowskin drainage study. I'll be glad to answer any other questions."

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

Commissioner McGinn said, "Marvin, can you give us another update on our community advisory group?"

Mr. Krout said, "Two of the City Council members have appointed members from their district advisory boards. The Mayor and the Chairman are waiting for the City Council and the County Commission to complete their selections of six members and six members that then they can meet together and determine

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who the remaining eleven members of the advisory committee will be? The Planning Commission discussed this issue and they cast a Motion recommending that the Mayor and the County Chair select John McKay and George Platt, from the Planning Commission, to serve on that committee. I've passed that word along. Also, we are continuing to look at someone who could serve as a facilitator. Struck out with one or two candidates, so we're continuing that search and we're drafting requests for proposals to send out that would result, we think, in selecting a consultant to look at the issue about the cost of growth and help that committee with that issue."

Commissioner McGinn said, "Who is submitting the names for the facilitators?"

Mr. Krout said, "Well, I'm soliciting suggestions from anybody who is available. There are some people who are available and have done this sort of thing, locally. A couple of them are not available that we've talked about in the past. If you have suggestions, I'd be glad to hear them."

Commissioner McGinn said, "No, I was just curious. It is too bad the TV is off now, but we've had a lot of letters sent to us, letting people know if they're interested in being on this. Do we have a deadline? You kind of leave it out there for politicians to say we need some names. You almost need to say we need them by the end of July."

Mr. Krout said, "Maybe I can work with the Mayor or Chairman to try to establish a deadline for you all."

Commissioner McGinn said, "Okay, the end of July would be good, but that's up to you."

Chairman Winters said, "Thank you, Commissioner. This is just kind of thinking out loud. We wanted to bring in an outside facilitator, to make sure we had an unbiased opinion. In the years past, we've had a number of trained facilitators on County staff, not necessarily planning. We've had a number of trained facilitators on County staff. I don't know whether there is a possibility of either someone other than the Planning Department but teaming up with a City of Wichita employee facilitator and putting them with the County facilitator out of some other department, just as an idea."

Mr. Krout said, "Apparently, there are some people on the County side who have done that. I contacted Kevin Bomhoff who I know did a very good job in the past. He wasn't able to do it. I think the County does have some other people and the City Manager tells me he has a new hire who can do this kind of work also."

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Chairman Winters said, "It might be a team approach. We wouldn't want it to be one or the other. Commissioner Gwin."

Commissioner Gwin said, "I guess my question is, one of the questions I've had, Marvin, from folks who I've talked to about serving on this committee is what's my time commitment. Is there a starting date and an ending date for this process, so that I can tell them how much time they need to commit to?"

Mr. Krout said, "I think we can just estimate and I think that we want this consultant study to track with the work of the advisory committee, so that they will see the results as they come in and be able to comment on them. We've guesstimated that it will probably would be six months of working about two nights a month."

Commissioner Gwin said, "My comment is 'yikes'. I'm afraid that eliminates some of the people I have in mind. Okay."

Chairman Winters said, "Any other questions? Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. Just educate me. Do we just submit our names to you? I have a name already that I'd like to submit, does it have to be done formally at a board meeting or can I just give it to you privately? I'm ready to tell you who I'd like to appoint. I don't know how that works."

Mr. Buchanan said, "Commissioners, in the past what has done is you would share that information with the Chairman and at some point a list or that individual would be brought here to be approved by the whole Board."

Commissioner McGinn said, "Seeing how we don't have a meeting next week, maybe we can have that in two weeks."

Chairman Winters said, "Seeing we don't have a meeting next week, maybe in two weeks we could do that. We'll aim for that."

Commissioner McGinn said, "Do you think maybe you could move the City Council along on that, too."

Mr. Krout said, "Oh sure."

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Chairman Winters said, "Do I have a motion to receive and file Marvin's report?"

MOTION

Commissioner Hancock 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, "Thank you, Marvin. We've still got a number of agenda items. We need to have an Executive Session. It was our intention to take a 60 minute Executive Session and we'll eat lunch during that time frame. Is there anything else on the agenda that needs to be done before we go? I know everybody has got busy schedules. There are people who have been here since 9:00 this morning. What's your item number? We're going to do Item N first and we'll get two people back to work. Do you have something else, Glen? Let's do Item O."

O. AGREEMENTS (FOUR) FOR ADVERTISING RIGHTS AT THE KANSAS COLISEUM.

1. WICHITA DISTRIBUTING, INC.

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- 2. SAUZA TEQUILA, C/O AB SALES, INC.**
- 3. JACK DANIEL'S TENNESSEE WHISKEY, C/O AB SALES, INC.**
- 4. VERIZON WIRELESS**

Ms. Jacque L. Wedel, Sales/Marketing Manager, Kansas Coliseum, said, "Thank you for slipping me in before the break. These are very simple agreements. The renewal agreement with Wichita Distributing is for Miller Beer. I have two new agreements, one with Sauza Tequila and one with Jack Daniel's Tennessee Whiskey, those are both cash agreements. The fourth agreement is with Verizon Wireless services and that is a standard agreement which includes trade and cash. Those cash amounts will be going up incrementally over years two and three because of equipment needs. I would entertain any questions that you have about those."

MOTION

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

Commissioner Sciortino seconded the Motion.

Chairman Winters said, "We have a motion and a second. I think Jerry Harrison has visited with several of us about this and we did see some additional back-up to this. Any other discussion on Item O? 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

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Chairman Winters said, "Thank you, Jacque."

MOTION

Commissioner McGinn moved that the Board of County Commissioners recess into Executive Session for 60 minutes to consider consultation with Legal Counsel on matters privileged in the Attorney Client relationship relating to legal advice and personnel matters of non-elected personnel, and that the Board of County Commissioners return from Executive Session no sooner than 1:06 p.m.

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, "We are recessed for one hour."

The Board of Sedgwick County Commissioners recessed into Executive Session at 12:06 p.m. and returned at 1:23 p.m.

Chairman Winters said, "I'll call back to order the Regular Meeting of July 26, 2000. Let the record show there was no binding action taken while we were in Executive Session. Madam Clerk, Item N."

N. AGREEMENT WITH CITY OF DERBY, KANSAS FOR PROVISION OF

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INSPECTION SERVICES BY SEDGWICK COUNTY.

Mr. Glen Wiltse, Director, Code Enforcement Department, greeted the Commissioners and said, "This is a new contract. Derby, just in the last five or six months, this is the first time we have ever served them for any type of services in Code Enforcement. Our last contract was for planned review. They have decided that with the construction boom that they did not have the time to do the inspections on their new schools, so they have requested that we do inspections for them. It is a standard contract that we have with our other jurisdictions. It is a 50-50 split on permit fees. There is no additional staff needed to do the contract or perform the services. If anyone has any questions, I'd be glad to answer them at this time."

Chairman Winters said, "All right. You're going to be able to take on this additional effort without hiring anybody?"

Mr. Wiltse said, "That's correct. We basically drive all around Derby, now. We drive through Derby so the request is we're looking at three schools. We have inspectors in the area already."

Commissioner Hancock said, "Glen, does Derby plan on hiring a building inspector?"

Mr. Wiltse said, "Well, they have one now but I'm not sure what their plans are for the future, Jeff Prince. He honestly is probably getting close to retirement. I'm not sure if he'll take retirement, but I believe he is talking about it anyway."

Chairman Winters said, "Any other questions or comments? What's the will of the Board?"

MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin

Aye

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

Chairman Winters said, "Thank you, Glen. We've already done Item O. Would you call Item P, please."

P. AMENDMENT TO AGREEMENT WITH KANSAS ASSOCIATION OF LOCAL HEALTH DEPARTMENTS PROVIDING AN ADDITIONAL \$30,400 TO SEDGWICK COUNTY FOR EXPANDED TRAINING AND FOLLOW-UP ASSESSMENTS BY THE HEALTH ALERT NETWORK PROJECT MANAGER.

Mr. Randy Duncan, Director, Emergency Management, greeted the Commissioners and said, "I come before you this afternoon to ask you to consider allowing us to accept this additional funding in this grant. This will allow us to extend the period of performance of the grant, as I understand it, and accomplish a few additional work items. There is an additional agreement attached to that, which has been reviewed by the County Counselor's Office and you'll see Jennifer Magana's name on there as having reviewed that. If this meets with your approval, I'd ask for your consideration in allowing the acceptance of this funding and to allow the Chairman to sign the agreement. I'd be happy to answer any questions, if you have any."

Chairman Winters said, "Commissioners, questions or comments? Commissioner Sciortino."

Commissioner Sciortino said, "You want us to add \$30,000 to this project, is that right?"

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Mr. Duncan said, "The State of Kansas is giving us an additional \$30,000."

Commissioner Sciortino said, "But then it costs us \$30,400?"

Mr. Duncan said, "No sir, there is no local match required with this. It is a 100% grant."

Commissioner Sciortino said, "That's not what it says in the back-up. It says cost, \$30,400, financial consideration."

Mr. Duncan said, "The \$30,400 will come from the State of Kansas and not from Sedgwick County. If you're interpreting that as meaning it's coming from Sedgwick County, then I have erred in placing that figure there. I would ask your forgiveness in my error."

Commissioner Sciortino said, "Is that not true normally when it says financial consideration of cost, that means cost to the County?"

Mr. Buchanan said, "Not necessarily."

Chairman Winters said, "Commissioner Hancock, do you have a questions?"

MOTION

Commissioner McGinn moved to approve the Amendment to Agreement and authorize the Chairman to sign.

Commissioner Gwin seconded the Motion.

Commissioner Hancock said, "Who gets trained, Randy?"

Mr. Duncan said, "There are two issues here. Just to refresh your memory, this position is the one that will create this surveillance network, to help us with looking at issues of pattern of illnesses and so on and so forth. So there are two different levels of training that occur here, the training of the person in the performance of their duties, plus the training that the person will perform with the various health departments as part of executing their duties. That is what this funding covers."

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Commissioner Hancock said, "Thank you."

Chairman Winters said, "Randy, would you double check on that financial and if it's different?"

Mr. Buchanan said, "It is not different, the cost of the program is \$30,400, all of which is coming from the State. The certification of funds, which is provided to you, there are no budget transfers from County funds to this program."

Chairman Winters said, "Okay, very good. Any other questions? Seeing none, call the vote."

VOTE

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

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

Q. DIVISION OF HUMAN SERVICES.

1. AGREEMENT WITH JOHNSON COUNTY MENTAL HEALTH CENTER FOR COMCARE TO PROVIDE DEAF AND HARD-OF-HEARING SERVICES.

Ms. Donaldson said, "This first item is an annual renewal of a contract we have with Johnson County Mental Health, which coordinates services state wide for the deaf and hard-of-hearing. This particular contract is for \$15,595. We use those funds to hire a Masters prepared licensed clinical social worker who provides services to this population and also works with that particular community. I would recommend your approval."

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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
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item."

2. AGREEMENT WITH KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES (SRS), DIVISION OF HEALTH CARE POLICY, PROVIDING CERTIFIED MATCH ALLOCATIONS TO COMCARE.

Ms. Donaldson said, "Commissioners, again this is a yearly renewal of our certified match that we receive from the State. These are the dollars that are used to match Medicaid federal dollars to pull down the full amount that was provided for services that we provide. That amount this year was \$2,090,377.51. I would recommend your approval."

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MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

3. ADDITION OF ONE SUPERVISOR NURSE POSITION, RANGE 23, FOUR REGISTERED NURSE POSITIONS, RANGE 22, AND ONE COMMUNITY HEALTH AIDE POSITION, RANGE 15, TO THE COMCARE STAFFING TABLE.

Ms. Donaldson said, "Commissioners, these are the positions for the Olds Project, early intervention and prevention project that you have allocated funds for. This will help establish those positions and get them trained to take this program County wide. I also might note that Dr. Magruder from the Health Department is here and so is Kristin, who also works in the program. I'll be glad to answer any questions

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you may have."

Chairman Winters said, "Are any of these people Health Department employees already or are they all new hires and new additions to the County?"

Ms. Donaldson said, "They are all new hires, although I would assume if there is anyone on any staff within the City or County who was interested, they certainly could apply for that."

Chairman Winters said, "Any other questions or comments?"

MOTION

Commissioner Gwin moved to approve the additions to the COMCARE Staffing Table.

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, "Next item."

4. CONTRACT WITH WICHITA PUBLIC SCHOOL DISTRICT, USD 259, TO PROVIDE A JUVENILE JUSTICE PREVENTION PROGRAM TO STUDY AND REDUCE ELEMENTARY SCHOOL SUSPENSIONS.

Ms. Donaldson said, "Commissioners, on March 29th you approved a request to submit an application to the Juvenile Justice Authority for prevention funds that we intended to contract with USD 259 to develop this suspension alternatives for elementary schools, as we were seeing that as a big problem. This,

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in fact, was approved and what I'm presenting to you today is the contract to implement that program. I'd be glad to answer any questions."

Chairman Winters said, "This is another new program in the prevention spectrum."

Ms. Donaldson said, "Yes, it is a new program."

Chairman Winters said, "Okay, very good."

Commissioner Gwin said, "The contract is for \$252,000, what was our request?"

Ms. Donaldson said, "We requested \$252,560."

Commissioner Gwin said, "Great. Okay. Thank you."

Chairman Winters said, "Do we have a Motion?"

MOTION

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

Commissioner Sciortino seconded the Motion.

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

VOTE

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

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

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

6. CONTRACTS FOR INCOME ELIGIBLE (FOUR) AND SENIOR CARE ACT (FOUR) PROGRAMS, PROVIDING ASSISTANCE TO ELIGIBLE PERSONS IN MAINTAINING INDEPENDENCE IN THEIR HOMES.

- ! **RIVERSIDE HOME CARE**
- ! **HOME INSTEAD SENIOR CARE**
- ! **ADVANTAGE HOME CARE, INC.**
- ! **PROGRESSIVE HOME CARE**

Ms. Annette Graham, Director, Department on Aging, greeted the Commissioners and said, "What I bring before you today are four contracts with providers, Riverside Home Care, Home Instead Senior Care, Advantage Home Care, Inc., and Progressive Home Care. These are contracts for fiscal year 2000 for the Income Eligible and Senior Care Act Program. These services are offered in Butler, Harvey, and Sedgwick County.

"The Income Eligible administration program budget for fiscal year is \$469,002, which is totally funded through the State. The Senior Care Act budget total is \$365,663 and is funded through State legislated money and it does require a two to one match to the allocated state dollars. The Senior Care Act match is composed of County mill levy funds for Sedgwick County and Butler and Harvey contribute for their counties portion of that. No additional County funds are requested. We would recommend approval."

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

Commissioner Hancock said, "These contracts are renewals or new ones?"

Ms. Graham said, "These are new ones with new providers."

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Commissioner Hancock said, "Thank you."

MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

7. AGREEMENT WITH KANSAS DEPARTMENT OF COMMERCE & HOUSING, HOUSING DEVELOPMENT DIVISION, FOR FUNDING OF A KANSAS ACCESSIBILITY MODIFICATIONS PROGRAM.

Ms. Graham said, "Effective July 1st, 2000, the Kansas Department of Commerce and Housing Development is allocating \$200,000 per year for two years to fund a new Kansas Accessibility Modifications Program. This is a demonstration project designed to provide accessibility modifications to residents allowing individuals to stay in their homes and maintain their independence and to gather information for future planning needs in Kansas for such modifications. All funds for this program will be dispersed by the Kansas Department of Housing Development Division to Central Plains Area Agency on Aging for their reimbursement of payment to contractors upon successful completion of the work. The agreement has been reviewed by Legal. There are no additional County funds requested for this program. It is just for us to be able to access some of that funding for our area."

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

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Commissioner Hancock said, "Thank you. Annette, on this program it is a demonstration program but is it to demonstrate that there is a capability of keeping folks in their homes longer than if they don't do something like this?"

Ms. Graham said, "Yes it is, to show how that can result in those kind of savings and increase independence and maintenance in the community."

Commissioner Hancock said, "Who comes up with the ideas? Is there a code or a standard that we follow?"

Ms. Graham said, "They do have to meet City and local codes for the work that is done. But we would go out, we would have a person who would go out, who already runs our minor home repair program, to determine the need and to define what services that would help them be able to stay in their homes."

Commissioner Hancock said, "I was just curious about who determines what would work, a ramp here or a hand rail there or a wider door or a bell, whatever the case may be."

Ms. Graham said, "Initially, the individual contacts our department and then we have an individual who goes out and meets with them to look at what their needs are and see what their requests are and see if that would meet that need."

Commissioner Hancock said, "I was just trying to see where the rubber meets the road here. Who actually makes the decision of what to do."

Ms. Graham said, "That would be our staff."

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

Chairman Winters said, "Thank you. What is the maximum that any one individual could apply for in a home?"

Ms. Graham said, "There are \$200,000 per year and how they've done this is that the number of providers across the State, it is a first come first serve basis. So whoever gets their request in gets the funding and when that \$200,000 is gone for the year, it is gone."

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Chairman Winters said, "I was thinking more along the lines if I'm an individual who wants to take advantage of assistance in a ramp or whatever, how much is the total that I could apply for as an individual?"

Ms. Graham said, "I'm not sure about that, but I can certainly look into that and get back with you."

Chairman Winters said, "Okay, I'd appreciate it. Are there other questions? Commissioner Sciortino."

Commissioner Sciortino said, "How does somebody get ahold of you Annette to find out if they'd qualify, how do they do that?"

Ms. Graham said, "They can contact us through the intake number, 383-7824."

Commissioner Sciortino said, "Okay. If we get the grant, do we do anything, proactively, to let the public know that these monies are available?"

Ms. Graham said, "We already have a couple . . . like three different programs that provide home modifications. This is a new funding source. So, people are already calling but we will continue to go out and do information and public education about the services available. This will be a new funding resource for us to increase the availability of funds."

Commissioner Sciortino said, "Thank you."

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

MOTION

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

Commissioner Gwin seconded the Motion.

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

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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."

8. GRANT AWARD APPLICATION AND FISCAL YEAR 2000 (FY00) AREA PLAN REVISION, TO BE SUBMITTED TO KANSAS DEPARTMENT ON AGING.

Ms. Graham said, "Each year the Area Agency on Aging submits an area plan to the Kansas Department on Aging which details how the Area Agency plans to spend the federal dollars in the federal fiscal year, which is October 1st through September 30th. An area plan revision is submitted to change the plan for such reason as decrease in funds or increase in need. This revision must be submitted to the Kansas Department on Aging by August 1. This is the last revision we'll do for this current area plan. This changes some of the funding changes that we saw an increase demand for attendant care and personal care and we were able to move some money around within the budget to meet those increased needs so we would request that you approve this revision to the Kansas Department on Aging."

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

MOTION

Commissioner Gwin moved to approve the Application and authorize the Chairman to sign; and approve the FY00 Area Plan Revision.

Commissioner Hancock seconded the Motion.

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

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VOTE

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

Chairman Winters said, "Next item."

9. AGREEMENTS (THREE) WITH SECRETARY OF TRANSPORTATION OF THE STATE OF KANSAS PROVIDING TERMS FOR GRANT FUNDS.

Ms. Graham said, "Commissioners, two of these grant funds that I bring before you today fund the brokerage section 5311 rural transportation program. One of the grants is a federal reimbursement, \$143,200. The other is state match, \$57,280. This rule program provides subsidized rides to the general public, primarily disabled and elderly residing outside the Wichita city limits to medical appointments, the grocery store, and work. The other grand fund, the cost of administering the Central Plains Coordinated Transit District #12, which is \$3,300. Local match is required for the grant of \$25,200, which has been included in the 2000 budget, as approved by the Board of County Commissioners. The brokerage rule transportation program is the only subsidized public transportation program option available to Sedgwick County residents residing outside of the Wichita city limits. The Kansas Coordinated Transit District Act of 1992 mandated coordination of transportation across the State. The Department on Aging is the administrative agency for overseeing coordination in Sedgwick, Butler and Harvey Counties."

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

Commissioner Sciortino said, "Annette, it says to the general public, primarily disabled and elderly, but does anybody call and avail themselves of it?"

Ms. Graham said, "Yes, they can. Of course the rides are limited by the budget, but primarily what we serve are the disabled and the elderly, but it is available to other individuals also."

Commissioner Sciortino said, "Is there an income level requirement or can anybody in rural Sedgwick County call and say I'd like to have transportation to the grocery store?"

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Ms. Graham said, "Well, we do look and see if there are other options available to them. So, if they have other resources or options then this really isn't available."

Commissioner Sciortino said, "How much time in advance do they have to call, so you can check it out before they get the ride? Could they call this morning and say I'd like to have a ride tomorrow?"

Ms. Graham said, "They have to complete an application. There is an application process that individuals have to go through before they can access transportation."

Commissioner Sciortino said, "But there is no income requirement they have to fill out that they are low income? Anybody can apply for it?"

Ms. Graham said, "They look at a variety of things. If they have income and there are other rides that are accessible, then they would need to utilize that."

Mr. Buchanan said, "Commissioner, if you were to apply, you would be permitted to apply. But my guess is the answer to you would be there are cabs available."

Commissioner Sciortino said, "That's what I'm trying to ask. Is there some hard set criteria that they have to qualify?"

Mr. Buchanan said, "There are a number of factors."

Commissioner Sciortino said, "Is this subjective in nature or is it just hard set rules."

Mr. Buchanan said, "If you are blind and disabled also and can't get into cabs normally, then there may be other alternatives, buses that tilt so that you can get in. There are a series of rules and regulations and the brokerage group tries to manage those factors so that people who absolutely need rides get rides."

Commissioner Sciortino said, "The only part I have a problem with is the recreational activities."

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Commissioner McGinn said, "I have a question. I wanted to tag on to that a little bit. Is this the same program, I think I had a constituent call you about, complaining about the increased rate and his comment to you was 'if this gets too expensive then I'll have to take my mother to town'. So, my concern is do we have standards so folks who can get to town some other way, family or whatever, are not taking up the limited amount of dollars for those people who do not have family and do not have income to do that. That would be my concern to make sure we have that in place."

Mr. Buchanan said, "We try to monitor those. We would examine it case by case. My guess is that it would be based on someone's value system. That you would likely say 'well, they have a cousin who could do it' and we are trying to get people a ride, to get them where they need to be without . . . if relatives were unwilling to do it, that's one of the underlying values of the program is to make sure people are independent. If their relatives won't do it, we're going to get them where they need to be."

Commissioner McGinn said, "I'll leave it at that. Thank you."

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

MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

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R. AMENDMENT TO THE 2000 CAPITAL IMPROVEMENT PROJECT (CIP) BUDGET FOR WORK RELATED TO THE MAIN COURTHOUSE BASEMENT PLUMBING REPAIRS AND MODIFICATIONS (CIP #1997 PB291).

Ms. Stephanie Knebel, Senior Project Manager, Facility Project Services, greeted the Commissioners and said, "As you can tell from the year on this project, it is a 1997 project. We have worked through planning and design and later on in today's agenda you will accept a bid from a contractor to proceed with this work. As a quick reminder, this project has been included in the CIP to replace the 43 year old sewer lines that are in this main courthouse, it is the primary sewer line down there. The life span for this sewer line is estimated at 30 years, so we're well due for a replacement of this. I bring this to your agenda because the cost of this project is \$116,379 higher than what was anticipated in 1997. We are transferring this additional money from a year 2000 CIP project because we deem this sewer line replacement to have a higher priority than the other one. And again, as I indicated, later on you'll accept a bid from Bauer and Sons Construction. I recommend your approval and I'm available for questions."

Chairman Winters said, "Thank you. I guess, Stephanie, from looking at the back-up, this is still not going to solve all the problems in the basement. I see it says sewer lines in the cafeteria are also of concern but will be addressed in the future."

Ms. Knebel said, "That's correct. We needed to get this piece solved and resolved just to keep the courthouse running more than anything else. Now that we've got this under control and construction starts we're going to take a step back and figure out how to resolve some of the ongoing problems in the kitchen area of the basement. We'll prepare a plan and bring some recommendations to you in the future on how to do those particular plumbing issues."

Chairman Winters said, "I guess this is just to remind ourselves that when we come back, at some time, we'll remember we didn't fix the whole thing."

Ms. Knebel said, "That's right."

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

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MOTION

Commissioner Gwin moved to approve the CIP amendment.

Commissioner Hancock seconded the Motion.

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

VOTE

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

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

S. COMMUNITY HEALTH DEPARTMENT MONTHLY REPORT.

Mr. Buchanan said, "We'd like to defer this item indefinitely."

MOTION

Chairman Winters moved to defer the item indefinitely.

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."

T. PUBLIC WORKS.

- 1. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE, WITH CORNEJO & SONS, INC. ON SEDGWICK COUNTY PROJECT – HUNTINGTON POINTE ADDITION. DISTRICT #2.**

Mr. Paul E. Taylor, P.E., Director of Sewer Operations and Maintenance, Public Works, greeted the Commissioners and said, "In Item T-1, we are requesting your approval of a modification of plans and construction, request number one, with Cornejo and Sons, Inc., on a Sedgwick County project to construct streets in the Huntington Pointe Addition. The modification will increase the contract by \$12,351 and is due to the variation between plan quantities and actual field measurements and also items not included in the schedule of prices. All costs of the project are to be paid by the properties in the benefit district through special assessments. Be happy to attempt to answer any questions."

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

MOTION

Commissioner Hancock moved to approve the 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	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye

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Chairman Thomas G. Winters Aye

Chairman Winters said, "Next item."

**2. AGREEMENT WITH PROFESSIONAL ENGINEERING CONSULTANTS,
P.A. FOR DESIGN AND CONSTRUCTION STAKING SERVICES OF
SUNCREST ADDITION; STREET AND DRAINAGE IMPROVEMENTS
PROJECT. DISTRICT #2.**

Mr. Taylor said, "In Item T-2 we are requesting your approval of an agreement with Professional Engineering Consultants, P.A., for design and construction staking services in the Suncrest Addition for street and drainage improvements. The agreement is for a cost not to exceed \$25,350. All costs of the project are to be paid by the properties in the benefit district through special assessments. Again, questions?"

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

MOTION

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

Commissioner Sciortino seconded the Motion.

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

VOTE

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

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

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3. BACKYARD DRAINAGE POLICY.

Mr. James Weber, P.E., Deputy Director, Public Works, greeted the Commissioners and said, "Sedgwick County and the City of Wichita receive numerous complaints each year from property owners about poor drainage around their homes. The majority of these complaints are in newer subdivisions where walk out and view out basements are popular. In a typical subdivision the rear lot line is used as a pathway for drainage from the adjacent properties to the nearest storm sewer street. In most cases, there is a great deal of excavation in the back yard of the home in order to create the view out or walk out. This excavation can result in flat slopes from the house to the rear lot line and along the rear of the lot lines in the block. Standing water is common in these neighborhoods after rains or lawn watering and can last for an extended period of time.

"The County staff has been involved with these types of problems for some time and County Commissioners routinely receive complaints on these issues. The current effort to establish uniform policy for both Sedgwick County and the City of Wichita began with various complaints to Commissioner McGinn from her constituents in northwest Wichita. Commissioner McGinn began discussions with the County staff, City Councilman Bob Martz and Wichita Area Builder's Association to find a solution for the problem. As a result of those early discussion, Commissioner McGinn and Councilman Martz spearheaded an effort by County staff, City staff, and the Builder's Association to draft a policy on back yard drainage. The policy's intended to be uniformly applied in Sedgwick County and the City of Wichita. In this way, developers, builders and home buyers will know what to expect from new homes in the metropolitan area.

"The policy will require that new plats have detailed master drainage plans and these plans be filed with the Register of Deeds. The plan will stipulate the type of home that can be built on each lot, as well as elevations of basement walls and lot corners. Individual home plans will be required to include detailed lot draining plans that are consistent with the master drainage plan for that subdivision. Final grades will be verified prior to final inspection and occupancy. The policy will be implemented by the Metropolitan Area Planning Department, the Sedgwick County Code Enforcement Department, and Sedgwick County Public Works approximately two months after you adopt the policy. The City of Wichita will implement the policy at the same time and the Wichita City Council approved the policy at their meeting on June the 20th. We are recommending your adoption of the policy and I'd be happy to try to answer any question

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you might have. Glen Wiltse is here, on behalf of the Code Enforcement Department. We have Chris Carrier here, from the City, who is the City of Wichita's Storm Water Engineer. We want to let you know that the Wichita Area Home Builder's Association does support the policy. Wess Galyon and Mitch Mitchell are both out of town today and aren't able to be with us to voice their support. I'll answer any questions you might have."

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

Commissioner Hancock said, "Thank you. Jim, as I recall the last time I was the one who had the most difficulty with this."

Mr. Weber said, "You were the trouble maker, yes."

Commissioner Hancock said, "I had the most difficulty. But do you have a copy of that policy with you? The requirements being imposed on builders are as follows, item two. It says 'builders will be required to get a verification from a surveyor after basement walls are poured and before plumbing groundwork inspection to verify that wall elevations are built in accordance with the lot draining plan'. I have a little more difficulty. I didn't like that at first, but after some discussions with you and others, I've come around. That is really the only time to verify that wall elevation. But wouldn't it serve us well that we could do the plumbing inspections at the same time? It creates an extra step. What I mean is the plumber likes to get his inspection done as soon as the ground work is done, sometimes before it is even backfilled. Isn't this holding up, sometimes, that next inspection."

Mr. Weber said, "I think that by scheduling their work and their inspections they can get both of those things done, because a survey is going to have to be done by a surveyor and that is independent of any of the activities that the Code Enforcement Department would be doing. I would think, unless I'm missing your point, I would think they could call for their surveyor to get the survey done, they could call for their plumbing inspection and get that done. It is really two different people."

Commissioner Hancock said, "The wall inspection, as far as elevation is concerned is going to be done by a surveyor but it won't have anything to do, necessarily, with a trip by our inspectors to the construction site, requiring an extra trip?"

Mr. Weber said, "No."

Commissioner Hancock said, "They're not going to be out there?"

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Mr. Weber said, "Not at the same time. We'll take a certification from the surveyor that he's gone out and shot the top of the wall."

Commissioner Hancock said, "Well, that's what I thought. I guess I'm going to argue a little bit more here, because I want to work out the logistics of it. I'll tell you, the time between when the foundation is excavated and the time it is backfilled and you can start framing is a pretty critical time. Weather really effects you about that time. It just seems to me that the surveyor has to go out, he can almost shoot the gray set inside the form to verify the wall elevation before it is even poured if they wanted to. I've thought of that. But it just seems to me that in case they don't, in case they wait till they go out there, you've got to make an appointment for a certified surveyor to shoot this thing. There is a hold up there on the inspection of the plumbing. They really are not related."

Mr. Weber said, "There can be a lot of things that might crop up and what I think I would suggest to you is that this has been kept in the form of a policy, so that there can be some flexibility used in application of the policy so that changes can be made in the procedure that we're using. I think that, out of the working group that put this together, that was really what we were after. This is a place to start and, as problems crop up, I think everybody who is involved is going to be responsive to those problems. If there is a way to redo it then we would try to do that and if for some reason they felt it was totally out of the realm of what we could do inside the policy then we'd come back with a revised policy. It wouldn't take as much effort to get to that point. I think that there are problems that you're bringing up, potentially, there are problems that we don't even know about yet, until some people really try to do this."

Commissioner Hancock said, "This is one aspect of construction that I'm intimately aware of and I just don't want to hold up the ground work and the inspection of that and have that dependent upon somebody handing our Code Enforcement inspector a certification. It doesn't make sense. I can see this is going to happen, unless Glen and his staff say 'okay, we know you've done it, go ahead with the ground work'."

Mr. Weber said, "There are fax machines and all kinds of things that can facilitate that process. I guess, the thing I would say is we had the builders as a group involved in this process. There was some discussion of all of those things. It took consensus to document it and it is a place where everybody thinks they can work and start doing something. It is a good document."

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Commissioner Hancock said, "I agree. I'm not disagreeing with you except that I've been there at this exact spot many, many times. It is really tough sometimes to coordinate what all goes on between digging a basement hole and getting ready to start framing. There is a lot of stuff that goes on. You're coordinating the back fill and you're coordinating drain time and the water proofing, the ground work, and the basement guy all at the same time. It is a little confusing and doesn't work very smooth anyway. I was just trying to make sure that Code Enforcement does not hold up this part of it, the ground work, while we wait on some surveyor to do the survey and certify that the top of the wall is at the right elevation. Sometimes it may take a couple of days to get the information out of them. I don't know. I just don't want the ground work being held up because of it."

Mr. Weber said, "Everyone who was involved in the process is sensitive to the time issues."

Commissioner Hancock said, "Okay, you've given up on me, haven't you."

Mr. Weber said, "I haven't given up on you."

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

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

Commissioner McGinn said, "Thank you."

Commissioner Hancock said, "Can I interrupt. Everyone who is involved thinks it is a great idea including me and its time has come. Those who are acting responsible and trying to do the best work they can possibly do think this is a good idea. They want the protection for themselves and their actions and they want something to lean on and count on for elevations. It's a great idea, it should have been done a long time ago. I appreciate you doing this for us."

Mr. Weber said, "I know you take it seriously and I've kind of harassed you a little bit, but I appreciate the comments and input you've provided to the process because you come from a special place in the process. I think we're going where we need to go."

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Commissioner McGinn said, "I guess I'd like to take credit for this, so that Bill can hit me over the head. But as I got involved in this I found out it was also a process going on already. I received a call from a constituent and went out there and looked at it and found out it was in the City, started in the County and in the City now. I called Bob Martz out and took our engineer out and looked at this. Then we went and had a meeting with Wess and from that point we brought in the developers, our engineers, City engineers, the developer's engineers, and talked through this process for a few different meeting dates. Found out there were some flaws and some areas we could improve on. What I found out also, Mitch Mitchell was very supportive of this and he made the comment that we've been trying to get this through for years. So, I guess, I was glad to hear that there was so much support from the development community. It was just as you said, Bill, they might have something to hang their hat on that they completed the project and did it accurately. Some of the things we found out, a lot of times, people, they'll build their home, it's all checked off, and then sometimes it is the individual who bought the house that caused the problem. So, now we have some of these check points to know the developer did his job correctly. Anyway, with that, it is also a policy that we can improve on if we need to. I see Chris Carrier is in the audience and I know the City passed this in June. Chris worked on this as well. Chris, do you have any comments? Were you at the meeting when the City accepted this? I noticed it was in the paper a little bit. I wondered if it was as involved, with all the Council Member?"

Mr. Chris Carrier, Storm Water Manager, Wichita Storm Water Maintenance Department, greeted the Commissioners and said, "It was. They had a few questions on it that we answered, just like Commissioner Hancock did. I just want to echo what Jim said. That stage of when that foundation is poured and checking that elevation was very, very important to the builders. That was when they wanted to do it. We thought it was a good idea, so it got in the policy. The City Commissioners were very supportive of it. Since they've passed it, we've gotten absolutely no additional comment on it from the building community at all. What we will do, once you pass this, is we'll notify all of the engineers that do the development type work that this will go into effect in two months, so they can gear up and do the drainage plans the way this policy requires."

Commissioner McGinn said, "Thank you, Chris. Thanks for coming over here today. Thank you, Jim and both of you for working on this."

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

MOTION

Commissioner McGinn moved to approve the policy.

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, "Next item."

- 4. AGREEMENT WITH KANSAS GAS AND ELECTRIC COMPANY, INC. TO RELOCATE AN ELECTRICAL LINE IN CONNECTION WITH SEDGWICK COUNTY PROJECT NO. 833-I, J, N½ K; WEBB ROAD: NORTH WICHITA CITY LIMITS TO K-254. CIP# R-238. DISTRICT #1.**

Mr. David C. Spears, P.E., Director/County Engineer, Public Works, greeted the Commissioners and said, "Item T-4 is the approval of an agreement with KGE for the relocation of an electrical line at a cost of \$65,000. This relocation is in connection with a project on Webb Road, from the north Wichita city limits to K-254, designated as R-238 in the Capital Improvement Program. The line is in a private easement. I recommend that you approve the estimate."

Chairman Winters left the meeting room at 2:10 p.m.

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Commissioner McGinn said, "If there are no questions for David, do I have a motion on this?"

MOTION

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

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Commissioner McGinn said, "Next item."

- 5. APPLICATION (RENEWAL) WITH VALLEY CENTER LIONS CLUB FOR THE SEDGWICK COUNTY ADOPT A HIGHWAY PROGRAM ON MERIDIAN FROM 61ST STREET NORTH TO 77TH STREET NORTH. DISTRICT #4.**

Mr. Spears said, "Item T-5 is a renewal agreement with the Valley Center Lions Club, for the Sedgwick County Adopt A Highway program. They will be responsible for Meridian, between 61st Street North and 77th Street North. I recommend you approve the agreement and authorize the Chairman to sign."

MOTION

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Commissioner Sciortino moved to approve the Application 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
Chairman Thomas G. Winters	Absent at vote

Commissioner McGinn said, "I do have one question on this. What is the importance or significance of us renewing an application for people to pick up trash."

Mr. Spears said, "The agreements are good for two years and often times people change in these clubs and the new people who come in do not want to continue doing it. So, it is not a thing that we do forever, it is for two years. We have several who have dropped out."

Commissioner McGinn said, "Thank you."

Commissioner Gwin said, "Just our way of acknowledging their participation and making this County a better place to live and work."

Commissioner McGinn said, "Okay, next item."

- 6. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE AND FINAL, WITH HWA DAVIS CONSTRUCTION & SUPPLY, INC. ON SEDGWICK COUNTY PROJECT NO. 781-AA-3052; 311TH STREET WESTBETWEEN 87TH STREET SOUTH AND 95TH STREET SOUTH. CIP# B-336. DISTRICT #3.**

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Mr. Spears said, "Item T-6 is a modification of plans and construction for the bridge project on 311th Street West, between 87th and 95th Street South, designated as B-336 in the Capital Improvement Program. This project has been constructed and is ready to be finalized. There will be a net decrease of \$1,206, due to variations in planning quantities from actual field measurements. I recommend that you approve the modification and authorize the Chairman to sign."

MOTION

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

Commissioner 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	Absent at vote

Commissioner McGinn said, "Next item."

- 7. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE, WITH APAC KANSAS INC. ON SEDGWICK COUNTY PROJECT NO. 630-24; 47TH STREET SOUTH FROM WEST CITY LIMITS OF WICHITA TO WEST STREET. CIP# R-250. DISTRICT #2.**

Mr. Spears said, "Item T-7 is a modification of plans and construction for the road project on 47th Street South, from the city limits of Wichita to West Street, designated as R-250 in the Capital Improvement

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Program. This project has been constructed and is ready to be finalized out. There will be a net decrease of \$29,808.20, due to variations in plan quantities from actual field measurements. I recommend that you approve the modification and authorize the Chairman to sign."

MOTION

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

Commissioner McGinn said, "Next item."

8. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE AND FINAL, WITH RITCHIE PAVING INC. ON SEDGWICK COUNTY PROJECT – 2000 MISCELLANEOUS HOTMIX OVERLAYS.

Mr. Spears said, "Item T-8 is a modification of plans and construction for the 2000 miscellaneous hot mix overlays. This project has been constructed and is ready to be finalized out. There will be a net decrease of \$16,690, due to variations in planning quantities from actual field measurements. I recommend that you approve the modification and authorize the Chairman to sign."

MOTION

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

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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	Absent at vote

Commissioner Gwin said, "Thank you, David."

Commissioner McGinn said, "Next item."

U. PURCHASING DEPARTMENT.

1. WAIVER OF POLICY TO HIRE A PURCHASING AGENT AT RANGE 22, STEP 8.

Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, "What you have before you is a waiver of policy to hire a purchasing agent at the range and step identified. This is a culmination of a lengthy search, in which there was a reorganization within our department and the combining of staff members. This individual that we have identified I'm confident will be an outstanding addition to the staff and I would request your approval."

Commissioner McGinn said, "Are there any questions for Darren?"

MOTION

Commissioner Hancock moved to approve the policy waiver.

Commissioner McGinn seconded the Motion.

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

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VOTE

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

Commissioner McGinn said, "Next item."

2. REPORT OF THE BOARD OF BIDS AND CONTRACTS' JULY 13 AND JULY 20, 2000 REGULAR MEETINGS.

Mr. Muci said, "You have Minutes from the July 13 meeting of the Board of Bids and Contracts. There are three items for consideration.

**(1) SEDGWICK COUNTY COURTHOUSE BASEMENT PLUMBING REVISIONS - FACILITY PROJECT SERVICES
FUNDING: FACILITY PROJECT SERVICES**

"Item one is the project that Stephanie Knebel mentioned previously, the courthouse basement plumbing revisions for Facility Project Services. It was recommended to accept the low bid of Bauer & Son, that is \$175,253.

**(2) HIGH FLOAT EMULSIFIED OILS - PUBLIC WORKS
FUNDING: PUBLIC WORKS**

"Item two is an extension of contract pricing for high float emulsified oils for Public Works. It was recommended to accept the pricing extension from Koch Materials, not to exceed amount of \$349,500. Again, that is as materials are needed.

**(3) CONSULTANT SERVICES - ENTERPRISE RESOURCE PLANNING SYSTEM - DIVISIONS OF FINANCE, HUMAN RESOURCES, INFORMATION & OPERATIONS
FUNDING: EQUIPMENT RESERVE**

"Item three, consultant services for the Enterprise Resource Planning System, three divisions, Divisions of

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Finance, Human Resources, and Information and Operations. It was recommended to reject all four proposals received. There are two pages of information following it which identify the recommendation.

ITEMS NOT REQUIRING BOCC APPROVAL

- (4) UNIFORMS - EMERGENCY COMMUNICATIONS
FUNDING: EMERGENCY COMMUNICATIONS**
- (5) PASSENGER VAN - FLEET MANAGEMENT
FUNDING: FLEET MANAGEMENT**
- (6) MINI-VAN - FLEET MANAGEMENT
FUNDING: FLEET MANAGEMENT**
- (7) FIRE HOSE PARTS - FIRE DEPARTMENT
FUNDING: FIRE DEPARTMENT**

"There are four items that did not require action at that particular time. They were tabled for review. They include uniforms for Emergency Communications and a complete tabulation follows, a passenger van for Fleet Management and COMCARE, no bids were received for that, and a mini-van for Fleet Management, also for COMCARE, again no bids were received and fire hose parts for the Fire Department, those bids are being reviewed. I'll be happy to take questions on the July 13 meeting of the Board of Bids and Contracts or if you please, I could continue reading on July 20."

Commissioner McGinn said, "Continue."

Chairman Winters returned to the meeting room at 2:18 p.m.

Mr. Muci said, "On July 20, there were six items for consideration.

- (1) UNIFORMS - EMERGENCY COMMUNICATIONS
FUNDING: EMERGENCY COMMUNICATIONS**

"Item one was an item that was tabled previously, uniforms for Emergency Communications. It was recommended to accept the only responsible bid of Western Uniforms estimated amount \$13,129.38. A memo outlining the recommendation follows.

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**(2) CATEGORY 5 TELECOMMUNICATIONS CABLING - DISTRICT COURT
FUNDING: DISTRICT COURT**

"Item two, category 5 telecommunications cabling for the District Court and telecommunications. It was recommended to accept the low bid of Communications Technology Associations for \$8,640.

**(3) IBM 9672-r44 MAINFRAME COMPUTER - DIVISION OF INFORMATION AND OPERATIONS
FUNDING: DIVISION OF INFORMATION AND OPERATIONS**

"Item three is an upgrade to the mainframe computer system for the Division of Information and Operations. It was recommended to accept the alternate proposal of Mainline Information Systems. You see the outright purchase price of \$225,229. What follows is a complete tabulation which shows the five year life cycle cost of that where, we're the Mainline Information Systems Option 1 is considerable lower than the others.

**(4) MAINTENANCE FOR DEFIBRILLATOR - EMERGENCY MEDICAL SERVICES
FUNDING: EMERGENCY MEDICAL SERVICES**

"Item four, maintenance for defibrillators for Emergency Medical Services. It was recommended to accept the sole source bid of Physio Control. Physio Control is the manufacturer of these items, \$15,715. That is the remainder of the year 2000.

**(5) ERP CONSULTANT SERVICE - DIVISION OF FINANCE
FUNDING: DIVISION OF FINANCE**

"Item five, ERP Consultant Services, again for the three divisions, Finance, Human Resources, and Information and Operations. It was recommended to accept the proposal of the Government Finance Officers Association for \$122,500. There is a memo attached which outlines this recommendation.

ITEMS NOT REQUIRING BOCC APPROVAL

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

(7) FIRE HOSE PARTS - FIRE DEPARTMENT

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FUNDING: FIRE DEPARTMENT

"There were two items that did not require action at that particular time. Those were tabled for review, evidence lockers for the Fire Department and fire hose parts for the Fire Department. Commissioners, I'll be happy to take questions and recommend approval of the Minutes from the Board of Bids and Contracts meetings of July 13 and July 20."

MOTION

Commissioner Hancock moved to approve the recommendations of the Board of Bids and Contracts from the July 13 and July 20 meeting.

Commissioner Gwin seconded the Motion.

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

VOTE

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

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

CONSENT AGENDA

V. CONSENT AGENDA.

1. Right-of-Way Agreements.

- a. One Easement for Right-of-Way for Sedgwick County Project No. 839-N; 143rd Street East between 13th and 21st Streets. District #1.

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- b. One Temporary Construction Easement and One Easement for Drainage for Sedgwick County Project No. 809-K; Tyler Road between 29th and 53rd Streets. District #4.
- c. One Easement for Drainage for Sedgwick County Project No. 628-29; MacArthur Road between K-15 and Oliver. District #5.
- d. One Temporary Construction Easement for Sedgwick County Project No. 803-Q-366; 135th Street West between Maple and US-54. District #3.
- e. One Easement for Right-of-Way for Sedgwick County Project No. 839-T; 143rd Street East between 31st and 39th Streets South. District #5.

2. Section 8 Housing Assistance Payment Contracts.

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V2045	\$133.00	5	EDM Home Improvements
V2046	\$130.00		Sunflower Apartments
V2048	\$205.00	4	Valley View Apartments
V2050	\$85.00		Augusta Rentals
V2051	\$325.00		Dennis and Yvonne Martin
V2052	\$340.00		Tammy Beaston
V2053	\$166.00	5	Springcreek Apartments
V2054	\$462.00	5	Springcreek Apartments

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

Regular Meeting, July 26, 2000

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V99048	\$335.00	\$388.00
V8009	\$185.00	\$185.00
V98007	\$172.00	\$250.00
V99075	\$475.00	\$217.00
V99044	\$214.00	\$201.00
V2009	\$244.00	\$442.00
C99078	\$440.00	\$372.00
V97054	\$450.00	\$470.00
V2016	\$379.00	\$414.00

- 4. Agreement (renewal) with Jorge Beber, M.D. for employment as COMCARE'S Medical Director.**
- 5. Addendums to Provider Agreement (two) with The Consortium, Inc. for COMCARE to provide adoption- and foster-care- related mental health services.**
- 6. Donation of \$50.12 by the City of Wichita Employees' Friendship Fund, to be used for COMCARE's Suicide Prevention Program.**
- 7. Plats.**

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

Harrison Industrial Addition
Belle Terre South 2nd Addition
Gorges Acres Addition

- 8. Orders dated July 12 and July 19, 2000 to correct tax roll for change of assessment.**
- 9. Payroll Check Registers of July 14 and July 21, 2000.**

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10. General Bills Check Registers of July 14 and 21, 2000.

11. Budget Adjustment Requests.

Mr. Buchanan said, "Commissioners, you have the Consent Agenda. Item seven, it says three plats, but it is only two. The Belle Terre South 2nd Addition is pulled, because it has been annexed by the City. I would recommend that you approve the Consent Agenda with the exception of the plat for Belle Terre South 2nd Addition."

MOTION

Commissioner Hancock moved to approve the consent agenda with the deletion on item seven of Belle Terre South 2nd Addition.

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, "Is there other business to come before the Regular Meeting of the Board of County Commissioners? Any other business? Seeing none, the meeting is adjourned."

W. OTHER

X. ADJOURNMENT

Regular Meeting, July 26, 2000

There being no other business to come before the Board, the Meeting was adjourned at 2:20 p.m.

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

THOMAS G. WINTERS, Chairman
Third District

CAROLYN McGINN, Chair Pro Tem

Regular Meeting, July 26, 2000

Fourth District

BETSY GWIN, Commissioner
First District

BILL HANCOCK, Commissioner
Second District

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

James Alford, County Clerk

APPROVED:

_____, 2000