

**MEETING OF THE BOARD OF COUNTY COMMISSIONERS
SITTING AS THE GOVERNING BODY OF FIRE DISTRICT #1**

REGULAR MEETING

July 23, 2003

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 11:37 A.M., on Wednesday, July 23, 2003 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Tim Norton; with the following present: Chair Pro Tem Thomas G. Winters; Commissioner David M. Unruh; Commissioner Carolyn McGinn; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Bob Lamkey, Director, Emergency Management and Ms. Lisa Davis, Deputy County Clerk.

GUESTS

Jeff Cowley, President, Local 2612 International Association of Firefighters.
Mr. Dave Thompson, Vice President, Local 2612, International Association of Firefighters.

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, June 11, 2003

The Clerk reported that all Commissioners were present at the Regular Meeting of June 11, 2003.

Chairman Norton said, "What is the will of the Board?"

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MOTION

Commissioner McGinn moved to Approve the consent agenda as presented.

Commissioner Winters seconded the Motion.

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

VOTE

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| Commissioner David M. Unruh | Aye |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Commissioner Ben Sciortino | Aye |
| Chairman Tim Norton | Aye |

Chairman Norton said, "Next item."

PUBLIC HEARING

A. PUBLIC HEARING REGARDING THE 2004 SEDGWICK COUNTY FIRE DISTRICT #1 BUDGET.

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "Commissioners, I have presented to you a Fire District #1 budget for \$11,035,769. You're recommending a 1.26 mill increase. We also combined that with spending down some of the fund balance and reducing the work force by three fill positions and that all fire stations would remain open at this current time, but we will engage in a study in the next several weeks to begin the study of the fire station locations, with the purpose of seeing if we can reshuffle the deck and provide more efficient, more effective service at a lower cost. I would recommend that you open the public hearing."

Chairman Norton said, "At this time, I'll open the public hearing and accept any comments from individuals in the audience. Is there anyone here that would like to come forward and speak to the Fire District #1 budget 2004?"

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Mr. Jeff Cowley President, Sedgwick County Firefighters Local 2612, International Association of Firefighters, greeted the Commissioners and said, “Through this budgetary process, we had the opportunity to meet with the Manager and the bureau chief concerning the budget and we were able to come to the agreement of what has been proposed to you in keeping the Andale station open and not laying those firefighters off.

However, we have the issue of the three firefighter positions, which two of those three are currently vacant, and through attrition, the other one is being proposed to be eliminated at that time. Back February 4th of 1998, when the staffing issue was raised, at that time we had exhausted the extra board process, which was no longer functional and that was no longer efficient. We went to the overtime staffing, which is what we’re currently under. And with that number being put in place, those number of firefighters, if you will flex-staffers, which is what will be eliminated in that proposal, we will have three less people to cover those vacancies with basically the same amount of money set forth. So those are issues that will have to be addressed within the budget and being managed by the Fire administration, what those dollars are being used for, the use of those dollars has been expanded over time for different needs or different educational purposes.

In regards to the station relocation study, I think is something that needs to be looked at, but however it is our position that there are not to be any jobs eliminated to it because of the simple fact that we are now running at a minimum. We are running below the national standard. If you recall, we have spoken about the NFPA 1710, which we have addressed in some of those aspects in response times, but what we haven’t addressed is a four-man engine company. That is the standard of which the nation is working towards. We currently run with three-men engine company. That is our minimum. Nowhere in writing is it a minimum, so those are issues that need to be looked at and look going forward with.

Since 1998, we’ve reduced the station in Park City, the station in Haysville from 6 to 5, to accommodate the extra staffing positions that were needed. So, we’re full well willing to look at the station relocation study. There are other avenues in which we can . . . organizations that can do those studies. We have a very competent GIS department here that produces a lot of documents and a lot of maps for us. So with that, I would close. Thank you.”

Chairman Norton said, “Thanks, Jeff. Anyone else like to speak?”

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Mr. Dave Thompson, Vice President, Sedgwick County Firefighters Local 2612, International Association of Firefighters, greeted the Commissioners and said, "Start off with like President Cowley stated, we spoke with the County Manager and with bureau chief of public safety regarding the budget for 2004. While we understand it was a difficult budget, we understand the restrictions and everything that comes into play and we'd like to say thank you, most of all, for opening that dialogue and giving us a position to speak and actually sit at the table and assist in making some of those decisions go more smooth on both sides of the table.

With all decisions regarding budgets, taxation and employment and governance, for you guys comes a lot of responsibility and a lot of accountability. That accountability is the basis of the fire service. We have to be accountable for what we do, when we do it and how we do it. And with your assistance, we look to move forward in that avenue.

In talking about accountability and personnel, I know the station relocation survey is of importance, not only to the citizens of the Fire District, but for the citizens of Sedgwick County overall as it relates to reducing staff by three personnel. We're looking at a safety issue, and something that was said in the media in the last two weeks that really caught the eye of our membership and their ear was moving personnel from an adequately staffed station to another station that may be short staffed to fill the gap. Well, now we're shorting a different station to make another station supposedly adequate.

For Mr. Unruh, coming from the automotive industry, you have a balanced tire with wheel weights on it. You take a wheel weight off one end, you've just now unbalanced your tire. You can't move people from here to there to balance an already unbalanced act. I use that just for understanding purposes. Commissioner Sciortino, for yours, that may be a filter on your cable vision so you can get proper reception. Commissioner Norton, it might be follow through planning from an avenue of being the mayor of Haysville and you can't have shortsighted vision for planning. Commissioner McGinn, that might be checking your fields before you harvest with your family, because it's a family business and before you go to harvest, you definitely want to make sure your family is out of the field before you started up and head out. And for Commissioner Winters, I save you for last, only for the simple fact that I was in the transportation industry for five years. Yours would be more of overbooking over the road shipments without the personnel and equipment to meet the needs of which you've committed to. And that's how we look at short staffing and moving people around.

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We set a minimum in 1998 of five people per station. We've reduced staffing in two stations so we'd have a standardization. Andale would be the only one with three. Since then, we've taken two stations to three personnel because of annexation and development and we only have six stations with five now. Reducing staffing or running short would compromise not only safety, but it would compromise first responder agreements with volunteers and paid professional departments we respond with on a daily basis. That's not safe and as Commissioners and Fire District board members, I would ask that you reconsider that.

In the Wichita Eagle on July 10th, 2003 the census bureau rated growth in Kansas and out of the top ten, three were in the Fire District. 2,926 population increase in the fire district alone between April of 2000 and July of 2002. County growth during that same period was 6.08%. The fire district growth, in population alone, was 8%. That was in the Wichita Eagle.

In '98, we established the standardization of call back and overtime staffing . . . I'm almost through. And this was granted to assist in maintaining the safe staffing levels. We've utilized this. We've utilized it well. It's been governed well by our department, our deputy chief and our fire chief have overlooked this program and they still maintain it in a very professional fashion.

For not only citizens, but also all firefighters that may respond on any alarm, mutual aid, first responder, enhanced first responder, medical assistance, personnel make the key. A few weeks ago, when the tenders and the rescue truck were brought up, an interesting comment was made. 'Why are we now replacing equipment that's 25 years old or older?' and I would say we're in the same position today. Why are we reducing something that needs to be there for safety purposes. So, with that . . ."

Commissioner McGinn said, "I have a question for Dave and then I'm not sure, Bob. Dave, what did you say about the population increase in the Fire District #1?"

Mr. Thompson said, "Population in the fire district?"

Commissioner McGinn said, "Is that what you were talking about? Would you repeat what you said on that."

Mr. Thompson said, "Population growth in the fire district from April 1st of 2000 to July 1st of 2002 was 2,926 in the fire district alone."

Commissioner McGinn said, "Okay. And what was that attributed to? I mean, that many people moved to the . . ."

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Mr. Thompson said, "Census that was published in the Wichita Eagle."

Commissioner McGinn said, "Okay. I think that's all I had there for now. And then Bob Lamkey, I have a question for you."

Chairman Norton said, "Let's see if there's anybody that wants to speak real quick, if that's okay. Commissioner Sciortino, are you ready now?"

Commissioner Sciortino said, "I want to wait till everybody got a chance to speak publicly."

Chairman Norton said, "Okay. Thanks, Dave. Is there anyone else that would like to speak on the Fire District budget 2004? Anyone else? Okay, at this point I will close the public hearing and limit the comments to the Bench and we have the ability to call people back forward if we have questions. I think it was Commissioner McGinn first. Are you ready for other comments now?"

Commissioner McGinn said, "Yes, thank you. I guess I'd like to know a little more about the population increase, if that's just that many people moving to the unincorporated area or small towns?"

Mr. Bob Lamkey, Director, Emergency Management, said, "That's exactly correct. What we've experienced and what the Eagle talked about was the growth in the cities in Sedgwick County, in relation to other things. And so there has been growth in Haysville and in Goddard, so we have people moving to those communities which are part of the Fire District. In a global sense, annexation in 1999 reduced the Fire District population by about 10,000. I don't have the exact numbers and I can provide those.

Since that time, growth in the smaller cities has expanded it from 2000 to 2002 by 2,600 or so. So we're seeing population growth in the cities that the Fire District serves."

Commissioner McGinn said, "Okay. So you said it's decreased by 10,000 over what period of time?"

Mr. Lamkey said, "From '99 to 2002, if I compare the actual overall size of the Fire District, the Fire District has fewer households and people in it today than it had in 1999. What's happened though is we're getting growth absent annexation. People moving to Goddard and Haysville and those communities from 2000 and 2002 of about 2,600 total in the Fire District. So we have a shrinking in the Fire District because of annexation and we have a growth because now people are moving out into those other communities outside of the City of Wichita."

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Commissioner McGinn said, "So we've lost about 10,000 but gained 2,000. So a net loss of 8,000 since 1999."

Mr. Lamkey said, "I can give you the exact numbers. I have those."

Commissioner McGinn said, "And I don't know if you have these numbers too, but square miles and you know that you probably can't really weigh things there, because you still have distance traveled from one end of the County to another, but I know that the City of Wichita has taken in quite a bit."

Mr. Lamkey said, "The actual square miles, relative to the size of the Fire District, because there is essentially development of the periphery of Wichita isn't large as compared to the size of the Fire District. Much of that happened out east, and fairly compressed housing areas, but I certainly can give you that information."

Commissioner McGinn said, "And has our employment changed, our employment levels from '99 to today?"

Mr. Lamkey said, "Our employment levels went down as firefighter Thompson talked about. With the annexation out, at least we reduced the station, Station 38 from a five-person station to a three-person station. We've retained some of those personnel. I think we retained three of those personnel as flex staffers and the remaining went off of our books. So that the overall staffing from the Fire District went from 139 to 136 and it will go to 133 next year."

Commissioner McGinn said, "Okay. And then also, on the response time that Jeff Cowley talked about, what is the standard again?"

Mr. Lamkey said, "Are you talking about NFPA 1710 standard?"

Commissioner McGinn said, "You've lost me on that."

Mr. Lamkey said, "An engine company, is that what?"

Commissioner McGinn said, "Yeah, response time. I'm thinking like the EMS. You know, we have a certain response time we try to meet. Does the fire district have the same kind of a guideline?"

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Mr. Lamkey said, “We have established standards of coverage as part of our accreditation process. It is not strictly consistent with NFPA 1710, because 1710 quite frankly involves and is more focused on urban fire districts. We have standards of coverage that the fire district has presented to you and has been approved as part of our accredited process, so we do have standards. One of the things that Mr. Cowley talked about was an engine company. NFPA 1710 establishes the size of an engine company as a four-man operation. However, what it does talk about is a four-man engine company is four people at the event at a specific time. So our five man stations, when they respond two in a squad and three on an engine, that satisfies the NFPA 1710 requirement.”

Commissioner McGinn said, “Okay. I guess what I’m still trying to find an answer for, on response time, are we out of line with what we should be?”

Mr. Lamkey said, “No.”

Commissioner McGinn said, “Okay.”

Mr. Lamkey said, “Based upon our geography, our coverage areas, I’m very satisfied that our response time is satisfactory.”

Commissioner McGinn said, “Okay. Because I know, going back to EMS, they have a national standard and we meet that and that’s what we shoot for and is there some standard?”

Mr. Lamkey said, “There are standards in NFPA 1710 that, based upon the configuration of our fire department in the rural area, we cannot satisfy. It’s not possible to do. We satisfy those requirements in our suburban areas. We have established, through the accreditation process, standards of coverage for our department and I am satisfied that those standards of coverage meet the needs, based upon our geographic and our distribution of resources.”

Commissioner McGinn said, “Okay. And then again the four-man engine is met because someone else is going.”

Mr. Lamkey said, “That’s correct. There’s guidance out on NFPA 1710 from the International Association of Fire Chiefs and there’s been some refinement of that process, and so if you get the resources there in the sufficient time, you’ve met the requirements of an engine company.”

Commissioner McGinn said, “Okay, all right. Thank you.”

Chairman Norton said, “Commissioner Sciortino.”

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Commissioner Sciortino said, "Thank you, Mr. Chairman. Well, first of all I want to compliment our firefighters in getting involved in the budgeting process. I want to thank you for the manner and the civility in which you came to the table to visit with us and I would encourage you, Mr. Manager, whenever it's deemed appropriate, future budgets or what have you, I think it could be very helpful to get their input and their suggestions and their ideas."

The idea about . . . the way I read what firefighter Thompson, or Vice President Thompson said, about growth, it appears that maybe our fire district has hit bottom, as far as the erosion of people and it's now back on the upswing maybe. You know, we lost 10,000 and now we're starting to get back . . . starting to grow again a little bit. Is that your impression, Mr. Lamkey, albeit slowly?"

Mr. Lamkey said, "Yeah. Absent any additional annexations which takes people away, your statement is correct, assuming some level of stability. We're seeing growth in the cities outside of the City of Wichita that we serve."

Commissioner Sciortino said, "Well that encourages me because that type of growth is real. I don't believe we're going to eliminate annexations, other than if the other 19 communities annex, that's . . . Okay."

The idea about the four-man engine company, I would just like to maybe ask the president, is that your interpretation that if we have three men on an engine company and two more come in on a squad that that answers your association's idea? Is that true, from your perception?"

Mr. Cowley said, "In part. Six of the stations are five-man stations, but understand that we operate with two in, two out."

Commissioner Sciortino said, "I don't know what that means."

Mr. Cowley said, "If an engine company . . ."

Commissioner Sciortino said, "Okay, got it."

Mr. Cowley said, "Station 31 is a three-man engine company, seven miles, eight miles from the next end company. If it does not fall within the criteria set forth in the SOPs, then we cannot make entry. If we had a four-man engine company, we can go to work. The same is true with Station 38 is a three-man engine company and they're waiting for Wichita firefighters."

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Commissioner Sciortino said, "Let me ask one other question and then I have a question of Mr. Buchanan. I know you're saying that this is now becoming the standard in the nation. Are there other fire districts within the State of Kansas that have four-man engine companies?"

Mr. Cowley said, "Yes."

Commissioner Sciortino said, "There are."

Mr. Cowley said, "Johnson County. Cities of Topeka, Kansas City, Overland Park. Overland Park just became a public."

Commissioner Sciortino said, "Any in kind of our rural . . . I mean, ours is a little bit unique. Well, that's okay. That's not as important as . . ."

Mr. Cowley said, "Fire districts are unique in their state. You know, Sumner County has, I believe, nine fire districts. Butler County has seven. I mean, but they are mostly volunteer, they're not paid."

Commissioner Sciortino said, "Okay, thank you. That's all I had."

Mr. Buchanan, anything more that you wanted to expand, because I'm concerned over some of the safety issues that Vice President Thompson brought up. Do you want to expand further, beyond what Mr. Lamkey has said or anything else?"

Mr. Buchanan said, "Commissioners, in examining this budget, we've tried to take a look at combining a number of things to continue the service delivery that we have in the past. We believe that by reducing the work force by these three folks that it will cause management to have some difficulties filling in the gaps, but we think that can be done."

I also think it should be noted that, and I appreciate the fire union being here and I appreciate the conversations we've had, because they've been enlightening and helpful. The fire union had an opportunity to assist in this process and sustain those three positions. And rather than adjust their contract, they indicated that the three positions should be gone. So I think that needs to be part of the record also."

Chairman Norton said, "Anything else, Commissioner?"

Commissioner Sciortino said, "No, that was it."

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Chairman Norton said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you. Mr. Lamkey, maybe I could ask you a couple of questions right quick here. Don't want you to get too comfortable back there. We just recently, in our fire department, went through an accreditation process, right?"

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

Commissioner Unruh said, "And we're going to receive accreditation."

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

Commissioner Unruh said, "So the implication of that is that from an outside evaluation, we're providing services sufficient in our geographic area."

Mr. Lamkey said, "Based upon . . . that's correct."

Commissioner Unruh said, "In the new budget, will that accreditation cause anything to be jeopardized? I mean, in the new budget, any changes that are going to be that will cause that accreditation to be jeopardized?"

Mr. Lamkey said, "I don't believe so. I think that the manager, in looking at the budget, has put the fire district in a position where it will have to manage differently. We'll have to manage when we have training. We'll have to manage the dollars that we have, we'll have to manage our responses, but I don't think it will place the accreditation in jeopardy."

Commissioner Unruh said, "Okay. So the conclusion you might draw is, being accredited, under this budget, we're still going to deliver fire safety to the citizens of our county."

Mr. Lamkey said, "Yes."

Commissioner Unruh said, "All right, thank you. That's all I have."

Chairman Norton said, "I see no other lights. Any other comments? Well, I'll probably make just a couple, Mr. Manager, real quick."

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The one thing that's more of a global comment, I continue to push the idea that we need to sit down and gather our thoughts after the budget is over with, because I think we know that there's going to be more annexation. There is going to be a change in not only the population, but the size of the fire district, and if we keep dodging this, we're going to deal with some pretty provocative, hard issues every year. So that I will urge us to think more globally, think more strategically and engage in that workshop with all the principle stakeholders to be sure that what the fire district looks like next year and ten years and 20 years beyond is going to serve the citizens of Sedgwick County well. And I think to do anything less than that is shirking our responsibility as the Board of County Commissioners serving as the Board of Fire District #1. So, I think that's the first thing.

The second thing is that in a tough budget year when we're holding the mill levy static in our main budget, that we are increasing the budget in the fire district and I think that recommendation takes a little courage. Certainly it affects part of the district that I serve, because the largest user, population-wise in a community, is Haysville. And I think we have to know that to raise the taxes on the constituents that I represent in my one small town is going to be pretty tough. I think there will be some outcry on that. I will support that, but we have to look at the future, because we cannot continue to put money that is going to jeopardize some of the small town's interest in staying in the fire district. As some of these small towns grow, it's going to be pretty close to imperative for them to think about what they're going to do with the fire district and I want to be sure that we strategically think about that in the future.

That's a general comment about fire district and where we need to go in the next few years. Commissioner Sciortino, did you have . . . ?”

Commissioner Sciortino said, “Well, I wait till you're finished.”

Chairman Norton said, “Okay. I'm done.”

Commissioner Sciortino said, “Well, that was something I was going to say and then you jumped in there and that was good and I restarted my senior moments that I have. The other cities always can have an option to opt out of our fire district and start their own and we have to be a little careful when we're raising our fire district rates, and as long as the rates that we're charging is less than what it could take for them to have their own stand-alone and they perceive the service would be . . . and that's the key, would be at the same level, then I think we're on safe ground. But I think that's something that always puts pressure on us when we're raising the fire district. We get to where they start thinking they could do it as efficiently for less money, then we're in real problems and that's the balancing act that we have to continue doing. The first blush, why don't we just raise the fire district rates but that's the balancing act that we have to continually do.

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I am, I think, satisfied with what Mr. Lamkey and Mr. Buchanan said about the safety issues, because that is the key element in any one of these services is fire safety and we have to make sure that our citizens are comforted that when they go to bed, should they need it, we'll be there with adequate people to take care of their problem. Thank you."

Chairman Norton said, "Commissioner Winters."

Commissioner Winters said, "Just very briefly. I did have an opportunity to go out to Andale Sunday and stopped in at the fire station, visited with Jeff and the guys out there and then when over to the opening of the Andale library and was visiting with one of the former city council members who was a council member years ago and he said, 'You know why we got into the fire district' and I said 'no'. He said, well, we had a volunteer fire district and he said this was I don't know how many years ago and he said, I had three small children at the time and he said, we got ourselves in a place, as volunteers, where we almost got killed fighting a fire. And he said, I went back to the next council meeting and said, we've got no business fighting these fires. We need to be in a professional organization like Sedgwick County's Fire District #1. And he said, that meeting we joined the fire district and eliminated a place where we almost had a tragedy. And he said, we've appreciated the service and we certainly appreciate Station 31 now.

But I thought that was kind of an interesting comment that here's a community that had been in the volunteer business and decided that that wasn't for them. Now, that again probably doesn't help us any here today, but I thought that was an interesting comment. So, thank you."

Chairman Norton said, "Anything else? Mr. Manager."

Mr. Buchanan said, "You have closed the hearing. I recommend we move on to the next item."

Chairman Norton said, "Next item."

B. AUTHORIZATION FOR THE COUNTY MANAGER TO PUBLISH A NOTICE OF HEARING ON THE PROPOSED 2004 SEDGWICK COUNTY FIRE DISTRICT #1 BUDGET.

Mr. Buchanan said, "I recommend you do so."

Chairman Norton said, "What is the will of the Board? Commissioner McGinn."

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Commissioner McGinn said, "I have a question. Just like the last budget, this says that we won't raise it any more than 1.26. Does it also mean though we can decrease it?"

Mr. Buchanan said, "Absolutely. You can do anything else. You just can't raise it. There's a technicality. We've estimated it at 1.26 but under Kansas law what we've really said, we're only going to raise 'x' amount of dollars revenue from taxes. The Clerk sets the mill levy, based on the assessed valuation. Based on what we know, that would mean only a 1.26 mill levy now. It could be less, it could be more. It could be way less. It could be anything less than that."

Commissioner Sciortino said, "But it couldn't be more."

Mr. Buchanan said, "It could not be more."

Commissioner McGinn said, "It can't be more. Okay, thank you."

Chairman Norton said, "What is the will of the Board?"

MOTION

Commissioner Winters moved to Authorize the County Manager to publish a notice of hearing and establish August 6, 2003 as the final hearing date on the 2004 Sedgwick County Fire District #1 Budget.

Commissioner Unruh seconded the Motion.

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

VOTE

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| Commissioner David M. Unruh | Aye |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Commissioner Ben Sciortino | Aye |
| Chairman Tim Norton | Aye |

Chairman Norton said, "Anything else to come before us, as far as the fire district? Okay, I'll adjourn the Board of Commissioners serving as Fire District #1."

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C. OTHER

D. ADJOURNMENT TO ITEM H OF THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS

There being no other business to come before the Board, the Meeting was adjourned at 12:09 p.m.

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

TIM NORTON, Chairman
Second District

THOMAS G. WINTERS, Chair Pro Tem
Third District

DAVID M. UNRUH, Commissioner
First District

CAROLYN McGINN, Commissioner
Fourth District

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2003