

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

September 11, 2002

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, September 11, 2002 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Ben Sciortino; with the following present: Chair Pro Tem Betsy Gwin; Commissioner Tim R. Norton; Commissioner Thomas G. Winters; Commissioner Carolyn McGinn; Mr. William P. Buchanan, County Manager; Ms. Jennifer Magana, Assistant County Counselor; Mr. Jack Kegley, Department Director, Emergency Management; Mr. Ken Elliott, Developmental Specialist, Division of Community Development; Mr. Dale Miller, Chief Planner, Metropolitan Area Planning Department; Ms. Irene Hart, Director Division of Community Development; Mr. John Nath, Director, Kansas Coliseum; Ms. Annette Graham, Director, Department on Aging; Sergeant Terrilee Jones, Sheriff's 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

Ms. Dorothy Bell, Member, Regent Randolph Loving Chapter of Daughters of the American Revolution.

Mr. Pat Hanrahan, President, United Way of the Plains.

Mr. Steve Nikkel, Plant Manager, Vulcan Chemical.

King David Davis, Wichita, Ks.

Mr. Lyle Lance, Sedgwick, Ks.

Ms. Andrea Sisco, Oaklawn Improvement District.

INVOCATION

The Invocation was led by Reverend Edwina Pote, Chaplain, Sedgwick County Fire Department.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, August 14, 2002

Regular Meeting, September 11, 2002

The Clerk reported that all Commissioners were present at the Regular Meeting of August 14, 2002.

Chairman Sciortino said, “Commissioners, I believe you’ve had a chance to review the Minutes of the Regular Meeting of August 14th. What’s the will of this Board?”

MOTION

Commissioner Gwin moved to approve the Minutes of the Regular Meeting of August 14, 2002.

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
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, “Next item please.”

PROCLAMATIONS

A. PROCLAMATIONS.

1. PROCLAMATION DECLARING SEPTEMBER 11-17, 2002 AS “CONSTITUTION WEEK.”

Chairman Sciortino said, “Okay, the first proclamation I have is declaring September 11th through 17th of this year Constitution Week and I’ll read into the record the proclamation. It state:

Regular Meeting, September 11, 2002

PROCLAMATION

WHEREAS, our Founding Fathers, in order to secure the blessings of liberty for themselves and their posterity, did ordain and establish a Constitution for the United States of America; and

WHEREAS, it is of the greatest importance that all citizens fully understand the provisions and principles contained in the Constitution in order to support it, preserve it, and defend it against encroachment; and

WHEREAS, the anniversary of the signing of the Constitution provides a historic opportunity for all Americans to learn about and recall achievements of our Founders and to reflect on the rights and privileges of citizenship, as well as its attendant responsibilities; and

WHEREAS, our independence should be celebrated each year as designated by the President of this great country, in accordance with Public Law 915, designating September 11-17, 2002 as Constitution Week.

NOW THEREFORE BE IT RESOLVED, that I, Ben Sciortino, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim September 11-17, 2002 as

“CONSTITUTION WEEK”

in Sedgwick County and ask our citizens to reaffirm the ideals of the Framers of the Constitution by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.”

MOTION

Commissioner Gwin moved to adopt the Proclamation and authorize the Chairman to sign.

Commissioner Norton seconded the Motion.

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

VOTE

Regular Meeting, September 11, 2002

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, "I believe we have representatives of the Daughters of the American Revolution to accept the proclamation."

Ms. Dorothy Bell, Daughter of the American Revolution, Regent Randolph Loving Chapter of DAR, greeted the Commissioners and said, "I thank you very much in the name of the National Society of the Daughters of the American Revolution. I have two other daughters with us today and we thank you."

Chairman Sciortino said, "Please recognize who they are please."

Ms. Bell said, "Yes, would you both stand up. We have Wanda Glassburner, Kathryn Copland. We're so happy to have you. Thank you, sir."

Chairman Sciortino said, "Thank you both for coming today. And Commissioner Winters, you had something."

Commissioner Winters said, "Yes, just a very brief comment. Every year, the Daughters of the American Revolution bring us this proclamation and it couldn't have been on a more fitting day this year than to do this proclamation on September 11th. And again, we do this annually but today it just stands out as more important than ever. So, thank you all."

Chairman Sciortino said, "And thank you for your organization because you won't let us forget how important this Constitution is to all of us. Thank you."

Next item please, Madam Clerk."

2. PROCLAMATION DECLARING SEPTEMBER 9-13, 2002 AS "DISASTER PREPAREDNESS WEEK."

Regular Meeting, September 11, 2002

Chairman Sciortino said, “For the record I’ll read this proclamation. It states:

PROCLAMATION

WHEREAS, preparing for disasters, either natural or man-made and the ability to respond to help citizens to be a priority of Sedgwick County Government; and

WHEREAS, the threat of disasters is a national problem, and Sedgwick County will continue to experience local emergencies as a result of severe weather or other tragic incidents; and

WHEREAS, Sedgwick County’s 24/ 7 Ready to Respond Team is made up of trained emergency professionals, prepared to deal with emergency situations that may impact our community- anytime, anywhere; and

WHEREAS, helping citizens prepare for disasters so they are ‘Ready to Respond’ is a critical component of any community response plan, as being prepared is the best prevention in an emergency.

NOW THEREFORE BE IT RESOLVED, that I, Ben Sciortino, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim September 9-13, 2002 as

“DISASTER PREPAREDNESS WEEK”

in Sedgwick County, and urge all residents to take the appropriate steps to be “Ready to Respond” to any emergency.”

MOTION

Commissioner Winters moved to adopt the Proclamation and authorize the Chairman to sign.

Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner Betsy Gwin Aye

Regular Meeting, September 11, 2002

Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, "Thank you. And I believe Mr. Kegley from Emergency Management Preparedness Team is here with us this morning."

Mr. Jack Kegley, Deputy Director, Emergency Management, greeted the Commissioners and said, "We thank you for signing this proclamation. We continually try to get citizenry to prepare themselves for disaster and something like this just helps us that much more. We can talk about this when we go out and talk to people in different areas, whether it be in homes, whether it be businesses, schools, churches and we do go into each one of those areas and talk to people and we try to help them identify the places that they need to use in their home for protection for different types of hazards. And then of course we put out a lot of literature. There's a slick that went out in the paper that addresses preparedness and we hope that everybody in the community got one of these papers today. I know there was one laying in my yard when I walked out and we hope that everybody got one of them and they will refer to that slick and take that information and use it to the best of their ability.

Again, thank you for the proclamation and we appreciate all the support that you give us."

Chairman Sciortino said, "But you can't leave yet because we're going to have some comments and questions. But I do want to congratulate you all for putting this out. And if you haven't read your paper yet and if you don't get the paper, as I understand it, in Wednesday's free drop to all the citizens where you get your ads and what have you, coupons for the grocery stores, it will be in that also. But this really, clearly and very succinctly, let's you know how to be prepared for any emergency. It isn't just now the threat of terrorism, but there's a lot of emergencies that we have to be prepared for daily. And I think you'll find some very good information in it. Commissioner Gwin."

Commissioner Gwin said, "Just real quickly, if for some reason folks didn't receive this, is there a way they can contact you or a place they can pick them up if they need one or want an extra one?"

Mr. Kegley said, "Yes, ma'am. We do have a supply of those in our office and they can call us at 383-7546 and we'll be able to provide those to them."

Commissioner Gwin said, "Thank you."

Regular Meeting, September 11, 2002

Chairman Sciortino said, "Great, thank you Jack. Commissioner McGinn."

Commissioner McGinn said, "Also, sometimes we put some of this stuff on our website. Is it on there, Kristi? It will be. Okay, thank you."

Chairman Sciortino said, "And as I understand it, we're going to have a bulk package of this to all the senior centers and any group that would like to hand it out to their people, all they have to do is call. Give us the number one more time."

Mr. Kegley said, "It's 383-7546."

Chairman Sciortino said, "If you have any groups, any of you out there listening to us, that would like to distribute this to your members feel free to call that number and we'll get a supply out to you. Thank you, Jack very much. Next item please."

3. PROCLAMATION DECLARING SEPTEMBER 11, 2002 AS "DAY OF REMEMBRANCE IN SEDGWICK COUNTY."

Chairman Sciortino said, "I'll read this proclamation into the record. It says here:

PROCLAMATION

WHEREAS, one year ago on September 11, our nation was suddenly and brutally attacked by terrorists; and

WHEREAS, this day will forever be etched in our minds and hearts, reminding us of the horrific acts of violence against our great nation; and

WHEREAS, on this date, we should stand together, with spirits joined in our communities, remembering the victims and their families, as this tragedy has changed their lives forever; and

WHEREAS, we should never forget the courageous acts of the men and women who responded to help, and recognize those public safety professionals in our community who serve everyday to help and protect us; and

WHEREAS, the incidents of September 11th will weigh on our hearts and minds forever, not only for the victims, but also for the attack against our nation.

Regular Meeting, September 11, 2002

NOW, THEREFORE BE IT RESOLVED, that I, Ben Sciortino, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim September 11, 2002 as

“DAY OF REMEMBRANCE IN SEDGWICK COUNTY”

and encourage the citizens of Sedgwick County to hold the victims and their families in their thoughts and prayers, and to proudly display our patriotism as a symbol of strength and unity.”

MOTION

Commissioner Gwin moved to adopt the Proclamation and authorize the Chairman to sign.

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
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, “And I believe Pat Hanrahan at the United Way is here to accept the proclamation.”

Mr. Pat Hanran, President, United Way of the Plains, said, “Thank you, Mr. Chairman and thank you for being at our 7:30 program this morning and Commissioners for being there as well. I’d like to take advantage of the opportunity to tell the people who are listening here today that we have a program this evening at Century II at 7 p.m. The Friends University choir will be singing, as well as the Sweet Adeline’s and we have a very special guest, Renee Nolan, who lost her husband at the World Trade Center a year ago. She’s a native of Wichita and has moved back home and she has a very moving comment to make. So, that’s at 7:00 tonight at Century II and we invite everyone

Regular Meeting, September 11, 2002

listening that would like to come, it's free of charge and we'd like to have you there.

If I could take one other minute, while I have the advantage of the podium, and that is to thank you all as Commissioners and County Manager Buchanan on behalf of all the staff. As a member of this community and as part of an agency that's very much in the community, I'm as guilty as many I think that if there's something that I want to complain about, I'll pick up the phone and call quickly but I can't think of a more appropriate day to thank you for taking the time to run for office and for the public servants who work in this building for all that you do for us in this community as a part of our country. We complain quickly, we don't often say thank you enough. And so I'm just going to take advantage, on behalf of the community, to say thank you very much. We appreciate it."

Chairman Sciortino said, "And Pat, first of all, I do want to say that we were very honored to be part of that service that we had this morning that you put on. When those bagpipes started playing "Taps", I got to tell you, I had a lump in my throat. I mean, I thought it was very well done. I think Ms. Nolan's presence there really brought home what we were there for. And on the other thing that you mentioned about, being remiss in not congratulating us, feel free to stop by every week if you wish and do that. We'll be happy to accept your congratulations any time you want to do that."

Mr. Hanrahan said, "And let me also thank the County. This morning's program could not have happened without the cooperation of the County Fire Department and EMS and the Office of Emergency Preparedness, so thank you all."

Chairman Sciortino said, "I thought the two hook and ladders, the City of Wichita and Sedgwick County joining and that's where the big flag hung. That was very touching. Very nice."

Mr. Hanrahan said, "Very moving, yes."

Commissioner Gwin said, "And I specifically want to thank you for recognizing those public safety folks too. Each organization, the representatives of those organizations, it's important to tell them thank you a lot."

Mr. Hanrahan said, "It's part of what I was just saying. We don't say thank you enough and they're there 24 hours a day, seven days a week and our lives are better because of it. Thank you."

Commissioner Gwin said, "They certainly are. Thank you again, Pat."

Chairman Sciortino said, "Well, you know there was an article in the paper, like I think it was the opinion line, somebody from out of town said that when he comes into town, if he ever sees a fireman at a restaurant that he's at, he'll just walk over and pick up the tab. I mean, that's kind of

Regular Meeting, September 11, 2002

neat. So, seriously, if you see a public servant, like a fireman or a policeman or EMS person today, maybe take the effort just to walk over, smile, shake their hand and say thanks. I think they'd really appreciate that.

Okay, next item please.”

APPOINTMENTS

B. APPOINTING RESOLUTIONS.

- 1. RESOLUTION REAPPOINTING DR. PAUL CROMWELL (AT LARGE APPOINTMENT) TO THE COMMUNITY CORRECTIONS ADVISORY BOARD.**

Ms. Jennifer Magana, Assistant County Counselor, greeted the Commissioners and said, “You have before you a resolution appointing Paul Cromwell. Recommend approval.”

MOTION

Commissioner Norton moved to adopt the Resolution.

Commissioner Winters seconded the Motion.

Commissioner Winters said, “Mr. Chairman, I’ve not worked with Dr. Cromwell on Community Corrections Advisory Board but have been involved with him on a number of Juvenile Justice issues and he is certainly a great asset on any of the boards that he can help us with. So, I think we have a good appointee here.”

Chairman Sciortino said, “Okay and as I understand it, Dr. Cromwell is not present with us today to accept the award. So we have a Motion and a Second. Clerk, call the roll.”

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, “Next item please.”

Regular Meeting, September 11, 2002

2. RESOLUTION REAPPOINTING BRUCE KOUBA (AT LARGE APPOINTMENT) TO THE COMMUNITY CORRECTIONS ADVISORY BOARD.

Ms. Magana said, "Commissioners, you have before you the resolution appointing Bruce Kouba. I would recommend that you adopt the resolution and authorize the Chairman to sign."

Chairman Sciortino said, "Thank you."

MOTION

Commissioner Norton moved to adopt the Resolution.

Commissioner Gwin seconded the Motion.

Commissioner Gwin said, "Just real quickly, as Commissioner Winters said, Bruce has served us, on this board, for a number of years. Has been a very worthwhile and valuable proponent of the community corrections system here in Sedgwick County. So it will be a pleasure to have him back on . . . staying on that board."

Chairman Sciortino said, "Thank you. Clerk, call the roll."

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, "Thank you. And also, just like the previous one, I don't think he's present. So he can get sworn at a later date. Clerk, call the next item please."

Regular Meeting, September 11, 2002

CITIZEN INQUIRY

C. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING SPECIAL ACKNOWLEDGEMENT OF HONORABLE MEMBERS OF THE GOVERNING BODY AND RESPONSIBILITIES THEREOF.

King David Davis, Wichita, greeted the Commissioners and said, "I would beseech the Commission for the extra minute and a half."

Chairman Sciortino said, "Sir, just for our record, if you would give us your name and your address please."

King Davis said, "I live in Wichita."

Chairman Sciortino said, "Do you have an address in Wichita?"

King Davis said, "Yes, I do. I don't have the . . . It's at Seneca and Irving. I just moved there."

Chairman Sciortino said, "Okay, that's fine."

King Davis said, "Could I have the extra minute and a half I need, sir?"

Chairman Sciortino said, "You'll need an extra minute and a half? Is that fine with the Board? Fine, you can have the extra minute and a half."

King Davis said, "Greetings, Commissioners. It is a great day and the beginning of a new era. My name is King David Davis. Today is the official beginning of an organization to be known as Citizens for Justice, whose membership for joining is having been stung by the sting of injustice. What a better way to turn a negative into a positive than to give those who have suffered an opportunity to make an honorable difference.

I believe we have some wonderful opportunities ahead of us, as we find ways to take what others meant for harm and turn it into something good. Today is a day of tears and I want to pay my respects. God says it is better to dwell in a house of suffering than in a house of gladness, for it is in suffering that we become one with one another.

Regular Meeting, September 11, 2002

Today is a special day, a beautiful day of opportunity. Let us, as a people, take what others meant for harm and personal gain at the expense to the innocent and, through wisdom and noble intent, turn into triumph and much rejoicing.

For all things are possible through those who trust in God. Therefore, let us as a people, a community, a nation, a mini-nation put our faith back into a God who can deliver, protect, provide for us in ways we cannot even imagine.

As we look for the silver lining that is served through every pain, the ability to say thank you, I appreciate that, is there anything else I can do to help to someone you know wants to hurt you is a great reward unto itself and a serious blow to your opponent.

For some of us, it's a way of survival, while keeping ourselves on the right side of the law, and in my opinion, a sign of greatness, a human treasure, a resource of great wealth that we already have right at our very own fingertips.

I envision a government, a community whose prosperity is not only measured in dollars and cents, but also by its people and their wisdom, nobility of character, honor, love for truth, faith in God and commitment to honorable justice and the high respect they bestow on one another.

Speaking of respect, I would like to start my acknowledgements with a few thank yous. I want to thank the God of our nation for the greatest wealth known to mankind, his gift of life through his son, Jesus Christ and the wisdom that springs forth from His word that can guide us victoriously through impossible odds and all the wonderful opportunities to turn negatives into positives.

I want to thank the Wichita Eagle newspaper for being there day in and day out and all the interesting information you provide for us daily.

Oh yes, before I forget, I want to thank you for the compliment and the unspoken acknowledgement, making me the unofficial underdog in the mayor's race of 2003 and that's a thank you from the bottom of my heart.

I would like to thank Judge Burgess for having set in motion a cycle of events that's going to make Wichita a much more wonderful place to live. I want to thank Tom Winters a few weeks ago for having the courage to stand on the side of the citizen and for the rest of our Commissioners' full support. Let's not forget Commissioner Tom Winters when he needs us most and their secretaries, Lisa Corr and Jama Carlton for their professionalism, their ability to make you feel respected and important no matter who you are. They are truly gold star ladies.

Have you ever met an angel? How about a princess in disguise? Oh the sweetness of her smile and those eyes that can touch you a mile away, the power to make a sad day just vanish away with just a

Regular Meeting, September 11, 2002

twinkle is none other than Gina Austin, our very own court trustee and legal assistant.

Or how about a gentle, kind man who radiates with respect, and yet when you look in his eyes you can see the strength that lurks beneath, the kind of man that makes us all proud, our very own Deputy Sheriff Bill Felix.

Here's a good person to meet if you've had a bad day, with her natural ability to get people to relax, to be able to disarm someone with thoughtful and considerate words. Tell her I said hello next time you pass through the front door of security. Her name is Patricia Trump and she's back here right now in the corner.

For those of you who love to see a beautiful flower in full bloom, just step into the Communications room and say hello to Cecilia.

My last but not least is the man I refer to as the statute of integrity, a truly humble man that so embodies the principles I believe in, every time I see him I am reminded why I work so hard to restore honor and nobility back into local government, an incredible treasure who is alive and walks amongst us. I consider it a great honor every time I get to shake his hand. Our very own, honorable Judge Paul Clark. Next time you see him, please shake hands with the living and breathing statute of integrity.

Before I close, I want to once again, for the world to hear so there is no doubt as to how much I love my son Jonathan and all my children and all those who look to me as a father, I love you all very much.

Now let us together, as a community, build on the most noblest of principles, while we continue to seek out those individuals, organizations and businesses who are reflective of the highest qualities of nobility and together place them into positions of leadership and responsibility. Let's have the courage, together. Let the world know what kind of future we see through the people we believe in, acknowledge, endorse and reward for a job well done. Thank you."

Chairman Sciortino said, "Thank you, Mr. Davis."

MOTION

Commissioner Gwin moved to receive and file.

Commissioner Winters seconded the Motion.

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

Regular Meeting, September 11, 2002

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, "Thank you. Next item please."

PUBLIC HEARING

D. PUBLIC HEARING REGARDING RESOLUTION PROVIDING THE TERMS AND CONDITIONS FOR AD VALOREM TAX EXEMPTION TO VULCAN CHEMICALS.

Mr. Ken Elliott, Economic Development Specialist, Division of Community Development, greeted the Commissioners and said, "Vulcan Chemical has been located in Sedgwick County for many decades. They are at 6200 South Ridge Road. In addition to chemical manufacturing, Vulcan's Wichita complex also houses the company's research and development facility, a quality control lab and the environmental health and safety group.

Vulcan's expansions have created employment opportunities for Sedgwick County citizens and today employment stands at approximately 700 full-time employees. In 1997, the Board of Sedgwick County Commissioners approved a tax abatement for the first wave of an expansion related to production of a fire extinguishing agent.

For your consideration today is an application for tax abatement related to equipment for the second and final stage of that expansion. The terms of the abatement are 100% abatement for five years and after the five years it returns to a taxable status.

A cost/ benefit analysis on the project shows that there is a positive cost/ benefit to the County, about 3.75. Vulcan will create about 10 new positions as a result of this expansion. A contract has been developed between Vulcan and Sedgwick County. It pertains to the local fire district and also the local school district. That contract will come before the board in the next few weeks for your approval.

Vulcan has been an outstanding member of our business community. They've contributed many employee hours and volunteer hours on a diverse range of civil groups, educational programs,

Regular Meeting, September 11, 2002

environmental causes and other important projects that have happened in our community, such as the Haysville tornado disaster and the DeBruce grain disaster. Vulcan employees were among the first to respond in those instances.

At this point I'll be happy to address any questions the Board may have pertaining to this."

Chairman Sciortino said, "Commissioners, is there any comments prior to opening the meeting up for public input? I don't see that there's any comments at this particular time."

Mr. Elliott said, "I do have the plant manager of Vulcan here and I'll let him say a few words."

Chairman Sciortino said, "Okay, well first of all I need to just officially open up the public hearing portion. If there's anyone here who would like to speak for or against this item, now is the time to speak so now would be appropriate, if the individual would like to come up and address us."

Mr. Elliott said, "The Plant Manager, Mr. Steve Nikkel is here."

Chairman Sciortino said, "I don't know if he wants to . . . Is he for or against this item? Please come up, Mr. Nikkel. I have a suspicion but we won't know officially until you tell us."

Mr. Steve Nikkel, Plant Manager, Vulcan Chemicals, greeted the Commissioners and said, "I am in favor of this, by the way. I don't have much time. They're waiting for me on the eighth floor for jury duty and I'm expecting, if I don't get up there fairly soon, they'll be coming down with handcuffs but I'd answer any questions you might have."

Commissioner Gwin said, "I don't want him to be arrested, so I don't have any questions."

Chairman Sciortino said, "No, I don't think we have any at this time. Thank you very much for showing up."

Mr. Nikkel said, "Thank you very much."

Chairman Sciortino said, "Anyone else in the audience that would like to speak for or against this item? Seeing none, I'll close the public hearing portion and limit the discussion to the Bench. Yes, Commissioner Norton."

Commissioner Norton said, "Well, I'll certainly make the Motion when we're ready to approve but Vulcan is a great citizen of the south side."

Regular Meeting, September 11, 2002

Chairman Sciortino said, “Mr. Nikkel, you may want to stay. He’s going to say something nice about you.”

Commissioner Norton said, “No, I won’t say anything nice about Steve but I’ll say something nice about Vulcan. I know too much about Steve. They are a great citizen of the south side. They do employ a lot of people throughout the County but also on the south side. They have been very advantageous to the school system down there, to the government. In fact, I think Steve serves as the president of the Haysville Chamber of Commerce. That’s how engaged they are. So I’ll be very supportive of this. And once again, it does create jobs and in a tough economic time when we’re hearing about strikes and job lay-offs and people out of work, I think it’s pretty encouraging that a company with 700 employees is going to create more jobs. So, I will certainly be very supportive of Vulcan on this and when we’re ready to make a Motion, I’ll be glad to do that.”

Chairman Sciortino said, “Okay. Well, I don’t see any other questions or comments, so we’re probably ready if you’d like to try a Motion.”

MOTION

Commissioner Norton moved to adopt the Resolution.

Commissioner Gwin seconded the Motion.

Chairman Sciortino said, “Is there any further comments? The only comment I’ll make is I like what you say about Vulcan. They are a good corporate citizen and I think it’s important, with these ten new jobs aren’t minimum wage jobs. They’re going to average over \$65,000 per job so that’s a pretty substantial job and I think it will have a tremendous impact on our economy. Any other comments? I don’t see any, so we have a Motion and a Second. Clerk, call the roll please.”

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Regular Meeting, September 11, 2002

Chairman Sciortino said, “Thank you very much.”

Mr. Elliott said, “Thank you for your support.”

Chairman Sciortino said, “Next item please.”

PLANNING DEPARTMENT

E. METROPOLITAN AREA PLANNING DEPARTMENT.

- 1. CASE NUMBER ZON2002-00037 – ZONE CHANGE FROM “SF-20” SINGLE-FAMILY RESIDENTIAL TO “LI” LIMITED INDUSTRIAL, GENERALLY LOCATED APPROXIMATELY 1,000 FEET NORTH OF MACARTHUR ON THE EAST SIDE OF WEST STREET. DISTRICT #2.**

POWERPOINT PRESENTATION

Mr. Dale Miller, Chief Planner, Metropolitan Area Planning Department, greeted the Commissioners and said, “This is a request to go from Single-family 20 to ‘LI’, Limited Industrial, which would allow for the outside storage of vehicles. The applicant owns the property that fronts West Street here and he has a pawn shop on it and he takes vehicles in in pawn and he now needs . . . He’s outgrown the site here and he needs an area where he can locate those vehicles. So he has this property back here. It is zoned ‘SF-20’, which does not permit outside storage. So he is requesting ‘LI’ to match the current ‘LI’ that he has on his site there.

It is, as you can see, located east of West Street and approximately 1,000 feet north of MacArthur.

Regular Meeting, September 11, 2002

There's the aerial showing the site. The particular tract doesn't have any frontage, so it's important for it to be tied to the existing use. Heavy commercial, industrial type uses to the west of West Street. There is a home located to the north and one to the south. There's farm ground located around it. And as you can see, the Comprehensive Plan map recommends that industrial zoning is an appropriate category. And this is looking at the pawn shop that is in front of the application area. And just some views of the property around the site.

Staff and the MAPC are recommending approval subject to platting within one year. There wasn't anyone at the Planning Commission meeting who spoke in opposition and we've not received any protests. Be happy to answer any questions."

Chairman Sciortino said, "Thank you. Dale, I don't see that we have any questions of you. It is our policy, even though it's not a requirement, to see if there's anyone here that would like to speak on this item. Seeing none, we'll just limit the discussion to the Bench. Is there any further discussion on this item? If not, what is the will of the Board?"

MOTION

Commissioner Norton moved to approve the zone change, subject to platting within one year, direct staff to prepare an appropriate resolution after the plat has been approved, and authorize the Chairman to sign the resolution.

Chairman Sciortino seconded the Motion.

Commissioner Norton said, "Just one comment, Mr. Chair. This is an area that is highly industrial and it's developed that way, even though there are a couple of single-family residences there. It continues to develop as a very industrial area from about Kellogg to MacArthur is pretty industrial, so I think this will fit. It will also get the parked cars, which we always are concerned about, on the back side, pretty far off the main street there. So it gets it into an area where it can be screened and not so visible to the main traffic arterial."

Chairman Sciortino said, "And you haven't received any protests from anyone."

Commissioner Norton said, "I have not heard anything, so I would be very supportive of it."

Chairman Sciortino said, "Okay, thank you. I have a Motion and a Second and comments have been concluded, so Clerk call the roll."

Regular Meeting, September 11, 2002

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

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

- 2. CASE NUMBER 2002-00034 – ZONE CHANGE FROM “RR” RURAL RESIDENTIAL TO “LI” LIMITED INDUSTRIAL;**

AND

CASE NUMBER CON2002-00029 – CONDITIONAL USE FOR A WIRELESS COMMUNICATION FACILITY, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF U.S. 54 HIGHWAY AND 383RD STREET WEST. DISTRICT #3.

POWERPOINT PRESENTATION

Mr. Miller said, "Application area is outlined in the black on this slide. It is the Sedgwick County Rural Electrical Cooperative is in need of office, warehouse, a pole yard and communication facilities. And they've acquired this site. You can see it's there at the interchange of Highway 54 and 383rd Street West. They do own a total of 10 acres. However, they only intend to develop four and a half acres of their total ownership at this point in time.

You can see it is located just north of Cheney. It is located inside their zoning area of influence. They were presented an opportunity to hear it with their planning commission but that night their planning commission did not have a quorum. It is my understanding their city council also reviewed the application and were supportive of it. And staff is recommending approval. MAPC

Regular Meeting, September 11, 2002

recommended approval, subject to platting and there are restrictions that are contained in the staff report.

This is the site plan that they're showing, screening on the west and the south. The communication tower, which is scheduled to be 250 feet tall, would be located approximately here. Showing some parking area access out to the section-line road. The pole yard would be located up here.

If they do build buildings as large as they're indicating, they don't have enough parking shown on the site plan but that can be taken care of at the time that they actual build the building, so it shouldn't be an issue.

Diagram of the tower. It's a pretty rural, agricultural setting. Staff and MAPC are recommending approval, as I indicated, subject to those conditions. No one spoke in opposition and there have not been any protests filed. But happy to answer any questions."

Chairman Sciortino said, "I don't see that we have any and hopefully Mr. Winters will pay attention to me now. I'd like to just see if there's anyone here in the audience that feels a need to speak for or against this item, now would be the time to come and address us. I see none, so I'll limit the comments to the Bench. Commissioner Winters."

Commissioner Winters said, "Thank you. Dale, I do have a couple of questions. Do you know, when Cheney had this and even though they didn't have a quorum, did they have a discussion about this, do you know? Or did they . . . I think it would be helpful, in the future, even if these small community planning commissions don't have a quorum, if they would give us some idea of yes, no, maybe it would be helpful. Do you know if they had any discussion at all?"

Mr. Miller said, "I'm not aware. The only thing I know is they brought up the issue that their council had already discussed it and had recommended approval and so maybe they thought that was all they needed to do."

Commissioner Winters said, "So the council out at Cheney did talk about this case. Secondly, you say it's for ten acres but they're not going to develop the full ten acres, but the zone, the request is for the whole ten acres. They won't have to come back then, if they decide to do the other six acres. Is that correct?"

Mr. Miller said, "That's correct."

Commissioner Winters said, "And there is screening provided. What type of screening is that?"

Regular Meeting, September 11, 2002

Do you know?"

Mr. Miller said, "It's going to be evergreen trees and vegetation, is what they're proposing and that's permitted by the code."

Commissioner Winters said, "Okay, good. And the last question, and I'm sorry I didn't have a chance to visit with you before this. I certainly would have asked before, instead of this morning. But one of the real concerns that I have with towers involves the lights on the towers after they get them constructed. And I know there are certain regulations, but the most tower complaint calls I've had is about the strobe lights that are on the towers and the strobe lights just seem to cause a tremendous amount of problem for some folks. And the towers can almost be non-obtrusive if they have regular red lights on them, but put a strobe light on it and boy, all at once it just sticks out like a sore thumb. Do you know what kinds of lights this tower is going to have on it?"

Mr. Miller said, "I don't know for sure. I know that's regulated by the height of the tower, that once it gets over 190 feet, then FAA has certain rules and I don't know for sure whether this is going to be strobe or the red flashing light."

Commissioner Winters said, "Well, would you be willing to follow up and I don't think we need to hold this up today, but I know that there are some provisions where during daylight hours it can have one type of light. Then at nighttime hours, go to another type, either . . . and I can't remember when the strobe is on, but the strobe light just seems to be an issue with a lot of people and it's an issue with me. So is there a way that you could follow up and if there is any way that this tower we can prevent from requiring a strobe to be on this tower, even if it's partial, that we would follow up and try to make that happen?"

Mr. Miller said, "Yes, we can do that."

Commissioner Winters said, "All right. Thank you, Mr. Chairman."

Chairman Sciortino said, "Commissioner McGinn."

Commissioner McGinn said, "I was just going to make a comment about the strobe lights. We had the same situation northwest of us. And what happened was they didn't have the lights adjusted right because, yeah, for about a week I thought we had lightning off to the northwest every night. But once they adjusted it, it changed. So I think that's part of that too."

Chairman Sciortino said, "Strobe light, primarily, is a warning for airplanes, right? So there's

Regular Meeting, September 11, 2002

really no reason to deflect it down. They want it reflected up.”

Commissioner McGinn said, “There’s ways they can adjust them so they’re not as obnoxious.”

Chairman Sciortino said, “Any other comments or what have you? What’s the will of the Board on this item please?”

MOTION

Commissioner Winters moved to approve the zone change, subject to platting within one year; approve the conditional use, subject to the recommended conditions; direct staff to prepare an appropriate zone change resolution after the plat has been approved, and to prepare a conditional use resolution; and authorize the Chairman to sign the resolutions.

Commissioner McGinn seconded the Motion.

Commissioner Winters said, “I have just one other comment. For the record then, that staff have conversation with the proper authorities to determine what kind of lights are going to be on this tower.”

Chairman Sciortino said, “With an idea that if it’s not needed for strobe lights that they go the other way. If it’s required then it’s required but adjust them so they work properly or whatever.”

Commissioner Winters said, “Thank you.”

Chairman Sciortino said, “Okay, thank you. Clerk, call the roll.”

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye

Regular Meeting, September 11, 2002

Commissioner Carolyn McGinn Aye
Chairman Ben Sciortino Aye

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

- 3. CASE NUMBER ZON2002-00038- ZONE CHANGE FROM "RR" RURAL RESIDENTIAL TO "LC" LIMITED COMMERCIAL, GENERALLY LOCATED ON THE NORTH SIDE OF 53RD STREET NORTH APPROXIMATELY ¼ MILE WEST OF RIDGE ROAD. DISTRICT #4.**

POWERPOINT PRESENTATION

Mr. Miller said, "The application area is 1.1 acres. That's a small site. You can see it's got some industrial zoning located to the north and to the west of it. There's also some 'GO' General Office zoning. The rest of it is 'RR' Rural Residential zoning. The applicant proposed to operate a vehicle repair service here.

Aerial shows that there's a sand pit that has been in operation in the past located to the northeast. This is actually the Maize bus barn for the Maize school district. There's a metering company that I believe what they do is maintain and repair meters for like gas and oil pipeline type transmission.

This site is located in an equus beds groundwater management district and they were notified, as we normally do, and received the usual notice that they are not in favor of operations that allow or would have fluids that could get into the soil and seep into the ground water. It's pretty much the standard comment that we received from them.

Staff recommended denial of the 'LC' zoning but recommended approval of the 'GO' on the basis of the existing 'GO' that was located to the west. You can see here on the Comprehensive Plan that shows up still as being appropriate for rural uses. This is the application area, the way it's developed today. It's got a combination of large-lot residential to the south, across the street and then the more intense uses that surround it.

Regular Meeting, September 11, 2002

The application area was located within the City of Maize's zoning area of influence. They did have a hearing and I was not present but my planner says it went on for about a hour and a half and that the bulk of the discussion had to do with how fluids would be handled once they were removed from the vehicles and the ground water issue and they ended up recommending approval, subject to platting, with the protective overlay that indicated that it could be approved for 'LC' but they wanted the uses restricted to 'GO' General Office plus vehicle repair. So, in effect, if the recommendation from the Maize Planning Commission is followed, it would have . . . the vehicle repair would be allowed but any other use would be restricted to the General Office district, other than the vehicle repair.

They did include some specific provisions in the protective overlay that had to do with catch basins to prevent spilling of liquids, parking of vehicles behind privacy fences, site plan and drainage review, signage conform with County's code and lighting and that sort of thing. The Planning Commission reviewed the case and recommended approval, subject to the same conditions that Maize recommended and there were no protests and we have not received any protests to date. Be happy to answer any questions."

Chairman Sciortino said, "All right, thank you. Commissioner McGinn."

Commissioner McGinn said, "I've got a quick question for Dale and then I didn't know if we were going to open it up for public hearing.

What were the concerns, if you didn't just limit it to vehicle repair? What kind of door does that open?"

Mr. Miller said, "The 'LC' district is pretty much the retail district. It would allow primarily retail uses. Can't do car lots or car wash type things but it's primarily retail in nature. Vehicle repair is one of the things that's allowed in 'LC'."

Commissioner McGinn said, "Okay, thank you."

Chairman Sciortino said, "Commissioner Winters, did you want to wait until the public comment?"

Commissioner Winters said, "No."

Chairman Sciortino said, "Okay. Commissioner Winters."

Regular Meeting, September 11, 2002

Commissioner Winters said, "Could you dim the lights again. I wanted to see the second slide. I think you went by the second slide real quick. It's the one that showed the school buses. And is the subject property then just on the right hand side of the screen?"

Mr. Miller said, "Correct. It's nestled in, right in here. This would be the west edge of the property line for the application area and then this is the entrance back into the Maize school bus barn facility."

Commissioner Winters said, "Well, I was trying to get a comparison. I mean, the bus barn activity is pretty intense and I mean, it would appear that . . . And I was trying to get a view of the buses and what goes on back there and if this is a car repair shop, I mean the buses . . . similar activity but there's a lot of buses there. That's all. Thank you."

Chairman Sciortino said, "Okay. Commissioner McGinn, did you want to wait then? You want to wait then. Again, as keeping with our policy, is there anyone here in the audience that would like to speak for or against this zone item? Please come forward. Yes, sir. If you would state your name and address and we can give you up to five minutes, if you need it."

Mr. Lyle Lance, Sedgwick, Ks., greeted the Commissioners and said, "My residence is in Sedgwick, Kansas. The applicant of this is my son, who lives there and operates a business. I help him, off and on. I'm retired. And he had an unavoidable emergency come up this morning, so he asked me to come to represent him. So, at this time, if there's any questions, I'll try to do that."

Chairman Sciortino said, "We do have a couple of questions. Commissioner McGinn, did you want to . . . for this gentleman? Commissioner Winters."

Commissioner Winters said, "I guess I'd like your response. A number of times, it seems like any time we do something over any kind of equus beds or any kind of water, people automatically think that business is going to pollute the system. And you know, I've got a lot of confidence in business, large and small, that most people in these days, their standards of practice are much different than they were years ago and people realize what it is that we do with solvents and greases and material, or waste material and repair facilities. Do you and your son have experience and what's your intentions on how you would handle those kinds of activities of disposing of your waste products?"

Mr. Lance said, "The EPA has their own standards, which I'm sure you're aware of. At the present time we have holding tanks, steel holding tanks that we store the used oil, anti-freeze and this type of thing. When they become full, we call the appropriate people to pump this and do whatever they

Regular Meeting, September 11, 2002

do with it. I don't know but it's one of the requirements of the EPA. We follow it now to a point that we know of."

Commissioner Winters said, "Well, sometimes it's a little aggravating to think that small repair shops, auto repair shops are not in the modern age. It's like we think of them back in the horse and buggy age of just throwing material out on the ground and for all the small business folks I know, I mean that's just not a normal practice. And so I'm encouraged by your comments and I think that's all that I need. Thank you."

Chairman Sciortino said, "All right. Any other questions of the presenter? Commissioner McGinn."

Commissioner McGinn said, "I need Dale to come back up."

Chairman Sciortino said, "You're off the hook. We've going to have Dale come back and talk to him."

Commissioner McGinn said, "Thank you, Lyle. Well, since you brought that up, I'll go into that I guess. That's a very good point, because if you think about businesses within city limits, they can't just dump their petros and chemicals and those kinds of things down the sink either. They have to contain them too, because otherwise the city gets into all kinds of problems when they have to treat stuff. So they have very similar practices and the same kind of activities occur in the agricultural community and they too contain their oils and those kinds of things and dispose of those properly. So I think that's a very good point. Not just, yeah, all the sudden it's over the equus beds so we have to assume people are dumping it on the ground and I think we should assume otherwise."

Dale, I guess I'm still wondering why it appears that they don't want it to be Limited Commercial. You said that would bring retail in. Was there a problem with that?"

Mr. Miller said, "I don't know that that was an issue. That was just Maize's take on what they thought was appropriate, in terms of this particular case."

Commissioner McGinn said, "Okay. The other comment I had has to do with we're working very diligently on improving sewer systems that are not hooked up to the public sewer supply and these are packaged sewer systems that we want to incorporate in the County. Is it premature to say that I'd just as soon have them all over the County, but since this is over the equus beds, is it premature to ask that this facility have one of those or will they even need one, if it's just a shop? Will this shop have restroom facilities and those kinds of things?"

Regular Meeting, September 11, 2002

Mr. Miller said, “The applicant could probably answer that better than I, in terms of what they’re doing today.”

Commissioner McGinn said, “I noticed that wasn’t part of the discussion, and I think if we’re talking about the equus beds, then I think we need to talk about sewer systems, if those come into play.”

Mr. Miller said, “It may be that since the site is there today, they probably assumed that whatever existing on-site system they had would be what would be utilized and there wasn’t discussion.”

Commissioner McGinn said, “Lyle, can you come up and answer that question for me? It talks about the public services that there’s no municipal water and sanitary sewer system. Will they be needing those types of facilities?”

Mr. Lance said, “Based on what we do now, as far as a large scale sewer system, I can’t see it will be needed. However, they made comments at the planning commission at Maize, who knows when, but that will be extended out there and those services will be provided. The business that he has now basically is a drop-off and come and pick up. As far as customers waiting, there are very few, you know where the facilities are needed. But however, he does plan to have one, a restroom facility.”

Commissioner McGinn said, “Can we put in here that if sewer systems are needed for this facility, that it’s an alternative sewer system?”

Commissioner Winters said, “We don’t have any rules and regulations for alternative sewer systems.”

Commissioner McGinn said, “Well, but we made that requirement for the Bentley Meadows.”

Mr. Lance said, “If I may address some of that maybe. In the cover letter we had somewhere, one of the requirements of the building permit, as I recall, now don’t hold me to the letter on that, that they are going to require restrooms to be built, if that’s an issue.”

Commissioner McGinn said, “Okay. I don’t know why we couldn’t, so just a comment and let you all think about that and you can answer that for me here in a minute.”

The other question I had for Dale is, real quick, Dale back to the location to the east of there, about two or three years ago, we changed some zoning for the corner of Ridge and 53rd Street and I

Regular Meeting, September 11, 2002

thought that was going to be a repair shop. So far, they've just cleared the property and I don't know if they're still planning on doing that, but I mean we had a similar situation that we approved and the discussion was containment of products and those kinds of things."

Mr. Miller said, "Yes, I remember that case. It just hasn't developed yet, but I do remember the case."

Commissioner McGinn said, "But it is zoned for that."

Mr. Miller said, "Yes."

Commissioner McGinn said, "Okay. All right, thank you."

Chairman Sciortino said, "Is there any other comments? Hearing none, what's the will of the Board?"

Commissioner McGinn said, "Okay, well then I'll go back to my question. Can you make this subject to if a sewer facility is needed, that they have to use the new alternative treatment systems?"

Chairman Sciortino said, "Well, legally, let's ask the attorney. Legally, do we have the authority to put whatever restrictions we wish on it?"

Ms. Magana said, "I would . . . Because this went through the Maize Planning Commission, I believe you would require a five to zero vote to add further restrictions than what's already been passed."

Chairman Sciortino said, "Okay, thank you. But it is . . . I think the question was can we legally do it and I think your answer is yes, but it would have to be a unanimous vote."

Ms. Magana said, "Yes."

Commissioner McGinn said, "So I can make that part of the Motion."

Chairman Sciortino said, "You can but we have another question or comment. Commissioner Winters."

Commissioner Winters said, "Yes, thank you. I'm not sure I would support that, only based on the fact that there are a set of rules and regulations in place now, today, of which the applicant can provide sewer service on this piece of property, whether it be by septic and lateral system or lagoon

Regular Meeting, September 11, 2002

system or by alternative sewer, if they choose. I think for us to put a restriction on it telling them what they have to do I think is still premature, from all of our discussion about putting the alternative sewer plan into effect. So, I think if they have an availability now, under our current regulations, I think we ought to let them have whatever options are there currently. Thank you.”

Chairman Sciortino said, “I don’t know who flipped first. Commissioner McGinn again I guess. Commissioner Gwin first.”

Commissioner Gwin said, “Mr. Lance, may I ask you a question please? In the minutes, when your son was at the Metropolitan Area Planning Commission meeting, the question was asked how long had he been in business and he said about two years.”

Mr. Lance said, “That’s mostly correct. I might explain a little of that. When he was working for another gentleman in this particular business, unfortunately, he had family problems, divorce, and left the country, so the customers that were there asked him ‘Well, would you work on this once in a while’ and it’s just one of those things that’s kind of blossomed out to something that he really didn’t expect.”

Commissioner Gwin said, “But he currently operates . . . Does he live in and work at this site?”

Mr. Lance said, “Yes, ma’am. It is presently a residence.”

Commissioner Gwin said, “Okay, and so what facilities does he use for water and sewer?”

Mr. Lance said, “He has the well water and the septic system.”

Commissioner Gwin said, “Okay. Are you aware of any problems, currently, with either of those?”

Mr. Lance said, “No, ma’am. The water there is very poor quality, but other than that, no.”

Commissioner Gwin said, “Now, how far away would Maize’s public utilities be? Do you know?”

Mr. Lance said, “To really address that question, I couldn’t answer it. I assume they would be about a mile and a quarter west of the area.”

Commissioner Gwin said, “Okay. All right. I think that’s all I need to know. I just want to know what he was currently. Thank you, Mr. Lance.”

Regular Meeting, September 11, 2002

Chairman Sciortino said, "Commissioner McGinn."

Commissioner McGinn said, "Thank you, Mr. Chairman. I guess I go back to a case we had just a couple of weeks ago and the planning department felt that if we were going to approve the zoning, that since it was over the equus beds that it should have alternative sewer system. And it sounds like, from his comments that they're not planning on doing this right away if they even need it. If it does become a place where you have customers coming in and out, the usage goes up, that type of thing and so that's why I go back to adding in here that it be an alternative sewer system, rather than a septic tank for public facilities."

Chairman Sciortino said, "Okay. Commissioner Winters."

Commissioner Winters said, "So if . . . I guess I kind of wish Glen Wiltse was here now, but if . . . It doesn't seem to me that this is going to be a high intensity use. I don't know how many employees they're going to have or how many customers are going to be coming. I mean, I just don't see the intensity and I would think that there would be a possibility that the current system would work without adding anything new. Now again, that might be something that Glen Wiltse would have to answer. If they start this business, this small business there, will he be required to put in a new wastewater disposal system? And would your Motion then require him to add an alternative sewer system when they may not need any addition at all?"

Commissioner McGinn said, "No, it would only be if they're needing it. Is that your question? Restroom facilities, if they go to that point. It didn't sound like they were going to do that right away."

Commissioner Winters said, "So then will we require all new homes . . .?"

Commissioner McGinn said, "Just trying to be consistent over our last discussion, when it's over the equus beds and you yourself were quite confident that the technology of the new systems were over and above what we currently have with septic systems."

Commissioner Winters said, "That's right. I don't have any problem with the technology or whether they work. I just don't know yet about requiring people to use them or not requiring them to use them. That's what I'm uncomfortable with."

Commissioner McGinn said, "And I'm just trying to be consistent with a previous case that we did

Regular Meeting, September 11, 2002

require it over the equus beds and it says right here that they had concerns about that.”

Commissioner Winters said, “Well, I think I voted no on that Motion. So I probably . . .”

Chairman Sciortino said, “Well, maybe we’ll give you the chance to do the right thing this time. I think if I understand, Commissioner McGinn, what you’re saying is that they have an existing septic system and as long as they continue to use that septic system and it’s adequate for their needs, that they would still have the right to continue to use it. It would only be if they then required something new, because of the expansion in the business, you’d like for them to take advantage of the new technology, because eventually, if I’m reading you, you’re of the mind that eventually we need to do away with septic systems and have everybody that’s new coming on board embrace the new technology and that’s something that I certainly support.

Once again, Irene, since you’re in the audience, I think you’re hearing, because of this continued debate, the need for us to really move forward as quickly as we can and adopt an alternative sewer plan so that we can put this to rest as quickly as possible. So, if you’d like to make that as a Motion, I would support your Motion.”

MOTION

Commissioner McGinn moved to approve the zone change, subject to platting within one year and the provisions of Protective Overlay District #115, direct staff to prepare an appropriate resolution after the plat has been approved, and include if there is additional sewer facilities needed, that the alternative sewer system is used, and authorize the Chairman to sign the resolution.

Commissioner Gwin seconded the Motion.

Chairman Sciortino said, “We have a Second for discussion and Commissioner Gwin.”

Commissioner Gwin said, “No one has talked to us about whether or not or how long it would take Maize, even if they’re considering to extend their public services out this direction, have they? I’m assuming, Commissioner McGinn, that your thought is if that septic system isn’t going to have the capacity needed and if they don’t have the opportunity to readily connect to public services. Is that what your picture is?”

Commissioner McGinn said, “And from my recollection, the areas that Maize is working to grow in is not that way yet at this time. But if that becomes available, most certainly the choice to hook up to Maize sewer system.”

Regular Meeting, September 11, 2002

Chairman Sciortino said, “And I think it’s something that we’re talking about something that this company may never have to do but I’m reading it’s not something they’re going to do in the next six months or a year and I don’t see Maize moving that out and I’m going to remain optimistic that sometime within my lifetime we’ll have an alternative sewer plan before they’re going to be ready to have to consider it. But we have some more comments. Commissioner Winters.”

Commissioner Winters said, “Thank you. Well, I will support the Motion. I’m sure that Commissioner McGinn has a good feel for her district and what would be best there. So I’m going to support the Motion, but I would certainly extend my comments to the applicant. If this becomes some kind of a hardship to do this part of their process of building this business, I’ll be supportive of removing it at a later date, if there’s sufficient will on the Commission. Now there may not be, but I’m going to support Commissioner McGinn’s Motion but still, if this presents some kind of unknown hardship, I’ll certainly be willing to listen to perhaps changing it at a later date. Thank you.”

Chairman Sciortino said, “I think we all would. Commissioner McGinn.”

Commissioner McGinn said, “No, that’s it.”

Chairman Sciortino said, “You don’t want to sell past the close, right. Have you already tried your Motion and there’s been a Second for discussion purposes. Commissioner Norton.”

Commissioner Norton said, “I’d like to ask Lyle if he has any comments on alternative sewers and if that’s going to be an issue that you know of. I know you’re speaking for your son and he’s probably more adept on this. Is there a roadblock there that you see? Or do you have enough information on alternative sewers to know what we’re talking about, what the extra money involved is, what the systems do?”

Mr. Lance said, “If and when they extend the city limits and the sewer and the water, why I’m sure he’d jump right on board because he wishes he had it now, basically because of the water. As far as the septic system, he has no problem with it, if that’s your question.”

Commissioner Norton said, “Well, the question is how soon do you think you’d put any kind of extra facilities on there that would require an alternative sewer system.”

Mr. Lance said, “Other than what he has?”

Regular Meeting, September 11, 2002

Commissioner Norton said, "Right."

Mr. Lance said, "I don't think there's any way that you could put an alternative one, other than an extended, to be right honest with you. He could extend the laterals, put in a larger septic tank and that type of thing, yes."

Commissioner Norton said, "That's different than what the Motion is saying that will need to be done. I want to be sure you understand what the implications of that Motion are."

Commissioner McGinn said, "Let me make a comment, if you don't mind. These systems, you know, to put in my last research on septics was about . . . I don't know, they're four to five thousand and we're talking about another thousand or two to put these systems in. But the money saved with these systems, and we will learn this as we get into it, but is the fact that these systems will be monitored so that they run more efficiently. And whereas you have to spend \$175 every year an a half to clean out a septic system, you don't have to do that with these systems. So the money saved is in the long run of not having problems or the fact that septic systems break down in about 12 to 15 years or less that you have to upgrade that. These systems do not have those problems. So I mean, I don't know if that's helping you answer the question. I mean, we're talking yeah, a little bit more money up front to do it right and we have savings down the road."

Commissioner Norton said, "It's not a problem for me because I'm an advocate of alternative sewer systems."

Chairman Sciortino said, "And as a practical . . . If I could try to bring this to a close, as a practical matter, the gentleman is operating a business right now. He's got a bathroom in a home that's right on the property. If would take an awful lot of additional people there on an extended period of time to overload his bathroom or his water. So I don't know that this business is going to get large enough quickly enough that he's going to probably have to address it. I think that if I'm hearing Mr. Lyle correctly, the big incentive they have, and I'd think they'd be ready to do it in a New York second, is if they could hook on to the Maize water, because of the poor water quality. The sewer problem, I don't think you envision as being a problem at this time or even in the near foreseeable future."

Mr. Lance said, "Right. He just had it rebuilt last summer."

Chairman Sciortino said, "So I think what Commissioner McGinn is trying to do is to start to set some kind of a commonality whenever we can, to send the message to people that we want alternative sewer systems, as opposed to new septic tanks and/ or lagoons, if I'm understanding it correctly. So I don't think it's going to really have any direct impact on this gentleman in the near

Regular Meeting, September 11, 2002

foreseeable future.”

Commissioner Norton said, “I understand that. I want to be sure he understands that. That he understands what an alternative sewer is, what the implications are and he is talking for his son and I want to make sure that the message gets back.”

Mr. Lance said, “I don’t know really what the ramifications are of this.”

Commissioner Norton said, “And maybe we need to make sure you understand there may be some and you need to make sure your son hears the dialogue, sees the tape, understands what we’re talking about because I just don’t want him to be surprised later when he gets ready to put in a restroom.”

Chairman Sciortino said, “Commissioner Winters.”

Commissioner Winters said, “Just part of the solution. Irene Hart is here from Community Development and if she could just have Glen Wiltse give Lyle’s son a telephone call and hash out this whole detail and whether they even need an additional sewer system besides what they’ve got. But Irene, if you would have Glen call Lyle or his son, talk about it and if something doesn’t work out, come back and see us.”

Chairman Sciortino said, “Come back to us and we’ll see if we can’t fix it. We have a Motion and a Second. Clerk, call the roll.”

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, “Thank you. Next item.”

Regular Meeting, September 11, 2002

NEW BUSINESS

F. AGREEMENT WITH OAKLAWN IMPROVEMENT DISTRICT PROVIDING CONTROLLED ACCESS TO CERTAIN ROADWAYS SEPTEMBER 14, 2002 BETWEEN 10:00 A.M. AND 11:00 A.M. TO HOLD EVENTS RELATED TO THE OAKLAWN/SUNVIEW BLOCK PARTY PARADE.

Ms. Irene Hart, Director, Division of Community Development, greeted the Commissioners and said, "It's a pleasure to talk to you about a parade rather than sewers. This is the first year that Oaklawn Improvement District has expanded the size of the parade. Andrea Sisco from the improvement district is here to answer questions and to tell you a little bit about the block party.

For this particular purpose, they're wanting to close 47th Street between Clifton and Cedardale on the 14th for one hour for a parade. We do have a certificate of insurance and they are working with the Sheriff's reserve on traffic control. And here is Andrea Sisco."

Ms. Andrea Sisco, Oaklawn Improvement District, said, "Oaklawn Improvement District is a community that is divided by 47th Street, not intentionally and we try real hard not to keep it divided. Throughout the block party meetings over the last few years we've always heard that we never take anything on the north side of 47th Street. It is difficult to do because 47th Street is a busy street and it would require the closing but the parade is growing each year. The block party is growing. There are lots of events. We start off at 10 a.m. with the parade and we finish with the fireworks that evening. We would like to cross 47th Street and to do that it would require closing 47th Street."

Chairman Sciortino said, "And Commissioners, as you know, this is in my district and what we're going to be asking is that we close 47th Street for about an hour. Because if I understand it we're going to cross 47th, meander north of 47th and then cross it again when we come back down south."

Ms. Sisco said, "Correct. The Idlewilde Park, which is our park out in the Oaklawn Improvement District area is on the south side and 95% of the events are held down in the Idlewilde Park. Every year we start at the Midway Mall, as far as the parade going, so we're going to head on the north side, go down Brookhaven to Willow Way, Willow Way to Juniper, Juniper to Cedardale, across 47th Street, come up Fairhaven to Brookhaven on the south side and then come in the park on Oaklawn Drive."

Chairman Sciortino said, "And community policing has been working with Legal Department and

Regular Meeting, September 11, 2002

I think Legal is comfortable that what they're doing is proper and I would encourage you to support this item. And there will be chocolate chip cookies available for sale, I believe."

Ms. Sisco said, "The seniors are having a bake sale that day, so somebody I'm sure probably is making some cookies."

Chairman Sciortino said, "Okay. Is there any questions or comments?"

MOTION

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

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
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, "And also, Andrea, is the infamous softball or baseball game going to be held again?"

Ms. Sisco said, "Sedgwick County Fire Officers against Sedgwick County Community Policing and the Sheriff Officers. Yes, sir. That baseball game is scheduled for 1:00."

Chairman Sciortino said, "Now, that's a very competitive . . . We had last year was the school teachers against . . ."

Ms. Sisco said, "School teachers against community police."

Chairman Sciortino said, "And that wasn't too competitive but I have a feeling this one's going to be competitive. But those poor school teacher's gave it their all."

Commissioner McGinn said, "You didn't ask to be on any team have you?"

Regular Meeting, September 11, 2002

Chairman Sciortino said, “No. That’s the reason it’s going to be competitive. But I’m going to be there and I’m going to hand out the trophy to the winner I hope, like I did last year. Okay. Well, we’ll have some fun that day. Clerk, have we already called the roll? We’ve called the roll, it’s unanimous and we’ve already approved it so we can move on to the next item.”

G. AGREEMENT WITH THE PEPSI BOTTLING GROUP, LLC PROVIDING ADVERTISING RIGHTS AT KANSAS COLISEUM.

Mr. John Nath, Director, Kansas Coliseum, greeted the Commissioners and said, “This is a continuation of our relationship with Pepsi. There is a significant increase in the marketing rights fee of approximately \$35,000 over the life of the agreement. But more importantly, this agreement is going to allow us to tighten our in-house promotional advertising budgets to the events, to their marketing, on a yearly basis, both television, radio and a minimum 3,000,000 can panel promotion each year. We recommend approval.”

Chairman Sciortino said, “10,000,000 what kind of promotion?”

Mr. Nath said, “3,000,000 cans, Commissioner.”

Chairman Sciortino said, “Oh, really. So it will have something about the Coliseum on it?”

Mr. Nath said, “Between 3 and 5,000,000 cans each year, yes.”

Chairman Sciortino said, “Great. Okay. All right, is there any questions of John on this item? If not, what’s the will of the Board?”

MOTION

Commissioner Gwin moved to approve the Agreement and authorize the Chairman 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

Regular Meeting, September 11, 2002

Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, "Thank you, John. Looking forward to the other event that's coming up here shortly. Clerk, call the next item please."

H. DEPARTMENT ON AGING.

1. AGREEMENTS (13) TO PROVIDE IN-HOME SERVICES TO OLDER RESIDENTS.

- AFFORD-A-CARE, INC.
- ASSOCIATED HOME CARE
- CARE 2000
- DEPENDABLE ASSISTED LIVING, INC.
- HEAVENLY HELPERS, INC.
- HOME HEALTHCARE CONNECTION
- KELLY HOME CARE
- LOVING HEARTS HOME CARE
- MEDICALODGE HOME CARE
- PROACTIVE HOME HEALTHCARE
- RIGHT AT HOME
- SENIOR SERVICES, INC.
- SAINT RAPHAEL

Ms. Annette Graham, Director, Department on Aging, greeted the Commissioners and said, "Under the Older Americans Act, Title 3B, in-home services are provided by area home health agencies. Under this program, services are provided to residents aged 60 years old and older that are in need of attendant care, homemaker services and respite care to allow them to remain in the community and in their homes.

The vendor contracts are part of the Central Plains Area Agency on Aging fiscal year 2003 area plan that was approved by the Commission on July 24th. This contract provides for reimbursement with vendors and those rates are for homemaker services \$12 per hour, attendant care \$13 per hour and respite care \$12 per hour. The total amount of the funding from Older Americans Act for the in-home services are \$182,163. The mill levy match requirement is \$18,580. That was approved in

Regular Meeting, September 11, 2002

the County mill levy budget.

The agreements are with Afford-a-Care Incorporated, Associated Home Care, Care 2000, Dependable Assisted Living Incorporated, Heavenly Helpers Incorporated, Home Healthcare Connection, Kelly Home Care, Loving Hearts Home Care, Medicalodge Home Care, Proactive Home Healthcare, Right at Home, Senior Services Incorporated and Saint Raphael. These contracts provide for services with these vendors and the services are provided in the tri-county area of the Area Plains of Butler, Harvey and Sedgwick County. I would request that you approve the fiscal year 2003 Older Americans Act Title 3B vendor contracts and authorize the Chairperson to sign. Would be happy to answer any questions.”

Chairman Sciortino said, “Annette, just on my backup here, everybody, all of these providers have agreed to these same rates that are here? It’s all standardized rating that we have here in our backup?”

Ms. Graham said, “That’s true.”

Chairman Sciortino said, “Okay. Commissioners, what’s the will of the Board? Or questions, Commissioner Norton?”

Commissioner Norton said, “Are there others that will come before us later or is this the complete list?”

Ms. Graham said, “This is the complete list. Yes, this is all.”

Commissioner Norton said, “And how many in-home patients or people do they serve?”

Ms. Graham said, “Currently, we have about 76 that we serve in the tri-county area and that program is still open, so that one is available services.”

MOTION

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

Commissioner McGinn seconded the Motion.

Regular Meeting, September 11, 2002

Chairman Sciortino said, “Any further . . . I have a comment. If we’re only serving 76, we have 13 providers, each provider’s got maybe two or three clients?”

Ms. Graham said, “It varies. This is, once again, a client’s choice. The client’s get to choose the service provider.”

Chairman Sciortino said, “So all these people have the same services available and this just gives our clients a wider range of choices that they can choose. All of them could be going to one if they wanted to.”

Ms. Graham said, “If that was their choice, yes.”

Chairman Sciortino said, “That’s fine. More choice is okay. Thank you. We have a Motion and a Second. Any further comment? Yes, Commissioner McGinn.”

Commissioner McGinn said, “You said there was more openings or whatever. Is there up to a certain amount or do you know what the capacity is?”

Ms. Graham said, “It depends on the level of care of the client. So, there’s not a maximum number of clients. It depends on each individual client needs different amounts of services or requests a different amount of hours per week per month. So our other programs are currently at capacity, so this is the one program that remains open.”

Commissioner McGinn said, “So is it limited by dollars or by case workers?”

Ms. Graham said, “Yes, it is by dollars.”

Commissioner McGinn said, “Thank you.”

Chairman Sciortino said, “Okay, I don’t see that we have any other comment. We had a Motion and a Second. So, Clerk call the roll.”

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Regular Meeting, September 11, 2002

Chairman Sciortino said, "Next item."

2. **CONTRACTS (10) TO PROVIDE CLIENT ASSESSMENTS FOR PERSONS SEEKING NURSING HOME PLACEMENT.**

- **GAYLE CLOUD**
- **KATHRYN COIT**
- **MARY CORRIGAN**
- **CINDY CRANGLE**
- **JAYLYN ELLIOTT**
- **NORMA FRY**
- **WILMA LOGANBILL**
- **JODY LUJAN**
- **LISA PARKER**
- **AILEEN VAUGHN**

Ms. Graham said, "This is for the contracts with the Level One client assessment referral evaluation assessors, which is also the CARE program. CARE is a requirement of the state that anybody seeking nursing home placement is required to have an assessment completed and we are the assess . . . We have the contract with the Kansas Department on Aging to provide this.

This contract is with the degree professionals, previously certified by the State of Kansas, which excludes it from Charter 55. The contracts are necessary to provide for people's assessments who are seeking nursing home placements, including individuals diagnosed with a mental illness, a developmental disability or mental retardation.

The contract amount for Level One assessments is \$35 per assessment plus mileage. The contract period is for a one-year time period, with a continuance of month to month pending a new contract.

This contract is for, once again, the tri-county area. We provide these in three counties and the contracts are with the following providers: Gayle Cloud, Kathryn Coit, Mary Corrigan, Cindy Crangle, Jaylyn Elliott, Norma Fry, Wilma Loganbill, Jody Lujan, Lisa Parker and Aileen Vaughn. All of these individuals are certified and trained. We do ongoing training and we get the calls for the initial case assessment and then we contract the providers and work with them and then review that and send that up to the Kansas Department on Aging when it is completed. I would request that

Regular Meeting, September 11, 2002

you approve the care assessor contracts and authorize the Chair to sign. Would be happy to answer any questions.”

Chairman Sciortino said, “I think we have one. Commissioner McGinn.”

Commissioner McGinn said, “Thank you. I think this is what I talked to you about a few month’s ago. A woman called and said she had a neighbor that needed help, but it’s the family that has to call to have this in-home assessment, is that correct?”

Ms. Graham said, “For a care assessment, which determines if they’re thinking about going into a nursing home, what a care assessment does is goes out and determines what their level of care is, if they meet the criteria score and it also provides information to the individual and the family about the alternative resources available. A lot of times, individuals will think that the only alternative is nursing homes, so this is an opportunity to provide them information and education and referral so that they know that there are other options.”

Commissioner McGinn said, “But if a neighbor called for someone else, we wouldn’t go out.”

Ms. Graham said, “They would need to have the family member or the individual call and request that, yes.”

Commissioner McGinn said, “All right, thank you.”

Chairman Sciortino said, “Okay, I don’t see that there are any other questions. So what’s the will of the Board on this item?”

MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

Regular Meeting, September 11, 2002

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, "Thank you very much, Annette. Next item please."

I. GRANT APPLICATION TO KANSAS HEALTH FOUNDATION FOR FUNDING OF EQUIPMENT TO BE USED IN THE IDENT-A-KID PROGRAM.

Sergeant Terrilee Jones, Sheriff's Department, greeted the Commissioners and said, "We're applying for a grant through the Kansas Health Foundation to purchase two computer child identification packages. Each package consists of a Dell Notebook, digital camera, tripod, portable printer, carrying case and child ID software."

We're also requesting monies for educational printed materials, along with two additional digital cameras for crime prevention and community policing."

Chairman Sciortino said, "Okay. Is there any questions of the applicant on this?"

MOTION

Commissioner Gwin moved to approve the Grant Application.

Commissioner Norton seconded the Motion.

Chairman Sciortino said, "I have a Motion and a Second to approve the grant application. I have one question or comment. Commissioner Norton."

Commissioner Norton said, "I just think it's a wonderful program and as we look at the national

Regular Meeting, September 11, 2002

news with the abductions of children and I don't know that it's any more prevalent than it's ever been but it's certainly got a lot more attention. ID programs for kids are very important because with the digital access we have now, it can get around the country really quick, with fingerprints and pictures and other identifications that we've never been able to do before. So this comes at a great time for us to access that money. Just kind of a general comment."

Chairman Sciortino said, "Thank you. I believe we have a Motion and a Second, so Clerk call the roll."

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, "Thank you very much. Next item please."

J. DELETION OF ONE MECHANIC POSITION, RANGE 17, FROM THE DIVISION OF PUBLIC SAFETY STAFFING TABLE; AND ADDITION OF ONE PROJECT LEADER POSITION, RANGE 29, TO THE DIVISION OF INFORMATION AND OPERATIONS (DIO) STAFFING TABLE.

Mr. Richard Vogt, Chief Technology Officer, DIO, greeted the Commissioners and said, "Commissioners, this summer DIO and the Division of Public Safety realized that we had a veritable perfect storm of public safety technology projects, at least a dozen projects that all needed to be done as soon as possible. Today's action provides our two divisions with a key staff resource in completing the projects in a timely and affective manner and does so without adding an FTE or requiring additional funding. We ask that you approve the deletion from the Public Safety staffing

Regular Meeting, September 11, 2002

table and approve the addition to the DIO staffing table. I'm available for any questions. Thanks."

Chairman Sciortino said, "I just have a question. What is this project leader? Am I right that this is an \$85,000 a year job?"

Mr. Vogt said, "We're looking for a highly skilled person who can integrate, I call it systems integration and developer and we use the term project leader as kind of a hold over from a project title from many years ago. But this person will be a highly skilled techie that will come and be able to put all these systems . . . not only install them but put them together and help them interface and talk to each other."

Chairman Sciortino said, "Well, I just need to ask a question again. This is a lot of money to pay an individual. How did we establish that rate? What happens . . . Do we send it out and the ad says the job pays \$85,000?"

Mr. Vogt said, "No, we would say . . . This actually, range 29 starts at about \$55,000 and the staffing table, this includes the benefits and it's the entire price, the entire cost of the position."

Chairman Sciortino said, "Okay. Do we have a person already in mind for this position? Is it already . . . Do we have a person in mind to fill this position?"

Mr. Vogt said, "We have an individual that used to work for Sedgwick County, outstanding skills. We weren't able to keep this person because of the salaries that we had at that time and he has indicated that he has some interest in coming back."

Chairman Sciortino said, "So we've already discussed with this person his compensation package?"

Mr. Vogt said, "No."

Chairman Sciortino said, "Well, in discussing with him his interest in coming back and he said yes, money wasn't even mention . . . He's just going to come back because he loves us or what?"

Mr. Vogt said, "No, he did indicate a range that he would feel comfortable with, but no specifics were outlined."

Chairman Sciortino said, "Okay. Thank you. I don't have any other questions. Commissioner Norton."

Regular Meeting, September 11, 2002

Commissioner Norton said, “You talked about a ‘perfect storm’ of a bunch of projects. Tell me what the projects are. I think we need to know what those descriptions are because they are important. Some of them have to do with 9-1-1 and some other things I suspect. Would you go into them for me?”

Mr. Vogt said, “I have them written down here, so forgive me while I read this. Increase of local agencies responsibility for homeland defense, bio-terrorism response, metropolitan medical surveillance. We have compliance issues with the new HIPAA, that’s the Health Insurance Portable and Accountability Act, those requirements. We have the state’s move to NCIC 2000 requirements. They have a real time data repository, or repository that the state is developing that each county needs to submit data to so we need programming to do that. We have a cooperative effort with the Kansas Department of Transportation and the City of Wichita with regard to intelligent transportation systems. Automated Vehicle Locator software and hardware needs to be put into the emergency vehicles.

The rapid integration of GIS into all the public safety agencies, we get a lot of requests in GIS to say, we want to map incidents, we want to map events, we want to map various things, crimes and those kinds of things. So there’s a heightened sense of integrating GIS into all of our public safety applications. Wichita is moving to a new police system and it’s our responsibility to install that software and integrate with that software with our systems at the end of this year. We have a new court system going in. I think we’ve talked about that before in your district court system that also requires integration on warrants and bonds, with those applications.

EMS is deploying a new mobile data collecting and billing application. That’s underway now. Emergency Communications has a number of projects going on, including E-9-1-1, cad software upgrade, upgrading their radio system to increase the wireless band width so we can send more information across the air waves to the squad cars and to the public safety vehicles and the Sheriff is replacing their . . . currently also replacing their system.

And since I wrote this list, three or four new applications have come up as well that involve the Sheriff, digital recording of information, arraignment those kinds of things. So it’s a number of projects. We have . . . What we’ve done is we’ve allocated, we’ve reallocated one of our existing management positions, kind of divvied up some responsibilities to other areas and allocated that position as a project manager but now we need a complimentary technical person and these two people work together to implement all of these applications.”

Regular Meeting, September 11, 2002

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

Chairman Sciortino said, "Did you understand all that?"

Commissioner Norton said, "I already knew about half of it but I knew there was more that was added to the table and it looks like there's even going to be more. Technology is going to govern so much of what we do as government here real soon so the smarter we can be at it the better."

Chairman Sciortino said, "It's just my hope that eventually technology will do what it promised to do and that's eliminate some of the employment, bodies. Okay. Commissioner Gwin."

Commissioner Gwin said, "Just real quickly, though I don't understand all the technical aspects of this and don't pretend to, obviously it's important that these systems work together and that we're able to make that happen. And it takes a very skilled and knowledgeable person to do that. I certainly understand that. I think the County's challenge, as we've found in the past however, is that when we do hire someone with these kinds of skills and these kinds of abilities, our challenge is to try to hold on to them. We know that people with this kind of information and this kind of knowledge base are highly coveted in the world today and the challenge is not only to find them but to be able to keep them. We are in a very competitive market when it comes to folks with these kinds of skills. So, I understand how challenging that is and wish you and your department and this individual the best of luck in getting all this work done. Thank you, Mr. Chairman."

Chairman Sciortino said, "I don't see that there's any other comments, so what's the will of the Board on this item?"

MOTION

Commissioner Winters moved to approve the deletion from the Public Safety Staffing Table, and approve the addition to the DIO Staffing Table.

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

Regular Meeting, September 11, 2002

Commissioner Carolyn McGinn Aye
Chairman Ben Sciortino Aye

Chairman Sciortino said, "Next item."

K. PUBLIC WORKS.

- 1. RESOLUTION RECLASSIFYING CERTAIN ROADS FROM THE ATTICA, GRANT AND PARK TOWNSHIP ROAD SYSTEMS TO THE SEDGWICK COUNTY HIGHWAY SYSTEM. DISTRICTS #3 AND #4.**

Mr. David Spears, Director/County Engineer, Public Works Department, greeted the Commissioners and said, "Item K-1 is a resolution that reclassifies roads from the township system to the County road system. Those roads are Central between 135th and 167th Streets West; 135th Street West, between Central and 21st Street North; Seneca between 85th and 93rd Streets North and 37th between Tyler and Maize Roads, that's about six miles. The reason for the change is that we have, or soon will have, a cold mix on these roads and we are better equipped to maintain a paved road than is the township."

Chairman Sciortino said, "Okay, thank you. Any questions of David on this item?"

MOTION

Commissioner Winters moved to adopt the Resolution.

Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner Betsy Gwin Aye
Commissioner Tim Norton Aye
Commissioner Thomas Winters Aye
Commissioner Carolyn McGinn Aye
Chairman Ben Sciortino Aye

Regular Meeting, September 11, 2002

Chairman Sciortino said, "Next item."

- 2. AGREEMENT WITH KANSAS DEPARTMENT OF TRANSPORTATION (KDOT) PROVIDING REIMBURSEMENT TO SEDGWICK COUNTY FOR USE OF COUNTY ROADS USED TO TRANSPORT MATERIALS FROM CONTRACTORS TO KDOT-LET CONSTRUCTION PROJECTS. ALL DISTRICTS.**

Mr. Spears said, "Item K-2 is an agreement with KDOT for Quarry Road reimbursement. On a per project basis, KDOT will reimburse Sedgwick County for crushed materials hauled from material producers to KDOT-let construction projects. The amount received is based on a rate per metric ton hauled across a County road. I recommend that you approve the agreement and authorize the Chairman to sign."

MOTION

Commissioner McGinn moved to approve the Agreement and authorize the Chairman 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
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, "Thank you, David. Next item please."

CONSENT AGENDA

L. CONSENT AGENDA.

- 1. Floodway Reserve Easement for Sedgwick County Project No. 642-26; 95th Street South between Broadway and Seneca. CIP# D-4. District #2.**

Regular Meeting, September 11, 2002

2. **Owner Release for Damage for Sedgwick County Project No. 831-AA, BB, CC; Rock Road between Derby and Mulvane. CIP# R-243. District #5.**
3. **Donation by Sedgwick County Comprehensive Community Care of 25 computers to Wyandotte Mental Health Center**
4. **Purchase of ticket printers for the Select-a-Seat system.**
5. **Plat.**

Approved by Public Works. The County Treasurer has certified that taxes for the year 2001 and prior years have been paid for the following plat:

Lydia Leis Addition

6. **Order dated September 4, 2002 to correct tax roll for change of assessment.**
7. **Payroll Check Registers of August 6 and August 30, 2002.**
8. **General Bills Check Register(s) for the week of September 4 – 10, 2002.**

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "I would recommend that you approve the Consent Agenda but then after you do that, I would ask you to consider an Off Agenda item. 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 Winters seconded the Motion.

Chairman Sciortino said, "Mr. Buchanan, let me just ask you on item three it talks about us donating 25 computers to Wyandotte Mental Health Center. Can you tell us how we wound up with 25 extra computers?"

Mr. Buchanan said, "We, in the routine and regular replacement of computers, because of new technology and because they wear out, we often have if you walk across to the second floor of the

Regular Meeting, September 11, 2002

old courthouse you will see a place where those old computers and printers and screens often sit and are hard to get rid of. Wyandotte was willing to take those computers. They think they can use them. We have no use for them and we're happy to donate them to them. We don't think there's any value to them."

Chairman Sciortino said, "Okay, thank you. That's all I had. I don't know that we have any other comments, so Clerk call the roll on this item."

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, "Thank you. We do have, Commissioners, an Off Agenda item and I would . . . and it's to reschedule a date of a public hearing."

MOTION

Commissioner Gwin moved to take an Off Agenda Item.

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
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, "Thank you. Mr. Buchanan."

Regular Meeting, September 11, 2002

OFF AGENDA ITEM

Mr. Buchanan said, "It has come to our attention that a more appropriate date, October 16th, would be available to us to have the public hearing on the sanitary code for the consideration of a revised sanitary code. The hearing was scheduled for September 18th, next week, but the more research we've done and the more activities we've come across, I think it would serve this community better and this organization better if we held off for about a month.

We need to re-advertise, we need to re-advertise this process so therefore I would recommend that you cancel the public hearing set for September 18th, 2002 and approve the new hearing date for October 16th and direct the Clerk to publish notice as required by statute."

Chairman Sciortino said, "The only comment I have, Commissioners, have you all checked your calendars? Is October 16th open for all of you because there's no reason for us to set it if one or more of us are going to be gone. Does anyone know if they have a problem with this date right now? Okay. Commissioner Norton."

Commissioner Norton said, "Just a comment. Do we have any numbers of how many people attended the meeting last night on sanitary code and sewers and what the dialogue is starting to look like?"

Mr. Buchanan said, "I had a conversation this morning with Irene Hart, who indicated to me that there were people there and I don't have a number, it wasn't a large number. She was very pleased with the comments by our employees who lead the discussion. That the comments and concerns by the installers were helpful. It was a good . . . What she had described to me as a good, healthy discussion of the issue. There were not many issues that were raised that were of great concern but it was a good process."

Commissioner Norton said, "Will we get some kind of report on that from Irene, as we start moving towards the public hearings?"

Mr. Buchanan said, "Yes, and we specifically want some of those folks to come to the meeting to express the issues, any issues that they had or concerns, which were minimal as I understand."

Chairman Sciortino said, "Okay. So are we done with that item? With that, do we have a Motion as to whether or not we want to approve or cancel that or not?"

MOTION

Commissioner Gwin moved to cancel the public hearing set for September 18th, 2002,

Regular Meeting, September 11, 2002

approve the new hearing date for October 16th, 2002 and direct the Clerk to publish notice as required by statute.

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
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, "I'd like to now recess the regular meeting of September 11th."

Commissioner McGinn left at 10:47 a.m.

The Board of Sedgwick County Commissioners recessed into the Fire District #1 meeting at 10:48 a.m. and returned at 11:02 a.m.

Chairman Sciortino said, "Is there any other items to come before the County at this time?"

Commissioner Winters said, "I see that we're still on television. I would, before you take that Motion, say thank you for the County folks that were out at the Clearwater Fall Festival. Friday went out, was in the parade, spent some time in Clearwater and they just had a great fall festival. It was a good day and everything went very well."

Chairman Sciortino said, "The logos on those golf balls were very patriotic."

Commissioner Winters said, "That's all I have."

Chairman Sciortino said, "Anything else to say?"

Commissioner Gwin said, "While we have that, let me too compliment the zoo staff and the volunteers, many of whom I saw out at Zoobilee happened to be County employees who were there volunteering over and above their regular duties. Zoobilee was again a great success and a wonderful event, showcased this zoo and this community. It was a lot of fun."

Regular Meeting, September 11, 2002

Commissioner Norton said, "It was interesting, I ran into some County employees and they had been at Clearwater at the booth for two hours, had gone home, changed into their Zoobilee shirt and had volunteered at Zoobilee for three hours and they were just, at that point, getting ready to get a little something to eat. They had done their volunteer service. That's yeoman's work for the County to do two events and still be out there that late at night."

Chairman Sciortino said, "I will say too, Saturday I spent quite a number of hours down in Mulvane. They had the open house for their new EMS facility and fire station and I was amazed how many people were showing up. Now they were, the firefighters were cooking bratwurst and that was real popular and I walk in and I see about four or five of our Station 36 people there and I'm thinking, 'Oh, that must be a good relationship'. Well, they were invited and they were down having their lunch and then they were going to go up and relieve some of the other fellows so they could come down and we had some of our EMS people there and they had some chocolate chip cookies, which is a favorite of mine, bratwurst. It's just a wonderful facility that those people have put together there."

And this Saturday, as we mentioned earlier, Oaklawn is having their big festivities and if you're not doing anything, come on out and enjoy that. This morning's event kind of got to me. I thought that was neat what we all did and the turnout was amazing. I was driving back with Kristi and I said, 'Gee, it was really nice how many . . .' I don't know what I said, normal people or regular people showed up because it was very crowded there. And I hope that becomes an annual event. I know the President has asked for it to be declared 'Patriots' Day' and I hope that's something that we always do. It was very touching, that flag with the two truck and ladders holding it up and the bagpipes. It was great. So, that's all I have. Is there anything else that's going to come before the Board?"

M. OTHER

MOTION

Commissioner Gwin moved that the Board of County Commissioners recess into Executive Session for 10 minutes to consider consultation with legal counsel on matters privileged in the attorney client relationship relating to legal advice and personnel matters of non-elected personnel and that the Board of County Commissioners return from Executive Session no sooner than 11:20 a.m.

Commissioner Winters seconded the Motion.

Regular Meeting, September 11, 2002

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

VOTE

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

Chairman Sciortino said, "Thank you. We are now recessed into Executive Session."

The Board of Sedgwick County Commissioners recessed into Executive Session at 11:05 a.m. and returned at 11:29 a.m.

Chairman Sciortino said, "We're back from Executive Session. Let the record show that there was no binding action taken. Is there any further business to come before this Board at this time? I don't see that there is any, so this meeting is now adjourned."

N. ADJOURNMENT

Regular Meeting, September 11, 2002

There being no other business to come before the Board, the Meeting was adjourned at 11:30 a.m.

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

BEN SCIORTINO, Chairman
Fifth District

BETSY GWIN, Chair Pro Tem
First District

TIM R. NORTON, Commissioner
Second District

THOMAS G. WINTERS, Commissioner
Third District

CAROLYN MC GINN, Commissioner

Regular Meeting, September 11, 2002

Fourth District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2002