

**MEETING OF THE BOARD OF COUNTY COMMISSIONERS  
SITTING AS THE GOVERNING BODY OF SEWER DISTRICT**

**REGULAR MEETING**

**DECEMBER 6, 2000**

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, Sitting as the governing body of the Sewer District, was called to order at 9:54 a.m., Wednesday, December 6, 2000 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters, with the following present: Commissioner Betsy Gwin; Commissioner Bill Hancock; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. David C. Spears, P.E., Director, Bureau of Public Works; Mr. Paul Taylor, P.E., Director, Sewer Operations and Maintenance and Lisa Davis, Deputy County Clerk.

**ROLL CALL**

The Clerk reported that Commissioner McGinn was absent.

**CONSIDERATION OF MINUTES:        **Regular Meeting, November 15, 2000.****

The Clerk reported that all Commissioners were present at the Regular Meeting of November 15, 2000.

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

**MOTION**

Commissioner Gwin moved to approve the Minutes of the Regular Meeting of November 15, 2000.

Commissioner Hancock seconded the Motion.

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

**Regular Meeting, Sewer District, December 6, 2000**

**VOTE**

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

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

**NEW BUSINESS**

- A. REAL ESTATE PURCHASE CONTRACT WITH LEE BANKS AND CARLENE BANKS TO PURCHASE 40 ACRES OF LAND ADJACENT TO THE FOUR MILE CREEK WASTEWATER TREATMENT PLANT. DISTRICT #5.**

**POWERPOINT PRESENTATION**

**Mr. Paul Taylor**, P.E., Director, Sewer Operations and Maintenance, Public Works, greeted the Commissioners and said, "This item does deal with a real estate purchase contract with Lee Banks and Carlene Banks to purchase 40 acres of land adjacent to the Four Mile Creek Wastewater Treatment Plant. On the screen there, you have one of the vicinity slides showing where the plant is located. It is one mile south of Kellogg and at the Butler/Sedgwick County line in the far east, really just outside of Wichita at the east city limit and the County line area.

"This is a closer up view, an aerial photo of the plant location. Current plant is right there and then we own this land up here. There is a total of 80 acres in that area. I notice on this slide the development that has or will take place around the plant. Of course the yellow lines indicating lot lines."

**Chairman Winters** said, "Paul, all of those lot lines are properties that have been platted and those may not be developed now but they certainly will be in the future?"

**Mr. Taylor** said, "Correct, yes."

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

## Regular Meeting, Sewer District, December 6, 2000

**Mr. Taylor** said, "While we bring this to you today, really as land needed to apply sludge to, it also has a great benefit to us as a buffer area. If you notice, we have a lot of buffer already around the creek over here. It is a heavily wooded area that provides good buffer. There is good buffer down in this area due to the creek. This remaining piece of land here that we propose to purchase, 40 acres that we are discussing today, would really almost complete the buffer around the plant. But the primary purpose today, what brings us forward, is the need to have the land for sludge application. Like other sewer plants of this type, we do have sludge that the most common method is to land apply the sludge. We do that to the 60 acres immediately north of the sewer plant now but there is not sufficient land there to comply with the regulations. We need to obtain additional land to do that and that is the proposed 40 acres area there circled in blue that we would recommend to you. K.D.H.E. stated in their letter to us that they strongly urge the County to acquire additional acreage on which to spread sludge.

"I'll show you some pictures of the land itself. The pictures I'll show you are the 40 acres in the blue area. This is standing at the front door of the sewer plant looking kind of southwesterly because where the sun was that day. Harry Street there. Our driveway is right here in front and Harry Street is in the middle of the picture and the land is just beyond Harry Street there. Notice the heavy wooded area along the creek on the south and west side of the land. Another picture of the land, this time standing at the southeast corner of the tract of land looking generally north toward the sewer plant, the building there in the background. The land is basically relatively flat and has been pasture land. Again, the southeast corner of the land looking northwesterly, again the trees there along the tributary to Four Mile Creek.

"I show you this picture because this really says a lot about why this piece of land is valuable to us. This is how we apply the sludge. The man there that operates the machine is better than six foot tall. You can see the machine dwarfs him. This machine really gets up to rolling at a good speed. It is going along at a grand 20 miles per hour. It does not road real fast. So land that is half a mile, a mile, two, three, four miles away, is not as valuable to us as land that is close to us.

"Safety is another thing. Another view of this same machine. That thing is 11 foot wide. It fills an entire lane and then some sometimes to get it down the road. You have to weave it in and out of the road a little bit like you would a big piece of farm machinery dodging bridge piers, traffic signs and other things and ensuring that you don't get across the center line and hit another vehicle. It is a large machine to get down the road. It has a \$5,000 set of tires on the machine. If we road it very much, it wears those tires very quickly. The machine, while it will road, it is harder on the transmission itself. It is really meant for agricultural purposes, to be driven on land.

### **Regular Meeting, Sewer District, December 6, 2000**

"The gross weight of the machine, when it is loaded, is 56,000 pounds. Obviously dwarfs cars. The value of the machine, if we went to buy a new one today is about \$180,000. As it turned out, that is about the same price as the land that we propose to purchase. I hated to come with the numbers so close together, it looks funny, but that is what the vendor quoted us for a new machine is \$180,000. I think I'd sum up the piece of land in question by saying location, location, location. It is very valuable to us, location-wise.

"The land in blue is actually 40.42 acres. The asking price is \$4,500 per acre, total of \$181,890. We did try to buy or really prior to me, Jim and others, tried to buy this piece of land several years ago but were outbid. The land has become even more valuable to us now. Denver Bland, our right-of-way agent, is in the audience today. He did do some price comparisons for us for other land in eastern Sedgwick County. I think the price of this land is very favorable. We checked with Susan Erlenwein as far as environment. She is fine with this, environmentally. Because of the discussions that are going on with the City of Wichita right now, about their sewer system and ours, we inquired of them would they use or want this piece of land if they were operating the sewer plant. David Warren stated in his letter that the City believes it is prudent for the County to acquire this additional land. Indeed, if you think about their new treatment plant Number 3 and their current plant, Number 2, they've got a lot of buffer land around, too.

"Funds are available in the Sewer Improvement Fund to purchase this. We recommend that you approve the Contract and authorize the Chairman to sign. I'll be happy to try and answer any questions I can. Jim and David have been here a lot longer and can answer questions too."

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

**Commissioner Gwin** said, "Thank you, Mr. Chairman. Paul, the closest neighbor to this parcel is a property just to the east and just across 159th Street. My only, I'm going to support the purchase of the land because I think it is important to the continued operation of that plant. My only advice to you would be, those folks live in Butler County, and we should continue to be good neighbors to them in this process as we have been to the folks who live near the north part, where we've been distributing sludge already. Keep those folks in mind and try to be a good neighbor to them too, okay?"

**Mr. Taylor** said, "Okay."

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

**Chairman Winters** said, "Thank you. I have one question for David Spears, the County Engineer.

### **Regular Meeting, Sewer District, December 6, 2000**

David, I know you've been very involved in this and I know that you've had the results of the price comparisons and looking at the price of property that we would need to pay. In your estimation, from what you've seen and what your staff has reported to you, you're comfortable that this asking price is a fair price?"

**Mr. David Spears**, P.E., Director, Public Works, said, "Yes, I visited with our staff. We have 12 comparables which I sent to you also that Denver Bland provided those, they were from the Roger Turner Company of some appraisals he had done. All of them were greater than \$4,500, a lot of them were like \$10,000 per acre. Most of them were inside this Four Mile Creek benefit district. We feel like this is a favorable price for this property."

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

**Commissioner Sciortino** said, "Thank you, Mr. Chairman. Paul, we're no longer going to use that 60 acres to the north for placing sludge on?"

**Mr. Taylor** said, "No, we will continue to use that. I apologize for not clarifying that. We need additional land though, to spread out what we need to apply to the land."

**Commissioner Sciortino** said, "So, land can continuously use sludge and it biodegrades and whatever."

**Mr. Taylor** said, "It is really like fertilizer."

**Commissioner Sciortino** said, "It isn't like a landfill that there is only a finite period of time that you can use it and then it is filled up and you can't use it any more."

**Mr. Taylor** said, "This is like fertilizing it. We don't want to put too much on. That is why we need additional land to spread it out more but we can and will go back to the other land. We just need to let it have a rest."

**Commissioner Sciortino** said, "I didn't know if that was something that, in the future, we'd need additional land, well, we may, that is something in the future. But this land is continually being used, it is just that we need more land because there are more people hooking up to our sewer system, I assume."

**Mr. Taylor** said, "That is part of it yes. Basically we don't want to apply too much nitrogen to that land."

**Regular Meeting, Sewer District, December 6, 2000**

Some nitrogen is good. Some fertilizer is good on land."

**Commissioner Sciortino** said, "Will it blow up if we do or what? What happens if we apply too much nitrogen to the land?"

**Mr. Taylor** said, "If there is excess that is not used by the plant life, it can wash off into the creek or be carried by rainfall down into the ground water and cause nitrate contamination."

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

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

**MOTION**

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

Commissioner Hancock seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Paul, thank you for your work on this. Jim, thank you. Denver, thank you for your work on this purchase. I think we made a good purchase here. Is there any other business to come before the Board setting as the governing body of the Sewer District? Seeing none, the meeting is adjourned."

**B. OTHER**

**Regular Meeting, Sewer District, December 6, 2000**

**C. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 10:05 a.m.

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

---

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

---

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

---

**BETSY GWIN**, Commissioner,  
First District

---

**BILL HANCOCK**, Commissioner,  
Second District

---

**BEN SCIORTINO**, Commissioner  
Fifth District

ATTEST:

---

**James Alford**, County Clerk

APPROVED:

---

, 2001