

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

REGULAR MEETING

APRIL 18, 2001

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, sitting as the governing body of the Sewer District, was called to order at 11:55 A.M., on Wednesday, April 18, 2001 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chair Carolyn McGinn; with the following present: Chairman Pro Tem Ben Sciortino; Commissioner Betsy Gwin; Commissioner Tim R. Norton; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works and Ms. Lisa Davis, Deputy County Clerk.

GUESTS

Mr. Joe Norton, Bond Counsel, Gilmore & Bell, P.C.

ROLL CALL

The Clerk reported, after calling roll, that Commissioner Winters was absent.

CONSIDERATION OF MINUTES: **Regular Meeting, March 21, 2001**

The Clerk reported that Commissioner Winters was absent at the Regular Meeting of March 21, 2001.

Chair McGinn said, "Commissioners, have you had a chance to review the Minutes of the meeting, and if you have, what's the will of the Board?"

MOTION

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Commissioner Sciortino moved to approve the Minutes of the Regular Meeting of March 21, 2001.

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 | Absent |
| Commissioner Ben Sciortino | Aye |
| Chair Carolyn McGinn | Aye |

Chair McGinn said, "Next item."

NEW BUSINESS

A. STATEMENTS OF COSTS AND ASSESSMENT ROLL; ESTABLISHMENT OF A PUBLIC HEARING REGARDING PROPOSED SPECIAL ASSESSMENTS FOR CERTAIN INTERNAL IMPROVEMENT PROJECTS IN THE DISTRICTS; AND PROVISION FOR NOTICE THEREOF.

POWERPOINT PRESENTATION

Mr. Joe Norton, Bond Counsel, Gilmore & Bell, P.C., greeted the Commissioners and said, "This is a companion item to the one in the regular agenda, with respect to the various sewer district improvements projects, which have been here to for authorized and completed. The requested action is to approve the final statements of cost and assessment rolls and establish May 9th, 2001, at 9:00 a.m. for a time of public hearing to receive comments from the affected property owners and to consider an assessment resolution at that time. There are ten projects that fit this criteria that have been authorized and completed. The screen before you indicates those projects that are the subject of these assessments.

"The next two screens indicate the final statements of costs that have been prepared by the Department of Public Works in conjunction with the Finance Department with respect to the total

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cost of the projects which you are approving today.

“Again, the process, if you take appropriate action today, would be to notify these property owners of the hearing on the 9th, receive their comments, consider an appropriate resolution, levying assessments, after which they would have 30 days in which to pay the assessments to the County. If they chose not to, then the County would finance these permanently, over 15 years, as part of the County general obligation bond issue sold about August 1st, closing later that month. The assessments would be spread at the same rate the County receives on its bids for the sale of this publicly issued general obligation bonds. I’d be happy to try and address any questions you may have. Also, Jim Weber is here from the Department of Public Works.”

Chair McGinn said, “Commissioner Gwin.”

Commissioner Gwin said, “I guess the question has to do with timing or responsibility or whatever. We agreed, several weeks ago, to sell the Sewer District. We haven’t dissolved it yet? We still go ahead and assess specials?”

Mr. Norton said, “As I understand it, as part of the Contract, these are projects which are ongoing that have now been completed for which the County has interim financing out in certain cases. We need to go ahead and finish this process, levy the assessments. We also have a number of bonds and assessments that are currently outstanding from prior years. I think, until all those are wrapped up and taken care of, the Sewer District may still remain in existence, in a de facto basis, until this is wound down.”

Commissioner Gwin said, “All right. Just wanted to get clarification on that. Thank you. Thank you, Madam Chair.”

Chair McGinn said, "Commissioners, are there any other questions? If not, what's the will of the Board?"

MOTION

Commissioner Gwin moved to approve statements of Costs, Assessment Roll and Notices of

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Public Hearing; establish May 9, 2001 at 9:00 A.M. as the date and time for public hearing; and authorize a notice of such public hearing to be published and mailed as required by law.

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 | Absent |
| Commissioner Ben Sciortino | Aye |
| Chair Carolyn McGinn | Aye |

Mr. William Buchanan, County Manager, said, "It is important to note what Joe Norton has just said and maybe it will clarify it. The Sewer District will stay in existence, as long as the bonds are out. This is a 15 year deal, so at some point, your fourth or fifth term, you can dissolve it."

Commissioner Gwin said, "So, all we've ceased to do are the operations, is that correct?"

Mr. Richard Euson, County Counselor, said, "We just sold the assets and liabilities is all we did, at a given date."

Commissioner Gwin said, "Thank you."

Commissioner Sciortino said, "That and we dramatically reduced the outstanding assessments."

Chair McGinn said, "Next item."

CONSENT AGENDA

B. CONSENT AGENDA.

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Right-of-Way Easements.

One Easement for Sanitary Sewer and one Temporary Construction Easement for Sedgwick County Project – Brookhaven Sanitary Sewer – Phase Two. District #1.

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

MOTION

Commissioner Sciortino moved to approve the Consent Agenda as presented.

Commissioner Gwin 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 | Absent |
| Commissioner Ben Sciortino | Aye |
| Chair Carolyn McGinn | Aye |

Chair McGinn said, "Is there other business to come before this Board? If not, we're adjourned."

C. OTHER

D. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 11:59 a.m.

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

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CAROLYN McGINN, Chair
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