

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

### **REGULAR MEETING**

**DECEMBER 20, 2000**

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, December 20, 2000 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chair Pro Tem Carolyn McGinn; Commissioner Bill Hancock; Commissioner Betsy Gwin; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Ms. Karen Duranleau, Assistant County Counselor; Mr. Dennis Mauk, Assistant Director, Emergency Medical Services; Mr. Doug Russell, Director, Division of Human Resources; Mr. Paul Rosell, Chief Deputy Clerk; Mr. Robert W. Parnacott, Assistant County Counselor; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Mr. Randy Partington, Management Intern, County Manager's Office; Ms. Jan Kennedy, County Treasurer; Ms. Irene Hart, Director, Division of Community Development; Ms. Jennifer Magana, Assistant County Counselor; Mr. Glen Wiltse, Director, Code Enforcement; Mr. Jim Weber, Deputy Director, Bureau of Public Works; Ms. Jacque Wedel, Marketing Director, Kansas Coliseum; Mr. Tim Coffman, Director of Operations, Division of Human Services; Ms. Annette Graham, Director, Department on Aging; Mr. Chris Chronis, Chief Financial Officer; Ms. Jane Moralez, Specialist, Division of Human Resources; Mr. David C. Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Allison Ohlman, Communications Coordinator, Communications; and Ms. Lisa Davis, Deputy County Clerk.

### **GUESTS**

Mr. Larry Simmons, Fire Captain, Fire District #1.  
Mr. William Barnes, Captain, Emergency Medical Services.  
Ms. Karole Bradford, Program Director, Safe State Kansas.  
Mr. Randy Stroud, Detention Deputy, Sheriff's Department.  
Mr. Phil Journey, 310 W. Central Ste. 211, Wichita, KS.  
Mr. Michael Pisciotte, City Administrator, City of Valley Center.  
Mr. Wilmer Freund, Chairman, Sedgwick County Conservation District.

### **INVOCATION**

The Invocation was given by Father Patrick Malone of the Holy Savior Catholic Church.

### **FLAG SALUTE**

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**ROLL CALL**

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

**CONSIDERATIONS OF MINUTES:      **Regular Meeting, November 29, 2000****

The Clerk reported that all Commissioners were present at the Regular Meeting of November 29, 2000.

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

**MOTION**

Commissioner McGinn moved to approve the Minutes of the Regular Meeting of November 29, 2000.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

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

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

**YOUR COUNTY SERVICES**

**A.      COUNTY COUNSELOR'S OFFICE**

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**Chairman Winters** said, "Thank you. Each Wednesday we take a few moments at the beginning of our meeting to talk about various County departments and how they function in the County organization. This morning, we're going to hear from the County Counselor's Office."

**Ms. Karen Duranleau**, Assistant County Counselor, greeted the Commissioners and said, "I'm here on behalf of the Sedgwick County Counselor's Office, to tell you a little bit about our department. Sedgwick County Charter Resolution Number 46 requires legal representation of the County and its elected and appointed officers in all manners not handled by the district attorney. Richard Euson has been the County Counselor for nearly four years and with the department for nearly 20 years. Mr. Euson appears at each commission meeting and today is no exception.

"Our department consists of seven Assistant County Counselors and nine support staff. Our mission in the County Counselor's Office is to provide high-quality, non-partisan legal services and legal representation to the Board of County Commissioners, the County Manager and other County elected and appointed officials, departments and advisory boards.

"The responsibilities of the County Counselor's Office can be divided into three different areas. We provide general legal services, we operate a tax collection group, and we operate County court. In providing general legal services, this involves various responsibilities. We prepare and draft resolutions for various other documents. We draft nearly 30 contracts, leases and agreements each month and we review over 70 each month. We render legal opinions. We render over 150 opinions per month to the County departments as needed. These opinions frequently involve employment matters, tort liability issues, and open records issues.

"We appear in court on behalf of the County before various courts and administrative agencies. We regularly advocate for the County and its various departmental directors at hearings before the Board of Zoning Appeals, the Board of Tax Appeals, the Metropolitan Area Planning Commission, and the Sheriff's Civil Service Board, just to name a few.

"Another responsibility we have in the Counselor's Office is the operation of the tax collection group, appropriately called the Delinquent Tax Unit. It was set up by the Commission in 1989. It is responsibility for collecting delinquent personal property taxes. In addition, one of this group's primary goals is to make certain that the County's tax role is as accurate as possible. The group acts as a liaison between delinquent taxpayers, the Treasurer's Office, and the Appraiser's Office, whenever a taxpayer feels that their assessment is inaccurate.

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"During 1999, this group fielded over 4,000 telephone calls, made over 300 personal contacts with taxpayers and collected over \$1,800,000 in delinquent 1998 personal property taxes. The Delinquent Tax Unit is located within the County Counselor's Office on the third floor of the County Courthouse.

"Also in the County Counselor's Office we operate County Court. This court was created by a resolution in 1991. In County Court we prosecute violations of the Fire Code, such as for buildings that have become unsafe. We prosecute health and sanitation code violations where tall weeds or abandoned cars have become a problem. We prosecute animal control violations where nuisance dogs or animal abuse is going on. A total of seven County departments submit violations to the County Court for prosecution when their other compliance efforts are unsuccessful.

"County Court's goal is to ensure resolutions of the Board of County Commissioners are enforced properly. In 1999, there were over 1,600 cases in County Court. County Court is held Monday afternoons at 1:30 on the third floor of the historic courthouse at 510 North Main. The County Clerk is also located in that building on the first floor.

"Collectively, the County Counselor and Assistant County Counselors have over 100 years of experience. We use that extensive experience with our mission to guide us in being the best that we can be. The County Counselor's Office is conveniently located in this building, 525 N. Main, the County courthouse, on the third floor. Any questions may be directed to Richard Euson, the County Counselor."

**Chairman Winters** said, "All right Karen, thank you very much. Remind us how long you've been with the Counselor's Office."

**Ms. Duranleau** said, "I have only been here a couple of months, but I feel very much at home. It is a good place to work."

**Chairman Winters** said, "Very good. I did want to take the opportunity to say welcome to Sedgwick County because I know that you are a relatively new employee. We're certainly pleased that you are here."

**Ms. Duranleau** said, "Thank you, I'm glad to be here."

**Chairman Winters** said, "Thank you very much. Commissioners, do I have a motion to receive and file this report?"

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**MOTION**

Commissioner Hancock moved to receive and file.

Commissioner Gwin seconded the Motion.

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

**VOTE**

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

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

**DONATION**

**B. DONATION BY DR. ERNEST MCCLELLAN OF 800 MHZ RADIO EQUIPMENT, VALUED AT \$500, TO EMERGENCY MEDICAL SERVICE (EMS).**

**Mr. Dennis Mauk**, Assistant Director, EMS, greeted the Commissioners and said, "During Dr. McClellan's tenure as our Medical Director, he had purchased a portable 800 radio and now since his retirement from that position, would like to donate that radio to our service. We would recommend you accept this donation and authorize the Chairman to sign and send a letter of appreciation."

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

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**MOTION**

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, "Is there someone here from the Clerk's Office to do the swearing in if we do that now? There he is, right there. I'm going to kind of rearrange a bit of the order to make sure we can flow as quickly as possible. Madam Clerk, would you call Item G at this time."

**DEFERRED ITEMS**

**G. RESOLUTION APPOINTING ARNEATHA MARTIN (BOARD OF COUNTY COMMISSIONERS' APPOINTMENT) TO THE WICHITA-SEDGWICK COUNTY BOARD OF HEALTH.**

**Mr. Richard Euson**, County Counselor, greeted the Commissioners and said, "This is an appointment for a four year term. It is an at-large appointment to this board. We've prepared a Resolution and it is in proper form."

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**Chairman Winters** said, "Very good. Commissioners, what's the will of the Board?"

**MOTION**

Commissioner McGinn 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, "Thank you very much. Ms. Martin, if you would please come forward and we'll have Deputy Clerk Paul Rosell swear you in."

**Mr. Paul Rosell**, Deputy Clerk, said, "Please raise your right hand.

*"I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas, and faithfully discharge the duties of the Office of Wichita-Sedgwick County Board of Health, so help me God."*

**Ms. Arneatha Martin** said, "I do swear. I just wanted to thank the Commission and Commissioner McGinn for nominating me for this position. I will do the very best I can to carry out those duties."

**Commissioner McGinn** said, "Arneatha, stay there for just a minute. You are the director of the Center

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for Health and Wellness?"

**Ms. Martin** said, "I am the C.E.O. and the co-president for the Center for Health and Wellness which is a new health care facility in the northeast area."

**Commissioner McGinn** said, "I was out there taking a tour last week and I was very impressed with what you do out there. One of the comments you made was, there were two things I picked up on. One was everybody is treated the same regardless of insurance status when they walk in the door. It was a wonderful atmosphere when you come in there. The second part of that was that being healthy is not just about fixing it, it is about preventing it, too. You have several programs about teaching people about healthy lifestyles. Anyway, it looked like an excellent program and I know just from what I've read about you and your background I'm sure you will do a great job and serve the Health Department Board well."

**Ms. Martin** said, "Thank you very much. I would just like to say, several of the Commissioners, Hancock, Commissioner Gwin, and Chairman Winters were on the Commission when we came before this Board about four or five years ago requesting money to get the building built. We have a big sign, a big stone out on our 'pathway to health' that says the Sedgwick County Commission. If you haven't gotten a chance to see it, you need to come see it. Thank you very much."

**Chairman Winters** said, "Thank you very much. We'll do the retirements now, but Madam Clerk, wait until I get down there before you call that. Madam Clerk, call the next item please."

### **RETIREMENT PRESENTATIONS**

#### **C. PRESENTATION OF RETIREMENT CLOCKS.**

- 1. WARREN DUSCHER, PARK SUPERINTENDENT, SEDGWICK COUNTY PARK**
- 2. LARRY SIMMONS, FIRE CAPTAIN, FIRE DEPARTMENT**
- 3. WILLIAM BARNES, CAPTAIN, EMS**

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### 4. JOE PIPER, DIVISION CHIEF, FIRE DEPARTMENT

**Chairman Winters** said, "If those folks would please come on up at this time, those who are here. Come right on up here so the audience and camera can get a good look at this line up. Before Doug makes his comment, last week we recognized five County employees who were just senior stability in the County organization. Today, there are three more here, well actually four who are going to be receiving their clocks. The four of these gentlemen have over 112 years of experience with Sedgwick County.

"Again, I think that it looks to the fact that this is a place where a person can have a career and expect to spend a significant time and make a valuable contribution to the community and the organization. Again, this is just a special day of recognition of senior quality staff people. Doug, if you would like to make your comments, we'll be presenting them with the clocks and certificates."

**Mr. Doug Russell**, Director, Division of Human Resources, greeted the Commissioners and said, "The order of these things is our HAL 9000 computer would list it as William Barnes, but I am told it is Big Burly Bill. Is that right? EMS Captain of EMS will retire January 1, 2001 after 25 years of service. Bill was hired February 10, 1975 as an EMT. He began a Lieutenant on October 1, 1976 and was promoted to Captain on January 16, 1986. So you have served the County for a lot of years in a management position and saved a lot of lives."

**Chairman Winters** said, "Bill, were you one of the original group in EMS when Sedgwick County first put that organization together?"

**Mr. William Barnes**, Captain, Emergency Medical Services, said, "I was one of the 'dirty dozen'."

**Chairman Winters** said, "All right, very good. We have this certificate that we would like to present you and this clock from the Board of County Commissioners as a token of the appreciation that the Commission has had for your work but it is on behalf of the citizens because you have certainly been one of the front line people in making sure that our citizens receive the kind of service that they need. Thank you very much for your service. Would you like to make any comments?"

**Mr. William Barnes** said, "I will make this real short. I would like to extend my thanks to the County Commissioners, past and present, for supporting EMS and all the personnel that I've worked with. Thank you."

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

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**Mr. Russell** said, "Joe Piper is unable to be here today because he is snowed in at Fall River. Let me read a little bit about him and then Chief Curmode, who I hope is not planning to retire yet, are you? Good. He is accepting his award then.

"Joe Piper is a Fire Division Chief, Fire District #1, and will retire January 1, 2001, after 25 years. Joe was hired January 1 of '76 as a Firefighter, promoted to Lieutenant on December 19, 1980, and was promoted to Captain on March 9, 1984, promoted to Division Chief on July 16, 1987. A very distinguished career with Sedgwick County. Unfortunately he is snowed in. Chief, do you have something you want to say here."

**Mr. Gary Curmode**, Chief, Sedgwick County Fire Department, greeted the Commissioners and said, "Thank you, Doug. Joe called me this morning. His wife was ill and the roads were kind of bad out east, so he didn't want to come in, but he did want to state two things that he wanted to thank the Commissioners and Manager for. Number one, for providing a job and security for his family for the past 25 years. Then, number two is a very fulfilling job to be able to help our customers, the citizens. Thank you very much."

**Chairman Winters** said, "Chief, I'll just hand you the certificate and would you or Doug see he gets the clock and certificate."

**Chief Curmode** said, "I've got one here."

**Chairman Winters** said, "Well, we don't want to give him two. Thank you, Chief."

**Mr. Russell** said, "Chief, I've got bad news, all you have is a box. We'll get it to him Mr. Chairman. Larry Simmons, Fire Captain of Fire District #1, will retire January 1, 2001. I am told he is the enviable station cook and literally a clown. He is retiring after 28 years of service. Larry was hired June 10, 1972 as a Firefighter, promoted to Lieutenant December 17, 1977, and promoted to Captain on August 1, 1980."

**Chairman Winters** said, "Larry, on behalf of the Board of County Commissioners, we'd like to present this certificate and this clock as a token of appreciation from both the Commissioners and the citizens of

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Sedgwick County. You started as a front line firefighter in the trenches, worked your way through the organization. We're very pleased that you were part of this team for as long as you were and we wish you the very best success in the future. As a token of our appreciation, we'd like to give you this gift. Would you like to make a comment?"

**Mr. Larry Simmons**, Fire Department, greeted the Commissioners and said, "Back in 1972, when I started onto the Department, my height was the thing that kept me from getting on here. I applied for Wichita Fire, Wichita P.D., S.O., Sedgwick County Fire, and they kept saying you've got to be at least five foot nine and you've got to weigh 160 pounds. Well, I exceed 160 now, but at the time I didn't. It was really discouraging and then someone filed a law suit against it and won so in '72 came back and Chief Raymond Davis said 'hey, we'll take you'. I said 'great, man', you know. It ended up I was the shortest guy in the department for many years. I just wanted to say that because of that I was able to get a job at Sedgwick County Fire. I always dreamed of being a firefighter you know, run down the street chasing a fire truck and stuff. Anyway, I just want to say thank you for the job the Commissioners have done for our department and EMS. I know Bill, in fact I remember when Bill came on the department years ago, had a lot of good times together.

"We've had a lot of good times together. We've had some good times, we've had some bad times. It seems like lately, the last three or four years, we've had some really bad calls. We've gotten through it and we've grown because of that. I want to thank Chief Gary Curmode. He's done a good job coming over. I want to thank Bob Lamkey. I haven't gotten to know him too long because he hasn't been with us very long. The guy has done a superb job and he is really down to earth and easy to understand and he works with people. I want to say thank you to Bob Lamkey.

"I hate to say goodbye, it's been great. I'd like to stay another 30 years or 28 years. If I had it all to do over again I would do the same thing again. I've learned so much from this. I've met so many people. It is just great when you get out there and you save somebody's life or a house and the people appreciate it. You see them some other time and they say thank you. We get all kinds of cookies and stuff. Of course you can see that. They brings things in during the Christmas holidays and stuff. It is great. It shows they appreciate us and because of that, it means they appreciate the County Commission and the County as a whole. You have a fantastic Fire Department, fantastic EMS Department. We're second to none

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and I really believe that. Again, thank you. I want to thank the guys I've worked with in the past. Merry Christmas and Happy New Year to everybody."

**Commissioner Sciortino** said, "Doug, just one second please. Captain Simmons, I think you're the perfect size, I just want to let you know that."

**Mr. Russell** said, "Warren Duscher, Park Superintendent, Sedgwick County Park, will retire on January 1 after 34 years of service. Good Lord! Warren was hired April 1, 1966. I was a junior in high school by the way and that is hard to believe and I'm already getting AARP cards. As an equipment operator in Public Works, transferred to Zoo Park on September 9, 1974, promoted to Park Foreman on January 1, 1978, promoted to Park Supervisor on May 1, 1978, and made Park Superintendent on January 1, 1992. So 34 years of service with Sedgwick County. Wow!"

**Chairman Winters** said, "Again, we'd like to present this certificate and clock as a token of our appreciation both from the Commissioners and the citizens. As I was visiting with Jerry Harrison yesterday, as we all look at West Sedgwick County Park, there was one building out there, a small building, when Warren took over at that park. Every building that is now out there, every shelter, every thing that is there, Warren has had a hand in building. They've done it with County crews and it is one of the real jewels that we have. Warren has been, as opposed to these other guys, kind of been in the department of fun, but let me tell you, it was probably as hard as work as any department does. Warren is responsible for a park that is open all the time. Warren, we certainly want to give our appreciation to you.

"I did visit with, I believe it was your daughter, Kristi yesterday. She said she is going through a little bit of withdrawal too, because growing up she told everybody that her dad owned a park. She said she had plenty of friends because her dad owned a park. Warren, you took care of the park like you did own it, like it was your own. We certainly appreciate that and we wish you and your family the best wishes in the future. Would you like to make a comment?"

**Mr. Warren Duscher** said, "It has been a great 34 years."

**Chairman Winters** said, "Thank you, Warren. Congratulations, thank you. Madam Clerk, give me just a moment to get back up. I think we want to rearrange the agenda again. We've got a couple of requests to address the Commissioners, so I'd like to do that at this time. Madam Clerk, would you call Item E."

### **CITIZENS INQUIRIES**

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**E. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING 'CELEBRATE SAFELY,' A CAMPAIGN ADDRESSING THE PROBLEM OF RANDOM GUNFIRE AT MIDNIGHT ON NEW YEAR'S EVE.**

**Chairman Winters** said, "This is the portion where citizens who would like to address the Board of County Commissioners can do that. If anyone watching or in the audience would like to do that in the future, they just need to contact the County Manager's Office a week before the meeting to get on the agenda. Welcome."

**Ms. Karole Bradford**, Program Director, Safe State Kansas, greeted the Commissioners and said, "Thank you. Chairman Winters, members of the County Commission, thank you for allowing me this time today. My name is Karole Bradford. I work for Interfaith Ministries Gun Violence Prevention Project, Safe State Kansas. I come before you today to make you aware of the 'Celebrate Safely' campaign. Celebrate Safely was created in 1994 by members of the Historic Midtown Citizens Association. The goal of Celebrate Safely is to reduce random gunfire at midnight on New Years.

"Several community organizations and major employers, as well as members of Wichita law enforcement, are committed to educating people about how dangerous it is to fire a gun into the air. Two years ago, here in Wichita, at what had been a very quiet, family centered New Year's celebration, several family members got out a few guns, including a high powered rifle, and fired off over 350 rounds in less than 45 minutes. While this is an extreme example, people across the city shoot guns into the air every New Year's Eve. Most of us know that what goes up must come down. But what people sometimes forget is that applies to bullets as well. Shooting a gun into the air is dangerous. Bullets shot into the air can descend with up to 80% of their original force. Depending upon the type of gun used, bullets can travel as far as 2 ½ miles before hitting the ground. That means that if someone shot a high powered rifle into the air from where we are today, it could kill someone as far away as 23rd Street to the north or Mt. Vernon to the south, or Roosevelt to the east, or Joann to the west. If you don't know, Joann Street is just this side of West Street and Roosevelt is east of Hillside.

"I'm here today to ask you to please be aware of this problem. During the season when people in our community fast and give alms or celebrate the Festival of Light or prepare for the coming of the Prince of Peace, we seem to be struck by violence. Celebrate Safely is one way that people in our community,

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people across our community, work to prevent that gun violence. I want to close with two final points. First, I want to invite you and the public to the Celebrate Safely event on Saturday, December 30, from 2:00 to 3:30 p.m. at the Midtown Community Resource Center at 1150 North Broadway. We will demonstrate a fun, noisy, safe, community New Year's celebration and will have coloring contests, some cookies and punch and that sort of thing for the kids. Second, I want to thank all of the partners in the Celebrate Safely campaign, including Major Danny Bardezban of the Sedgwick County Sheriff's Department, for his leadership and dedication in educating the public on this matter. Thank you all."

**Chairman Winters** said, "Thank you very much, Karole. I'm going to take just a bit of the privilege of the Chair and with Karole's approval, Phil Journey would like to make a quick comment in support of Karol and her program. Phil."

**Mr. Phil Journey**, 310 W. Central, Ste. 211, Wichita, Ks., greeted the Commissioners and said, "I want to thank the Commission for the opportunity to get on the agenda with such short notice. I'm president of the Kansas Second Amendment Society, a political action committee whose mission is to promote the safe ownership of firearms and protect gun rights under state and federal law. We were asked by Karole Bradford's organization to join her in this organization and its efforts for Celebrate Safely for New Years. Our organization's board of directors voted unanimously to support this action and we want all firearm owners to celebrate the holidays responsibly and to not do anything irresponsible, such as discharging a firearm in an unsafe manner in violation of city or state law.

"We wanted to make sure that everyone understands that this is basically a bipartisan effort by people on different sides of the political spectrum. This is one thing we can agree on and can work together on. I want to thank you for your time and attention."

**Chairman Winters** said, "Thank you, Phil. Karole, thank you very much for all the work that you do. We hope that your efforts on this particular project will lead to a safer community. Thank you very much for what you do and thank you for coming today and sharing with us and reminding us and reminding all those who may be watching this broadcast or rebroadcast. I think you carry a very important message. Thank you very much. Commissioners, are there any comments or questions?"

### **MOTION**

Commissioner Gwin moved to receive and file.

Commissioner McGinn seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Thank you again, Karole. Thank you, Phil. Next item."

**F. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING COLLECTIVE BARGAINING.**

**Chairman Winters** said, "Again Commissioners, we've had a request by Randy Stroud and again, this is the time we have on our agenda where citizens who would like to address the Commission, you can do that by contacting the Manager's Office. We require you to do that ahead of the meeting and we ask that you limit your remarks to five minutes. Please give your name and address for the record."

**Mr. Randy Stroud**, Detention Deputy, Sheriff's Department, greeted the Commissioners and said, "Thank you for allowing us to come back here once again and revisit this issue. We have had the opportunity to review the pay survey over the last two to three weeks. We think the recommendations in there are somewhat fair. We do have some recommendations that we'd also like to make with regards to that. We did have the pay survey reviewed by private counsel that we've retained. We do like the recommendation of having the pay accounts audited, to ensure that any over time compensation and shift differential discrepancies are corrected. We'd like to see that done fairly. Again, the pay survey is merely recommendations. We'd like to see most of that become fact.

"One of the concerns on the reclassification of positions does provide somewhat incontinuity with the promotional opportunities. Previously, with the current promotional system, there is about two ranges between each promotion. With the recommendations made in the pay survey, that changes that to three ranges between some positions and one range between others. We'd also like to see, if possible, one of our recommendations would be that all the positions within the Sedgwick County jail receive a range increase as opposed to all but three of the positions. I think that is absolutely fair.

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"Our counsel has prepared a federal court order. It is currently pending judicial appeal, excuse me, approval for an outside agency to audit not just Sedgwick County Sheriff's Department pay accounts but all employees of Sedgwick County to ensure that discrepancies with other employees isn't the same as with the Sedgwick County Sheriff's Department. We'd also like to see a review of shift differential payment. The way I understand it, it has been \$.20 for 20 years and we'd like to see that it is consistent with the rest of the community.

"With regards to collective bargaining, we'd like to see that you guys do approve a resolution for collective bargaining that would include verbiage to the fact that no strikes, no walk outs, something similar to that. Again, we're not saying that is the option we want to exercise but we would certainly like to see that it is available. As you know by law, in absence of a contract, you're not obligated to participate in collective bargaining. Currently, there isn't a contract and we're not saying that there will be. Again, I'd like to thank you for this time and the opportunity to make these comments. Thank you."

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

**Mr. William Buchanan**, County Manager, said, "Mr. Chairman."

**Commissioner Gwin** said, "Excuse me, point of order. Should we receive and file Mr. Stroud's report first?"

**Chairman Winters** said, "Let's receive and file the report. Do I have a motion to do that?"

### **MOTION**

Commissioner Sciortino moved to receive and file.

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, "Thank you. Mr. Manager, do you have a comment?"

**Mr. Buchanan** said, "This is one of the dilemmas that we get in having a public meeting and allowing folks, who are certainly entitled to address you, to redress a grievance in a public setting. We've now just heard from a County employee who has suggested, I don't know that this is accurate or not, I have no reason not to believe it is accurate, that there are some sort of suit pending, that some sort of judicial review is in process, which would concern me that now we're going to get into a situation that is going to be decided or some sort of adversarial relationship is now in front of us and you are expected to comment upon what you heard. Clearly, that is not advisable ever to do that. Clearly, if there is a redress of grievances that needs to occur, there are opportunities, other settings besides here to do that. Apparently, that has been taken up by the Sheriff's deputies or detention deputies, and I'm not so sure which.

"In the past, you've heard from Mr. Stroud about some F.L.S.A. issues. Clearly there is an issue about shift differential and whether people were paid overtime or not appropriately because of shift differential. Once it was discovered, that has been changed. That was changed immediately in December and that problem no longer exists. We are reviewing to the extent of that and will go back the two years necessary to make it right for those first shift employees who we didn't treat fairly.

"We're talking the difference between \$.20 an hour, whether it was \$.20 or \$.30 an hour for overtime only. We will go back and that is the audit that will be done to make sure that is completed. We have presented to the Sheriff elect and his staff and the Sheriff a study on wages. We have made that public to them. You have seen a copy of that. We have had a meeting last week as promised before, in our time table, to review those options with the Sheriff's staff. This is an expensive proposition. I have no idea, at this point, how we're going to pay for it. The Chief Financial Officer and budget officers are scouring the books, trying to determine how and when that can be done. As indicated to employees and to you and to the

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Sheriff and Sheriff elect, a recommendation will be before you by mid January and we will be prepared to deal with those issues.

"I felt compelled to tell you this publicly, although you are clearly aware of that, so that folks will know, employees, the public, and others to know that in fact there are remedies available to our employees. They've chosen to, apparently, taking some kind of judicial action against us that we're not aware of and that is certainly their right. We have put into motion trying to solve these issues with the Sheriff and Sheriff Elect. Now we will need to determine in the next several days what this judicial intervention, are we being sued, is their something going on. I will be back to you with a recommendation of how to proceed after that, because if that is occurring, that has changed the situation significantly."

**Chairman Winters** said, "All right, thank you for that explanation, but as far as the time table and time frames that you and Sheriff Elect Steed outlined for us, probably six weeks ago, we're still on that time frame to study and look at this issue in the Detention Facility."

**Mr. Buchanan** said, "Yes, Mr. Chairman. We have made the commitment. Sheriff Elect Steed and I have met twice this week regarding this issue. Budget folks and I will be getting together, either next week or right after the first of the year depending upon schedules, for some preliminary reviews. We will back to you with a recommendation of how to proceed by mid January."

**Chairman Winters** said, "I think that is all we can ask for. Thank you very much for that update. Madam Clerk, I guess we're ready for Item D."

### **PUBLIC HEARING**

#### **D. CONTINUATION OF PUBLIC HEARING REGARDING ANNEXATION REQUEST BY THE CITY OF VALLEY CENTER.**

#### **OVERHEAD PRESENTATION**

**Mr. Robert W. Parnacott**, Assistant County Counselor, greeted the Commissioners and said, "This is a continuation of the public hearing from last week. We had continued it in order for a land owner to speak, the person who owns Tract 1. I have now heard from his daughter and he is not going to appear and does not wish to speak in front of the Commission on the matter. I don't know if we have anybody else here. I know Mr. Pisciotte is here from Valley Center to answer any more questions."

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**Chairman Winters** said, "We continued the public comment session so I guess I will then open that public comment session and ask if there is anyone else here in the meeting room today who would like to address the Commissioners, regarding the annexation by Valley Center. Is there anyone in the audience who wishes to address the Commission concerning the Valley Center annexations. I see no one. The last time I did this I closed the meeting too quick, but I don't see any reason why we shouldn't close this public comment today, do you?"

**Mr. Parnacott** said, "The only other reason would be if the Commissioners felt they needed additional information to make their decision on this matter."

**Chairman Winters** said, "I won't say that we're going to close it. We'll listen to the discussion of the Commissioners. Commissioners, are there comments or questions from you? Commissioner Sciortino."

**Commissioner Sciortino** said, "I'd like to clarify something with Mr. Pisciotte. We heard last week, from the Mayor I believe, if we heard it correctly, if we grant this annexation and once it is completed you would then be committing to taking over the responsibility of that road?"

**Mr. Michael Pisciotte**, City Administrator, City of Valley Center, said, "Commissioner Sciortino, that is correct. The time frame, at this point, has not be determined. The maximum extent on that time frame however would be next December. If there are citizen concerns, and by citizens I mean those people within the City of Valley Center, be it the property owners to the east, or if this is agreed to and then annexed by the City of Valley Center, if this property owner has concerns about the maintaining of that road, we would probably annex it, prior to that time."

**Commissioner Sciortino** said, "That's the only question I have."

**Chairman Winters** said, "I would share that concern that Commissioner Sciortino had, Mr. Pisciotte. I would hate, I know it is not in my district, but I would certainly hate to see that road just fall into limbo and Valley Center say they are not going to run the grader down it and the township saying their not running the grader down it and that, I don't think, would serve anybody. I know it is kind of a unique situation. Unless I hear something else, I'm going to be supportive here but boy I sure hope somebody grades that road."

**Mr. Pisciotte** said, "Mr. Chair, I think that you are absolutely correct in that regard. The City of Valley

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Center, the City Council of the City of Valley Center, which is the primarily responsible for providing municipal services to these folks would agree strongly and does everything in their power to serve these people well and will continue to do that. If the service is not being met, Valley Center will step up and take responsibility, if those organizations which are statutorily required to do that will not."

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

**Commissioner Sciortino** said, "Mr. Chairman, Mr. Pisciotte is Italian and he understands what it means to make a commitment to another Italian, so we won't have any problems."

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

**Commissioner McGinn** said, "Last week, I had asked you if you talked to the township trustees, have you had a chance to do that?"

**Mr. Pisciotte** said, "We have not pursued that, no."

**Commissioner McGinn** said, "It is my hope that you will visit with them and that the board will support some kind of agreement on how that will be taken care of between either you or the township."

**Mr. Pisciotte** said, "I appreciate that. We will probably work towards that. Quite frankly, we're not expecting any real resolution from that so, more than likely, given the dollar amount that we're talking here, I think \$50, we'll probably just take that over."

**Chairman Winters** said, "Commissioners, any other comments? There was one gentleman who indicated he may want to talk but then Bob received a call this morning that he was not coming. So this is the time if Commissioners have questions or comments, somebody needs to make a suggestion. What motion, if we're going to approve this, as I look at the recommended action. What kind of motion do we need, just a motion to approve the annexation or a motion to deny?"

**Mr. Euson** said, "You would want to close the public hearing if it is clear that you are ready to make a decision. You would want to close the public hearing and either approve both annexations or one of them or neither of them and direct that an order be prepared and placed on your further consent agenda for approval."

**Mr. Parnacott**, said, "I would add also that we're looking to make specific findings and conclusions on

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the manifest injury inquiry as to whether manifest injury would occur to any land owner of the property being annexed or the adjacent areas or if there would be manifest injury and if you are approving the annexation I don't think you need to make a manifest injury finding regarding the city. That would only applies if you were to deny the annexation. You would have to determine whether there would be manifest injury to the city or no manifest injury to the city if the annexation were denied. But we do need some findings and conclusions on the manifest injury matter."

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

**Commissioner Gwin** said, "Thank you, Mr. Chairman. I have a couple of concerns here where this may seem, on the face of it, to be a fairly easy answer. I think we need to be real cautious in utilization of KSA12-521. Since we were not the legislators who wrote it or approved it, it is maybe our responsibility to try to ascertain their intent when they passed and made this law a law of the State.

"My first thought is that there are two separate tracts here. Both of them predominantly agricultural at this time and too large to be annexed by the city, unilaterally. One thing that would interest me or that I have been thinking about, particularly as it involves Tract II is that Tract II, I suppose, in a period of time, will become part of Valley Center, it just doesn't happen to be now. I don't see any threat to the City of Valley Center for another city annexing it. They can't get there. So, I think it is protected in that regard. I think that Tract II, for me, is more a matter of timing. At some point, the owner of that property will be willing to sell and a developer or developers could in fact then buy, plat, and Valley Center could easily annex.

"Tract I is more irregular, has physical boundaries there that I think I could more likely support that one at this time. I don't see manifest injury to the City of Valley Center if either one of them is denied at this time. I think in Valley Center's near future they will very easily be able to acquire these tracts. So, when I think about the intent of the legislature, I wonder if their intent had anything to do with squaring boundaries of cities or those kinds of things or if it said well you may get this in the future but I'm going to go ahead and give you the opportunity to annex it now and not have to wait. My sense is that it is to be used in extraordinary circumstances where the tracts that are proposed to be annexed impede the growth of the city or limit the growth of the city and Mr. Pisciotte's presentation to us last week indicate that growth is occurring in several different areas of Valley Center and neither of these tracts seem to be

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impeding that growth.

"I guess one of my lessons or one of the things I've considered over the last couple of weeks is that I think when cities come to this Board, they need to, to the best of their ability, prepare their evidence to allow us to ascertain whether manifest injury will occur. I'm not convinced in both of these tracts that manifest injury will occur to Valley Center if we deny it. I could support Tract I, I think, because of its size and specific location. I don't know if I'm prepared to approve Tract II today or not. Thank you."

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

**Commissioner McGinn** said, "Thank you, Mr. Chairman. Commissioner Gwin certainly has more years of experience on the bench and I'm sure more knowledge about annexations that I do. I look at this, and I could be wrong and you can correct me, I could almost see Tract II seeing manifest injury if we don't approve it. I say that from a public safety point of view. That tract sits catty-corner from the fire station, the EMS and other services that the City of Valley Center offer. When I look at public safety, I'm thinking okay now we've got this empty area there that perhaps would have to be serviced by the County when you've got a fire station right across the street. I also look at it from the fact that the Metropolitan Planning Commission did say that this is consistent with Valley Center's comprehensive growth pattern. It does fill a void. I think about Park City and some of the challenges they have and their constituents there. We have a lot of pockets. I receive calls where people don't know if they are supposed to call Park City, the township, or us. They're sitting in between Wichita and Park City. I know that some communities would like to help that situation and serve those folks.

"When I look at the areas that you have to look at, as far as providing benefits, the City of Valley Center has already approved an additional police officer to patrol these areas. As I said again, the fire station is just catty-corner to this area. The city sanitary sewer system is currently being constructed in both those areas, as well as water lines being placed. So, all those things are going to be accessible to the folks who are in that area. So, to me, as far as proper growth of a community, this makes sense. Based on the findings and the information that Valley Center has presented to us, I see no reason to deny either one of these annexations."

**Chairman Winters** said, "Are you ready to proceed today?"

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**Commissioner McGinn** said, "Yes, I am."

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

**Commissioner Sciortino** said, "Thank you, Mr. Chairman. Am I right about the gray area just south of Tract II and to the east of Tract II is now part of Valley Center."

**Mr. Parnacott** said, "That is all Valley Center. Tract II is surrounded on three sides."

**Commissioner Sciortino** said, "So is Tract I."

**Mr. Parnacott** said, "Tract I is completely surrounded by the City and Tract II is bounded on three sides by the City already."

**Commissioner Sciortino** said, "I'm going to be supportive of both tracts. Commissioner, you might want to take them one tract at a time or something, as opposed to trying to combine both but I would be supportive of both tracts being annexed. That's all I have. Thank you."

**Chairman Winters** said, "Thank you, Commissioner. Bob, this doesn't require any kind of unanimous or super majority vote, does it?"

**Mr. Parnacott** said, "No it does not, just a majority vote. I guess I would suggest that if you're going to make some motions and probably take them in the order of whether there would be manifest injury to the land owners. The three key things would be the manifest injury to the landowners, whether or not there is that, manifest injury to the city, whether or not. I guess that just needs to be part of the motion or part of the consideration."

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

**Commissioner Hancock** said, "Thank you, Mr. Chairman. Bob, are you aware or Michael are you aware of any of the comments relative to these tracts of land from the owners? They haven't come before us to respond and have they made you aware of what they consider to be manifest injury whatsoever?"

**Mr. Parnacott** said, "The only one we received was from the owner of Tract I and it was actually E-mail from his daughter who indicated that he couldn't come to last week's meeting. He had indicated that he generally opposed the annexation, didn't offer any specific reasons. He also realized or indicated that he

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knew that this was an inevitable outcome at some point that the area was going to be annexed."

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

**Chairman Winters** said, "Thank you. Commissioners, I'm ready, unless I hear some comment, to close the public hearing which means we either take action today or in seven days. So, unless I hear other comments now, I'm going to close the public comment portion. The public comment portion is closed. I am prepared to take a motion on either one of these tracts or both of these tracts, Commissioners."

### **MOTION**

Commissioner McGinn moved to approve both Tract I and Tract II of the annexation to Valley Center.

Commissioner Hancock seconded the Motion.

**Chairman Winters** said, "Is there any other discussion? Commissioner Gwin."

**Commissioner Gwin** said, "In the discussion, as a part of the motion, Bob, did you need the maker of the motion to list those things that you discussed, talk more about manifest injury rather than just approve the annexation?"

**Mr. Parnacott** said, "No, I think once the decision is made on this, probably the next step would be to authorize the order to be prepared, setting out the findings of the Commission on this matter and we could take that from the Minutes and prepare it for the Chair's signature."

**Commissioner Gwin** said, "Okay, I just want to make sure the Board was doing what you wanted them to do."

**Mr. Parnacott** said, "I think we'll be fine with this."

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**Commissioner Gwin** said, "Thank you."

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

**Commissioner Hancock** said, "Thank you, Mr. Chairman. As part of the discussion, I just wanted to go on record. I listened to what Commissioner Gwin has said and Commissioner McGinn and those are really hard to say together. I think both of them make very good points. In trying to understand and this has been an educational process for the Commissioners to try to understand unilateral annexations, this is the first of these that we've had before us and they are unusual.

"I think probably taking the perspective of the legislature, we could say that the intentions of these is to help with the general welfare of a city who chooses to expand or has expanded and that sometimes the health of those incorporated areas is dependent upon an orderly growth, if it does not impair the rights or the opportunities of individuals to use their property as they chose. It is a good idea. It is something that cities need as a tool, but it does put a burden on the County Commission to make decisions, based upon the intent of the law, which is sometimes very difficult.

"I think it is incumbent upon the Commissioners to weigh these in the future very carefully and measure the manifest injury upon the city, if it does not have the opportunity to annex, and the manifest injury to the land owner should that land be annexed into the cities. Sometimes that is very hard to weight and there will be some close calls. This one here is a very good model I think for future annexations to come before us.

"Michael Pisciotte was very well prepared. As we like to say, he had all his ducks in a row. He brought us good reasons to do this and we ask hard questions and thought about it for a while. It was a good exercise for us and I think a model for other cities who bring these kinds of questions before us as we try to weigh the rights of home owners and property owners versus the rights of an incorporated city. It is a very difficult decision sometimes. I think today by making the motion to vote to approve this, I think we set a good precedent here in Sedgwick County of what things should look like in the future as far as unilateral annexations. Thank you, Mr. Chairman."

**Chairman Winters** said, "Thank you. We have a motion on the floor to approve these annexations. Are there other comments or questions?"

**Commissioner Gwin** said, "Just real quickly, Mr. Chairman. I plan on voting no on the motion, primarily because I don't believe the city has shown or evidence has shown that manifest injury would be suffered

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if Tract II was denied."

**Chairman Winters** said, "Thank you. Commissioners, are there other comments? Seeing none, call the vote."

**VOTE**

Commissioner Betsy Gwin	No
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "Thank you. While Bob is still here, we have an Off Agenda item I think we can take real quickly concerning the annexation request that Maize had."

**MOTION**

Chairman Winters moved to take an Off Agenda item.

Commissioner Gwin seconded the Motion.

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

**VOTE**

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

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**Chairman Winters** said, "Bob, do you want to explain what this is about?"

**OFF AGENDA ITEM**

**Mr. Parnacott** said, "This was from the hearing on the Maize annexation. You took final action last week and denied the annexation. Then to clean it up, all we have to do is issue, statute requires that an order be issued by resolution and that the order denying the annexation be sent by certified mail to the city. This is all this is, is a Resolution authorizing the order to be signed by the Chair. We've got the order prepared, based upon the findings of the Commission meeting last week."

**Chairman Winters** said, "Very good. Commissioners, any questions or comments?"

**Commissioner Gwin** said, "So this motion is just to moved to adopt the Resolution, is that all you need us to do on this one?"

**Mr. Parnacott** said, "Adopt the Resolution and have it so that it and authorize the Chair to sign the order and the Resolution."

**MOTION**

Commissioner McGinn moved to adopt the Resolution and authorize the Chairman to sign the order

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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probably respond to you. He's looked at the numbers."

**Mr. Jim Weber**, Deputy Director, Public Works, greeted the Commissioners and said, "We have gone back through this estimate and Marvin is right. There is some significant work to be done to widen the sidewalk out to a path width under the KTA bridge. There are some significant crossroad culvert on that stretch of Pawnee. It is not specified in here, but I'm certain we're going to have to acquire some additional right-of-way. That is an open ditch section there and we're going to have set back behind the ditch. We're going to have to relocate fences. It seems simple on the surface but it is a fairly complex bike path. We're thinking of maybe some extra in here but not a lot. I'd just as soon stay with this number."

**Chairman Winters** said, "All right and Jim, from your experience, if once we got out there and we found out that this was more than enough funds, we're not going to spend until you get a bonafide bid or bonafide estimate of what it is going to be."

**Mr. Weber** said, "We will go through a competitive bidding process and we will only spend what it takes."

**Chairman Winters** said, "Thank you. Marvin, just very quickly. This is kind of a connecting link of a mile in length that will connect a couple of existing. . ."

**Mr. Krout** said, "An existing and a planned path."

**Chairman Winters** said, "It is probably on property that will never be in the City of Wichita. It is going across the Cessna property, so there won't be a time that someday this will be city property."

**Mr. Krout** said, "I think that will be at least 20 years away and probably longer than that. It is an industrial district and exempt from annexation."

**Chairman Winters** said, "Okay. I think it looks like a good project."

**Commissioner McGinn** said, "I would like to have Allison review it again on elmo if she would, this map. Marvin, would you point out exactly what paths are already in place and what are to be built. Do you have this, Allison?"

## **OVERHEAD PRESENTATION**

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**Mr. Krout** said, "By the way, this is the Kansas Turnpike. This is Woodlawn and this is Pawnee, so that is where some extra work needs to be done. This is the Gypsum Creek path. It runs today from Towne East to Douglas and Armour, to the south along the drainage ditch and the south side of the Kansas Turnpike. It stops today just short of Pawnee but the plan is in the next spring construction period to extend this all the way down to George Washington. In the City's Capital Improvement Program for next year, the construction of Pawnee, between Rock Road and Webb Road, is scheduled and then I think a year to two later, the widening of Webb Road between Pawnee and Harry is scheduled. I think there is another section between Webb Road and Greenwich, all of these are scheduled in the next three or four years. There are extra wide paths that are being planned along those routes so that this will connect. There is a very heavy concentration of population, apartments and residential, in this area. So this mile will connect the Gypsum Creek path with what we call the southeast system, which is going to, basically, going to use arterial streets and hopefully will eventually connect to the K-96."

**Commissioner McGinn** said, "That is my question. How far are we from connecting to K-96?"

**Commissioner Sciortino** said, "How long will it be before we connect with K-96?"

**Mr. Krout** said, "This section of Greenwich, are there sidewalks along the central Kellogg section, Jim? I think within the next four years, all of these sections are scheduled, well this section right now, Greenwich between Kellogg and Harry is scheduled for 2006 or 2007 in the Capital Improvement Program. It is scheduled to coincide with the construction of Kellogg and the interchange of Kellogg and Greenwich at that time. So this would be the last section. These sections are scheduled earlier and then this section in seven years and then these sections will have already been built."

**Commissioner McGinn** said, "Share with me then going to the west from our link. You take it down and you take the Gypsum Creek path and you can either go north or you can also go south? Can you also go southwest?"

**Mr. Krout** said, "Well, this link here, between the Canal Route path, which ends here, the City is making a proposal to extend the Canal Route path and to create a route that will go east and west and would connect through Plainview and Plainview Park to the Gypsum Creek path. So that would then connect the Gypsum Creek path and the canal route path."

**Commissioner McGinn** said, "How soon are they looking at doing that?"

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**Mr. Krout** said, "Well, if this is funded and it is one of three projects that is funded, if it is funded it could occur as early as 2003, as well as this project that we're talking about today, the Pawnee path is for funding in KDOT's fiscal year 2003."

**Commissioner McGinn** said, "So all of those are competing trails, against one another."

**Mr. Krout** said, "One another and other trails in the state. The City and County may each get one or may get all four that are being submitted. KDOT has its own prioritization system that seems to change a little bit from year to year so we never know quite what they are ranking highest. We know that they rank connections high so we think we have a good chance for both of those."

**Commissioner McGinn** said, "Okay, and the reason I ask, I hate to build this 300 and some thousand dollar bike trail and it goes no where. On Ridge Road, somebody put in a very expensive gate and there is no fence around it. It has been sitting there and I hate to see our trail do that as well. If we are going to spend those kind of dollars, I'd like to know if there is a commitment or a plan to complete some of these interlinking areas."

**Mr. Krout** said, "I think that all the lines you see are in the Capital Improvement Program of the City."

**Commissioner McGinn** said, "Whether they get T-21 money or not."

**Mr. Krout** said, "Actually all the projects to the east, these arterial projects are not dependent on T-21 money. They will be done as part of the City's Capital Improvement Program and they won't require any T-21 funding."

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

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

**Commissioner Sciortino** said, "Thank you, Mr. Chairman. I think I have the same concern I had last time. I think I heard some of you express it and that is \$392,000 to build a mile of a bike path and I heard from Public Works that we could build a highway for that amount of money. Marvin has just indicated that the City has taken some of those projects on themselves. One of the things I thought we were going to have before us for consideration this week is what it would cost us if we just built that mile, interconnect ourselves, and not held our hand out to KDOT for money and then, by the same token, not have to be held to all the restrictions and requirements KDOT would put on this project in order to give us the money."

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Could we build a mile and make it a very nice bike path and connect with the overall plan of the bike path and do it for less than \$135,000? To me, I would think we could do a bike path. I'll just ask that question of you, Mr. Weber."

**Mr. Weber** said, "Just looking at the asphalt and subgrade work alone and the culverts, that's just to put the path in, if we had a place to do it, we'd be over \$135,000. That would not . . . I can't tell you that that would connect up on the ends and do the things that we need to do to meet A.D.A. requirements and everything that you are going to have to do. We'd have to, basically, build this path the same way that KDOT is going to require it to be built."

**Commissioner Sciortino** said, "In order to do what?"

**Mr. Weber** said, "Just to meet the standard code requirements for ramps and we'll have to widen, should widen the walk under the K.T.A. bridges, just to get all hooked up."

**Commissioner Sciortino** said, "Okay, so what I'm hearing is that couldn't build that on our own for less than \$135,000."

**Mr. Weber** said, "Couldn't do it and meet the codes, no."

**Commissioner Sciortino** said, "The codes that are presently in existence, not the ones that KDOT would impose on us."

**Mr. Weber** said, "They would impose the same codes that we should already be meeting. I don't think they are going to ask us to do anything new or different from what we should already do"

**Commissioner Sciortino** said, "They're not going to ask us to do anything different from what we already have on the books that we have to do. Okay, that's fine. That's all I have."

**Chairman Winters** said, "Thank you. Commissioners, I'm going to be supportive of this for at least a couple of reasons. One, I think the cost issue, I think we are going to get significant funding from KDOT. They have funds available. So I think when you talk about leveraging your dollars, I think this is a perfect way for us to leverage our dollars with some state or federal money. The second part is, Kansas ranks 49th or 50th in the amount of public lands that are available as public in public ownership. I have always been supportive of ways in which we can take land that the public currently owns, road right-of-ways or

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areas that are in cities or adjacent to right-of-ways and somehow enhance them in a recreational value. I'm not a big biker at all. I don't own a bicycle. But we certainly enjoy walking and I think this makes one additional recreational event available for people who chose it. I really think the City, even though the whole plan is not developed and connected yet, but I think the City of Wichita has done an excellent job of trying to connect and build a system. It is still in the process and there is going to be gaps in the process until the whole thing is put together. But that doesn't mean even because there are gaps there that an individual that wants to hike or bike can't somehow find a way to get through the connecting and get through where there is not currently a trail.

"If there was a chance that some day this property was going to be annexed into the City of Wichita and could make the connection in their plan, I would think that might be something we could think about, but this is always going to be in the County. I think it just really makes sense to enhance a recreational system allowing people to better use what is already publicly owned property. I see that sparked some comment. Commissioner Gwin."

**Commissioner Gwin** said, "We always love it when you speak, Mr. Chairman. It always brings so many other things to the top. Like Commissioner Sciortino, I'm concerned about the cost of this. However, the governing body of the City of Wichita has committed to use some of its C.I.P. dollars to make a hiking and bike trail and make it complete. As you can tell from this map, this is a link that we will have to make because it is not within the city limits of Wichita. Using the funds available through KDOT, then we do, we're going to be able to link up the system that our partners across the street have said is important to them and important to the community. I think we'll better leverage our money by using KDOT's money and assist the governing body of the City of Wichita in their long term goal of having a complete hike and bike path in and around this community. So, in the spirit of cooperation with the City of Wichita, I support this."

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

**Commissioner McGinn** said, "Marvin, I just had a question about the maintenance if we should get this, and that type of thing. Do you see these ever going into a parks department, as far as taking care of them or in other communities. Are they with parks department or are they always with the transportation department?"

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**Mr. Krout** said, "They can be in the parks department. At one time, the city park department was responsible for maintaining rights-of-ways and sidewalks in the parkway areas along the street. So, it can be and it depends on how each government and the structure."

**Commissioner McGinn** said, "I'm just thinking ahead, in years to come as we develop this, we may want to look at that."

**Mr. Krout** said, "I think for example we've talked about and probably will talk about in the future this Burlington Northern line, which is not on the street right-of-way and so on the street right-of-way, at least currently, most Public Works Departments have the responsibility for the mowing and weed control. They would take on any additional responsibility that would have to do with the bike path. On an off street right-of-way, it is more likely, in the City of Wichita, for instance, that that is going to be considered a linear corridor and maintained by the Park Department if it ends up being built as a bikeway. So, it can be either one or a combination of both. I did want to mention and I'm sorry I forgot, but we did get a call from the representative of a group called Prairie Travelers, which is an organization of about 300 people, a new organization in the community, who apparently saw the discussion on last week's agenda and said they might be here this morning and may have some comments for you. I don't know if they're here or not."

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

**Commissioner Hancock** said, "Marvin, cost is truly a concern on this particular project. Do you have any indication of what, on the average, we're building these bike paths for in other parts of the City and County? Any idea?"

**Mr. Krout** said, "I haven't seen the latest bids. I think \$20 a square foot would be \$100,000 in the mile and I think that used to be the rule of thumb several years ago that we used. In this particular case, there are a couple of extra amenities. There is some landscaping that is added. We probably overestimated what the engineering cost is going to be, but we also have the additional cost of the turnpike bridge area to try to make that a safe connection. I think this number is probably a little bit inflated and this project is a little bit more expensive than the average."

**Commissioner Hancock** said, "You said square foot."

**Mr. Krout** said, "I meant running foot."

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**Mr. Weber** said, "I might tell you that the path that we're working on out at the Zoo that picks up from Zoo Boulevard and Windmill Road and goes over and ties into Warren's system, which is a little over half a mile, I don't know exactly, but we're looking at \$125,000 on that one. There are no crossroad culverts to deal with. There are no bridges to deal with and we own all the property. I think Marvin is right, we probably have a little extra on the engineering and some things in here, but if you take that and extend it to a mile you're at \$250,000. Start messing with everything else and I just don't feel uncomfortable with the number that they're using."

**Commissioner Hancock** said, "These are sidewalks that are four inches deep?"

**Mr. Weber** said, "I think we're using six."

**Commissioner Hancock** said, "Six inches for sidewalks?"

**Mr. Weber** said, "Well, they're full paths and we did talk about maintenance. You do end up getting on there and mowing around them and sweeping them. I think we're using six. We had some lesser ones, I think, out on K-96 and that, I think, was a little bit of a problem."

**Commissioner Hancock** said, "It seems to me on undisturbed soil if you have it, it just doesn't need to be six. We don't even pour driveways six inches thick and we park cars on them all the time."

**Commissioner McGinn** said, "So would you support my base rock idea?"

**Commissioner Hancock** said, "I would support something besides six inches of reinforced concrete. That's the problem with the project, it is an expensive proposition. No doubt it is very good, but it just seems to me a very expensive proposition."

**Mr. Weber** said, "These are asphalt, not reinforced concrete. That soil out there is a clay soil on the east side of town, so it's going to be kind of tough to hold it together if we don't do it right."

**Commissioner Hancock** said, "I'm not going to win this fight, am I?"

**Chairman Winters** said, "No."

**Commissioner Gwin** said, "I'd keep fighting if I were you."

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**Mr. Weber** said, "Stay around for four more years we might work something out."

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

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

**Commissioner Sciortino** said, "Thank you, Mr. Chairman. Marvin, I want to lean on Commissioner McGinn's comment that I also wouldn't like to see a gate there with no fences. Do we have, if we get this approved, the flexibility of when we would do the construction and maybe we could time the construction to more closely coincide with when the City of Wichita would be interlinking with us east and west? Or do we have to build a gate and hope the fence gets built?"

**Mr. Krout** said, "I think that you'll see that by 2003, this will be already in place. I think this will already be in place too and this will already be in place. I think the connections will be there in 2003. If they're not, I think that you can talk to KDOT about maybe amending the . . . maybe you can find another priority for that project, for that funding that they awarded."

**Commissioner Sciortino** said, "Okay. I like the concept. Unlike the Chairman, I do ride a bike and I do like to get out there. I think it would be neat to be maybe one day we could actually have an event that is just loop the city on bicycles or something. I think it is a good project. The cost bothers me. I think we're over-building these things. I agree with Commissioner Hancock. I don't think they have to be of a level that you can drive trucks and cars over them. I think that is a little bit of overkill, but I'd be supportive of the project. I think overall it is a very worthwhile project and I kind of like the idea of being able to bike. I just hope more people do it and that can even maybe even reduce the level of petrol-chemicals in the air and what have you. It is healthier and maybe people could start peddling themselves instead of driving themselves. Thank you."

**Chairman Winters** said, "Thank you. Commissioners, is somebody prepared to make a motion?"

### MOTION

Chairman Winters moved to approve the proposed project; adopt a Resolution accepting responsibility for coordinating the project and funding the local match; and authorize staff to submit the project request to KDOT.

Commissioner McGinn seconded the Motion.

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**Chairman Winters** said, "Is there discussion?"

**Commissioner McGinn** said, "I was just going to give Commissioner Hancock that opportunity."

**Chairman Winters** said, "I know Commissioner Hancock has a long-standing ideas about bike paths, so I'm not sure exactly how Commissioner Hancock is going to vote, but I wouldn't be a bit surprised it he would vote no because that would certainly be . . ."

**Mr. Krout** said, "Maybe you could give me a holiday present before your term is over and kind of join the crowd."

**Commissioner Hancock** said, "Ho! Ho! Ho!"

**Chairman Winters** said, "Is there any other discussion on this motion? 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, Marvin."

**Mr. Krout** said, "Thank you very much. Have a happy holiday."

**Chairman Winters** said, "Same to you, Marvin. Next item."

**NEW BUSINESS**

**I. RESOLUTION ESTABLISHING A PROCESS AND GUIDELINES FOR CITIES TO FOLLOW WHEN ANNEXING PROPERTY UNDER K.S.A. 12-521.**

**Chairman Winters** said, "Randy, I think that's you. You've been bumped? Well, come up to the microphone for a second and introduce yourself."

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**Mr. Randy Parington**, Management Intern, County Manager's Office, greeted the Commissioners and said, "I believe this has been pulled from the agenda today."

**Chairman Winters** said, "We probably need to take action to defer it for a time, but Randy has been doing a lot of work in assimilating some information. Kind of the perfect lead-in would be what Commissioner Hancock said, as we were concluding the discussion of Valley Center. We are trying to put together, with the assistance of Randy and others, some guidelines that we could follow when we have these kinds of requests. I think we've got the basis here. I think all of us agree we were not ready to take it up today though. So Mr. Harrison, do you have any other comments about this? Jerry, do you know how long we need to defer this? Should we do it indefinitely and then it can come back any time?"

**Mr. Parington** said, "Indefinitely."

**MOTION**

Chairman Winters moved to defer Item I indefinitely, but it will come back.

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, Randy. Next item."

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**J. RESOLUTION AUTHORIZING CERTAIN PERSONAL PROPERTY TAX JUDGEMENTS TO BECOME DORMANT.**

**Ms. Jan Kennedy**, County Treasurer, greeted the Commissioners and said, "This is not a Christmas present, but every year I do ask you to allow us to declare 20 year old personal property debts to us as no longer collectable, so that we can take them off our records. This is pretty much a statutory process. The ones that we are asking to remove this year are from the 1979 tax role, which would have been collected in December of '79 and June of 1980 and would have become court judgements in October of 1980. In that 20 year time, we have not collected \$1,673,194.51 of which \$1,364,959.50 is general tax, \$14,442.39 are special taxes and \$293,792.62 are interests and fees that have been accruing. Therefore, I would recommend that you allow these to become dormant judgements."

**Chairman Winters** said, "Thank you, Jan. Commissioners, are there questions or comments? Commissioner Sciortino."

**Commissioner Sciortino** said, "Thank you, Mr. Chairman. Jan, just educate me and maybe the public. If we were to approve this, they would become dormant, but is it still on the books some place or now the person that owns the property can sell it free and clear of any encumbrances?"

**Ms. Kennedy** said, "That is correct."

**Commissioner Sciortino** said, "Why do we do that?"

**Ms. Kennedy** said, "Because the statute only gives us 20 years on personal property to effect a collection."

**Commissioner Sciortino** said, "So if we do nothing, they become dormant any way?"

**Ms. Kennedy** said, "They don't become dormant without the approval of the Resolution."

**Commissioner Sciortino** said, "But they become uncollectible anyway if we do nothing?"

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**Ms. Kennedy** said, "Well, they are probably uncollectible anyway because of their age. In 1979, just again to educate you and the public, the tax role for personal property included automobiles. In 1980, automobiles were switched over to the vehicle information system and were no longer part of the personal property tax records. A great number of this 1.6 million relates to automobiles and if they're 20 years old and we can't find them or the people, chances are. And next year, that will not be the case. It will simply be those things like jet skis and trailers that somehow . . . the people have maybe moved even to another state."

**Commissioner Sciortino** said, "Okay, thank you very much."

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

**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
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

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

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**K. DIVISION OF COMMUNITY DEVELOPMENT.**

**1. RESOLUTION AMENDING CHAPTER 19 OF THE SEDGWICK COUNTY CODE, PROVIDING FOR ENFORCEMENT OF VARIOUS CODES BY THE DEPARTMENT OF CODE ENFORCEMENT; DEFINING VIOLATIONS AND PROVIDING PENALTIES THEREFOR.**

**Ms. Irene Hart**, Director, Division of Community Development, greeted the Commissioners and said, "Today we're bringing an administrative regulation which effects in the codes a change that will occur January 1st of next year. In your budget, you've approved moving staff positions from the Health Department to the Department of Code Enforcement for the purpose of enforcing County nuisance regulations. This change was made to reduce fragmentation, duplication, and confusion for the public and to provide a one-stop shop on building and land use permitting in the unincorporated areas of Sedgwick County and by agreement in eleven cities in Sedgwick County. This consolidation would occur effective January 1st. What we're bringing to you today is a Resolution which authorizes that change in enforcement to occur.

"What the Legal Department has done is to take a language that was approved in 1988 which identified and codified what nuisance is. It was approved in 1988 for the Health Department to administer. I'd like to go over those briefly what we mean by nuisance regulations. What it means is regulating open basements and structures and holes and things that could be health or safety hazards and proper storage of refuse, salvage material and junk and bulky waste, dilapidated buildings and inoperable or abandoned vehicles. So, that is what we mean by nuisance. Again, the purpose of this is, it is the same language that we approved in 1988, it would transfer the authority for enforcing this code to Code Enforcement from the Health Department. Jennifer Magana from the Legal Department and Glen Wiltse from Code Enforcement are here to answer technical questions that you might have."

**Chairman Winters** said, "Thank you, Irene. I think there will be some questions. I want to start perhaps with a couple of comments. As I make comments about this and walk through this, I am not intending to have anybody think that I am opposed to our County-wide zoning or that I don't think that we need to continue to encourage property owners to keep their property as neat and as picked up and in as good as condition as possible for the benefit of every neighborhood in the County, whether you live in a city or

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in a suburb or whether you live in the country. I clearly am one who believe that we should not be junking up the country.

"I do have several concerns about this particular Resolution and I know that it was a standard Resolution from years past but I wonder if even times haven't changed. Just to point out a couple of inconsistencies here are when it talks about bulky waste, it then talks about parts of machinery and equipment and there is no exemption in here, as I see it, for any kind of agricultural operation. I'm not sure that you couldn't drive into any farmstead property in Sedgwick County and you're going to see parts of machinery and equipment there. In fact, a number of folks keep older equipment around and use parts off of it, as they acquire new equipment.

"Then another place that was concerning was where it talks about refuge and it includes tree trimmings and grass clippings and then says all refuge must be stored in a water tight, fly tight container. So it looks to me like a compost pile could be interpreted as being not in compliance with this ordinance. I guess my question today and Commissioners I see a couple of lights flashing, I'm not sure whether today we should adopt this and then instruct legal to make sure that there is an agriculture exemption that runs the length of anybody involved in the ag business or if, because of these definitions like I interpret you couldn't have a compost pile, if this to be sent back and have some work done on it. I'll be interested in comments. Commissioner Hancock."

**Commissioner Hancock** said, "Mr. Chairman, I have a question for Legal or maybe Irene. Is it possible today to approve the concept without approving, specifically, the definitions? I don't want anybody to get the wrong idea that we're not doing this. We are going to do this, as least as far as I know. But it seems to me that we need to redefine some of the definitions or might need some clarifications."

**Ms. Jennifer Magana**, Assistant County Counselor, greeted the Commissioners and said, "One alternative would be to approve the Resolution, subject to a revision of specific definitions, if you'd like to do that. We could amend the Resolution today to not include those definitions, those could be done at a later date."

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

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

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**Commissioner McGinn** said, "Thank you, Mr. Chairman. Jennifer, stay up here. You sparked another question for me. You said to not include those definitions. Where would that leave us?"

**Ms. Magana** said, "Somewhat in limbo today. We'd have interpretation questions when we got to enforcing the Resolution. But in the meantime, we'd have the code violations transferred to Section 19, we'd just have yet to define them once we got into writing the tickets."

**Commissioner McGinn** said, "Is it urgent to do that or can we just flat defer this whole thing or take it up when we get back in 2001?"

**Ms. Magana** said, "For purposes of writing tickets and enforcing it, prosecuting it and for a judge to rule on it, it would probably be more convenient to do it all together at one time rather than take out definitions and leave questions in the air for what we're enforcing."

**Commissioner McGinn** said, "What I don't understand then, as I was talking to you yesterday, some of the calls I got, people thought this was a whole new thing. It is my understanding from you that this is just a duplication of what the Health Department is already doing on nuisance violations."

**Ms. Magana** said, "That's correct."

**Commissioner McGinn** said, "So if we defer it, we're still under the way we've been doing it."

**Ms. Magana** said, "We're still under it, under the Chapter 14 Health Code section."

**Commissioner McGinn** said, "Okay, and just to reiterate though that this code is identical to the Health Department code that is already on the books."

**Ms. Magana** said, "We've taken selected provisions out of the Health Code. This is not all the Health Code or safety provisions in Chapter 14, but a selected number of them that seemed to be more applicable to Code Enforcement's area."

**Commissioner McGinn** said, "By changing this, it just gives us a better handle on what is going on with the nuisance situations in the County."

**Ms. Magana** said, "Yes and, I think, to echo what Irene said, I think it dovetails into what Code Enforcement's work is and avoids the fragmentation of enforcement in certain areas."

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**Commissioner McGinn** said, "Which I would agree with. I want to go on to make a few more comments. I have a discomfort level about the clarity of this whole thing. It is my understanding that the wording is the same but, as Chairman Winters said, maybe we need to look at this wording because some of it went way back at some point in time. I asked you yesterday about the inoperable vehicle definition. It goes on and says that it is a motor vehicle which, because of mechanical defects, a wrecked or partially wrecked frame or body or dismantled parts, cannot be operated in a normal and safe manner. Then the second sentence is 'any vehicle which has been inoperable for a period of ten days shall constitute a prima facie presumption that such vehicle is inoperable'. One of the constituents that called has a problem with that being a stand along sentence. Someone could interpret, I went on vacation for ten days and my car now qualifies under this, or an agricultural person who has a grain truck that they only use during harvest, that type of thing. If you have any comments on that, I'd like to hear that."

**Ms. Magana** said, "I recall your concerns. I would just respond that we believe this original language was part of the uniform set of definitions adopted by various jurisdictions. I think it is what I would consider standard for this type of violation language. I also think if interpreted by a prosecutor and by a judge, you wouldn't run into those problems of piece-meal enforcement by taking the stand along sentence and misinterpreting it."

**Commissioner McGinn** said, "I think if we decide to work through this, I would like to see that a little better defined. The other thing I wanted to visit about briefly is I also had some calls from agricultural producers. In talking to Glen about looking at our Zoning Code, it made me start feeling like I was filling out the long form of income tax form. That is, you get down to the sixth line and it says see Section 3-5 of form X, you go there and then it says to see something else and after you've gone through four or five stages you're back to the first form and you never got an answer. That's what I felt when I was going through that zoning book. There wasn't a clear answer that agriculture, as far as implements, would not be effected. And so, just to sum up some of my comments, I guess I would feel more comfortable if we could defer this, look at those areas that aren't clearly defined so that people can have a better comfort level of what it is that we are doing out there. Thank you, Mr. Chairman."

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

**Commissioner Sciortino** said, "Thank you, Mr. Chairman. Jennifer or Glen, we have certain codes right now that we go out and if we get a complaint and we verify that there is a violation of our present code, we issue a citation. Are we operating under the codes that are under the Health Department right now, is that what we are doing right now?"

**Ms. Magana** said, "I believe also under the Zoning Code. I'll ask Glen to speak to that. I think the first step is always a notice of violation before even a citation is written, but Glen is probably the person to address that."

**Mr. Glen Wiltse**, Director, Code Enforcement, said, "Right now, we are operating under the Zoning Codes. Until this is passed, we have not used this portion of the County Code at this point."

**Commissioner Sciortino** said, "Okay, in your opinion, by passing this, will that assist you in enforcing the zones or codes or what have you?"

**Mr. Wiltse** said, "What it will assist is if we have a complaint, when someone comes or calls or says there is inoperable vehicles, there is trash on the property, there are multiple things, as it stands right now, our department cannot deal with all of those because currently we did not have the authority to do that. The Health Department has part of that authority and we have part of the authority. The adoption of this does not increase the abatement authority at this point."

**Commissioner Sciortino** said, "I understand. Jennifer, a question of you. I'm hearing that a couple of my colleagues would like to defer this and get a little better comfort level on some of the concerns they have. If we were not to adopt this Resolution today, would it be just status quo and the authority that is presently under the Health Department would stay there?"

**Ms. Magana** said, "That's correct."

**Commissioner Sciortino** said, "We wouldn't have to all of a sudden be in a limbo where we could get a complaint and we wouldn't be able to do anything about it."

**Ms. Magana** said, "No, sir."

**Commissioner Sciortino** said, "Irene, you had a counter thought?"

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**Ms. Hart** said, "Effective January 1, those staffing positions will be in Code Enforcement, so there will be no funded positions at Health unless there was an emergency, I would think, to enforce the current health regulations."

**Commissioner Sciortino** said, "Now let me go back to legal or staff. If we don't pass this Resolution, we're going to have two employees and not have the funds to pay the two employees, is that what you're saying?"

**Ms. Hart** said, "We'll have two employees and the funds in Code Enforcement. If we don't pass this, we'll have the Resolution that authorizes the Health Department to enforce it, but there will be no funded positions there to do the enforcement. So if we did defer it, if it was an emergency I would imagine the Health Department would step it."

**Commissioner Sciortino** said, "I understand that. If we did what Commissioner Hancock is talking about, pass the resolution but tell us that we have to amend certain things in this, that would then switch it over to us. We would have the employees. Okay. I don't have as much concern as some of you all have about the agricultural use. The concern I have, I guess the devil will be in the details of what we draft. I can then envision everybody that we try to enforce something say this is agricultural use and then we're into that bailiwick again. I'll support, if you wish to modify this or defer this to get some clarification but I would hope that we could do that in a very timely manner."

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

**Commissioner Hancock** said, "Thank you, Mr. Chairman. I think Commissioner Sciortino addressed what I was alluding to a while ago. That is, we are funding two positions and the budget goes into effect January 1 and that is going to effect those two folks for a while unless we take action of some kind today. The next meeting will be January 3 that we could address this. I'm not sure we'll be doing that on January 3. Anyway, Irene, could you sum up for me what it is we're about here today? Can you just, in laymen terms, for the general consumption for the public and maybe enlighten me a little bit about what this is about today, why this makes sense."

**Ms. Hart** said, "Currently, we have nuisance enforcement at the Health Department. That is the things that I mentioned earlier, vacant structures, dilapidated buildings, junk cars. The Health Department enforces that. Code Enforcement enforces currently only the zoning laws and some of the land uses connected with that. So, if you get a ticket or there is a complaint about property, there are two different enforcement agencies. You all said, effective January 1, we want all that to occur at Code Enforcement."

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So, what this Resolution does is take the same rules and regulations that the Health Department is operating under and transfers the enforcement authority to Code Enforcement from the Health Department. So it is using the same rules and regulations. Jennifer tells me that to date, there has been no citation of ag equipment. Glen tells me that the only one they have ever gotten involved in has been a property that had 300 tractors on it. Other than that, there hasn't been any."

**Commissioner Hancock** said, "So the point I'm trying to make here is there is no change in what we are already doing. We're just transferring, those two employees are just getting a new boss. The Health Department is not going to do it any more. So we are shifting the responsibilities that are already in place from one department to the next with no changes whatsoever. There seems to be a concern that this change is going to change dramatically how things are enforced? Is that what we're saying, Commissioners?"

**Chairman Winters** said, "Can I answer that. Ask that again in a little different way."

**Commissioner Hancock** said, "Well, what I'm saying is we're not changing anything that is not already in effect. We're just changing bosses, so to speak. We're just changing from one department to the next."

**Chairman Winters** said, "That's correct. But I think that this resolution that was written in 1988 or whenever and I visited with Rich Euson this morning, and he said he believes it was taken out of kind of a standard city code format that is probably much older than '88. I think this is such a sensitive area and we all have had experiences with things regarding this, that I think we need to be crystal clear in what we want to say and what we want our Code Enforcement folks to work with. If we have something that is the least bit fuzzy, I don't think that is good. I think our constituents need to know and Code Enforcement needs to know what our intentions were.

"I really never intended to get back into the area of rewriting this and having a public discussion about it, so I originally thought if there was just some way we could tweak part of this and move forward, I was going to be willing to do that. But the more I look at it and I think about it, I think it really needs to be clarified and say exactly what we expect to happen. If there are people who think that it is going to really change the way we've been doing business here in Sedgwick County, I don't think we're going to change a great deal of how we do business. I think we're still going to want people to have their properties cleaned up. I think people need a chance to see exactly what kind of Resolution we're taking on. I think

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people need to have an ability to comment about it and let us know what they think about it. I don't necessarily want to go down that road, but I think this is such a sensitive issue that I think we need to be very clear about what we want.

"I say it is going to take a bit of hammering out in my estimation but it is not to do away with anything, it is not to make it so people can have a salvage yard on their property and junk it up. That is not my intention, but I think there are so many things in here, again, that an inspector today could drive onto virtually any farmstead in Sedgwick County and they'd be in violation of what this Resolution talks about. Does that answer your question, Commissioner Hancock? Do you have any other comments right now? Commissioner McGinn."

**Commissioner McGinn** said, "One thing I would like to clarify. You say a Code Enforcement person could just come on your property, I do want to make this very clear for the public. That is, this is complaint driven. We don't have enforcement people out there looking for something to do. I think the fact that these cases have increased over time is part of the whole reason why we did the right to farm is we're seeing more folks moving out into the country and that type of thing and the country doesn't look like it ought to look in the city. It bothers them and so they call Code Enforcement and that's what is driving this, I believe. I just want to make that very clear that our people aren't out there looking for somebody just to write a citation.

"Another thing is, going back to the complexity issue of the fact that we are changing the funding source, I'd just like to offer this as a suggestion. If we do pass this today, it is really status quo because it's the identical piece that the Health Department had and it is only changing to our Code Enforcement area. So, they're not going to change the way they do business here in the next month. Given that little bit of comfort level, I guess one thing I'd like to offer is that we direct staff a time line and maybe it is four or six weeks, I don't know, to go through and clarify these things that we're having a problem with and our constituents are having a problem with and go out and talk to some of the people that want to be heard on this matter and come back to us with a refined product. In the interim, we can still do business as usual and not have that loss.

"My concern is that if we do defer this and I offered to defer it earlier, but if we do defer this, we're looking at January 3 to get back on this after vacations and everything. I don't know if staff would have time to go through and totally work through this and get public input. I'd like us to do a good job. I guess that's where I'm kind of leaning back towards let's go ahead and pass it but give staff a six week time line or something to go out, listen to the public, work on this, make it very clear and then come back and that we pass an amendment to this or a refined product."

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**Chairman Winters** said, "All right, thank you. I'm going to speak for the deferral here in just a second. I want to hear Commissioner Sciortino."

**Commissioner Sciortino** said, "Thank you, Mr. Chairman. I can definitely support what Commissioner McGinn has just said. I think it would be cleaner, a lot less confusing to the public. This is a resolution or a set of codes that are right now in place with the County at the Health Department and I think it would be easier and less confusing if we were to pass this Resolution the way it is written and then amend it, as we feel it needs to be updated. I agree that I would want to take more time and not feel the pressure of having to rush and get something done January 3rd or January 15th, visit with all the stake holders if there are different definitions that have to be changed, get everybody comfortable with it. Then all we would have to do is amend an existing resolution that was on the books and I think that would be cleaner."

"I don't have the fear that Glen Wiltse and his people are going to be running out there and looking at a car and seeing that it wasn't started for ten days and cite them or what have you. I think they're going to use common sense on that. It just seems to me it would be a lot cleaner if we were going to pass it and then make the amendments with the luxury of really studying this as we do some of our other resolutions that we have to update or something. I would be supporting that, if that's what we decide to do."

**Chairman Winters** said, "Thank you. I still think the thing is unclear and vague enough that we need to defer the resolution until we can take a more effective look. I do understand the sensitivity of our taking over the responsibility from the Health Department on January 1st and somebody calls us on the third and complains that we are not able to do our duty. Do we see that happening? How many citations has the Health Department written concerning this resolution in the last year? Would I be safe to say none?"

**Mr. Wiltse** said, "It's just a guess, but I would guess 25, maybe, if even that many. That is probably a high figure."

**Chairman Winters** said, "Glen, as far as Code Enforcement happens, what is your response to the concern that if we defer this through January and you don't have this, do you see a major problem erupting and if we're taking over this responsibility and we're not able to fulfill it, is that a concern of yours?"

**Mr. Wiltse** said, "Yes, it might be. It would be an emergency type situation if someone would happen to call about something that says we have a house that we have kids living in or an open swimming pool and those types of things. It would be the safety of the public that we would be looking at. Inoperable vehicles, that's an issue that is in the zoning code. Salvage yards, inoperable vehicles, that's already addressed within that code. It would be the public safety issues would be my biggest concern."

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**Chairman Winters** said, "Are there portions of this that . . . I mean it is not all that long. Are there portions if you were going to look at the public safety issue, which portions of this and the only place I'm headed is that if there is some way to adopt this Resolution and just on those public safety issues and eliminate every other part of what we adopt."

**Mr. Wiltse** said, "One and four would probably be the two highest public safety issues that I would see. Where it talks about open basements, excavations, swimming pools in item one and then minor auxiliary or accessory building structures if they are in a dilapidated state."

**Chairman Winters** said, "Okay, thank you. It might be one we just each have to state our opinion and take a vote and see how it goes. I'm certainly willing to do that. I'm going to support deferring this for some period of time. Commissioner Hancock."

**Commissioner Hancock** said, "Mr. Chairman, all I'm concerned about is making the budgetary move that is necessary. Without approving this Resolution, we legally can't make the budgetary move and changes in personnel and begin the training process and orientation, because these are two new folks. The budget is ongoing. They need jobs. I hate to stop their jobs until we decide. Otherwise, I'd be perfectly willing to defer it. Is there a possible way to do that?"

**Mr. Wiltse** said, "These are two new outside staff."

**Commissioner McGinn** said, "So these aren't Health Department people."

**Mr. Wiltse** said, "No. No one applied at the Health Department."

**Commissioner Hancock** said, "Have you taken applications for the positions?"

**Mr. Wiltse** said, "Yes. They've been offered positions."

**Ms. Hart** said, "One thing we could do, just an additional factor that I might offer is that we could provide reports, weekly reports on what the activity is under this particular Resolution."

**Commissioner Hancock** said, "Is this a staff increase?"

**Mr. Wiltse** said, "Yes."

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**Commissioner Hancock** said, "Do you know the range that these folks are?"

**Mr. Wiltse** said, "Range 18 and 21."

**Commissioner Hancock** said, "Is it possible for us today to move to defer this for how much ever long that Chairman Winters would like and then at the same time approve the positions of a staffing table change to 18 and 21 outside this Resolution?"

**Ms. Hart** said, "Those are already approved in the budget for next year."

**Commissioner Hancock** said, "They can go on and begin?"

**Ms. Hart** said, "They won't have a Resolution to enforce but they can be in training."

**Commissioner Hancock** said, "That's good enough."

**Chairman Winters** said, "But they will be able to use the zoning code. It is not like they're going to do nothing because they do have the zoning codes that they continue to work with."

**Commissioner Hancock** said, "That works."

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

**Commissioner Gwin** said, "I haven't said anything, I've just been listening to all the conversations. My first inclination was to defer this, but as I've been thinking about it, I'd be more comfortable and think it would send a stronger message to adopt the Resolution today but then with the understanding that we're going to have to come back and amend it. I think I have a comfort level doing that rather than just a complete deferral. There are some things that both the Chairman and others have pointed out that I think we need to make sure that there are certain exemptions that do not show, whether it is an agricultural exemption, whether it is an exemption for home composting, those kinds of things that aren't mentioned. I think to advise the public and our staff that this is the intent when we moved these people, this is part of their job and I'd like them to get started with it but with the understanding of Glen and Irene and Legal and others that some amendments and wordsmithing has to be made to meet the majority of the board. I'd support approving this today and then sending staff recommendations for changes. Thank you, Mr. Chairman."

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

**Commissioner Sciortino** said, "Thank you, Mr. Chairman. I'll keep it really brief and I want you to know that I really appreciate and I think some of the concerns that you have brought up are valid and I think they need to be looked at. I, too, want to make sure that the public doesn't get any idea that we're softening or changing our position on where we believe our role should be in enforcing our codes and enforcement. I also think if we have a resolution on the books, it is much easier to amend an existing resolution than it is to a whole brand new one. I think we should have the benefit of time because I really want to hear from the stake holders. I want to hear from the citizens who have been complaining and really get an idea about, for an example, composting. What does that mean? I can envision going out there and seeing a trash pile and someone says no, that's my compost pile. When we try to fix something, we could make it worse. We have something that has been on the books for quite some time and it sort of is working.

"I haven't heard a lot of complaints about the existing one feeling that through the Health Department they have been hurt or farmers complaining about it. Glen has said the amount of enforcement or citations that we used to have to ask the Health Department to look into are very minimal, one or two a month if I heard 25 a year is correct. I don't think that by passing this the way it sits, taking four to six weeks to really look it over is going to cause any real undo harm to a citizen out there because this happens to presently be on the books. I have a lot of confidence in Glen and his people as to how they enforce it. I've never felt that they were going to go out there and 'oh boy, I'm really going to get this fellow because this is cloudy enough I can get them'. I've never had any personal experience, I don't think any of us have with his people that have done it. I would be supportive of passing the resolution the way it sits, handling all the concerns that Glen and Irene have thought out. It is a clear message to the people and it should be a clear message to the people that perhaps have come to us expressing concerns, that we're going to take an honest look at their concerns too with an eye toward if it is a legitimate amending this so those concerns are dissipated. I would support passing this Resolution the way it sits."

**Chairman Winters** said, "Thank you, Commissioner. You mentioned something that I want to pursue a moment and that is getting information from the stake holders. We know that there are several individuals and groups out there that are very sensitive about this very issue. How would you suggest that we get information from them? Here's where I am headed with that though. I know there are probably people in the audience today that would like to have comments about this kind of action. I had thought that if we're going to defer this item then there is going to be plenty of time to talk about it. We can do whatever, have it on an agenda in January and receive input or whatever. If we would take your process of adopting this, would we hold a couple of public meetings and as you work towards the amendments

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get input from citizens? Again, where I was headed is I was a bit uncomfortable about moving forward with not taking input today. Today, I don't know that we want to go through and work on everyone of these definitions and hear about each one of those because we don't have anything workable in front of us."

**Commissioner Sciortino** said, "Let me share just some thoughts on that. I definitely would like to have some public hearings. I know we have heard or you have heard and some of the Commissioners have heard from people complaining that this is too restrictive. I'd like to also allow the people who have maybe filed complaints hear their reasoning for wanting to file it and I would offer that we could hold a public hearing at the Extension Office. We could hold two or three public hearings maybe at different locations within the County."

**Chairman Winters** said, "I don't know that we need to hold multiple multiple meetings, but I certainly think we ought to give folks a chance to have input."

**Commissioner Sciortino** said, "Because I'd like to hear from them."

**Commissioner Hancock** said, "I'm not so sure that you will get folks to come to a public hearing here or anyplace else who have filed the complaints. You'll get the folks who this effects who have been cited. Just with the dynamics of it, you won't hear from those folks."

**Commissioner Sciortino** said, "I understand their fear but at least they would be afforded the opportunity to express their concerns. I understand that because a lot of people who have called me complaining are fearful and I understand that."

**Commissioner Hancock** said, "The folks in the audience today are not here because they are rooting for this deal."

**Commissioner Sciortino** said, "No, that's correct."

**Chairman Winters** said, "I still would support deferring it but I guess I am ready for a motion unless somebody has something else they want to add. Can I make a suggestion? If you make a motion, can you include in there that any kind of agricultural activity is exempt from this resolution in your motion? I'm not going to vote to support the motion even if it has that in it, but I think if there are votes to adopt it, I'd like to see at least one little thing cleared up. I'm not trying to tell you how to make the motion."

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**Commissioner Sciortino** said, "I understand that. What would be the definition of agricultural use?"

**Commissioner McGinn** said, "It is in about five different places in the Unified Zoning Code."

**MOTION**

Commissioner Sciortino moved to adopt the Resolution.

Commissioner Gwin seconded the Motion.

**Chairman Winters** said, "With that, will you make another motion and we can instruct staff to do the changing of this?"

**Commissioner Gwin** said, "Depending upon the outcome of this motion."

**Chairman Winters** said, "We'll vote on this motion."

**Commissioner Gwin** said, "Because if this motion fails then the motion to defer could have some other things on it, too."

**Chairman Winters** said, "I'm going to speak in opposition to this motion because I think there are other ways to go about this. Does anybody else have comments on this motion?"

**Commissioner Hancock** said, "I'm going to support you on your deferment simply because my concern was the budget and the employees and there is ample opportunity for them to go through orientation and learn their craft and about the law and get familiar with how we do things here in the County. I think, either way is okay with me, but my main concern is if everybody is comfortable with the deferment so am I. I'll support you on that. I don't think we can craft a law today by defining what ag exemptions should occur. I think that is very difficult to do in this position today."

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

**Commissioner McGinn** said, "I've gone back and forth on this half a dozen times now. Commissioner Hancock, you bring up the fact that the folks that are at the County can still go through training and be hired and all that. I would never had that concern. My concern is and somebody calls and we have to call the Health Department and the reply is we don't have the staff to do that because you guys removed

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those positions. Then what? That is my concern of being out there in limbo land. I don't want to rush this because I think this has been on the books for years and we're not going to do anything different.

"I think the good thing that has come out of this is now we're going to finally go to the stake holders, hear what they have to say and refine this and make it up to date and something that everyone can live with in the County. That is my concern if we get into this financial crunch with the Health Department or whatever, that we're not going continue to be able to do business that is needed definitely and it may not even have anything to do with some of the concerns of the people that have called. I guess, I feel like perhaps we need to go ahead answer pass this, but lets rework this whole thing and do a good job at it and have the time to do it. I think if we do the other we're going to start getting phone calls and we're going to have to rush something and not do it correctly and not hear from stake holders. I think this is a great opportunity for those people who have had a problem with this for years, this is a great opportunity to get their input and make some good changes that might accommodate everybody. Given that, I support going ahead and doing business as usual but directing staff to come back in six weeks and during that time that they visit with us, they visit with the stake holders and we do something that works for everybody."

**Commissioner Sciortino** said, "I would be prepared to modify my motion to include Commissioner McGinn's comments if that would put it all in one motion."

**Chairman Winters** said, "Let's vote on this motion and then we'll craft another motion if we need to do that. Any other comments? We have a motion to adopt this Resolution. Madam Clerk, call the vote."

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	No
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	No

**Chairman Winters** said, "That motion passes. Commissioners, I'm prepared to make another motion."

**MOTION**

Chairman Winters moved to instruct staff to bring back a revised updated Resolution by the end of January 2001 and that they conduct at least one public meeting for public input as they draft the

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amendments to the Resolution.

Commissioner Sciortino seconded the Motion.

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

**Commissioner McGinn** said, "The only thing I'd like to add to that and it is just a thought and maybe we can't make that decision today. I can see staff working on all this and going out and having a public hearing and working on it again. To have total buy in, sometimes you have to have and I hate meetings and I hate committees, but you have to have a committee and you have to have some of those folks that say 'yes, we want the worst possible situation a harsh judgement' and you have to have those folks who say 'this is too strict'. Perhaps we can find some compromise there. I'd just suggest to my colleagues if you think that is something that is workable that perhaps once you have a public hearing and you get some of the stake holders from all over and sit down together and see if they can't work out some solutions."

**Chairman Winters** said, "I think that is an excellent comment and I don't know how you'd go about that. I would like to have public input more than just calling somebody up and let them say three minutes worth of words that they disagree with something or they agree with it and we move on. Commissioner McGinn has a great idea and if there is some way you could incorporate some of the stake holders in some early meetings on this, I think it would be terrific. We have a motion to have this Resolution updated by the end of January. Commissioners, are there other comments? Seeing none, call the vote."

**VOTE**

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

**Chairman Winters** said, "Glen, you and Irene clear on what to do next?"

**Ms. Hart** said, "Yes."

**Mr. Wiltse** said, "This will also probably require some zoning code also so we'll probably also require the MAPD involvement."

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**Chairman Winters** said, "I would think we need some kind of report by the end of January but if it is going to take a bit longer, I'd rather have it right than have it mixed up."

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

**Chairman Winters** said, "Thank you. Madam Clerk, next item."

### **2. AGREEMENT WITH SEDGWICK COUNTY CONSERVATION DISTRICT TO PROVIDE NONPOINT SOURCE POLLUTION PROGRAMS.**

**Ms. Hart** said, "Today we have for your consideration an agreement with the Sedgwick County Conservation District for funding five nonpoint source pollution programs. It includes funds to plug abandoned water wells, to conduct two demonstration projects, one an urban storm water demonstration project and the second one a rural nonpoint source pollution project. Fourth, do some particular work in the Lake Afton water shed that has been cited by the State Health Department as needing some attention. The fifth one would be to provide some educational models, such as the Enviroscope to the public and to schools. Information and understanding of ground water and other kinds of natural forces and how they effect our environment. The total amount is \$50,000. It is budgeted in the Conservation Action Grant Fund within the Division of Community Development. The proposal has been reviewed by a technical advisory group, which is an organization composed of most of the environmental agencies and organizations in Sedgwick County. They do recommend this to you. The Sedgwick County Conservation District agrees to perform this. Wilmer Friend, who is the Chairman, President of the District, is here to answer any questions or make comments. I'd be happy to try and answer any questions you might have."

**Chairman Winters** said, "Thank you. I would certainly recognize Commissioner McGinn, as she has been active in this and Wilmer welcome to our meeting. I don't know if we've got any questions yet."

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Commissioner McGinn."

**Commissioner McGinn** said, "Did Wilmer want to make some comments first and then I have some comments."

**Mr. Wilmer Freund**, Chairman, Sedgwick County Conservation District, greeted the Commissioners and said, "My comments may be premature because I think I know how you're going to vote."

**Chairman Winters** said, "Would you give your name and address."

**Mr. Freund** said, "I'm the Chairman of the Conservation District Board. On behalf of that Board, I want to express our gratitude for the cooperation and the benefits that we have derived recently in the last couple of years working with the Board of County Commissioners. We've been able to accomplish much more for less money than we did in all the previous years. In that respect, what Irene has indicated to you is these things are long past due. You've all been hearing about TMDLs and all these things that deal with clean water, plugging abandoned wells and moving stock watering ponds and so forth and cleaning up the water in general. The Lake Afton project would have been really great if it had been included in the '40s, when they constructed Lake Afton, then we wouldn't have that problem today. But that doesn't preclude us from beginning at some point in time. With the able guidance of Irene Hart and Susan Erlenwein, our Board feels comfortable in being able to carry these out. Again, I appreciate your cooperation and confidence in us. Thank you."

**Chairman Winters** said, "Thank you, Wilmer. We appreciate your work on that board. Commissioner McGinn."

**Commissioner McGinn** said, "Thank you, Mr. Chairman. Irene had talked about the technical advisory group. This is a Sedgwick County group that was formed two years ago. We changed the structure of the conservation funding. Just to go into that, this is a group of what I'd call area experts to some extent."

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We have, sitting at the table, the City of Wichita people from the storm water department, the water treatment to the sewage treatment, we have Kansas Wildlife and Parks, we have the CORE there, we have conservation office, we've got the County and our environmental people. We have a very diverse group of expertise that sit at this table and have reviewed this and support this as well.

“So, some of these items on here I think are going to be very beneficial to our County, in light of the fact that we are a unique County in the fact that we don't just deal primarily in agricultural, or primarily in urban, we have both. The dollars that are approved here will address both and one project is going to be in the Riverside area as far as storm water run off. I think we have some very exciting things for the coming years on the table and we also know that the Lake Afton watershed project, which is our park and needs to get started on it and making some changes. This money will allow them to do that. Thank you, Irene. Irene is the Chair of that committee and she does an excellent job of getting everything together. Thank you.”

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

**Commissioner Gwin** said, "Thank you, Mr. Chairman. I'm encouraged to see on the Lake Afton project, if we model that one after the Cheney Citizens Management Group, if it is as successful as that, we'll be much better off. That group is a real shining example, I think, of how to involve citizens in making something good happen. I'm encouraged by that. Thank you. Thank you, Mr. Chairman."

**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

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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, Irene. Thank you for being here, Wilmer. Next item."

**L. AGREEMENTS (FIVE) FOR SEDGWICK COUNTY TO PROVIDE FUNDING.**

- 1. THE KANSAS AFRICAN AMERICAN MUSEUM: \$180,500**
- 2. SEDGWICK COUNTY FAIR ASSOCIATION: \$21,500**
- 3. WICHITA/SEDGWICK COUNTY HISTORICAL MUSEUM ASSOCIATION: \$107,303**
- 4. ARTS AND HUMANITIES COUNCIL: \$3,420**
- 5. KANSAS JUNIOR LIVESTOCK SHOW, INC.: \$23,304**

**Mr. Jarold Harrison**, Assistant County Manager, greeted the Commissioners and said, "During the development and approval of the 2001 budget, you allocated funds for five museums which we have participated in for a number of years. The Kansas African American Museum, Sedgwick County Fair Association, the Wichita/Sedgwick County Historical Museum, the Arts & Humanities Council, and the Kansas Junior Livestock Show. These are programs that Sedgwick County has participated in for a

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number of years. We have developed a funding agreement which sets out a definition of services which will be provided for the funding given and also set up some terms and conditions that they will need to comply with in order to receive the funding. This is an agreement process we began a couple of years ago. We've received signed copies of the agreement back from all the parties concerned and we would recommend your approval of all the agreements."

**Chairman Winters** said, "Thank you, Jerry. Commissioners, discussion or comment? If not, what's the will of the Board?"

**MOTION**

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

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

**VOTE**

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

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

**M. AGREEMENT WITH NATIONAL MULTIPLE SCLEROSIS SOCIETY, SOUTH CENTRAL & WESTERN KANSAS CHAPTER, FOR USE OF SEDGWICK COUNTY PARK APRIL 7, 2001 TO HOLD A FUNDRAISING WALK.**

**Mr. Harrison** said, "This is a standard agreement with the Multiple Sclerosis for use of the park in April of 2001. We've received a certificate of insurance, coordinated the dates with the park and would recommend your approval of the agreement."

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**MOTION**

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

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

**VOTE**

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

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

**N. AGREEMENT WITH ENTERCOM FOR ADVERTISING RIGHTS AT THE KANSAS COLISEUM.**

**Ms. Jacque Wedel**, Marketing Director, Kansas Coliseum, greeted the Commissioners and said, "This is a standard three year agreement that is both cash and trade with Entercom radio who holds the stations KEYN, the new BUZZ station, Power 93, and then several AM stations. It is really no different than agreements that we have with Wichita Eagle and Wichita Radio Partners. If you have any questions, I'd be happy to answer them."

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

**MOTION**

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

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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, Jacque. Next item."

**O. AGREEMENTS (TWO) FOR EMS TO PROVIDE FIELD INTERNSHIPS FOR TRAINING PROGRAM STUDENTS.**

**1. RANDALL STEARNS**

**2. NORWICH EMS**

**Mr. Mauk** said, "Both agreements brought forth to you today would allow EMT students nearing the end of their training to ride on the ambulance to observe that training actually put into real life situations. We would recommend that you approve and authorize the Chairman to sign."

**MOTION**

Commissioner Hancock moved to approve the Agreements 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	Aye

**Chairman Winters** said, "Thanks for being here from beginning to almost end, Dennis. Next item."

**P. DIVISION OF HUMAN SERVICES.**

**1. AGREEMENT WITH ROGER W. CLARK FOR EMPLOYMENT AS TECHNICAL DEVELOPER/PROJECT LEADER.**

**Mr. Tim Coffman**, Director of Operations, COMCARE, greeted the Commissioners and said, "I'm here on behalf of Deborah Donaldson. COMCARE is about to acquire and implement a billing and clinical software application that will help us do our business services. It is a large and technically complex and time consuming project, comparable in many ways with the ERP project that the County is also going through right now. The Sedgwick County Division of Information and Operations and consultants with William M. Mercer have recommended that we use a dedicated project manager to lead us through this process. A limited term project leader position has been added to the COMCARE staffing table. This position will be involved in vendor selection, planning, training, data conversion, implementation of the software, as well as ensuring that the interfaces with the ERP project and other applications are in place. The position was opened according to standard County Human Resource procedures. Roger Clark was

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selected as the most qualified candidate. Before you is the employment agreement agreed upon and it is modeled and consistent with the process that the Division of Operations and Information has used for other project leaders. The position is budgeted at a total of \$99,798.40 over the course of 18 months funded with state funds. I would request your approval and authorize the Chairman to sign."

**Chairman Winters** said, "Thanks, Tim. Commissioners, questions or comments?"

**MOTION**

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

Commissioner Gwin seconded the Motion.

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

**VOTE**

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

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

**2. AGREEMENT WITH INTER-FAITH MINISTRIES TO PROVIDE AN EMERGENCY OVERFLOW SHELTER FOR HOMELESS INDIVIDUALS.**

**Mr. Coffman** said, "This agreement is with Inter-Faith Ministries and it provides funding for operations of an emergency overflow shelter for homeless individuals. As in previous years, COMCARE is one of

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three community funding partners joining with the City of Wichita and the United Way. The overflow shelter serves approximately 400 homeless individuals between December 1st and February 28th, operating only during the winter months when other shelter sources are at or above capacity. Five area churches serve as host sites for the overflow shelter on a rotating basis. These churches also provide volunteers to cook and serve meals. COMCARE's homeless program, Center City, works closely with the overflow shelter sending outreach workers to the shelters two nights each week. Shelter staff are also in contact with Center City staff if they believe someone at the overflow shelter is experiencing a severe mental illness enabling COMCARE staff to perform assessments or provide needed services.

"This contract is a renewal from the previous winter season. The contract for the 2000-2001 season includes an additional \$750, which is a one time increase to cover the cost of replacing worn and broken cots. The contract period is for December 1, 2000 through February 28, 2001 for a total of \$8,250, with funding coming from the general fund. Would request the approval of the agreement and authorize the Chairman to sign."

### **MOTION**

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

Commissioner Gwin seconded the Motion.

**Chairman Winters** said, "I've been involved in this project of the overflow shelter and they do a good job and this is money well spent. I certainly am going to be supportive. Commissioners, any other questions or comments? Madam Clerk, call the vote."

### **VOTE**

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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, Madam Clerk."

**3. CONTRACT WITH FAMILY CONSULTATION SERVICE TO PROVIDE AN IN-HOME FAMILY THERAPIST FOR IDENTIFIED YOUTH AND THEIR FAMILIES.**

**Mr. Coffman** said, "Earlier this year, COMCARE received a grant from the local SRS office for a program named Project 275. The primary goal of Project 275 is to reduce the number of children entering state custody and foster care system and to allow children who are already in that system to be removed in a more timely manner. Project 275 will do that through intensive case management services provided by COMCARE staff. The goal is to return them to their home or some other suitable permanent placement. The grant we received would provide funding for in-home family therapy. COMCARE would like to contract with Family Consultation Services to provide that in-home family therapy. They are a community partner, they are the experts in in-home family therapy in our community and that is why we would contract with them. The in-home family therapy component was budgeted at \$34,000 and the Project 275 grant award we would like to designate that amount for the contract with Family Consultation Services to provide those services."

**Chairman Winters** said, "Thank you, Tim. This is a project that I think the Commissioners showed a great deal of interest in when we first approved it. It is one of those we'd like to have some regular updates on how this project is going to work. It is going to be a tough job, but if it does work it could significantly affect the number of children going into foster care. Commissioners, what's the will of the Board on this contract?"

**MOTION**

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

Commissioner Sciortino seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Thank you, Tim."

**Mr. Coffman** said, "Thank you and we'll be happy to provide those reports."

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

**4. NOTIFICATION OF GRANT AWARDS (THREE) FOR TITLE III OLDER AMERICAN'S ACT PROGRAM.**

**! SUSAN B. ALLEN MEMORIAL HOSPITAL - ELDORADO MEALS ON WHEELS: \$27,235**

**! PRAIRIE VIEW - DEPRESSION SCREENINGS: \$4,000**

**! WELLNESS PROFESSIONALS, LLC - HEALTH SCREENINGS: \$4,409**

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**Ms. Annette Graham**, Director, Department on Aging, greeted the Commissioners and said, "I bring before you today three notice of grant awards for the Title III Older American's Act funding. These include 13C2, which is a home delivered meals program and 23F, disease prevention and health promotion programs. The program and grant scope have been reviewed and recommended by the Central Plains Area Agency on Aging Advisory Council. These items are within the Older American's Act Title III, 2001 budget as approved by the Board of Sedgwick County Commissioners. The total amount of these three grants is \$35,645 in Title III Act funds. These are the 3C2 grant is for the Susan B. Allen Hospital Meals on Wheels program, the Prairie View depression screenings and Wellness Professional health screenings with the 3F funding. We would recommend approval of the grant and authorize the Chairman to sign."

**MOTION**

Commissioner Hancock moved to approve the notification of grant awards 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, "Thank you, Annette. Next item."

**Q. AGREEMENT WITH JUSTICE BENEFITS, INC. TO PROVIDE FEDERAL REIMBURSEMENT MAXIMIZATION SERVICES.**

**Mr. Chris Chronis**, Chief Financial Officer, greeted the Commissioners and said, "This item before you is a contract with a firm that assists us in maximizing federal reimbursements. The company has worked for us for the past year and has delivered very good results, but a question has arisen very recently about

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the method that they used to obtain those results. We'd like to make sure that we can answer that question adequately before we have you approve the contract renewal so we would ask you to defer this item indefinitely."

**MOTION**

Chairman Winters moved to defer the item indefinitely.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

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

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

**R. RECLASSIFICATIONS (TWO) AND STAFFING TABLE ADJUSTMENTS (FOUR).**

**COUNTY COUNSELOR'S OFFICE**

- 1. RECLASSIFICATION OF CHIEF ATTORNEY POSITION (TWO), RANGE 29, TO ASSISTANT COUNTY COUNSELOR, RANGE 31**

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**2. ADDITION OF ONE ATTORNEY POSITION, RANGE 25**

**Ms. Jane Moralez**, Compensation Specialist, Division of Human Resources, greeted the Commissioners and said, "I am here today to bring to you some staffing table changes for the Legal Department. We have reclassification of two Chief Attorneys from Range 29 to Assistant County Counselor, Range 31, with an effective date of November 15, 2000. Also the addition of one Attorney, Range 25, to the Legal Department staffing table. The budget impact for 2000 is \$1,470 and for 2001 is \$68,435. I recommend your approval and would be glad to answer any questions."

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

**MOTION**

Commissioner Hancock moved to approve the reclassifications and Staffing Table adjustments.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Next item. Jane, give us the rest of them and if we want to pull any of them out, we'll do that."

**TREASURER**

**3. DELETION OF ONE SECURITY OFFICER POSITION, RANGE 15, AND ADDITION OF ONE FISCAL ASSISTANT POSITION, RANGE 14**

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**SEDGWICK COUNTY PARK**

- 4. ADDITION OF BUILDING MAINTENANCE WORKER POSITIONS (TWO), RANGE 14**
- 5. TEMPORARY RECLASSIFICATION OF SENIOR MAINTENANCE WORKER POSITION, RANGE 16, TO MAINTENANCE COORDINATOR, RANGE 20**
- 6. OUT-OF-CYCLE STEP INCREASE FROM RANGE 25, STEP 6 TO STEP 8 FOR THE LAKE AFTON PARK SUPERINTENDENT**

**Ms. Moralez** said, "The next thing we have is staffing table changes for the Auto License Department, a deletion of one Security Officer, Range 15, and addition of one Fiscal Assistant, Range 14. The salary savings for 2001 will be \$6,654. This will be an effective change as of January 1, 2001.

"The third thing I have is staffing table changes to both Sedgwick County and Lark Afton Park staffing tables. An addition of two Building Maintenance Workers for the Sedgwick County Park staffing table. Then we have temporary reclassification of a Senior Maintenance Worker, Range 16, to a Maintenance Coordinator, Range 20. This is a one year temporary assignment as Assistant Park Superintendent at Lake Afton Park effective January 1, 2001. The last item is additional two step 6% increase for the Park Superintendent for Lake Afton Park. This employee will be taking on additional job responsibilities of overseeing both Lake Afton Park and Sedgwick County Park effective 1/1/2001. The total impact for the new positions is \$60,633 and the reclassification step increases budget impact is \$5,992. That's the end."

**Chairman Winters** said, "Thank you. Jane, just for clarification, when we took the first motion, you did tell us about both Item R-1 and 2 didn't you and we acted on both of those, correct?"

**Ms. Moralez** said, "Yes."

**Chairman Winters** said, "Commissioners, now we're considered R-3 through 6. Are there questions or comments?"

**MOTION**

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Commissioner Gwin moved to approve the reclassifications and staffing table adjustments.  
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 for your work on those projects, Jane. Commissioners, Chris Chronis has an Off Agenda item concerning transfer of year end highway funds."

**MOTION**

Chairman Winters moved to take an Off Agenda item.

Commissioner Hancock seconded the Motion.

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

**VOTE**

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

**OFF AGENDA ITEM**

**Mr. Chronis** said, "This item that I've put on your desk and I've given the original to the Clerk is a resolution authorizing transfer of year end funds from the Division of Highways Fund to a Special

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Equipment and Building Fund. It is routine, at year end, after the year end, when we are closing the books, to do transfers to reserve accounts. However, in the case of the highway fund there is a specific State law that requires you to take action authorizing the transfer prior to December 31. As this is your last meeting of this calendar year, if we are to do that transfer it is essential that you adopt this Resolution today.

“The Resolution that is before you simply provides the authorization to do a transfer in an amount that is yet to be determined, as I have done previously. Once we have determined whether a transfer is appropriate and how much and for what purpose, I'll be coming back to you in the month of January for specific approval of that transfer.”

**Chairman Winters** said, "Thank you, Chris. You will come back to us and tell us how much you are going to recommend transferring when the time comes?"

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

**Chairman Winters** said, "Good. Commissioners, you've heard that, what's the will of the Board?"

**MOTION**

Commissioner Hancock moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

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

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

**Regular Meeting, December 20, 2000**

**S. REPORT OF THE BOARD OF BIDS AND CONTRACTS' DECEMBER 14, 2000  
REGULAR MEETING.**

**Ms. Irene Baker**, Director, Purchasing Department, greeted the Commissioners and said, "The Board of Bids and Contracts held a regular meeting on December 14. As a result of this meeting, there are 10 items being presented today for consideration for approval.

**(1) GREYHOUND TOWERS - COMMUNICATIONS  
FUNDING: EMERGENCY COMMUNICATIONS.**

"First item, Greyhound towers for Communications. Recommend a proposal for contract from Telecom Marketing, LLC, subject to final approval of Contract by County Commission Chair.

**(2) MICRO PRINTER - FINANCE  
FUNDING: DIVISION OF FINANCE**

"Second item is a micro printer for Finance. Recommend low complete responsive proposal meeting specifications from Payformance in the amount of \$39,765.

**(3) VINYL COMPOSITION TILE INSTALLATION - JUVENILE DETENTION  
FACILITY  
FUNDING: JUVENILE DETENTION FACILITY**

"Third item, vinyl composition tile installation for Juvenile Detention Facility. Recommend low bid of Carpet One for \$8,917,80.

**(4) LASER PRINTERS - DIVISION OF INFORMATION/OPERATIONS  
FUNDING: DIO**

"Fourth item, laser printers for the Division of Information and Operations. Accept the only bid received from Xerox for \$497,920.

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**(5) AGGREGATE FOR DITCH LINING - PUBLIC WORKS**  
**FUNDING: PUBLIC WORKS**

"Fifth item, aggregate for ditch lining for Public Works. Accept the only bid received of Walker Stone Company for \$11,270.

**(6) STONE FOR RIP RAP**  
**FUNDING: PUBLIC WORKS**

"Sixth item, stone for rip rap for Public Works. Recommend the low bid of Walker Stone Company for \$13,290.

**(7) BITUMINOUS DISTRIBUTOR - PUBLIC WORKS**  
**FUNDING: PUBLIC WORKS**

"Seventh item, bituminous distributor for Public Works. Recommend accept the low bid meeting specifications of Van Kempel for \$49,691.

**(8) UPGRADE 911 PHONE SYSTEM**  
**FUNDING: EMERGENCY COMMUNICATIONS**

"Eighth item, upgrade the 911 phone system for Emergency Communications. Recommend accept the sole source bid from PRC Public Management for \$10,550.

**(9) 2001 INSURANCE RENEWALS - RISK MANAGEMENT**  
**FUNDING: RISK MANAGEMENT**

"The ninth item, 2001 insurance renewals. Recommend to accept the insurance renewals as presented in the Minutes.

**(10) BENEFITS CONSULTANT - HUMAN RESOURCES**  
**FUNDING: HUMAN RESOURCES**

"Tenth item, benefits consultant for Human Resources. Recommend the proposal for benefits consulting from Willis of Kansas, Incorporated for \$15,000.

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**ITEMS NOT REQUIRING BOCC APPROVAL**

**(1) COST ALLOCATION PLAN**  
**FUNDING: FINANCE**

"There was one item that was tabled for further review and that was the cost allocation plan for Finance."

**Chairman Winters** said, "Thank you, Iris. On that item one, you said with Telecom Marketing subject to final approval by the Board Chairman and it is actually the Board of County Commissioners, not only the Chairman. Commissioners, any other questions or comments?"

**MOTION**

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

Commissioner McGinn seconded the Motion.

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

**VOTE**

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

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

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**CONSENT AGENDA**

**T. CONSENT AGENDA.**

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

- a. Seven Temporary Construction Easements on Sedgwick County Big Slough Drainage Project.
- b. One Easement for Right-of-Way on Sedgwick County Project No. 831-AA, BB, CC; CIP #R-243. Districts #2 and #5.

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

- c. Road Number 592-35, Owner: Cheryl E. Engen, located in the Northeast Quarter of Section 14, Township 25 South, Range 2 East, more specifically located on the west side of 143rd Street East and south of 109th Street North. Lincoln Township. District #1.
- d. Road Number 592-35, Owner: Cheryl E. Engen, located in the Northeast Quarter of Section 14, Township 25 South, Range 2 East, more specifically located on the west side of 143rd Street East and south of 109th Street North. Lincoln Township. District #1.
- e. Road Number 783-U, Owners: Kerry Edison and Robin Edison, located in the Southwest Quarter of Section 17, Township 28 South, Range 3 West, more specifically located on the east side of 295th Street West and north of 47th Street South. Afton Township. District #4.
- f. Road Number 23-BB, Owner: John E. Dugan Family Partnership L.P., located in the Northeast Quarter of Section 23, Township 29 South, Range 1 West, more specifically located on the west side of West Street and south of 95th Street South. Ohio Township. District #3.

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**2. Floodway Reserve Easements.**

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

- a. Owner: Sara Deeanna Struthers, located in the Northeast Quarter of Section 35, Township 28 South, Range 2 West, more specifically located on the west side of 135th Street West and south of 63rd Street South. Illinois Township. District #3.
- b. Owners: Gregg A. Girrens and Diana Girrens, located in the Southwest Quarter of Section 5, Township 28 South, Range 2 West, more specifically located on the east side of 199th Street West and north of 31st Street South. Illinois Township. District #3.
- c. Owners: Donald A. Stolz and Jamie R. Stolz, located in the Southwest Quarter of Section 31, Township 29 South, Range 4 West, more specifically located on the east side of 407th Street West and south of 111th Street South. Erie Township. District #3.
- d. Owners: John E. Dugan Family Partnership L.P., located in the Northwest Quarter of Section 23, Township 29 South, Range 1 West, more specifically located on the east side of Hoover Road and south of 95th Street South. Ohio Township. District #3.

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

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V2091	\$212.00	5	Barbara Adams
V20129	\$437.00	2	Kenneth Norton
V20130	\$140.00		Keith Showell

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V20131	\$600.00		Ross Boucher
V20136	\$312.00	4	Kenneth Steffens
V20137	\$177.00		Daryl E. Martin

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

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V99075	\$500.00	\$287.00
V2051	\$325.00	\$141.00
V2016	\$414.00	\$450.00
V20197	\$211.00	\$405.00

- 5. Recommendation that Kansas Board of Tax Appeals approve a bankruptcy settlement of delinquent personal property taxes of Venture Stores, Inc., pursuant to K.S.A. 79-1703(b).**
- 6. Recommendation that Kansas Board of Tax Appeals approve a bankruptcy settlement of delinquent real property taxes of Dorothy R. Henry, pursuant to K.S.A. 79-1703(b).**
- 7. Order dated December 6, 2000 to correct tax roll for change of assessment.**
- 8. Payroll Check Register of December 8, 2000.**
- 9. General Bills Check Register of December 8, 2000.**
- 10. Budget Adjustment Requests.**

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

**MOTION**

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Commissioner Gwin moved to approve the Consent Agenda as presented.

Commissioner Hancock seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Is there any other business to come before this Board? Mr. Euson, any other business you know of? The Regular Meeting is adjourned."

**U. OTHER**

**V. ADJOURNMENT**

**Regular Meeting, December 20, 2000**

There being no other business to come before the Board, the Meeting was adjourned at 11:55 a.m.

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

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**CAROLYN McGINN**, Chair  
Fourth District

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**BEN SCIORTINO**, Chairman Pro Tem  
Fifth District

---

**BETSY GWIN**, Commissioner  
First District

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**TIM R. NORTON**, Commissioner  
Second District

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

ATTEST:

**Regular Meeting, December 20, 2000**

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**Don Brace**, County Clerk

APPROVED:

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, 2001