

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

JUNE 6, 2001

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., on Wednesday, June 6, 2001 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Vice Chair Ben Sciortino; with the following present: Commissioner Betsy Gwin; Commissioner Tim R. Norton; Commissioner Thomas G. Winters; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Gerald C. Frantz, County Appraiser; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Ms. Jane Morales, Compensation Specialist, Division of Human Resources; Mr. Bob Lamkey, Director, Division of Public Safety; Dr. Luella Sanders, Director, Homeless Program, COMCARE; Mr. John Nath, Director, Kansas Coliseum; Mr. Randy Duncan, Director, Emergency Management; Dr. Charles Magruder MD, MPH, Director of Community Health; Mr. Mark R. Borst, P.E., Traffic Engineer, Public Works Department; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

GUESTS

Mr. Bud Zinn, Volunteer.
Mr. Gary L. Wiley, Member, Sedgwick County Board of Zoning Appeals.
Mr. Dale E. Maltbie, Member, Board of Mechanical Examiners and Appeals.
Mr. Rodger Eaton, Member, Board of Plumbing Examiners and Appeals.
Mr. Rodney Ketzner, Member, Board of Plumbing Examiners and Appeals.
Mr. Russ Ewy, Agent for Applicant, Baughman Company.

INVOCATION

The invocation was led by Mr. Pete Morris of the Christian Businessmen's Committee.

FLAG SALUTE

ROLL CALL

The Clerk reported, after calling roll, that Chair McGinn was absent.

CONSIDERATION OF MINUTES: **Regular Meeting, May 9, 2001**

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The Clerk reported that all Commissioners were present at the Regular Meeting of May 9, 2001.

MOTION

Commissioner Winters moved to approve the Minutes of the Regular Meeting of May 9, 2001.

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Vice Chair Sciortino said, "Call the next item please."

COMMUNITY ENRICHMENT AWARD

A. PRESENTATION OF COMMUNITY ENRICHMENT AWARD TO BUD AND DORIS ZINN.

Vice Chair Sciortino said, "I'm very honored that we're going to be able to award this item to two people in Derby, Kansas, Ron, who likes to be called Bud, and Doris Zinn. Mr. & Mrs. Zinn have been Derby residents since 1974. They have three children, seven grandchildren, three great grandchildren, so I am hard pressed to figure out how they have time to do any volunteering. For the past 25 years they have volunteered for the American Red Cross and there are many Red Cross officials, here in the audience, to honor them as is Dee Williams from the Senior Center in Derby.

"Bud actually provides transportation for seniors to medical appointments they have or any other need for transportation and Doris does a lot of work in clerical and computer work. I've been

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thinking of having her come up and teach me how to run the machine that is on my desk. They're both volunteers at the V.A. Hospital in Wichita. Bud drives the big bus and they both transport veterans groups to special activities within the community. Bud is a World War II Veteran. This is just a side, but in August of 1945, there was an event in the harbor in Tokyo, where the Battleship Missouri was, and there was the peace signing. Bud was a coxswain that actually transported Admiral Byrd to that peace signing and was actually present when that document got signed in the harbor. I think that is something that needed to be said.

“Both Doris and Bud had a United Methodist Community that distributes commodity foods to Derby residents. They distribute it at Madison Avenue United Methodist Church, the Brookridge Plaza and Lake Front Senior Apartments. For 3 ½ years, Bud has driven for the United Methodist Urban Ministries Second Mile Program and Doris has served as a dispatcher and they also provide transportation, as I said, to Derby senior citizens at the center. They are very active in the Methodist Church. They are stewards in the church. They are members of the choir. They are just general, all around individuals who have decided that it is right and proper to give back to a community that has been very good to them. So, without further adieu, I'd like to present this Sedgwick County Enrichment Award to both of you and congratulate you very much. Thank you.”

Mr. Bud Zinn, Volunteer, said, “I'll just say it is a pleasure to be here. Doris and I are somewhat overwhelmed by this recognition because all along our reward is helping other people. It has been a joy to volunteer for the Red Cross and participate in the Veterans Administration and Derby community and our church. I'd like to introduce the representatives here from Red Cross. We have Melissa Crawford, Director of Transportation. We have Judy Smith, Director of Blood Service Volunteers. We have Dee Williams, as Director of the Derby Senior Center that we coordinate with and Lois Wohlhannon is Mid-Chapter Director of all volunteers. This young lady I just met this morning, I'd rather imagine she is public relations at Red Cross. Thank you very much, Commissioner, and all the people who have shown appreciation.”

Commissioner Sciortino said, "Call the next item.”

APPOINTMENTS

B. APPOINTING RESOLUTIONS (14).

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1. RESOLUTION APPOINTING GERALD C. FRANTZ AS COUNTY APPRAISER FOR SEDGWICK COUNTY FOR AN ADDITIONAL TERM OF FOUR YEARS COMMENCING JULY 1, 2001 AND EXPIRING JUNE 30, 2005.

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, "This occurs once every four years when the requirement of the Kansas statutes for the Board of County Commissioners to appoint a County Appraiser, for a four year term, beginning on July 1st. We have prepared a resolution to reappoint Gerald Frantz to that position and I recommend it for your approval."

Vice Chair Sciortino said, "We've heard the Resolution, what's the will of the Board? One of the Commissioners wishes to speak. Commissioner Winters."

Commissioner Winters said, "Thank you. I'm certainly going to be supportive of this Resolution and I see that Jerry is here this morning and a number of his staff. They probably came to see what we were going to do with this Resolution. I want to take just a couple of minutes to say some good words about the appraisal process in Sedgwick County. I think a lot of good things have happened over the years. Jerry has certainly been a leader in that process but there are a lot of people in that department who are doing a lot of very good work. One of the things, and I don't know necessarily about some of the individuals who are here, but when Jerry first came to Sedgwick County one of the things that the Commissioners specifically talked to him about was continuing education and training in the department and how important that was to have people who are qualified and well trained. Jerry has done that to the maximum and he's done it with the help of a lot of people in the department. We appreciate all of those people in the department who have taken additional classes and training to become certified in their profession. So, there are a lot of good back-up staff in that department and I think Jerry has been a strong leader. I'm certainly going to be supportive of us passing this Resolution today."

Vice Chair Sciortino said, "I'd like to add, too, just recently Commissioner Norton and Chair McGinn and myself had occasion to take a class which Jerry was actually the instructor at to give us the experience and the requirements to be able to sit on the H.O.P.S. panel. I found him to be very patient and understanding with individuals that, when they're going back to school after so many

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years, sometimes their brain is like molasses and he took the time to repeat over and over and over again until it finally sunk into our heads. I concur with Commissioner Winters and we're happy and lucky to have Jerry onboard. If he is an example of the type of leadership we have at Sedgwick County, then the citizens definitely are in good hands. What is the will of the Board on this Resolution?"

MOTION

Commissioner Winters 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 Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Commissioner Gwin said, "Congratulations, Gerald."

Vice Chair Sciortino said, "Would you like to say something, Jerry? I was hoping we could slide by, but I guess we can't. Set the timer on him."

Mr. Gerald Frantz, County Appraiser, said, "Thank you, you're very kind. I'm very grateful for your support in giving me four more years. I don't want to sound like Richard Nixon here. I'm very grateful for your support. I've been very blessed to have been here and to be able to serve the taxpayers of Sedgwick County over the last nearly seven years. I've also been very blessed to have the support of this Board of County Commissioners and the support of the folks within the County

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structure, the County Manager, Bill Buchanan and members of his staff, Kathy Sexton, in the DIO group and the sort of things that we've been getting from those folks, as far as data processing support. The County Counselor's Office with Rich Euson, Human Resources Department, which we have been in a constant working relationship, also the opportunity to work with very dedicated public servants like Bill Meeks, the Register of Deeds, Don Brace, who's the County Clerk, Jan Kennedy, our Treasurer. I have been absolutely truly blessed.

"One thing that you mention, I think, that probably is the greatest blessing that I've been able to enjoy is the opportunity to work with a group of people in the Appraiser's Office. I've been in the business for 27 years and I've never worked with a group of more dedicated professionals in any business, certainly in this business, than my staff. I'm particularly blessed to have Mike Borchard and Rita Rippee as my two deputies. Moving to Sedgwick County and Wichita, Kansas has certainly been the best thing that has ever happened to me and I want to thank you all and I want to thank my staff and I want to thank everybody here for four more years. I hope we all do better than Richard Nixon."

Commissioner Gwin said, "Would the representatives of the staff from the Appraiser's Office stand up and let the folks see who you are. Thank you for taking your time and the hard work that you all do. Thank you, Gerald. Thank you all."

Vice Chair Sciortino said, "Next item please."

2. RESOLUTION REAPPOINTING GARY L. WILEY (COMMISSIONER NORTON'S APPOINTMENT) TO THE SEDGWICK COUNTY BOARD OF ZONING APPEALS.

Mr. Euson said, "Commissioners, we prepared this Resolution of reappoint for a term to expire in April of 2004. The Resolution is in proper form."

Commissioner Norton said, "I think Gary is here today. I've known Gary for many, many years. He was already an appointment by Bill Hancock, but I believe he will carry on as a great addition to that Zoning Appeals Board."

MOTION

Commissioner Norton moved to adopt the Resolution.

Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Commissioner Sciortino said, "Mr. Wiley, would you please come up and have the County Clerk swear you in."

Mr. Don Brace, County Clerk, said, "I'll administer the oath.

"I, Gary L. Wiley, do solemnly swear or affirm that I will support the Constitution of the State of Kansas and faithfully discharge the duties of the Office of Zoning Appeals Board, so help me God."

Mr. Gary Wiley said, "I do."

Mr. Brace said, "Congratulations."

Mr. Wiley said, "Commissioners, I would like to say it is nice to sit on the other side of the table, occasionally. I do appreciate the reappointment and will do you a good job. I would like to say, also, that working with the Planning Department and your Code Enforcement Office is making our job quite easy."

Vice Chair Sciortino said, "Thanks, Mr. Wiley. Next item."

3. RESOLUTION REAPPOINTING DAVID E SPROUL, RANDALL R. COONROD AND GREGORY F. WILHITE (COMMISSION APPOINTMENTS) TO THE BOARD OF BUILDING EXAMINERS AND APPEALS.

Mr. Euson said, "Commissioners, these resolutions are all for terms of three years and they're all in proper form and can all be taken in one action."

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MOTION

Commissioner Gwin moved to adopt the Resolutions.

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Vice Chair Sciortino said, "I don't know if any of these individuals are in the audience. I don't see anybody, so I guess we'll have to get them sworn in at a different time. Next item please."

4. RESOLUTIONS (TWO) REAPPOINTING ROBERT G. BOLIING, MONTE T. VINER AND ERNEST E. NELSON (COMMISSION APPOINTMENTS) TO THE BOARD OF ELECTRICAL EXAMINERS AND APPEALS.

Mr. Euson said, "Commissioners, these are also three year appointments and the Resolutions are proper before you."

Vice Chair Sciortino said, "What's the will of the Board please?"

MOTION

Commissioner Norton moved to adopt the Resolutions.

Commissioner Winters seconded the Motion.

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

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VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Vice Chair Sciortino said, "Are any of these individuals here to be sworn in this morning. Okay. We're making your job easy for you, Don. Next item please."

5. RESOLUTIONS (THREE) REAPPOINTING RON LOVE, DALE E. MALTBIE, AND GEORGE FAHNESTOCK (COMMISSION APPOINTMENTS) TO THE BOARD OF MECHANICAL EXAMINERS AND APPEALS.

Mr. Euson said, "Commissioners, these Resolutions of reappointment are also in proper form. These are also three year terms. I would recommend you approve the Resolutions."

MOTION

Commissioner Winters moved to adopt the Resolutions.

Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Vice Chair Sciortino said, "Mr. Maltbie, if you'd come up please I'll have the County Clerk Don

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Brace swear you in. I believe he is the only one here from that group.”

Mr. Brace said, “Raise your right hand please.

“I, Dale E. Maltbie, do solemnly swear or affirm that I will support the Constitution of the United States and the Constitution of the State of Kansas and faithfully discharge the duties of the Office of Board of Mechanical Examiners and Appeals, so help me God.”

Mr. Dale Maltbie, Member, Board of Mechanical Examiners, said, “I will.”

Mr. Brace said, “Congratulations.”

Mr. Maltbie said, “Commissioners, thank you very much. It is always an honor to serve the County and to help out whenever we can. Thank you.”

Vice Chair Sciortino said, "Thank you. Next item please."

6. RESOLUTIONS (THREE) REAPPOINTING RODGER EATON, KEITH BREWER AND RODNEY KETZNER (COMMISSION APPOINTMENTS) TO THE BOARD OF PLUMBING EXAMINERS AND APPEALS.

Mr. Euson said, "Commissioners, these Resolutions for this board are also three year terms. They are in proper form and I would recommend you adopt them.”

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Winters seconded the Motion.

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

VOTE

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Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Vice Chair Sciortino said, "Are any of these individuals in the audience to be sworn in?"

Mr. Brace said, "Raise your right hand.

"I do solemnly swear or affirm that I will support the Constitution of the United States and the Constitution of the State of Kansas and faithfully discharge the duties of the Office of Board of Plumbing Examiners and Appeals, so help me God."

Mr. Rodger Eaton and Rodney Ketzner, Members, Board of Plumbing Examiners, said, "I do."

Mr. Brace said, "Congratulations."

Mr. Ketzner said, "Commissioners, I appreciate it.

Mr. Eaton said, "Thank you for your support."

Commissioner Winters said, "We appreciate your help."

MOTION

Commissioner Gwin moved to take an Off Agenda item for an appointment.

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
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Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

OFF AGENDA ITEM

Mr. Euson said, "Commissioners, we've prepared a Resolution. After determining that the former Clerk has moved out of the township and is no longer eligible to serve in this capacity, the Resolution would appoint Paula Jabara for the expiration of that term and I'd recommend you adopt the Resolution."

Commissioner Gwin said, "Just clarification on the item we have. It does say it is Commissioner Gwin's appointment, but Commissioner Sciortino and I both share Minneha Township so it is a recommendation that the two of us bring to the Board."

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Commissioner Gwin said, "Ms. Jabara would you please come to the podium. Did Mr. Brace leave? Mr. Euson, rather than keep Ms. Jabara if she wants to be sworn in in public, if it is possible, could she go down to Mr. Brace's office? Is he coming back? Does he have the appropriate paperwork? Don, we surprised you with an Off Agenda appointment. Do you have the

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appropriate paperwork to swear in Ms. Jabara as the Minneha Township Clerk?"

Mr. Brace said, "We can do it now.

"I do solemnly swear or affirm that I will support the Constitution of the United States and the Constitution of the State of Kansas and faithfully discharge the duties of the Office of Minneha Township Clerk, so help me God."

Ms. Paula Jabara said, "I do."

Mr. Brace said, "Congratulations."

Ms. Jabara said, "Thank you. I do appreciate this opportunity. It is a first for me so I look forward to it."

Commissioner Gwin said, "We look forward to your participation and working with you and the rest of the Township Board. Thank you, Paula, for your willingness to serve."

Commissioner Winters said, "Mr. Chairman, we do have another Off Agenda item. Do you want to take that now or do it later?"

Vice Chair Sciortino said, "Sure, let's do it now."

MOTION

Commissioner Winters moved to take an Off Agenda item regarding our C & D landfill permit.

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye

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Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

OFF AGENDA ITEM

Mr. Bob Parnacott, County Counselor's Office, greeted the Commissioners and said, "This is a technical correction to an application regarding a C & D landfill. The C & D landfill had come to the Board, back in January, for a zoning change. At that time we were operating under the procedure where the Director of Environmental Resources signed the certification for the State application that it was consistent with the Solid Waste Management Plan. KDHE (Kansas Department of Health and Environment) has now informed us that it is not the appropriate procedure. That the BOCC has to approve the consistency with the Solid Waste Management Plan. So we're just asking you to make a motion to find that the C & D landfill is consistent with the Solid Waste Management Plan and approve for the Chair to sign the certification."

Commissioner Winters said, "Is the proper name of the applicant C & D Recyclers of Kansas, Inc.?"

Mr. Parnacott said, "Yes, they faxed over a front sheet of the application and that is how they are listed as the applicant. Say it one more time."

Commissioner Winters said, "C & D Recyclers of Kansas, Inc."

Mr. Parnacott said, "Yes, that's what they've got on their State application."

Commissioner Winters said, "That is the one up there on . . ."

Mr. Parnacott said, "That is the Ritchie landfill up by the transfer station."

MOTION

Commissioner Gwin moved that the Board find that the proposed construction and demolition landfill filed by the applicant, C & D Recyclers of Kansas, Inc., is consistent with Sedgwick County Solid Waste Management Plan and authorize the Chair to sign a certificate.

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Vice Chair Sciortino said, "Next item please."

PLANNING AGENDA

C. METROPOLITAN AREA PLANNING DEPARTMENT (MAPD).

- 1. CASE NUMBER ZON2001-00014 – ZONE CHANGE FROM “SF-20” SINGLE-FAMILY RESIDENTIAL TO “LC” LIMITED COMMERCIAL AND “OW” OFFICE WAREHOUSE, LOCATED NORTH OF PAWNEE APPROXIMATELY 1/8 MILE EAST OF WEBB ROAD.**

Mr. Marvin Krout, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, "I have a pair of contractor storage yards for you this morning. I don't know if they always come in pairs, but they are this morning. The first one is out there at the northeast corner of Pawnee and Webb Road. In fact, there is a contractor storage facility that was approved by the County Board of Zoning Appeals about 12 years ago for inside storage as part of an agricultural tract. They had permission to do that. This owner of this property, this is a 600 foot typical corner

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that was zoned many years ago. To the north of this property, which is partially zoned Limited Commercial and partly has a special permit for the County maintenance yard, which is located right here. The property owner owns two 60 feet to the east of that commercial line, so the first thing they wanted to do was to expand the commercial to the property line another 60 feet for LC zoning.

They also want to take about a $\frac{3}{4}$ acre corner here and rezone it to Office Warehouse in order to relocate this facility over to here and have some inside and some outside storage for residential contracting that a developer who largely is in this southeast part of the County with the work that he does.

“The Planning staff had no problem with the Limited Commercial zoning but we did have a problem with the Office Warehouse for the contractor storage yard. It has to do with what is the long range future of this area. I think the applicant’s argument was and it is not a bad one, is that there is sort of a big contractor storage yard to the north of this facility, the County’s maintenance facility. So, tucking this facility back and adjacent to that facility would seem to be an okay arrangement and it would sort of be hidden from view, at least from the streets of Pawnee and Webb and allow those frontages to develop for commercial uses. This is an area that is pretty rapidly developing.

“We understood that argument but we said what is the future of the County’s maintenance yard. We know that, in the past, as in areas that have been developing, the County has relocated maintenance facilities away from developing areas so that those tracts would develop with some other types of uses. We thought that, in the long range, that the future of this tract was at least in part and maybe all Residential use. The applicant argues that we don’t know if or when this maintenance yard is actually going to move and if it does it might change into a use that is similar to the existing use. It might be a commercial use of some kind or industrial use versus a residential use.

“We didn’t think we were going to win out that argument with the Planning Commission, so we developed some suggested conditions of approval, basically, that would buffer the eastern segment of this tract from the construction traffic and from the use itself, so that this area could develop in the future at least to the west which is a separate ownership, to Residential use. So the Planning Commission had a hearing. There was no one in opposition. We did get a call or two but there was no one that came in opposition at the Planning Commission hearing and the Planning Commission looked at our recommendation, modified them somewhat. The applicant agreed to those conditions which were suggested in the Protective Overlay that you have which basically creates a landscape

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buffer of about 20 feet with some trees and a fence for the drive that would be here and in between the storage use and the property line up where the storage facility would be.

“The Planning Commission recommended approval of the rezoning to Office Warehouse with the Protective Overlay by a ten to two vote. There were no written protests that were filed after the Planning Commission hearing, so it just takes a three out of four vote of the County Commissioners today in order to approve this.

POWERPOINT PRESENTATION

Mr. Krout said, “This is a little bit out of date slide, but there is development that has occurred over in this sector. This is a pretty rapidly developing area. This is the corner that we’re talking about, the northeast corner, the drive that would come up to the area that would have a building and have an equivalent amount of outside storage. You’re allowed to have as much outside storage as you have indoor storage in an Office Warehouse district. This is looking at the site. You can see the activity, the salt dome of the County’s maintenance facility to the north of this tract. This is looking to the northeast, toward the area to the east that is a separate ownership. I think the property line is about here that we’re talking about. This is looking across Pawnee, the property still undeveloped to the south and then to the southwest there is a residential subdivision. Now to the northwest across Webb Road there is another subdivision that is developing and that is another view of it.

“I’ll try to answer any questions that you have. The applicant’s agent is also here this morning if you have questions.”

Commissioner Sciortino said, "Commissioners, any questions of Marvin or the agent?"

Commissioner Norton said, "I have one. How long has the County yard been there?"

Mr. Krout said, “Dave can probably answer that question better than I can.”

Mr. David Spears, Director, Public Works, greeted the Commissioners and said, "I can't give you an exact date. I know it was here in '82 when I came to the County. So it has been there at least 20 years and probably many years prior to that.”

Commissioner Norton said, "What is the prognostication of it staying in that area as it gets in filled around it? Are you anticipating that will move in the next five years, ten years?"

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Mr. Spears said, "We've had a lot of discussion about that. Since I've been here, we've had four yards relocated. The Andale yard was relocated, the Clearwater yard was relocated to Clonmel, the north yard was relocated over by Jabara Airport, because the dog track came in there. The west yard, which was at McArthur and the floodway was relocated out to West Street and 47th. It was relocated because a lot of residential housing came in and it was a pressure type deal that moved us out of there. This could be a similar case here, although and now with what I see with this, would probably help us stay there. But I would say, from my experience, if you get residential development around a yard I think, at some point, we would get pressure to move to another location because people and residents simply do not like an activity such as ours in their area."

Commissioner Norton said, "The other question is, is this in your district, Betsy, or Ben's?"

Commissioner Sciortino said, "It is in my district."

Commissioner Norton said, "Is there likelihood that the east portion there is going to be developed into residential? Do we have a feeling for that?"

Commissioner Sciortino said, "I haven't heard anything. Nothing has come across my desk indicating that, but that area is developing very rapidly and I would think sometime in the future there may be some residential development."

Commissioner Norton said, "That's all I had. Thank you."

Commissioner Sciortino said, "Commissioner Winters."

Commissioner Winters said, "Thank you. Marvin, could you take your pointer and just specifically outline where the zoning request is today that we're listening to."

Mr. Krout said, "Sure. It is this sort of panhandle piece of property. Actually, the request is to extend LC zoning 60 feet from the southern end and then rezone this area, which is Single-Family and Light Commercial, to Office Warehouse."

Commissioner Winters said, "So, the applicant is planning on constructing one or two storage-type buildings?"

Mr. Krout said, "One building and open storage, about 8,000 square foot building and about an equivalent amount of outside storage."

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Commissioner Winters said, "And the staff and the Planning Commission have talked about some kind of buffer on the eastern boundary of that line?"

Mr. Krout said, "Right. That the entrance road for that traffic would be set back 20 feet with an area of landscaping and the solid screening fence along that side."

Commissioner Winters said, "So it doesn't appear to me that this is going to be a high intensity industrial-type of activity. I would think surely that to the east of there something, residential development could continue to the east of there, wouldn't you think so?"

Mr. Krout said, "Probably. I think the buffer is intended to try to make it more possible."

Commissioner Winters said, "Regarding our Sedgwick County yard there, I think economics are what is going to affect that more than houses developing around it. Someday the real estate there, the ground, is going to be too valuable to park trucks on and mowers. It is going to be even more valuable to us to be someplace else, in less expensive real estate, and I'm not sure whether that is going to be five years from now, two years or ten years. I think in ten years it is going to be pretty valuable real estate and it is going to be too valuable to have a rock pile on."

Mr. Krout said, "You could argue also that this contractor may look at his property in the same way, five or ten years from now, just like he is relocating from Webb Road today, he may end up relocating again and deciding that that piece of property is worth more for some other commercial use."

Commissioner Winters said, "That's true. Thank you, Mr. Chair. That's all I have."

Commissioner Sciortino said, "We'll allow the developers to entice us to move."

Commissioner Winters said, "We could be enticed. I could anyway."

Commissioner Sciortino said, "Commissioner Gwin."

Commissioner Gwin said, "Thank you. In reading in the background material, I think if you look at the shape of the piece of that property that we're being asked to rezone, with the exception of that east 60 feet, the property is already zoned LC. So, I don't see this as making a huge change to what is already there and available. I agree with Commissioner Winters that economics may very well change the make-up of what the land use is in the future, but for today's use, I certainly don't think

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this is a big change, the expansion of the LC use and I don't have a problem with the OW, so I can certainly support this. Thank you, Mr. Vice Chair."

Commissioner Sciortino said, "I'll also say, and I don't know how it is in your districts, but I would assume it is similar. Had there been any citizen concerns, I would be getting phone calls on it and I received no phone calls in protest of it whatsoever. So, I am also going to be supportive of it. Before we vote on this issue, any other questions of Marvin? Thank you very much, Marvin. Even though this isn't a public hearing, it is our tradition to allow any citizen that make wish to speak to the subject to please come forward. If you'd state your name and address for the record."

Mr. Russ Ewy, Baughman Company, said, "I'm the agent for the applicant. Just to concur with what Marvin has stated, I think this is a zoning case that we were able to come to a pretty good compromise, as far as our client's needs as well as the protection of the residential property to the east. Our office, about eight years ago, had designed a subdivision for this property to the east. Actually, at that time, owned by our applicant on this commercial tract. The developer is a residential contractor. His interest lies in building these homes that we talk about surrounding both the County yard, as well as this site here. Obviously, he has an interest in keeping his business to the point where it is not going to impact his business. It is a small scale operation. There is no heavy equipment associated with this Office Warehouse use. Pickup truck traffic would be minimal. We're looking at a very low intensive use, I think, on this tract. I think Marvin made a great closing point in that the economics of Office Warehouse probably at some point will switch over to where commercial use of that property would be more appropriate. I think, with the conditions that you defined in the Protective Overlay that the staff worked with us on, I think everybody's needs have been met. I'd be more than happy to answer any questions."

Vice Chair Sciortino said, "Commissioners, any questions of the agent? Hearing none, what's the will of the Board? Excuse me, let me ask once again for the record. Is there anyone else in the audience who would like to speak to this item? Okay, what's the will of the Board?""

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MOTION

Commissioner Winters moved to adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change subject to the condition of platting and subject to the recommended conditions; adopt the Resolution and authorize the Chair to sign; and instruct the MAPD to withhold publication until the plat has been recorded with the Register of Deeds.

Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Commissioner Sciortino said, "Next item please."

- 2. CASE NUMBER ZON2001-00017 – REQUEST FOR ZONE CHANGE FROM ‘RR’ RURAL RESIDENTIAL TO ‘OW’ OFFICE WAREHOUSE, LOCATED SOUTH OF 53RD STREET NORTH AND WEST OF TYLER ROAD.**

POWERPOINT PRESENTATION

Mr. Krout said, "Commissioners, this is the other contractor's facility. It is in District 4 and it's located east of Maize Road. You can see one of the newer subdivisions in Maize. The sewer treatment plant is up here. This would be Maize Road and this is Maize and 53rd Street and the Interchange of K-96 and 53rd and Maize Road. This is a five acre lot that's on the south size of 53rd

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Street. It is about a third of a mile from Tyler Road and about two thirds of a mile from Maize Road. The area is all Rural Residential. We consulted with the Maize Comprehensive Plan and Maize, in their plan, has no intention shown of having any urban development here or extending sewer services, at this time, although there was discussion at the Planning Commission that I'll touch on in a minute.

“The request is for an Office Warehouse district on the five acre tract. In order for the applicant to move his facility, which is now operated out of his home in the Colwich area, to this location which he thinks will be accessible because of the K-96 highway and a better location for the use in the future. The Planning Department, again in this case, could not recommend approval. We just did see either in the County Comprehensive Plan or in the Maize Comprehensive Plan that this fit in. We're basically asking Maize to do some planning for this area, which I guess they did. They talked about it quite a bit. The idea is that this doesn't have services. It is, in kind of a piece meal way, breaking the development pattern. What you see is that there have been some large lot developments that have occurred. There are two single family homes that were built on large lots out there.

“The two brothers did come to the Planning Commission and testified in opposition to this request as being out of character and suggesting that a better location for a commercial industrial area might be to the west of Maize Road down 53rd Street where you have Coleman and some other Industrial zoning actually and services are being extended out in that direction.

“The applicant though indicated that he would have a limited operation. He indicated that he didn't intend to have any outside storage, although that is not a condition that has been proposed. This would allow limited outside storage but it would have to be screened in accordance with the Unified Zoning Code but he didn't think it would be an obtrusive use. The Maize Planning Commission, when they grappled with that area, felt that if they were to plan this area again they would suggest that this mile of 53rd Street could develop for commercial uses with residential uses behind it. So, this contractor's storage use would be consistent with that kind of philosophy, although they said it wouldn't necessarily be as deep as this lot is proposed to be zoning, but then the city administrator of Maize explained that the property really drops off about halfway back and so probably only about the front half of that lot would actually be used for the contractor's use.

“The Planning Commission had their hearing. As I said, there was opposition but the Planning Commission voted and their vote was ten to three to recommend approval. Basically, it was based on the fact that he said he would be keeping everything inside, that inside or outside property would have to be screened and also based on the unanimous recommendation of the Maize Planning Commission. Those property owners across the street did not file written protests after the Planning Commission hearing and so it just takes a simple majority in this case to approve the request.

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“This is an aerial photograph to give you a better idea about this property and its location. There are, as the applicant pointed out, sand and gravel operations further to the east on 53rd Street. There is a nonconforming industrial use that’s located down here at 45th and Tyler. This is the tract. There are a couple of existing buildings that you can see. This old barn, I’m not sure if they are planning to keep it or not but I think that their plan is to keep this building and to tear this building down, which that’s a 1901 barn. It is 100 years old and a nice landmark for the community. Maybe we can talk them out of it.

“This is looking west down 53rd Street. You can see the overpass of K-96 in the background. Across the street, this is one of the homeowners who has a manufactured home and said he was planning to build a more expensive home in the next year on that property. I think this is his brother’s home. A little closer to the street. That is looking north and east, 53rd Street towards Tyler Road in the background. Again, looking east down Tyler Road. This is the south side of the property and the property in question is right here. There is another house about another 600 or 800 feet down the road. This is looking at the south, the property that’s to the east and this is the property in question. That barn again. I’ll try to answer any questions that you have on this case.”

Commissioner Sciortino said, "Commissioners, any questions of Marvin? Is there anyone here in the audience who would like to speak to this item, please? Seeing none, Commissioner Winters."

Commissioner Winters said, "Marvin, I guess I’m pretty interested in what the Maize Planning Commission has done. I remember, a few years ago, that we made some zone changes just outside their area of zoning influence and they were pretty upset with us after we had done that, along 53rd Street. There was some comment that they really wanted to think about 53rd Street in a different way. The Maize Planning Commission was unanimous in their recommendation to allow approval of this?"

Mr. Krout said, “Yes, they were. It probably reflects maybe a different complexion, different members on the Planning Commission.”

Commissioner Winters said, "Okay, thank you. Thank you, Mr. Chair."

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Commissioner Sciortino said, "Any further questions of Marvin? Hearing none, what's the will of the Board?"

MOTION

Commissioner Gwin moved to adopt the findings of fact of the MAPC and approve the zone change subject to the condition of platting within one year; adopt the Resolution and authorize the Chair to sign; and instruct the MAPD to withhold publication of the Resolution until the plat has been recorded with the Register of Deeds.

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Commissioner Sciortino said, "Next item please."

DEFERRED ITEM

D. WAIVER OF POLICY TO GRANT A TEMPORARY STEP INCREASE FOR ADMINISTRATIVE ASSISTANT AT OLD COWTOWN MUSEUM.

Ms. Jane Moralez, Compensation Specialist, Division of Human Resources, greeted the Commissioners and said, "I'm here today to request approval for a waiver of policy to grant a temporary step increase to the Administrative Assistant at Old Cowtown Museum. Since January 1 of this year, this employee has taken on additional job responsibilities in areas of development and budget planning for both County and corporate budgets. The term for this temporary increase is from March of this year until a Director of Development is appointed later this summer. I'll be happy to answer any questions."

Commissioner Sciortino said, "Thank you, Jane. Any questions for Jane on this item?"

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Commissioner Norton said, "I think this is the one that the Chair asked us to defer on and I think she is okay on everything."

Commissioner Sciortino said, "Yes, I talked to her this morning and she was very comfortable with what she heard and she is in support of this item."

MOTION

Commissioner Gwin moved to approve the policy waiver.

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Commissioner Sciortino said, "Next item please."

NEW BUSINESS

E. SELECTION OF ONE VOTING DELEGATE AND ONE FIRST ALTERNATE FOR SEDGWICK COUNTY AT THE NATIONAL ASSOCIATION OF COUNTIES ANNUAL MEETING.

Commissioner Winters said, "Mr. Chair, I would like to make a few comments on this item. I

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believe that the National Association of Counties is holding their annual meeting in Philadelphia on July 13th through 17th of 2001. I believe that Chair McGinn and myself are the only Commissioners who will be attending that annual meeting. Chair McGinn and myself both serve on a national committee, the Environmental Energy and Land Use Steering Committee, which does make recommendations to the National Board of the National Association of Counties. So, Chair McGinn and myself both plan on attending this conference. We need to have a voting delegate and an alternate.”

MOTION

Commissioner Winters moved that Chair McGinn be the voting delegate and that Commissioner Winters would be the alternate.

Commissioner Norton seconded the Motion.

Vice Chair Sciortino said, "Before we vote on that, I think this just goes to prove that if you're absent from a meeting you're going to be picked to serve. I think it serves her right that she was absent. I suppose I'll be supporting this motion also. Any further comment on this item? Hearing none, Madam Clerk, call the roll.”

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Vice Chair Sciortino said, "Next item please."

F. AGREEMENT WITH WESLEY HELENA, M.D. TO PROVIDE SERVICES AS MEDICAL DIRECTOR OF SEDGWICK COUNTY EMERGENCY MEDICAL SERVICES SYSTEM.

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Mr. Bob Lamkey, Director, Division of Public Safety, greeted the Commissioners and said, "As you may recall, you provided funding in the 911 County Fire Department and EMS 2001 budgets to establish a medical advisory system in which each of the components of our pre-hospital care system has a dedicated physician with an overall system director. The intent of such a team of advisors is to provide increased physician involvement without overtaxing a single doctor and to create a more comprehensive quality assurance and improvement program from the time a 911 call is received until a patient is delivered to a medical care facility. Establishing a multi-physician medical advisory program was recommended by Dr. Ernie McClellan, our former EMS advisor who left us after 25 years, last year and has the support of the Medical Society.

"The program structure and guidelines were developed last year by a team from 911, EMS, Wichita Fire and Sedgwick County Fire. Doctor Wesley Helena was selected as system director from a pool of interested physicians by a panel representing those service agencies. Dr. Helena is a Board Certified Anesthesiologist on the K.U. Med School faculty and is a former Sedgwick County EMS paramedic. He's been voluntarily serving as system director since January. I think it is time to formalize his role. I recommend you approve the agreement and authorize the Chair to sign."

Vice Chair Sciortino said, "Any questions of Bob? What's the will of the Board on this item please?"

MOTION

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

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Vice Chair Sciortino said, "Next item please."

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G. CONTRACT WITH HUNTER HEALTH CLINIC, INC. FOR COMPREHENSIVE COMMUNITY CARE TO PROVIDE MENTAL HEALTH SERVICES TO HOMELESS PATIENTS.

Dr. Luella Sanders, Director, Homeless Program, COMCARE, greeted the Commissioners and said, "Hunter Health Clinic is a licensed community health center. Hunter receives Department of Health and Human Services Healthcare For The Homeless grant funds. As the lead agency, Hunter in that grant, previously has contracted with COMCARE to provide psychological services for homeless persons. The contract partially funds one full-time senior psychiatric social worker and one half-time clerical position at COMCARE's homeless program.

"The services provided as a result of this annually renewed contract include assessments for psychiatric disabilities, the development of mental health treatment plans and individual and group therapy emphasizing recovery and reintegration into the community. This collaboration provides \$45,639 in federal funds to maintain the previously described existing positions at COMCARE's homeless program. The contract under consideration was reviewed and approved by the County Legal Department. We're requesting that you approve the contract and authorize the Chair to sign."

Vice Chair Sciortino said, "Thank you. Any questions? What's the will of the Board on this item please?"

MOTION

Commissioner Winters moved to approve the Contract and authorize the Chair to sign.

Commissioner Gwin seconded the Motion.

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

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VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Vice Chair Sciortino said, "Next item."

H. AGREEMENT WITH THE MARTENS COMPANIES TO DEVELOP A CAPITALIZATION RATE STUDY.

Mr. Frantz said, "In recent years David Craig and Company, out of Kansas City, has developed capitalization rate studies for Sedgwick County. In 2001 we are proposing that we keep our tax dollars local and also save some money. Previously, with David Craig Company, we spent more money than this contract would call for using the Martens Companies out of Wichita to perform the study. These studies are valuable in developing and defending appraised values. The study will include four major property types; office, retail, warehouse, light industrial and apartment buildings. This information will be used to establish January 1st, 2002 values and of course this capitalization rate study will be used for two years and then we'll go out and get another one, like we have in the past. I would ask that you approve this contract agreement."

Vice Chair Sciortino said, "Thank you, Jerry. Commissioners, any questions for Jerry on this item? What's the will of the Board please?"

MOTION

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

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
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Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Vice Chair Sciortino said, "Next item please."

I. AGREEMENT WITH HOUSE OF SCHWAN, INC. FOR ADVERTISING RIGHTS AT THE KANSAS COLISEUM.

Mr. John Nath, Director, Kansas Coliseum, greeted the Commissioners and said, "This is our standard form for advertising rights at the Coliseum. As you may remember, House of Schwan is one of our original advertisers and we're very happy to be able to renew them for an additional three-year agreement. We recommend your approval."

Vice Chair Sciortino said, "Thank you, John. Any questions for John? What's the will of the Board?"

MOTION

Commissioner Winters moved to approve the Agreement and authorize the Chair to sign.

Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Vice Chair Sciortino said, "Next item."

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J. AGREEMENT WITH UNITED WAY OF THE PLAINS, INC. TO PROVIDE COOPERATION IN DISASTER PREPAREDNESS. MITIGATION, RESPONSE AND RECOVERY.

Mr. Randy Duncan, Director, Emergency Management, greeted the Commissioners and said, "I'm pleased to be up here today to present for your consideration a Memorandum of Understanding between the United Way and ourselves to improve our ability to offer volunteer services and coordinating volunteers in times of disaster. One of the lessons that we learned in our May 3, '99 tornado is we have lots of folks who want to come out and help. We have lots of people who need help. Managing and matching those two things together requires a lot of resources. Thankfully, in executing all that, United Way of the Plains has agreed to step forward and lend their services to help us with that. They will provide an 800 telephone number that people can all in and register with and keep track of what the needs are and match those who are able to help with what the needs are.

"Now this deals, specifically, with what we refer to as emergent volunteers that are the non-structured folks like yourselves who just want to do something good when a disaster happens. Unless we have a way to manage that, it can turn into a bad deal. I hope that you will consider and accept this M.O.U. this morning and authorize the Chair to sign and execute it. Be happy to answer any questions should you have any."

Vice Chair Sciortino said, "Thank you, Randy. Any questions for Randy on this item?"

Commissioner Norton said, "Just a couple of comments, Mr. Chair. It was interesting that the first conversations of this came out of the Haysville area, we had so many volunteers that showed up and as we started to drift out of the activity center we found that we still had volunteers and they needed to be coordinated. Pat Hanrahan and the United Way stepped up and put together a volunteer coalition to have the people taken care of and a data base put together. I think, since then, the evolution of this has come to let the United Way take that over in these kinds of situations. I think it is a great step forward.

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“I know that, having read what’s happened recently in some of the other tornado areas with volunteers coming and going and people being run off and not being used properly and equipment sitting or being moved on, I think it is very appropriate that you have an outside agency that can come in and wrap around a community and take care of that. Just as a note, on the Saturday after the tornado hit in Haysville, over 3,000 volunteers came to town. There is no way that a few volunteers in the community can handle that very well. Now I applaud Haysville for doing it because they had a good mechanism. It would have been so much easier to do it if the United Way had that so that those volunteers could have done something else. I’m going to be very supportive of this.”

Vice Chair Sciortino said, "Any further comments? Randy, just in lay terms, United Way will be sort of like the clearing house. Somebody wants to volunteer they'll be notified to go to United Way and they'll let them know what their needs are and see if this volunteer could . . ."

Mr. Duncan said, “Actually, it will be pretty simple. A disaster occurs and the United Way will turn on their 1-800 phone number that we’ll publicize at that time. Say, for example, I’m a citizen sitting at home and I happen to have a piece of heavy equipment that I’d like to volunteer the use of, for example, a back-hoe or whatever, I can call up this 1-800 number and give them my name and information and what I’m able to do and then, in turn, they’ll take the information about where the needs are. For example, your house may be impacted by the disaster and you need this person with the back-hoe and they’ll make that match and get those two folks together, which is an absolutely tremendous savings of time, resources, and effort on our part, yet we still need to make sure that gets done. We’re just looking forward to this relationship with United Way ever so much.”

Vice Chair Sciortino said, "I agree. I just applaud them for stepping forward and actually volunteering to do this type of work that will help in the time of a disaster. Any further questions of this applicant? What's the will of the Board on this item?"

MOTION

Commissioner Norton moved to approve the Agreement and authorize the Chair to sign.

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Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Mr. Duncan said, "Again, thank you for your support, Commissioners."

Commissioner Norton said, "Mr. Chair, before we move on. I had a chance to attend another kind of thing with Emergency Preparedness that had to do with storm debris removal. Randy and his group had many, many outlying towns there and the City of Wichita and I think that proved that we're moving forward with preparedness for storms. If you went through last night and the last couple of days, you know we're close to having another incident and hopefully it is not in Sedgwick County. But they are going to be out there and I had a chance to attend that and they're moving forward really quickly with some emergency preparedness kinds of things. I don't know if Randy wanted to comment on that or not."

Mr. Duncan said, "I'd be happy to since you gave me that perfect lead-in. Thanks. We had the opportunity, on the 1st of June, to sponsor a training session in how to manage debris generated as a result of a storm striking the community. The Kansas Division of Emergency Management came down and supported us with the delivery of that course. I'm pleased to say that all but five of our communities were represented in that training. The end result of all this is going to be that each community within Sedgwick County will have an opportunity to identify in advance of the occurrence of a storm how they're going to handle that debris and to get a plan in place so that when the storm happens all these questions about how are we going to do this and what are we going to do, hopefully those will all be worked out in advance. Our department is supplying technical assistance to the communities and the communities have indicated they'll have their plans ready for us to look at by about the 1st of August."

Commissioner Norton said, "It's been kind of a paid political announcement but I thought it would be a good chance for Randy to kind of interject that."

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Vice Chair Sciortino said, "I learned you never give staff a lead-in or we'll be here forever."

Commissioner Norton said, "Thanks for indulging me, Mr. Chair."

Vice Chair Sciortino said, "Next item please."

K. COMMUNITY HEALTH DEPARTMENT MONTHLY REPORT.

POWEPOINT PRESENTATION

Dr. Charles Magruder, Director of Community Health, greeted the Commissioners and said, "Just to give you an idea, this is information from the month of March. These are our recent activities. Wanted to just inform you, once again, about our eighth annual Basketball Jamboree AIDS Education. Quite proud of the fact that we've gotten this accomplished eight years in a row. We've presented it at a series of meetings. This year, high school athletes throughout Sedgwick County competed in this basketball tournament. The nice thing about it is that all participants must also complete classes on HIV infection, AIDS, and also sexually transmitted diseases before they can compete in the tournament. We had over 100 people this year. Hope you have recently seen, in the news, that AIDS is still a very important issue that Health Departments need to be dealing with.

"In terms of some program information, our tuberculosis clinic remodel ribbon cutting occurred also in the month of March. We had people from Kansas Department of Health and Environment that came and helped us with this and also spoke on tuberculosis. In this photo here, you see the State Epidemiologist, Dr. Pezzino and then the Assistant Secretary, Sharon Patnod. We also had Commissioner Norton in attendance, we were very pleased with that. Also Kathy Dittmer from our Board of Health came as well as a number of other guests. It was a very nice opportunity.

"In terms of our smoke detector program, we've had over 90 smoke detectors installed over the month of March. Over 241 residence have come in to fill out applications to get this free smoke detector. We're working with the Fire Department in this activity to meet a September 31st deadline for the number that we need to get installed.

"In terms of some collaborative efforts, on Earth Day we participated in activities at Century II. We had over 1,000 grade school students attend and came to our booth area. From the Health Department perspective, we demonstrated different aspects of groundwater and why that it is important to protect and preserve. We talked about some of the basics of waste disposal, similar to the wonderful presentation that you all gave yesterday morning. We also talked about Health Department staff respond to various hazardous waste spills in the community when those occur.

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“We also participated in the Via Christi Children’s Zoo Fair. Of course, that is at the Sedgwick County Zoo. We had over 500 children come to our booth and learn about the importance of hand washing and we also distributed bars of soap. Again, this is another thing that we often take for granted but the simple act of washing your hands can be a very important aspect of decreasing the possibility of transmitting infection. Be happy to answer any questions that you might have. Also, I wanted to extend thanks for the wonderful road that exists now on 143rd between 13th and 21st. I take advantage of that very frequently and am very thankful that you have completed that.”

Vice Chair Sciortino said, "Thank you Doctor. Do we have any questions? Commissioner Winters.”

Commissioner Winters said, "I have a quick comment about the fire detector for homes. I think that is a good project. I want to just add in, not directly associated with Dr. Magruder’s group, but this past weekend I participated with the Boy Scout Troop out in the Colwich/ Andale area. I think we might consider bringing them in for one of our Community Enrichment Awards. They had one young Eagle Scout from the Andale/ Colwich area working on his Eagle badge, wanted to go through the town of Andale and make sure that every house in Andale has a smoke detector on every level. So, this Boy Scout Troop worked with Project Impact and Randy’s group from Disaster Management, worked with Safe Kids Coalition to get the alarms. They walked and talked to every homeowner, every house in Andale and are working on this project. When you stop and think about a Boy Scout Troop and a young man working on his Eagle badge can see we made sure every home in Andale has a smoke detector. I thought it was a pretty amazing project. I think we need to recognize them again. Doctor Magruder’s project is also certainly a good one and we continue to applaud you on that. Thank you.”

Vice Chair Sciortino said, "Just let me add here, in case someone is watching on television, would you expand a little bit, what is this fire detector program? Is it free? They can have a smoke detector for free? Explain a little bit about the program and maybe others might want to avail themselves of it.”

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Dr. Magruder said, "Yes, sir. This is a program established through KDHE to ensure that people have an opportunity to have smoke detectors installed in their home. Some of the unique aspects of this particular program are the fact that it is done for free and also we do not simply go to each home and hand one to the person and say 'here it is, do with it as you please'. This also involves installation of the smoke detector. Perhaps the other thing that is very important about this particular program is the fact that it has a special type of battery, I believe it is a lithium-type battery that lasts for ten years. So, people do not have to be concerned about replacing batteries every six months or every year. People can call the Health Department general number and we have staff who will take them through an application process, if they would desire to be part of this program."

Vice Chair Sciortino said, "Every household in Sedgwick County would qualify for this free smoke detector?"

Dr. Magruder said, "In general, we are attempting to concentrate in areas where there might be some difficulty in being able to acquire a smoke detector on your own, but we would entertain any possible request. Staff are available who could answer those questions and take people through an application process."

Vice Chair Sciortino said, "Why don't you share with us what the phone number would be if someone would like to call and find out a little bit more about this program."

Dr. Magruder said, "I'd have to hazard a guess on that one, 268-8341 would be one to try, but I will get an accurate number on that and we'll make that correction as necessary. As I recall, that is the correct number."

Vice Chair Sciortino said, "Okay, thank you very much. Any further questions of Dr. Magruder? Hearing none, what's the will of the Board?"

MOTION

Commissioner Winters moved to receive and file.

Commissioner Norton seconded the Motion.

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

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VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Vice Chair Sciortino said, "Next item please."

L. PUBLIC WORKS.

- 1. RESOLUTION ESTABLISHING PARKING RESTRICTIONS ON CERTAIN ROADS IN SEDGWICK COUNTY, KANSAS, AND PROVIDING FOR ENFORCEMENT THEREOF. CENTRAL BETWEEN WEBB ROAD AND 143RD STREET WEST; 13TH STREET NORTH BETWEEN WEBB ROAD AND 143RD STREET EAST; 127TH STREET EAST BETWEEN DOUGLAS AND 13TH STREET NORTH; AND 143RD STREET EAST BETWEEN US-54 AND 13TH STREET NORTH. DISTRICT #1.**

Mr. Mark Borst, P.E., Traffic Engineer, Public Works Department, greeted the Commissioners and said, "Item L-1 is a Resolution establishing parking prohibitions on four County roads. These roads are all in District 1 and they are Central and 13th Street North between 127th and 143rd Streets East and then 127th Street East between Central and 13th North and 143rd Street East between US-54 and 13th Street North. These prohibitions were requested by the local staff of the Buy.com tour Wichita Open Gold Tournament which will be held at Crestview Country Club. They wanted these to be on a temporary basis but upon our review we thought that these would be more appropriate for a permanent basis and we believe it will provide a safer environment especially on the four lane curb and gutter roads and all those eventually will be that. I would recommend that you adopt the Resolution."

Vice Chair Sciortino said, "Thank you. Any questions of Mr. Borst?"

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MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Vice Chair Sciortino said, "Next item."

2. RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A SPEED ZONE ON 127TH STREET EAST BETWEEN CENTRAL AND 13TH STREET NORTH IN SEDGWICK COUNTY, KANSAS, AND PROVIDING FOR THE ENFORCEMENT THEREOF. DISTRICT #1.

Mr. Borst said, "Commissioners, Item L-2 is a Resolution that will reduce the speed limit on 127th Street East from the statutory 55 miles per hour to 45 miles per hour between Central and 13th Street North. Residents from Crestview Country Club have requested the speed limit be reduced and then the Buy.com tour folks came in also with a similar request. We looked at that. We do have multiple entrances into both Crestview Country Club and Whitetail. They do have a lot of turning movements in and out of those. We also have Wichita city streets, both north and south of this mile of road, and the speed limit on those is 45. So, for consistency and for the safety improvements from the high turning volumes I would recommend that 45 be our speed limit. We will incorporate this into our County wide Resolution later this year but we'd like to get this on the books now so that it will be ready for the Buy.com Wichita Open. I recommend you adopt the Resolution."

Vice Chair Sciortino said, "Thank you. Any questions of Mark on this item?"

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Commissioner Gwin said, "Not question, just clarification. I did get some calls from some folks out there and Mark is right. On a segment of 127th Street, on the west side of the road, just north of Central the speed limit is 45, there is a sign that says 45. However, just across the road on the east lane at the same area of the street it is 55, so the folks out there said 'look, it needs to be one or the other'. I understand, because the city had annexed a portion of that, had they not?"

Mr. Borst said, "Actually that was right north of K-96. What they were seeing was, as you travel north, as you cross K-96 you went from 45 to 55. Straight across from that, coming south, you were going from our 55 to the city's 45, so it wasn't a conflict and they see this everywhere where a speed limit changes but we were an island of 55 between two 45s. It did cause some confusion and I think up at 13th, just south of 13th, we did not have a sign to show 55, so it did cause some confusion. This will add to the consistency and should be a better situation."

Commissioner Gwin said, "I agree. I agree, Mr. Chairman."

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Vice Chair Sciortino said, "Next item please."

3. AGREEMENT WITH THE BURLINGTON NORTHERN AND SANTA FE

Regular Meeting, June 6, 2001

**RAILWAY COMPANY (BNSF) AND SECRETARY OF
TRANSPORTATION OF THE STATE OF KANSAS REGARDING
CONSTRUCTION AND MAINTENANCE OF HIGHWAY CROSSING
SIGNALS AT 91ST STREET SOUTH AND THE BNSF TRACKS IN DERBY.
DISTRICT #5.**

Mr. David Spears, Director, Public Works, greeted the Commissioners and said, "Item L-3 is a three-party agreement between Burlington Northern and Santa Fe Railway Company, Sedgwick County, and the Kansas Department of Transportation regarding the construction and maintenance of vertical posts with lights and gates at 91st Street South and the BNSF railway tracks in Derby. Salem Township will install and maintain the advance warning signs and the railroad crossings in the State are prioritized by KDOT and selected accordingly. The total cost of the project will be \$161,843, 100% of which is federally funded. I recommend that you approve the Agreement and authorize the Chair to sign."

Vice Chair Sciortino said, "Any questions of David on this item? David, I have a question, too. As I understand it, this project had been requested for some time and it now got into the mill and got approved. I think what the residents of Derby are going to be interested in, am I right in assuming that by this time next year it should all be up and running?"

Mr. Spears said, "Yes, Mr. Borst contacted KDOT and they indicated they had talked to the railway company and within one year's time it should be completed."

Vice Chair Sciortino said, "Great. Any other comments? What's the will of the Board?"

MOTION

Vice Chair Sciortino moved to approve the Agreement and authorize the Chair to sign.

Commissioner Norton seconded the Motion.

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

VOTE

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Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Vice Chair Sciortino said, "Thank you, David. Next item please."

**M. REPORT OF THE BOARD OF BIDS AND CONTRACTS' MAY 31, 2001
REGULAR MEETING.**

Ms. Iris Baker, Director, Purchasing Department, greeted the Commissioners and said, "The Board of Bids and Contracts held a Regular Meeting on May 31, 2001. As a result of the meeting, the following items are being presented today.

**(1) EXTERIOR MAINTENANCE FACILITY PROJECT SERVICES
FUNDING: CAPITAL PROJECTS**

"Item one, exterior maintenance for Facility Project Services. The recommendation is to accept the negotiated proposal of Frederick Waterproofing for \$149,724.40.

**(2) SECURITY OFFICERS – COMCARE
FUNDING: COMCARE**

"Item two, security officers for COMCARE. Recommend the bid of W.D. Enterprise for security officers at a rate of \$11.05 per hour.

**(3) TRUANCY MEDIA CAMPAIGN – DEPARTMENT OF CORRECTIONS
FUNDING: JUVENILE JUSTICE AUTHORITY GRANT**

"Item three, truancy media campaign. Recommend the proposal of the Morris Agency for \$174,000.

**(4) CONSERVATION TREATMENT OF CIVIL WAR MONUMENT – FACILITY
PROJECT SERVICES
FUNDING: CAPITAL PROJECTS**

Regular Meeting, June 6, 2001

“Item four, conservation treatment of Civil War monument. Recommend the low proposal of Marshall Gold Leaf & Art Conservation Studios for \$62,000.

**(5) CISCO EQUIPMENT – DISTRICT COURT
FUNDING: COURT TRUSTEE**

“Item five, CISCO Equipment for the District Court. Recommend the sole quote of Southwestern Bell/SBC for \$19,500.

**(6) CISCO EQUIPMENT – DIVISION OF INFORMATION AND OPERATIONS
FUNDING: DIVISION OF INFORMATION AND OPERATIONS**

“Item six, CISCO Equipment for the Division of Information and Operations. Recommend the sole quote of Southwestern Bell/SBC for \$67,939.20. If there are no questions I recommend approval of these items as presented by the Board of Bids and Contracts.”

Vice Chair Sciortino said, "Thank you, Iris. Any questions of Iris on these items?"

Commissioner Norton said, "I just have one, Mr. Chair. On the first item, we negotiated the price after we found out that we maybe didn't have quite as much money. Would we not rebid that to give the other institute a chance to maybe look at what the reduced thing was and maybe they could come in with a better bid."

Ms. Baker said, "Looking at the scope of work that was involved and the way the bid pricing was broken out, we wouldn't have gained anything."

Commissioner Norton said, "Okay. But that was considered."

Ms. Baker aid, "That was considered."

Vice Chair Sciortino said, "Any further comments? What's the will of the Board on this item?"

MOTION

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

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Commissioner Norton seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Vice Chair Sciortino said, "Next item please."

CONSENT AGENDA

N. CONSENT AGENDA

1. Section 8 Housing Assistance Payment Contracts.

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V01082	\$189.00	2	Eagen Realty
V01093	\$587.00		Melissa Nesmith
V01094	\$314.00		J & J Rentals
V01095	\$360.00		Brookside Cottages
V01096	\$440.00	2	Chapel Ridge

2. Payroll Check Registers of May 25 and May 31, 2001.

3. General Bills Check Register of June 1, 2001.

4. Order dated May 30, 2001 to correct tax roll for change of assessment.

5. Plat.

Approved by Public Works. The County Treasurer has certified that taxes for the

Regular Meeting, June 6, 2001

year 2000 and prior have been paid for the following plat.

Schneider Addition

6. Budget Adjustment Requests.

Mr. William Buchanan, County Manager, greeted the Commissioners and said, "You have the Consent Agenda before you and I would recommend you approve it."

MOTION

Commissioner Gwin moved to approve the Consent Agenda as presented.

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Vice Chair Sciortino said, "As this time I will recess the Regular Meeting of the Board of County Commissioners."

The Board of Sedgwick County Commissioners recessed to the Fire District Meeting at 10:28 and returned at 10:41 a.m.

Vice Chair Sciortino said, "I'll call back to order the Regular County Commission Meeting. Is there any other business to come before us today?"

O. OTHER

MOTION

Regular Meeting, June 6, 2001

Commissioner Winters moved that the Board of County Commissioners recess into Executive Session for 40 minutes to consider consultation with Legal Counsel on matters privileged in the attorney/client relationship relating to pending litigation and legal action and that the Board of County Commissioners return from Executive Session no sooner than 11:20 a.m.

Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Vice Chair Ben Sciortino	Aye
Chair Carolyn McGinn	Absent

Vice Chair Sciortino said, "We're in recess."

The Board of Sedgwick County Commissioners recessed into Executive Session at 10:42 a.m. and returned at 11:32 a.m.

Let the record show that Chair McGinn joined the Commission in Executive Session at 10:43 a.m.

Vice Chair Sciortino said, "I'll call the meeting back to order. Let the record show there were no binding actions made while in Executive Session. Mr. Euson anything else? Mr. Manager? The meeting is adjourned."

P. ADJOURNMENT

Regular Meeting, June 6, 2001

There being no other business to come before the Board, the Meeting was adjourned at 11:32 a.m.

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

CAROLYN McGINN, Chair

Regular Meeting, June 6, 2001

Fourth District

BEN SCIORTINO, Chairman Pro Tem
Fifth District

BETSY GWIN, Commissioner
First District

TIM R. NORTON, Commissioner
Second District

THOMAS G. WINTERS, Commissioner
Third District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2001