

## **MEETING OF THE BOARD OF COUNTY COMMISSIONERS**

### **REGULAR MEETING**

**June 18, 2003**

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., on Wednesday, June 18, 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; Ms. Jo Templin, Assistant Director, Division of Human Resources; Mr. Dale Miller, Acting Director, Metropolitan Area Planning Department; Mr. Scott Knebel, Planning Staff, Metropolitan Area Planning Department; Mr. Chris Chronis, Chief Financial Officer; Mr. Mick McBride, Risk Manager, Risk Management; Mr. Tom Pollan, Director, Emergency Medical Services; Ms. Annette Graham, Director, Department on Aging; Ms. Marilyn Cook, Director, Comprehensive Community Care (COMCARE); Sergeant Terrilee Jones, Sheriff's Department; Mr. Mark Sroufe, Superintendent of Parks, Division of Culture, Entertainment and Recreation; Mr. John Nath, Director, Kansas Coliseum; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

### **GUESTS**

Mr. Mark Savoy, Agent for the Applicant, 535 S. Emporia, Wichita.  
Ms. Barbara Craig Queen, 56 Stratford Road, Wichita.  
Mr. Mark Foster, 4430 S. 231<sup>st</sup> St. W., Goddard.  
Ms. Beth Hurst, 23510 W. 47<sup>th</sup> St. S. Goddard.  
Mr. Winton Hinkle, Hinkle Elkouri Law Firm, LLC.

### **INVOCATION**

The Invocation was led by Mr. Pete Morris of Metro East Baptist Church, Wichita.

### **FLAG SALUTE**

### **ROLL CALL**

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

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**CONSIDERATION OF MINUTES:** Regular Meeting, June 4, 2003

The Clerk reported that all Commissioners were present at the Regular Meeting of June 4, 2003.

**Chairman Norton** said, “Commissioners, you have the Minutes before you of June 4<sup>th</sup>. What’s the will of the Board?”

**MOTION**

Commissioner Sciortino moved to approve the Minutes of the Regular Meeting of June 4, 2003.

Commissioner Winters seconded the Motion.

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

**VOTE**

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.”

**COMMUNITY ENRICHMENT AWARD**

**A. PRESENTATION OF COMMUNITY ENRICHMENT AWARD TO BARRY SCHWAN.**

**Commissioner Unruh** said, “Commissioners, two years ago you initiated an award to recognize those individuals who had provided significant service and enrichment to our community. This morning, I am very happy to welcome and to acknowledge Mr. Barry Schwan. Barry, would you want to step up here. I want to acknowledge him for his work in relation to the Sedgwick County Zoo over many years and what he’s done for our community.”

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Before I do that though, I just want to also acknowledge that you have a large group of supporters here from the staff of Sedgwick County Zoo and would, rather than me name each one of you, I let you folks from the zoo, would you just want to stand up so we can identify who you are.”

**Chairman Norton** said, “Whose running the zoo right now? The animals aren’t amuck are they?”

**Commissioner Unruh** said, “The animals are running the zoo. Well I think that’s an indication of how much you are appreciated by the staff of the zoo. So, thank you all for being here.

Barry was born in Saint Louis, but by the time that he got ready for college, he had found his way to Boulder, Colorado and graduated from the University of Colorado in 1975. In 1977 he joined the family business and then in . . . I beg your pardon, in 1977 he joined the family business and he became president of the House of Schwan in 1985. And it’s from that successful business that he has been able to provide energy and resources and leadership to the Sedgwick County Zoo.

Now Barry began his association with the zoo back when he was 17 years old however. He was hired on as a seasonal gardener. Maybe ought to make two comments, I guess he’s not afraid to get his hands dirty and he was willing to start from the ground up.”

**Chairman Norton** said, “This may be the last presentation you get to do, Dave.”

**Commissioner Unruh** said, “Well, he . . .”

**Commissioner Sciortino** said, “Did somebody write that for you?”

**Commissioner Unruh** said, “No, no that’s mine. Well Barry first became a board member of the Sedgwick County Zoological Board of Trustees in May of 1991 and became president of the board in May of 1993 serving until May of 1996. During that time, the Sedgwick County Zoological Society completed the expansion and the fund raising of the North American Prairie Exhibit.

Now, in May of this year, Barry completed his second term as president of the Zoological Society and as you know, we’ve been talking a lot about the opening of the Australia and South American exhibits that were just recently opened.

Barry is an active member of the Sedgwick County Zoological Foundation, where from his business experience he’s able to provide leadership and guidance for the future endowment of the Sedgwick County Zoo. Barry and his wife Cindy are significant supporters of the zoo’s annual fundraising effort, which is known as Zoobilee. It comes up in the fall.

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Barry also serves as president of the Kansas Sports Hall of Fame. He's president of the Kansas Beer Wholesalers Association. He is treasurer and chair-elect of the W.S.U. Endowment Association and he's chair-elect of the Greater Wichita Area Sports Commission. Barry also represents Kansas on the board of the National Beer Wholesalers Association and serves as a board member of both the Kansas Humane Society and Wichita Baseball Incorporated.

It is with great pleasure that I present this Community Enrichment Award to you. I hope that you can understand our profound sense of gratitude for the enrichment that you give to our community. So, congratulations."

**Mr. Barry Schwan**, President, House of Schwan, said, "Well, may have worn this group out and he may not get to make another presentation but I'm taking him on the road with me. He was very thorough. Thank you very much, Dave, I appreciate it and thanks everybody. A special thanks to everybody from the zoo that came out today.

I'll be very brief. He kind of stole my opening line that Sedgwick County was actually my first employer in the summer of 1970, which kind of dates me a little bit. But I think the point that I'd like to make this morning is that at that point, in 1970, I was working at the zoo and we had two exhibits. We had the American Barn and we had the Asian Barn and that's all we had.

So I'd like to take the opportunity at this time to thank this Board of Commissioners for its support of not only the Zoo, but all the other entities in Sedgwick County that have really benefited from the consistent support and willingness to help grow this community and the number of special events and operations and facilities that we have. And your support has really made that all possible. So, thank you all very much."

**Chairman Norton** said, "Don't run off, Barry. Commissioner McGinn."

**Commissioner McGinn** said, "Thank you. Well, I just wanted to say thank you for all your years of service in our community. I know what Dave shared was just a small bit of what I see your name on out in the community. When there are events, generally I see your name on there. And so we certainly appreciate all that you've done for the zoo and all the other things. And I guess being on the Cowtown Board, I want to say from Cowtown that we thank you for all that you do out at Cowtown as well. So, we're glad to have you in our community and we hope you're staying for many years to come."

**Mr. Schwan** said, "Planning on it. Thank you very much, Carolyn."

**Chairman Norton** said, "Thank you, Barry. Clerk, call the next item."

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### RETIREMENT

#### **B. PRESENTATION OF RETIREMENT CLOCK TO PAT MACDONALD, ADMINISTRATIVE PROJECT MANAGER, HEALTH DEPARTMENT.**

**Ms. Jo Templin**, Assistant Director, Division of Human Resources, greeted the Commissioners and said, "You heard earlier that we're here today to recognize and celebrate an individual whose been very visible in our community and so we're here today to celebrate the retirement of Pat McDonald, as you heard Administrative Project Manager with the Health Department, who will retire June 20<sup>th</sup> of this year after 30 years of service."

**Commissioner Winters** said, "Well, it's my distinct pleasure this morning to honor a very special person and a very visible person in our community. We certainly want to say welcome to the Health Department employees who are here today to help acknowledge Pat.

In the 30 years that Pat has been at the Health Department, she's served under eight directors, one interim director and 30 years worth of advisory board people, so that's been contact with lots of people.

I think it's interesting to note that in the mid '70s the Health Department really grabbed the vision to be a progressive and spend time in carving out health education and what that role was. And the whole idea was that without prevention all things in public health are reactive. And Pat was instrumental in carving out that role and making the vision of what's happening in the Health Department there today and its real foundation.

Pat's role at the Health Department fits well with her way of thinking. It was not only to give people information that could help them, but also to provide support and help, so that people could make health decisions and take care of themselves. She pressed many issues that needed consideration in our community, such as AIDS, fluoridation, smoking cessation, some of the real tough issues that are important to community health, Pat has been at the forefront of many of those.

She has been the spokesperson for the Health Department. I don't know, but you may have been on television, radio more than any of the rest of us combined over 30 years of experience. And in fact, this morning on the way to work, I heard you on the Steve MacIntosh Show for one more time, talking about the things that you've been doing over the years.

Pat, we'll miss you as a public servant. You've brought class and style and performance to the highest level in your career with the Health Department. We'll miss you, but we also wish you the very best in the next step, in the next part of your life.

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And on behalf of the citizens of Sedgwick County and the Board of County Commissioners we want to present this clock to you as just a token of our appreciation. So for 30 years worth of service, we say thank you very much.”

**Ms. Pat McDonald**, Administrative Project Manager, Sedgwick County Health Department, greeted the Commissioners and said, “A few words about a non-health issue. It has been my pleasure. I never dreamed, when I started out in the City of Wichita and Sedgwick County that we’d end up staying here for our life and having such a good life, but I’ve really enjoyed it. We loved the transition to Sedgwick County. It has been wonderful. I do think that’s where public health belongs and I hope that it all gets unified under one umbrella eventually.

It’s been my pleasure to do this. I’ve enjoyed every minute of it and I will be in the community, I will be available, so I’m expecting people to call and see if I can help them some other way. Thank you.”

**Chairman Norton** said, “Don’t run off, Pat. Commissioner McGinn.”

**Commissioner McGinn** said, “Thank you. Well, I just want to say thank you for your leadership and your service to our community all these years. I never really knew what you did until I became a Commissioner but I know one thing. I knew your face and I knew your voice for twenty-some years and I identified that with the Health Department. And I think Tom certainly summed it up, that you delivered class and style to our community when you had to deliver tough messages, good messages, and messages about prevention. And so we thank you for all that you’ve done and hope you have a great retirement.”

**Ms. McDonald** said, “Thank you very much.”

**Chairman Norton** said, “Commissioner Sciortino.”

**Commissioner Sciortino** said, “Well, I was just wondering. Do we have any unfilled appointments to the Health Department Advisory Board? Just a thought.”

**Chairman Norton** said, “We might come up with one.”

**Ms. McDonald** said, “Well I talked with Eula downstairs, and I think Eula and I might job-share when she’s ready to go half-time.”

**Commissioner Sciortino** said, “Okay, that’s all I had.”

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**Chairman Norton** said, "Commissioner Unruh."

**Commissioner Unruh** said, "Well, Pat I just want to say thank you also. I'm new on the commission, but I've know of you through your public exposure for all these years and you have represented the authority for community health in our community and I want to thank you for representing us well and doing a wonderful job and I hope you enjoy your retirement."

**Ms. McDonald** said, "Thank you very much."

**Chairman Norton** said, "Well, I'll kind of wrap it up here. What I've enjoyed most is seeing a personal glimpse. The paper ran a great article about kind of your travels through Wichita and what got you here and kind of what you're going to do and you might want to described that to us, what you're going to do next, because you've lived a pretty remarkable life. A little Peace Corps wrapped into all of this and you're kind of of a generation that I really attach to. So please, tell us a little bit about what you're going to do."

**Ms. McDonald** said, "Well we listened to President Kennedy's call then and joined the Peace Corps. Went around the world really with the government, which was wonderful. And we'd like to go around again probably, at our own expense, one way or another. We have some travel plans made and more to come, I hope, if our health holds up, if we do everything that we're supposed to do and keep our own good health and we hope to travel and both be of service to the community and get out into the world as well."

**Chairman Norton** said, "Back to Nepal?"

**Ms. McDonald** said, "Well, the situation in Nepal is not good right now, so probably not, but we're going to Europe in the fall and we have friends in Rome and Greece and various places, people we've kept in touch with. One couple I met in the Taj Mahal in 1968 and we're still in touch with them. So those kinds of things, we'll enjoy getting in touch with them again."

**Chairman Norton** said, "Sounds like a book or at least a series of short stories to me."

**Ms. McDonald** said, "That's a consideration too."

**Chairman Norton** said, "Well, thank you for your wonderful service to Sedgwick County. We really appreciate it."

**Ms. McDonald** said, "Thank you very much. I've enjoyed every minute of it."

**Chairman Norton** said, "That's great. Clerk, call the next item. Before we go on, Commissioners,

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I've got an Off Agenda item I'd like to insert here."

**MOTION**

Commissioner McGinn moved to consider an Off Agenda item.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

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

**OFF AGENDA ITEM**

**Chairman Norton** said, "Debbie Donaldson . . . is Debbie here? We'll let Debbie present. It's an appointment."

**Ms. Deborah Donaldson**, Director, Division of Human Services, said, "Today we have an appointment to the Juvenile Corrections Advisory Board, Ralph Teran. Ralph has been an ongoing member of this board and this is renewal of that and we would appreciate that appointment."

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

**Commissioner Winters** said, "I'd just make a comment. Ralph is with USD 259 here in Wichita and has been engaged in juvenile justice reform from back in the late '90s, when this advisory board was first started after legislation was created in Topeka. And I think it's very appropriate that we have someone connected to the school district working with this group. And I'm certainly ready to move that Ralph be reappointed to this board."

**MOTION**

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

**Chairman Norton** said, “And I know Ralph is here and Brent is here, so we can have him sworn in. Welcome, Ralph.”

**Mr. Brent Shelton**, Chief Deputy County Clerk, said, “Raise your right hand. At the conclusion, say I do.

*I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Kansas, and faithfully discharge the duties of the office of Juvenile Corrections Advisory Board, so help me God.”*

**Mr. Ralph Teran**, Member, Juvenile Corrections Advisory Board, said, “I do. Thank you very much.

It’s been a real pleasure serving on Team Justice. Folks at the County care a lot about kids. I’ve learned a lot and indeed we all need to work together to serve our kids in Sedgwick County. Thank you very much.”

**Chairman Norton** said, “Thanks, Ralph, appreciate it. Now, next item.”

**PLANNING DEPARTMENT**

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**C. METROPOLITAN AREA PLANNING DEPARTMENT (MAPD).**

- 1. CASE NUMBER DED 2003-13 - DEDICATION OF STREET RIGHT-OF-WAY, GENERALLY LOCATED ON THE SOUTHEAST CORNER OF KELLOGG AND 135<sup>TH</sup> STREET WEST. DISTRICT #3.**

**POWERPOINT PRESENTATION**

**Mr. Dale Miller**, Acting Director, Metropolitan Area Planning Department, greeted the Commissioners and said, "This first one is a very simple case. It's just a dedication. They're going to do some soil mining in support of the project to improve Kellogg and as part of the application, they've agreed to do this dedication and it's been reviewed by the Planning Commission staff and recommend approval."

**Chairman Norton** said, "I see no questions. What is the will of the Board?"

**MOTION**

Commissioner Winters moved to accept the dedication and record the document with the Register of Deeds.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

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."

- 2. CASE NUMBER ZON2003-00019 – SEDGWICK COUNTY ZONE CHANGE FROM "RR" RURAL RESIDENTIAL TO "SF-20" SINGLE-FAMILY**

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**RESIDENTIAL, GENERALLY LOCATED NORTH OF 47<sup>TH</sup> STREET  
SOUTH AND EAST OF 231<sup>ST</sup> STREET WEST. DISTRICT #3.**

**POWERPOINT PRESENTATION**

**Mr. Miller** said, “Commissioners, this one may not be quite as easy as the earlier one. This is a request to take a 31.8 acre piece of property and rezone it from ‘RR’ Rural Residential to ‘SF-20’. You can see the property is a long, narrow tract outlined in the black. It’s located north of 47<sup>th</sup> and east of 231<sup>st</sup>. You can see the entire area around the application area is zoned ‘RR’. The property parcels that surround the area give you some idea also of the size of tracts that people have in the surrounding area. Most of them are approximately five acres or larger and, as you can see to the north and east and to the south particularly and the southwest, they’re much larger tracts than that.

Gives you an aerial view, it’s kind of hard to see, but there are a few scattered home sites there to the west, but primarily the area is used as agricultural, particularly to the east and south and north and some of the tracts to the west as well.

Gives you some idea of the location relative to the City of Goddard. This is their zoning area of influence, and so this application did go to their planning commission for review. And this is a . . . this is the plat that has been proposed to accompany this rezoning. You can see, basically it’s just a long cul-de-sac with lots on either side. They are proposing 27 lots, approximately one acre in size. The lots would be served by rural water, with on-site sanitary sewer systems. A little better view of the plat itself.”

**Commissioner Winters** said, “Can I interrupt here. Dale, I’d like to just interrupt here. This did not make it into our backup packets.”

**Mr. Miller** said, “Oh, the diagram?”

**Commissioner Winters** said, “This one right here. I had the staff report and it had it in it so I’m just going to hand that copy of that to the Commissioners, because that wasn’t in our backup.”

**Mr. Miller** said, “Appreciate that. And there was protests filed, 47.68% on this particular application and then, as I mentioned, since this did go to Goddard, their planning commission did recommend denial. So that will trigger the unanimous vote requirement to overturn their recommendation for denial, should you decide to approve it.

And just give you some views of the site today. This is looking north, to the east, southeast. You can see it’s pretty rural. There are some suburban scale homes there, but it is our understanding,

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most of those are on five-acre tracts and larger.

As I indicated, the Goddard Planning Commission recommended denial. The Metropolitan Area Planning Commission also reviewed it and recommended denial. And with that, we'd try to answer any questions."

**Chairman Norton** said, "I do have one. Commissioner Sciortino."

**Commissioner Sciortino** said, "What was Goddard's reasons for denying it? What did they state as their reasons for denying it?"

**Mr. Miller** said, "If I could, Scott Knebel attended that evening meeting, and I'll let him describe what happened there, since he was there."

**Mr. Scott Knebel**, Planning Staff, Metropolitan Area Planning Commission, greeted the Commissioners and said, "The Goddard Planning Commission heard this request and actually had a split vote. It was three to two vote. The commissioners that spoke against the request primarily were concerned with issues such as drainage, perceived problems with the groundwater pollution and so forth from on-site septic systems. They were concerned with the fact that the property has existing terraces on it that then continue over to the property to the east. That they were concerned that those terraces would not be preserved well enough to continue the drainage on the property.

There were a number of people that spoke against the request and they presented numerous concerns to that body and several of those concerns are the same as what the Goddard Planning Commissioners themselves that spoke against the request cited."

**Commissioner Sciortino** said, "I assume we're going to hear from the applicant, but is that what the applicant is proposing, septic tanks on-site?"

**Mr. Knebel** said, "That's correct, yes."

**Commissioner McGinn** said, "Septic or alternative sewers?"

**Mr. Knebel** said, "Yeah, they're alternative septic systems."

**Commissioner McGinn** said, "Well, that's different."

**Commissioner Sciortino** said, "Is it septic tanks or is it an alternative sewer?"

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**Mr. Knebel** said, "Yeah, it's on-site alternative sewer systems."

**Commissioner Sciortino** said, "So it's not a septic tank."

**Commissioner McGinn** said, "It's like the FAST or the Orinko, the new technology."

**Mr. Knebel** said, "Right."

**Commissioner McGinn** said, "Okay."

**Chairman Norton** said, "Commissioner Unruh."

**Commissioner Unruh** said, "With the current zoning status, development has to be on five-acre plats, is that correct?"

**Mr. Knebel** said, "It's actually two acres is the minimum in the Rural Residential zoning district. It would only . . . then that increase to four and a half acres if a surface lagoon is required."

**Commissioner Unruh** said, "And if the zoning change is approved, then it can go down to what size?"

**Mr. Knebel** said, "It could go down to a minimum of 20,000 square foot lots. The applicant has proposed a plat that would have one acre lots."

**Commissioner Unruh** said, "Okay."

**Commissioner Sciortino** said, "And I guess just one more follow up on mine. What was the planning commission's reasons for denial?"

**Mr. Knebel** said, "The planning commission adopted the findings that were presented to them by staff, which are in your materials there. Primarily, the concerns were if you increase the density, then you increase the need to provide public services, basically doubling the need to provide roads, emergency services, water, sewer, all of the services that are provided by the County to residential home sites."

**Commissioner Sciortino** said, "And that's a reason to deny it is that we might have more people living in an area and we have to provide . . . they're living somewhere now, aren't they? Well,

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okay. That's fine."

**Chairman Norton** said, "Commissioner McGinn."

**Commissioner McGinn** said, "You may have said this. How far is this from the city limits?"

**Mr. Knebel** said, "From the city limits of Goddard, I would think it's approximately two, two and a half miles."

**Commissioner McGinn** said, "Okay."

**Chairman Norton** said, "Okay. Any other questions of Scott? At this time, this is not a public hearing, but I will offer five minutes to anyone that would like to speak pro or con from the community. If there's anyone else that would like to . . ."

**Commissioner Winters** said, "Could we hear from the applicant first?"

**Chairman Norton** said, "Certainly we could. Would you state your name and address for the record."

**Mr. Mark Savoy**, agent for the applicant, 535 S. Emporia, Wichita, greeted the Commissioners and said, "The applicant is present. Mr. Chairman, Commissioners, appreciate this opportunity to speak before you. Don't want to sound pessimistic when I start this. I really believe in this project. As stated among yourselves, the zoning is a two-acre zoning, and through the platting process, we would expect that we could meet all of the requirements of the subdivision regulations and we would be able to get approval for a two-acre residential subdivision.

The reason that we're interested in one-acre lots is because we feel like we can do a lot more with the infrastructure on the one-acre lots. And one of the key factors is the alternative sewer systems. The soil tests have been performed and the soils are satisfactory for those systems.

At this point, I'm going to say . . . I've got a lot I can say about this project but we've done sort of a self analysis. We've looked at the fact that we have neighborhood opposition. We've looked at the fact that the Derby [sic] Planning Commission recommended denial. Staff has recommended . . . MAPD staff has recommended denial from the beginning and MAPC recommended denial.

This all of course places us in a position where we have to have a unanimous vote from this board. If I was on this board, I'm not sure if I was faced with everybody else being opposed that I would

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be, myself, able to vote in favor of this. So, based on that analysis, together with a couple of other things I'll mention in a moment, we're really hoping that we might convince you to send this back to MAPC, who we in turn will ask to send this back to Goddard Planning. We're not . . . some of my reasons are the Goddard Planning Commission was not a full commission, plus we're not sure that we did . . . we know we didn't do proper education on the alternative sewer systems with them.

There wasn't really an understanding. Still a lot of concern about pollution from those systems, so forth and so on. So there's some reeducation that needs to take place there.

The neighborhood opposition concerns us. We really, believe me, don't want to just go do something that neighbors don't want. We do feel like that maybe if we had an opportunity to work with them a little bit, that maybe we could come up with some solutions that might appease them a little bit, maybe not. And one other thing that has collected onto our desires with this subdivision, if we would get the zoning that we had not proposed at the Goddard Planning Commission is to pave the new road with asphalt, which would of course cut down on dust, so forth and so on and any required maintenance for that road in the future. So there's a number of ideas like that that are jelling in our heads that we're trying to assess whether it would make the project feasible dollar-wise.

In general, some of the things that the property owners willing to do can't be done actually for the two-acre lots. It's just not financially feasible and some of those things would include the extension of rural water. There's a gas line nearby that he wants to extend that's kind of expensive. He probably wouldn't be able to do it for the two-acre lots, where he feels like he can justify it for the one-acre lots. Even just the construction of a gravel road alone is pretty expensive, but the asphalt surface adds about three times the cost to that. So for two-acre lots he wouldn't be able to do those things. And we believe so much in it, working with this over the last few weeks, that we'd really like to have the opportunity to sort of back up and maybe pursue conversations with the neighbors, with Goddard Planning Commission and see if we couldn't take a better run at it."

**Chairman Norton** said, "We do have some questions. Commissioner Sciortino."

**Commissioner Sciortino** said, "Thanks. Could you explain, you said that the Goddard Planning Commission wasn't a full commission. What did you mean by that?"

**Mr. Savoy** said, "There were some members absent."

**Commissioner Sciortino** said, "What is the membership of the commission?"

**Mr. Savoy** said, "I don't know. I thought there were two members absent. There was one member absent."

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**Commissioner Sciortino** said, “Okay. And I think you’ve answered the question about more density would better utilize the infrastructure. By that you meant it wouldn’t be economically feasible to extend rural water out there. Is that right?”

**Mr. Savoy** said, “Yeah, just as an example, if you were going to spend \$200 a running foot of lot frontage for infrastructure, when you reduce those lots by half, why you double the cost of that infrastructure per lot.”

**Commissioner Sciortino** said, “Okay. And it seems like this development is out in the . . . I’m not putting anybody down, out in the middle of nowhere. Has the applicant done some market research that indicates that there’s a lot of people that would love to move and build out in the middle of nowhere a home?”

**Mr. Savoy** said, “He has completed an 80 acres that he had done five acre parcels on. He’s retired from his business, sold his business and he and another gentleman have kind of gone into looking at land and doing lots a little bit. But those all sold successfully, but probably . . . His estimate is that over half of those people that were interested in living in a rural community were really pining about ‘Can we get this, can we just buy one acre from you, or two acres? Do we have to buy the whole five acres? Don’t you have some lots . . .?’

So that’s part of what fed his thought pattern towards the smaller lots. I’m not going to go into the circumstances of why he bought this piece of ground. You can look at it. It’s a long, narrow piece of ground that’s certainly not one that would break up into five acre tracts very well. And two acres is slightly questionable, although it will lay out for two-acre tracts. The one acre certainly looks a lot better.

I guess . . . I don’t think it’s probably really economically feasible as farmland. The adjacent property owners, a large farming operation and I assume they could have bought it if it was really feasible for farm ground. So I’m not sure what the use is for that piece of property. It is a little bit remote, although if you looked at a little broader map, you’ve got Lake Waltanna and Beaver Trail and a number of communities that are actually probably this size lots or smaller, maybe from way back and I know they’re on regular septic systems and I know they have problems with those systems. But . . . so the general area, just right adjacent to us, no there’s not small lots, but there are . . . 47<sup>th</sup> is asphalt, 31<sup>st</sup> is asphalt, so there’s real good access from this site and to this site from the local community.”

**Commissioner Sciortino** said, “Okay. I just have one follow up to Richard Euson. Rich, can we mandate an alternative sewer as the disposal system, even though the applicant’s intent is to use

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alternative sewer? Would they have the freedom to change their mind and go to a regular septic tank?"

**Mr. Richard Euson**, County Counselor, said, "Under the current subdivision regulations, they're allowed to do septic systems on two-acre lots, if the percolation tests work out."

**Commissioner Sciortino** said, "Okay, but he's thinking about one-acre lots. What option does he have at his disposal if it's only a one-acre lot? I don't think he has any, does he?"

**Mr. Euson** said, "I think he would have to go to a community system."

**Commissioner Sciortino** said, "A community system. It couldn't be an individual system right now. Is that correct?"

**Mr. Euson** said, "I think that's correct."

**Commissioner Sciortino** said, "Okay. Is the applicant aware of that, that it would have to be a community septic system?"

**Mr. Savoy** said, "Individual septic systems is what we've been anticipating."

**Commissioner Sciortino** said, "Well, we don't have any proviso, as I understand it, presently in our statutes, that would allow individual systems. Is that right, Mr. Euson?"

**Mr. Euson** said, "That is my understanding of it."

**Commissioner Sciortino** said, "So it would have to be a community system."

**Mr. Savoy** said, "We'll verify that, but if the lots need to be a little bit bigger. It was my understanding that if they were over one acre, why the individual systems were satisfactory, but I may be wrong on that."

**Commissioner Sciortino** said, "Okay, that's all I had. Thanks."

**Chairman Norton** said, "Commissioner McGinn."

**Commissioner McGinn** said, "I think we've had a past case that, yeah, if they were going to have one acre lots, they had to put in the alternative sewer system. It was a requirement that we made."

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**Commissioner Sciortino** said, "Okay. That's when I was getting confused, Commissioner. I didn't know that we actually put that into a law. I mean we were talking about it."

**Commissioner McGinn** said, "We required it for approval."

**Mr. Euson** said, "In Bentley Meadows, that was part of a protective overlay."

**Commissioner Sciortino** said, "Okay. So, we could implement a protective overlay in this area and allow individual septic systems . . . alternative systems?"

**Mr. Euson** said, "Well, actually I think alternative systems are proposed for this development right now. If you wanted to . . . and I think that's the only way they can do it right now. So I'm not sure that it's necessary for you to mandate it."

**Commissioner Sciortino** said, "Okay, but I'm still confused about if that's what's proposed they could implement . . . there's a difference between individual alternative sewer system per home as opposed to one large one serving the whole development as a community alternative sewer. Are you saying that, in the protective overlay, they could put in individual alternative sewer systems?"

**Commissioner McGinn** said, "Yes."

**Mr. Euson** said, "I think they could, yes, as long as they met any engineering criteria that we had."

**Commissioner Sciortino** said, "All right, thank you."

**Chairman Norton** said, "Commissioner McGinn, did you have some follow up on that?"

**Commissioner McGinn** said, "Yes and some more questions. How far is the rural water?"

**Mr. Savoy** said, "Rural water is right at the intersection of 47<sup>th</sup> and 231<sup>st</sup>. So, we do have about 1,000 feet just to get to our street entrance before we can extend up the street. We've talked with Harold Martin early on, and to actually size the line, we have to make application and pay a fee of \$4,200 for them to process it. But also in talks with Mr. Hopper, he indicates that he feels fairly certain that they have the adequate pressure to handle these lots. So we're basing moving forward on this based on those conversations."

**Commissioner McGinn** said, "Well, that would be a concern I have, because they have so much water too."

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**Mr. Savoy** said, "Right."

**Commissioner McGinn** said, "Is that something that you would be guaranteeing with the one-acre lot, rural water?"

**Mr. Savoy** said, "Yes. With the one-acre lots, we want to extend rural water."

**Commissioner McGinn** said, "You want, but you can guarantee it because they have it."

**Mr. Savoy** said, "Yes. That's subject to their approval, of course. Like I say, we haven't made application. We don't know whether to tell them we want 14 lots or 28 lots. I mean, it kind of depends on the zoning."

**Commissioner McGinn** said, "But if you were going for 28, you'd say 'If I had 28 lots, you have enough water to service this development'."

**Mr. Savoy** said, "Correct. And the indication is that they do."

**Commissioner McGinn** said, "You talked about increased infrastructure with the smaller lots, so the other was . . . one was rural water, the other was asphalt surface within the development."

**Mr. Savoy** said, "Asphalt surface, natural gas, Kansas Gas Service has natural gas three or four hundred foot closer to us than the water and Mr. Coleman would like to extend natural gas into this project so it eliminates the need for propane tanks, so forth and so on. And the gas company is willing to do that extension, of course for money."

**Commissioner McGinn** said, "And that's something you would do."

**Mr. Savoy** said, "Yes."

**Commissioner McGinn** said, "And then the asphalt surface."

**Mr. Savoy** said, "And then it's Mr. Coleman's preference to go underground with what would normally be overhead utilities, electric and telephone."

**Commissioner McGinn** said, "Okay, that was my next question, because I thought that I read in here that . . . Okay, it would be overhead. Okay. So, it says here it would be overhead."

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**Mr. Savoy** said, "It would be overhead for two-acre [sic]. I mean the expense is a little bit too much to do underground electricity for that much frontage. One acre tracts, the intension is to go underground."

**Commissioner McGinn** said, "Okay. And then have you looked at the different alternative sewer products that are out there?"

**Mr. Savoy** said, "Yeah, there's three or four different types. I haven't personally looked at them. Mr. Coleman is aware of them. I think he put in the first one for the Girl Scout camp originally, so he's at least aware of those systems."

**Commissioner McGinn** said, "And he's aware that they cost more than regular septic."

**Mr. Savoy** said, "Right, and that's part of the problem with the two-acre tracts, it becomes a little bit tougher. We're not sure what we're faced with on two acres, if it's even viable then, because of the costs. Your cost per lot ends up being so much for infrastructure. That's why you have to start reducing some of the other things that you'd like to do."

**Commissioner McGinn** said, "I've got two quick questions for Dale and then I'm done. Dale, do you see the growth of Goddard coming out here very soon?"

**Mr. Miller** said, "Their growth, at least as I understand when looking at their building permit issuance, it will be a long time before they're out that way."

**Commissioner McGinn** said, "Because they're not growing in that direction or what?"

**Mr. Miller** said, "Well, unless something major would happen that would change their employment."

**Commissioner McGinn** said, "Okay. And then when I look at this, I thought we had to have two ways in, in case of fire."

**Mr. Miller** said, "Typically, they have been doing that and there was an attempt to get one to the west, but there's a pond. I don't know whether I can show you or not. Well, there's a pond to the west that makes it difficult to have a road cut through. There was a lot of discussion about to the east. Did we not get that one?"

**Mr. Savoy** said, "In the subdivision side of the house, we had agreed to provide contingent street

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dedications, both to east and west in approximately mid-block for future connection to any future streets that might . . .”

**Commissioner McGinn** said, “So you say street dedication, so would you be paving those?”

**Mr. Savoy** said, “No. It would be a contingent dedication, based on acquisition of right-of-way on the adjacent properties for the need for a connection to this street. So the dedication would be in place should the adjacent properties ever do it.”

**Mr. Miller** said, “We set it up so that should the properties to the east develop and the road network work so that it connects up there, it could be connected up, but if it doesn’t work out that way, we didn’t want to force them to pave a stub and have it just sitting there and deal with that. And so we took it as contingent.”

**Commissioner McGinn** said, “That’s all I have right now. Thank you.”

**Chairman Norton** said, “Commissioner Unruh.”

**Commissioner Unruh** said, “Thank you. I’m just trying to get cleared up. If this application is not approved, you will go ahead and develop the area with two-acre lots and there will just be a change in the . . .?”

**Mr. Savoy** said, “Development will take place, one way or another. The decision as to whether to wait a year and reapply for the zoning is also another option, but the intent is to develop this into a residential subdivision, two-acre or one-acre.”

**Commissioner Unruh** said, “Okay. The second question, I appreciate your willingness to modify your strategy to get the project completed, and asked for us to send it back to Goddard. But I need to ask maybe Mr. Euson, what’s the practical procedural ramifications of that? I mean, if we send it back to Goddard what happens? Of if we vote on the request right now?”

**Mr. Euson** said, “The statute of course allows you to return this to the MAPC. That’s one of your three options for dealing with this case and, in the process of doing that, you could refer it back through Goddard and then from Goddard back to MAPC.”

**Commissioner Unruh** said, “What’s the timing of that or . . . I mean, then it comes back to us, ultimately again.”

**Mr. Euson** said, “Then it would come back to you again with maybe the same recommendations,

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maybe different recommendations.”

**Commissioner Sciortino** said, “And there’s a different vote requirement the second time, isn’t there?”

**Mr. Euson** said, “There would be, of course if Goddard went ahead and recommended denial again, it wouldn’t change the fact that you would have to have five votes to approve, regardless of what MAPC does. But Commissioner Sciortino you are correct, that when you send it back to MAPC, if they have voted negatively and you want to vote affirmatively, then it changes it from a four vote requirement to a three vote requirement for the Board of County Commissioners.”

**Commissioner Sciortino** said, “If it just stays at MAPC and doesn’t go all the way back to Goddard.”

**Mr. Euson** said, “That’s correct.”

**Commissioner Unruh** said, “Okay.”

**Commissioner Sciortino** said, “You’re asking that it goes back to Goddard. Is that right?”

**Mr. Savoy** said, “Yes, sir.”

**Mr. Euson** said, “But I guess I should note that of course in this case you also have a protest and that changes things too.”

**Commissioner Sciortino** said, “To what?”

**Mr. Euson** said, “Well, protest is going to require four votes to override.”

**Commissioner Sciortino** said, “Okay. As opposed to five.”

**Mr. Euson** said, “Yes.”

**Commissioner Unruh** said, “Okay, thank you.”

**Chairman Norton** said, “Any other questions? Before we move on, is there anyone else that would like to speak?”

**Commissioner Winters** said, “I’ve got a question.”

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**Chairman Norton** said, "Okay."

**Commissioner Winters** said, "I can hold them until . . . I'll just hold my questions. Let's go ahead and have the rest of them."

**Chairman Norton** said, "Please state your name and address for the record."

**Ms. Barbara Craig Queen**, 56 Stratford, Road, Wichita, greeted the Commissioners and said, "I am the owner of the 580 acres to the east of Mr. Coleman's proposed plat. I have researched my arguments through Goddard and through the subdivision and through the commission and again, there are two prongs to my argument to maintain Rural Residential zoning.

And I went and I researched the code itself and found out that with the Wichita and Sedgwick County Comprehensive Plan it's primary objective was to enhance and encourage agricultural activities within Sedgwick County, recognizing that viable agricultural land exists and that's me. I am an active wheat and cattle producing farm. We have farmed there for 80 years. We are not thinking of moving quickly. We are the east boundary that they are proposing the street into my wheat field.

The second thing is by description of land use, it is to recognize large residential lots in rural areas and significant open spaces to be preserved. The proposed change does not acknowledge either one of these conditions that are set forth. Agricultural activity is not enhanced. This is density construction that will cause the destruction of existing terraces, create drainage concerns, create an erosion problem, present future concerns to clean surface water and underground water supplies by failed sewer systems.

Commissioners, they are proposing 27 alternative sewer sites right next to our land. This alternate sewer site is releasing the water back into the ground. If I may speak a little bit about our ground soil, the soil in that area is Van O's and Shellenberger B. In Van O's we have silt-y clay and it was not but three week's ago that the Sedgwick County and Wichita brought up that wonderful saying, 'Brooks Landfill is again leaking'. All the dollars that have been poured into Brooks Landfill, all the technology and guess what the soil type was, silt-y clay.

I have clean water. I have spring-fed ponds. This runs into Lake Waltanna and so we are sharing, the area is sharing clean surface water and underground water was well. I cannot see how 27 sewer tanks emptying into the area is really going to enhance the value of life for those surrounding us.

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As I mentioned, the road leads into my wheat field, my pasture and my pond, and therefore this is going to create a problem for us, just the neighborhood things. There's no place for these children to play. There's no place of ride a bicycle. There's no amenities for other things. They can't go out on 235. It's a 60 mile an hour road. So where are they going to go? They're going to go to the neighbors. Okay, that's fine except I am a business, I'm not a yard, I am a business.

There's also, for me with this, a real danger of fire, simply because of the wheat fields, from propane tanks, 27 barbeque pits going for those afternoon steaks and let's not forget our Fourth of July fireworks, which has burned up many a field, many a field here in Sedgwick County."

**Chairman Norton** said, "How much more time do you need?"

**Ms. Craig Queen** said, "Say . . . I'm hard of hearing? Say again."

**Chairman Norton** said, "How much more time do you need?"

**Ms. Craig Queen** said, "Oh, just a few minutes. Significant open space is not preserved. This is going to be cluster development, and therefore the definition for Rural Residential and open space is not acknowledged. And we have a situation that does not enhance the neighbors. The neighborhood is full of people who have bought their land, maintained their land, acknowledged Rural Residential, all of the rules and regulations and have become valuable conservators of the land. And so, I ask you please to maintain Rural Residential and not change the zoning. Thank you."

**Chairman Norton** said, "Thank you. Is there anyone else that would like to speak? Please state your name."

**Mr. Mark A. Foster**, 4430 S. 231st Street W, Goddard, said, "I live on five acres at 4430 S. 231<sup>st</sup> Street West. I'm on a five-acre lot. Put the proposal in on everything that I've done for every meeting that I've gone through. I mean I don't have time to continue to fight for these things. When I built our house on five acres, I had to do everything that Sedgwick County requested. I have what they call a super septic system out because the land does not drain. When they percolated mine, which is right on the land which is right adjacent on the west side, it's called a super septic. That means two tanks, laterals that are just thousands of feet.

And I don't understand why we have to fight to have this kind of development put right behind my five acres. I'll look at 14 houses that look right out over my back window. Everything else around

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here is on five acre, ten acre, fifteen acre lots and I don't understand why we're now continuing to come to these meetings to have somebody change the rules just because he wants to develop a stretch of property that he bought. You know, this is a concern that I have is he's coming to you to change the rules from the rules that I played with when I had to build on my five acres. I'm the one that pointed out on the west is a lake.

No one is understanding that you've got to look around to see what the heck is out here on this property. You've got a half mile up to the section here and if you put two cars per that household, you know on a street that's straight up and straight back. You've got one way in and one way out. I don't understand any of this. I mean, you might as well have a trailer park put out here in a straight line is what you've got when you put those houses in that kind of a development.

So, I'm very concerned that this is even to the point that every time I have to come back, now they want to put it back to the Goddard, I don't have time for this to come to every one of these meetings to fight for these things. I mean, we've denied it to every one of these positions and now I'm at another meeting and I almost missed it. You know, I'm self-employed, luckily I'm self-employed or I wouldn't have been here. So, that's all I have concerns with."

**Chairman Norton** said, "Thank you, Mr. Foster. Is there anyone else? Name and address please."

**Ms. Beth Hurst**, 23510 W. 47<sup>th</sup> Street, Goddard, greeted the Commissioners and said, "You'd think . . . I've done this before, you'd think I'd be a little bit more comfortable but I guess I'm still not, so I'll try and kind of present it just from our point of view. I've lived out in Goddard since 1979 and we are not against Mr. Coleman developing this property at all. But it just does not blend in with the neighborhood that is in existence right now. We live on nine acres. People around us live on ten, five and eight of the ten landowners that got the notices showed up at the Goddard meeting and were against this.

It's just not a land . . . it's just a really small, narrow stripe of land and It's really not suitable for one acre homes. He said he couldn't do it into five, and that's not a problem with us, or even two is . . . having 13 homes is better than having 27, because it just does not fit into the flavor and the neighborhood . . . if you drive out there, it's very obvious.

Another thing I wanted to bring up and my husband mentioned this before, he had a business thing to go to today, our house burnt down November the 22<sup>nd</sup> and my son was home and he called the fire department immediately and by the time the fire department got out there, they couldn't do

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anything. It was totally destroyed. And you're talking about putting 27 homes over there. So, I just want you guys to consider from our point of view that we just want you to uphold the law that we've all abided by and that's all I have to say. Thank you."

**Chairman Norton** said, "Thank you. I want to be sure there's nobody else. Is there anyone else that would like to speak? At this point, I'm going to limit the conversation to the bench. Commissioner Winters."

**Commissioner Winters** said, "Thank you. Dale, I have a couple of questions. In looking at the dimensions of this, and I know maybe you don't have something in front of you, but if I looked at this right, am I looking right, that this is 540 feet wide by 2,600 feet long."

**Mr. Miller** said, "That's as I understand it. It's approximately a half mile deep, a little less than the usual 660 or 600 feet that you'd think of tracts being divided into."

**Commissioner Winters** said, "Okay. Then on the question about the fire department again, I guess I'm . . . Can you help me understand that? I don't know that I've been involved in some specifics with the fire department, but I mean they have some strict regulations about alternative points of entry. And did the fire department check off on this? Are they saying that this is all right?"

**Mr. Miller** said, "They were present when the plat was initially reviewed by the subdivision committee. You know, they were the ones that were asking for the two points of access to the east and the west. When we found out that the one to the west wasn't all that practical, they then thought that the one to the east would possibly work. You know, they do require the wider road now, so that they have room to actually pass each other in the roadway. But there was a Sedgwick County Fire person there when the plat was reviewed."

**Commissioner Winters** said, "Well, I had a case up by Goddard where an individual wanted to build a horse barn for eight horses and it was like 400 feet from the back of his property and he couldn't get a permit because fire guys wouldn't sign off on it, because they couldn't get access to it.

In this case, if the high line power . . . if the power lines at the front of this entrance blow down and the power lines block the entrance, there's 27 houses that are stranded, 27 houses that nobody is going to get a fire truck to or an ambulance to. So I'm a little bit surprised of what the fire department is thinking.

You . . . Commissioner McGinn asked about Goddard. Do you think Goddard would ever be able, within the foreseeable future to provide city services to this eventually? I mean . . ."

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**Mr. Miller** said, "Not . . . in my opinion, not in the foreseeable future."

**Commissioner Winters** said, "Yeah, we're looking at over 25 or 30 years. Okay, Dale, I think that's all I had."

I did have another question for Mark Savoy. Mark, could you come back up? Mark, when you talked about the development here and the paving of the roads, you were talking primarily about what ever the road is that goes out of the Rickens development and on the cul-de-sac."

**Mr. Savoy** said, "Correct."

**Commissioner Winters** said, "Have you given any consideration to what to do with 47<sup>th</sup> Street, back to 235<sup>th</sup>, which 235<sup>th</sup> is a good paved county road, 47<sup>th</sup> Street is a gravel/ sand township road."

**Mr. Savoy** said, "At the moment, we hadn't made considerations. There's so many other people that have access to that road. I guess the consideration would be like anything else. If everyone wanted to participate in that. I'm not sure that anybody in that area feels like they would need it asphalted, with the traffic that they have right now. That's something that's part of that thought pattern that we're trying to review and the reason we're asking to go back, so that we could maybe analyze that a little bit. But at the present time, no it has not been something that we've offered or made a decision on."

**Commissioner Winters** said, "Okay, thank you very much. Mr. Chairman, I guess I'd ask a point of which way you'd like to proceed from here. I've really tried to work on this case a lot and spent time talking to people and thinking about it. And I have a reason, an opinion, and a course of action that I'm ready to propose that I'm willing to take. I'd be . . . I see that there are some other lights on, if people have questions of clarification that would help, then perhaps we could do that. I'm ready to kind of cut to the chase, say what my opinion is and then if others just want to craft something along that or something other than that, maybe we could do that."

**Chairman Norton** said, "Well, I'll defer to Commissioner McGinn and Commissioner Sciortino, who have questions."

**Commissioner Sciortino** said, "I'm not ready to . . . I have a couple of questions before I'm ready to make a decision about how I want to vote."

**Commissioner McGinn** said, "You need more questions, you said? Okay, I'll just . . . I'll wait."

**Chairman Norton** said, "Okay. Commissioner Sciortino."

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**Commissioner Sciortino** said, "I need some clarification, Rich. I think I heard from the applicant's representative that if we didn't approve this, which would allow them to go to one acre, you could develop it on two acre lots without any action from this board. Is that correct?"

**Mr. Euson** said, "That is correct, assuming that they can comply with the subdivision regulations, as to platting."

**Commissioner Sciortino** said, "So, it isn't a question of whether homes are going to be built out there. It's either going to be 14 homes on two acre lots or 27 homes on one acre lots. I mean, that's what I heard the proposal. So, you're going to get neighbors, whether you like it or not.

I share the same concerns, and this is a big concern of mine, with Commissioner Winters. But Rich, I guess I'll ask you again, do we have a law that says you have to have alternative access into a community for fire protection, or not? Or is it just we sort of would like it, or if you make a dedication, assuming your neighbor would allow you, then you could put a road in some other time? What is it?"

**Mr. Euson** said, "Commissioner Sciortino, that's a matter of subdivision regulation and that would . . . it's something that will occur automatically in the platting process and I really don't know the answer to that question. It's in the subdivision regulations and I'm kind of like Commissioner McGinn. I was thinking that there was a requirement that after you got past 800 feet or something, that you were required to put in an alternate access but I'm just not positive. Perhaps Dale Miller might be able to answer that."

**Commissioner Sciortino** said, "Dale, do you know the answer to that?"

**Mr. Miller** said, "Yes, there is a requirement. However, the subdivision regulations can be waived by the Planning Commission if they find fit. This is one of those deals where we have slowly whittled away at the issues, when plats come through, that become controversial. When I first got

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here, we used to argue a lot about what street names were. We used to argue about whether or not easements were going . . . pipelines were going to be in reserves or just easements in the backyard. This issue of the second point of access was the third thing that we argued over regularly. It's about the only one left that we continue to argue over, because it is important. And the fire department's not here, and I hate to speak for them but this is my perception and if the chief thinks that I'm not portraying it correctly, why I will defer to him, but from my experience at sitting at subdivision, they try to do what they can to make the project work without just completely giving up on the safety factor. If there is a way to make a project work by getting contingent right-of-way or finding an easement through another property owner if they're willing to do that, then they generally work with the applicant to try and make it work. In this case, there weren't many options and so I think that's . . . they were trying to go along with the applicant and try and make the project feasible from a platting standpoint."

**Commissioner Sciortino** said, "Okay. Now, the neighbor to the east, this young lady here, they can't mandate that she dedicate land, can they?"

**Mr. Miller** said, "No. This would not require land from her. All this does is set up a stub street, the potential for a stub street to go to the east that, at some point in time should she or her family ever decide that they want to develop the property, then the potential for connecting this property to their property would exist. But there is nothing in this application, or in this plat, that would require them to provide any roadway or easement or anything else to connect up."

**Commissioner Sciortino** said, "Okay. But the fire department could say, 'No, you have to have alternative access and then the applicant would either have to figure out how to get an alternative access or the platting wouldn't be . . .?'"

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

**Commissioner Sciortino** said, "Okay. That's all I have. Thanks."

**Chairman Norton** said, "Commissioner McGinn."

**Commissioner McGinn** said, "I'm going to save my discussions until after his Motion."

**Chairman Norton** said, "Okay. Commissioner Winters."

**Commissioner Winters** said, "All right, thank you. Well as I said, I've spent a lot of time thinking about this, researching what has taken place to this point and visiting with lots of people about this and I am not going to be supportive of this zone change and there are several reasons and some

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logic behind it.

In the staff report to the Metropolitan Planning Commission, they did talk about the surrounding use of property and how this is out of character with that. This is a lot that is . . . or a development that's 2,600 feet long and 560 feet wide and I just don't think that that fits into what is taking place in this neighborhood. They also mentioned as how the property could be used now and it could be used in two or five acre lots. They looked to whether there would be an opportunity for future public services out there. Dale Miller has stated and I agree that it's going to be many years before Goddard would be able to offer this area any kind of sewer service. The impact on public facilities, I know that it's only 800 and some feet from the entrance to this back to the west to 235<sup>th</sup> Street, 231<sup>st</sup> Street. That is a paved road, 231<sup>st</sup>.

One of the things I have learned in this job is a sand road can take so much and I would just almost guarantee folks that once there gets to be 27 houses here, each with two or three automobiles, that every time it rains, I will get a call about the road between this entrance and 231<sup>st</sup> Street. I mean, it will have a tough time standing up to that kind of traffic. In addition, staff has recommended denial. The Goddard Planning Commission has recommended denial. The MAPC has recommended denial. And a reasonable group of neighbors have been here asking that it not be approved.

But I want my fellow commissioners to note that I am not opposed to the alternative sewer operations. I do think we've kind of exemplified here this morning that we don't have very good rules, regulations and plans in effect. I mean, we're talking about here we're not really sure whether we were talking about individuals or whether we were talking about community systems. I think we all believed that it was a community system. I'm not sure the applicant knew. The applicant probably doesn't know because we don't have a good list of what all we want to see when we have an alternative application in front of us.

One of the things I'd think that we would want to have, as we talk about these rules, is the water issue. I think the applicant has good intentions about wanting to be on rural water, but should we not have to when they get to this point, some kind of document from rural water saying, 'Yes, if you do this, everything else is met, we will hook them on'. Because I remind you about the development a mile and a half north of Clearwater, nice new homes, four to eight years old, their wells went dry this past year. They were fortunate enough, they were close enough to Clearwater to get city water from Clearwater. But whoever developed that project evidently did not know what kind of water was going to be available for those people.

So do we want to include those kinds of things when we start looking at developments that are going to be based around alternative sewers? They're going to have a much different complexion. They're going to have a much different appearance than what we've been used to in the past, and I

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would hope that with a new planning director coming on board in July, that soon after that we could get to work on really developing what we want this kind of system to look like and what kind of developments we want to enhance in the rural part of the County and not do something by accident and end up in a place where we have a mistake. And I'm not saying that this is really a mistake, I'm just saying that from what I can see, and principally what's going on in the neighborhood with this long, narrow development I don't think is compatible.

So, I guess then to cut to the bottom, cut to the chase and I'm not making a Motion yet, but I'm not prepared to vote for this, so since it takes a unanimous vote, if I was making a Motion, it would be to deny the application and I guess the only other alternative is if someone . . . if the majority of the Commission wants to send this back to some place, I'm not sure exactly what would happen, but I'm prepared to make a Motion to recommend denial. But I guess, Mr. Chairman, I'd kind of take your leadership on how you wanted to proceed."

**Chairman Norton** said, "Well, unless there's a will to send it back and not deny. I'd like to hear some comment on that. Commissioner McGinn, did you have some comment?"

**Commissioner McGinn** said, "I was ready to Second his Motion to deny and then have discussion on that."

**Chairman Norton** said, "Commissioner Unruh, Commissioner Sciortino?"

**Commissioner Unruh** said, "I would think that it's appropriate now that we Second the Motion and have the discussion and deal with that."

#### **MOTION**

Commissioner Winters moved to deny the zone change request.

Commissioner McGinn seconded the Motion.

**Chairman Norton** said, "I have a Motion and a Second and I would open it up for discussion. Commissioner McGinn."

**Commissioner McGinn** said, "Thank you, Mr. Chairman. You know, when we started looking at smaller densities, open space and those kinds of things, you know I think we're looking at totally top-notch development, when we're talking about putting in the alternative sewer systems and those

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kinds of things. And so, I'm not sure if this is going to fit some of the requirements that we've talked about. And yes, we don't have a policy all the way jelled and we're waiting for our planning director to come to town and see what we've gotten and see if we can't go ahead and get that finished up pretty soon.

But to me, this development doesn't answer all the questions for me or fit the requirements for one acre lots. There are some other things that we really haven't talked about in depth here is, you know, we also have a backyard drainage requirement on the books that we put on a few years ago. I'm not sure how this linear one acre development is going to be able to past that requirement.

The fire, I'm really perplexed about that whole deal, in light of past cases that we've had. You always have to have two ways to get in and out. It sounds like, if I understood it, the way we're going to go out if we develop it is east, and I didn't hear Ms. Craig that was in the audience say that she's ready to sell her property. So, I mean, it's one of those 'if I get this development, then I'm gong to try to get it out to the east' but I don't think there's any facts that we're even going to get that direction.

I too, as Commissioner Winters noted, I have a lot of skepticism or concerns about when you say 'we'll just hook up to rural water' because I've heard too many stories in the past where we can't hook up to rural water. Either it's very expensive or they don't have the water rights available. They've already sold out. There's no more left. So, I hate to just do something on the whim of that.

And then the other area of concern that I have is I think when we get into these more denser communities, as we've talked about in a previous case, I personally feel they need to be closer to a community that's going to grow there within a few years. I'm not hearing that today in this situation, and so for me, this one acre lot development does not pass the requirements that I have in my mind to approve one acre lots with alternative sewer systems and so I'm not ready to support this.

I also think it goes back to what Commissioner Winters has said a lot. And that is, just because you have ground, doesn't mean we can develop everything. You know, some ground maybe just doesn't fit for development, or we have to develop it different. Yes, this can go ahead and be developed on two acre lots. That's what's on the books right now. I personally disagree with what's on the books right now, but that's something that has been on the books for many, many years.

So, I just don't think this is the right situation, the right lot. It doesn't fit the requirements for me to have one acre lots on community systems out, basically too far from the community. Thank you."

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**Chairman Norton** said, "Okay. Commissioner Sciortino."

**Commissioner Sciortino** said, "Well, I really . . . I've got two sides tugging at me. One is I don't really like to tell a person what they can or can't do with their own property. I do understand that you have to take into consideration your neighbors. I understand that when you live closer into an urban area you have to realize that you're limited on what you can do with your property, because you have to insure the fact that if you do something it isn't detrimental to a neighbor's property.

But as an overall concept, I certainly am a proponent of property rights. I don't like to tell people, 'You can't do this on your property' but I understand the need for some reasonable codes and regulations.

I am a strong supporter in alternative sewer systems, either individual or community. I've seen them. Commissioner McGinn and I went and looked first hand on them. In my opinion, they are head and shoulders above septic tank technology. I don't share the fear that the affluent that's going back in is going to destroy the water. That affluent that I've seen is cleaner than any affluent that we presently have coming out of anything else.

The idea of not wanting to go smaller than five acres or what have you, one of the things that I heard in all the meetings when we were redesigning the comprehensive plan was a more efficient use of land, so that we wouldn't be gobbling up farmland. Well, if we keep it at five acres or ten acres, and that's the smallest you can go, that's gobbles up farmland in a much faster way than if we go to smaller lots.

I don't support 'I'm out here and I don't want anybody else to come out here' concept, although that's never officially said to us, sometimes I get the feeling that maybe that's where somebody's objections are.

However, on this one here, the thing that's got me really concerned is fire. I don't know, boy, I'll tell you what, I don't think I'd be interested in buying a lot up here, knowing that . . . I don't know how wide this street is. Is it going to be wide enough, if they have curbside parking, plus be able to get the truck through, plus be able to get two trucks through with somebody parking his pickup on this side of the street and somebody having a visitor on this side of the street that's got a car? I don't know that this plan has been thought out that much in detail.

I guess I would be willing to consider deferring it back and having all of these questions answered, but short of that, I'm going to have a hard time supporting this application. That's all I have."

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**Chairman Norton** said, "Commissioner Unruh."

**Commissioner Unruh** said, "Thank you. I share Commissioner Sciortino's philosophy on property rights and want to support that every opportunity that I get. However, I am going to be in favor of the Motion that's on the table right now to deny the request."

And I won't go through, re-hash all the arguments that have been given by Commissioner Winters and Commissioner McGinn. But primarily, if this thing has gone through the steps for approval and it has been denied at every level and opposed by neighbors, it's real hard for me to go against that advice, and so I will be voting in favor of the Motion on the table."

**Commissioner Norton** said, "Okay. Any other discussion? Just one last comment from me. I think we've had a good dialogue and a good debate. We didn't take this lightly. I think we've tried to look at all the different sides of it, listen to citizens and the applicant, listen to the people that help us make these decisions."

I applaud the Commissioners for having the good debate and bringing up their ideas. I will be supportive of Tom's Motion at this time. I don't have a problem really sending it back to Goddard and MAPC, but I don't think that's going to be the will of the board today, so I'll be very supportive. If there is no other discussion, I will call the question."

### VOTE

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

**Chairman Norton** said, "At this time, I've had a request that we take a short break, so I'm going to recess for about five minutes."

**The Board of County Commissioners recessed at 10:26 a.m. and returned at 10:32 a.m.**

**Chairman Norton** said, "I'll call us back to order. Clerk, call the next item."

### NEW BUSINESS

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**D. DIVISION OF FINANCE.**

- 1. RESOLUTION AUTHORIZING EXECUTION AND DELIVERY OF A FIRST SUPPLEMENTAL LEASE AGREEMENT AND TAX COMPLIANCE AGREEMENT IN CONNECTION WITH ISSUANCE BY WICHITA PUBLIC BUILDING COMMISSION OF ITS REVENUE REFUNDING BONDS, SERIES N, 2003 (STATE OFFICE BUILDING PROJECT); AND ESTABLISHING AN UNDERTAKING OF CONTINUING DISCLOSURE WITH RESPECT TO SAID BONDS.**

**Mr. Chris Chronis**, Chief Financial Officer, greeted the Commissioners and said, "In 1993, Sedgwick County joined together with the City of Wichita and the State of Kansas to renovate a building downtown and turn it into what now is known as the state office building. As a part of that transaction, the City Public Building Commission issued 18.6 million dollars worth of bonds to partially finance those improvements. Now, some nine or ten years later, an opportunity has arisen to refinance those bonds and achieve significant debt service savings.

The documents that are before you are necessary as a part of the refinance actions. There is a supplemental lease agreement that the Chairman will execute, and through the financing, the building is leased by the Public Building Commissions to the governments, which in turn lease it then to the State and there is a tax compliance certificate that the Chairman is required to execute as well, which makes certain commitments on the part of the County.

In addition to those agreements that are before you, we are asking you to approve the formula by which the debt service savings will be shared by the city and the county. There will be approximately a million and a half dollars of debt service savings as a result of this transaction and you have, in the agenda summary, a description of the agreement that has been reached regarding the sharing of that savings.

Essentially, a portion of those savings will be used first to reimburse the city and county for cash that they have put into the transaction over the past ten years when there were debt service shortfalls on lease payments. Another portion of the proceeds will be used to pay for improvements that the city and the county jointly have agreed to provide in conjunction with the Bombadier project. And the remainder of the savings will be shared between the city and the county on the basis of other

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costs that have been put into the project and it works out to roughly a 62% share for the City of Wichita and a 38% share for Sedgwick County. In total, of the million and a half dollars, Sedgwick County will received approximately \$662,000 over the remaining life of the debt. Most of that savings will be received in October, approximately October the first of 2004 and then again October the first of 2005 and then much smaller amounts each succeeding years, extending out to 2014.

So, in summary, what you have before you are a series of documents that require approval in order to proceed with the refinancing and once the refinancing is concluded, the county stands to gain about \$662,000. In the audience we have Winton Hinkle from the firm of Hinkle, Elkouri, who serves as the bond counsel for the Wichita Public Building Commission and we also have two of his associates, Sarah Steele from his firm and the underwriter for the bonds, whose name I forget, I apologize for that. I was told it right before I stepped up here, but they would be happy to answer any questions, if you have any technical questions about the transaction. If you have none, I recommend that you approve the item that's before you."

**Chairman Norton** said, "Commissioner Sciortino."

**Commissioner Sciortino** said, "Chris, I just have one. I didn't understand the item. What does it mean, 'establishing an undertaking of continuing disclosure'?"

**Mr. Chronis** said, "Whenever you sell bonds in the municipal market, you are required to perform ongoing disclosure of your financial information, so that potential investors have some idea about the quality of the security that's behind those bonds."

**Commissioner Sciortino** said, "Okay, you're talking about as a whole, the County as a whole. Okay, I got it."

**Chairman Norton** said, "Mr. Manager."

**Mr. William Buchanan**, County Manager, greeted the Commissioners and said, "Sarah Steele is an employee of Gilmore and Bell and represents the underwriter."

**Mr. Chronis** said, "I apologize."

**Commissioner Sciortino** said, "I thought you got promoted to another firm here real quick. Okay."

**Chairman Norton** said, "I do not see any questions. Now I do. Commissioner Winters."

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**Commissioner Winters** said, “Well, I guess I would, since Mr. Hinkle is here, I would like to have maybe him just say that he is probably the architect of this or not, but just share with us that he believes that everything is proper and in order, as Mr. Chronis has described it and this looks like a good project for us to move forward with.”

**Mr. Winton Hinkle**, Hinkle Elkouri Law Firm, greeted the Commissioners and said, “I guess I do have to plead guilty to being the architect to much of the legal arrangement here that was created in 1993, in which were really simply continuing in place, largely unchanged. The state’s lease is unchanged until the term expires, and the arrangement between the county and city remains essentially unchanged.

We’ve had an excellent financing team, A.G. Edwards and Gold Capital Management. This is Jerry Rail, incidentally, with Gold Capital Management, joined together to provide the Public Building Commission with not only the underwriting of the bonds, but a fairly complex financial analysis that helped us understand how to structure the transaction.

We think everything is in order. We think it’s a very good transaction, really for all parties involved.”

**Commissioner Winters** said, “All right, thank you very much.”

**Chairman Norton** said, “Well, it appears to me that the lower bond rates are advantageous to us right now. What is the will of the Board?”

**MOTION**

Commissioner Sciortino moved to adopt the Resolution; approve the First Supplemental Lease Agreement and the Tax Compliance Agreement and authorize the Chairman to sign; and approve the formula for sharing surplus revenues with the City of Wichita under a joint Letter of Instruction and authorize the Chairman to sign.

Commissioner Unruh seconded the Motion.

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

**VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye

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

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

**2. RESOLUTION AUTHORIZING SOLID WASTE FEES AND ESTABLISHING BOUNDARIES OF SEDGWICK COUNTY'S SOLID WASTE SERVICE AREA.**

**Mr. Chronis** said, "Commissioners, I would request that you defer action on this item for one week."

**MOTION**

Commissioner McGinn moved to adopt the Resolution.

Commissioner Winters seconded the Motion.

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

**VOTE**

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

**Chairman Norton** said, "Thanks, Chris. Next item."

**3. APPLICATION TO KANSAS DEPARTMENT OF HUMAN RESOURCES FOR RENEWAL OF SEDGWICK COUNTY'S WORKERS COMPENSATION SELF-INSURANCE PERMIT.**

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**Mr. Mick McBride**, Risk Manager, Risk Management, greeted the Commissioners and said, “Kansas statute requires employers and municipal entities in the State of Kansas to provide a worker’s compensation benefit for their employees. This can be done by the purchase of insurance, or by establishing a self-insured plan.

Both types of plans must be approved by the state. Historically, Sedgwick County has elected to provide this benefit with a self-insured plan. The county plan is currently administered with one and a half staff persons and the services, when needed, of a contract attorney. This includes one administrative assistant and one half of my time. We process all worker’s comp claims in the Risk Management office.

A work comp fund has been established and is funded by premium charges to all county departments. Premiums are determined by a formula that includes the number of losses and the actual claim payments in each department. Risk Management prepares a work comp budget, which is funded from this reserve fund.

Attachment ‘A’ in the permit application shows the manual premium calculation, which is approximately \$2,300,000. That would be used by an insurance company. The 2004 work comp proposed budget is approximately \$1,300,000, which is an approximate one million dollars of annual savings between the insured and the self-insured program.

I believe the self-insured program should be continued. I will answer any questions you might have and I do recommend that the Commission approve the state application for self-insurance and authorize the Chairman to sign.”

**Chairman Norton** said, “Any discussion, Commissioners? I see none. What is the will of the Board?”

### **MOTION**

Commissioner Sciortino moved to approve the Application and authorize the Chairman to sign

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Commissioner Winters seconded the Motion.

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

**VOTE**

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

**Chairman Norton** said, "Thanks, Mick. Next item."

**E. AGREEMENT WITH COWLEY COUNTY COMMUNITY COLLEGE FOR SEDGWICK COUNTY EMERGENCY MEDICAL SERVICE (EMS) TO PROVIDE FIELD INTERNSHIPS TO STUDENTS.**

**Mr. Tom Pollan**, Director, EMS, greeted the Commissioners and said, "This agreement is for a year and it will allow us to provide field internship for 11 students who will become paramedics at the end of that period. I do recommend this, as this is a good recruiting tool and it also allows us to help train those folks who may deliver to small communities in Kansas. I would recommend your approval and allow the Chair to sign."

**Chairman Norton** said, "Commissioners?"

**Commissioner Sciortino** said, "Just one question real quickly. What is the financial considerations? Does the county have any financial considerations on this?"

**Mr. Pollan** said, "There is some limited risk, but we do require that the organization have the insurance policy for the student and that's been approved by Legal in the past and we also have their approval on the firm."

**Commissioner Sciortino** said, "They're under our blanket coverage when they're out in the field?"

**Mr. Pollan** said, "They have their own as well. They're under theirs as well. They have coverage for themselves as well."

**Commissioner Sciortino** said, "Okay."

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**Chairman Norton** said, “There are other community colleges that we have this kind of arrangement with, is there not?”

**Mr. Pollan** said, “That is correct.”

**Chairman Norton** said, “Commissioners, will of the Board?”

**MOTION**

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

**Chairman Norton** said, “Thanks, Tom. Next item.”

**F. DIVISION OF HUMAN SERVICES.**

- 1. GRANT APPLICATION TO KANSAS STATEWIDE SUICIDE PREVENTION STEERING COMMITTEE FOR FUNDING OF AN OLDER ADULT SUICIDE PREVENTION FORUM.**

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**Ms. Annette Graham**, Director, Department on Aging, greeted the Commissioners and said, “The purpose of this mini-grant application is to fund a community forum of community organizations, businesses and concerned citizens to participate in a discussion on the needs and the recommendations for the statewide Suicide Task Prevention strategic plan. The Central Plains Area Agency on Aging, in conjunction with the Aging and Mental Wellness Coalition of Sedgwick County will host the Older Adult Suicide Prevention Forum. The forum will focus on suicide prevention as it relates to older adults in the community in the Central Plains Area Agency and the tri-county area, Sedgwick, Harvey and Butler.

The forum is tentatively scheduled for August 28<sup>th</sup> from 10 to 2 p.m. Of course, it is contingent upon the funding from this grant application. The grant application is in the amount of \$500 which is the maximum amount allowed for the grant application and that \$500 would cover the entire cost of the forum. So we would request that you would approve the grant application and authorize the Chair to sign and would be happy to answer any questions.”

**Chairman Norton** said, “Commissioners, any discussion?”

### **MOTION**

Chairman Norton moved to approve the Grant Application and authorize the Chairman to sign all necessary documents, including a grant award agreement containing substantially the same terms and conditions as this Application; and approve establishment of budget authority at the time the grant award documents are executed.

Commissioner Sciortino seconded the Motion.

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

### **VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye

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Chairman Tim Norton

Aye

**Chairman Norton** said, "Thanks, Annette. Next item."

**COMCARE**

**2. ADJUSTMENT OF THE COMCARE STAFFING TABLE TO INCLUDE NINE CASE MANAGER POSITIONS, BAND 216, AND TWO EMPLOYMENT SPECIALIST POSITIONS, BAND 217.**

**Ms. Marilyn Cook**, Director, COMCARE, greeted the Commissioners and said, "On April 21<sup>st</sup>, COMCARE received a notice, a letter from Via Christi Regional Medical Center saying that they would not be renewing their contract for community-based services, or what we call case management services beyond the end of that current contract June 30<sup>th</sup> of this year.

The reason for the notice is that providing this level of care in an in-patient, which is our outpatient service basically in an in-patient setting was just too costly for them to continue. I have been meeting with the director of Via Christi a couple of weeks prior to that notice and we both agreed that it was a good decision and a decision that was a mutually beneficial one to both of our organizations.

Via Christi gave notice in time to allow ample time for us to plan the transfer of 155 consumers that were involved in this process. Since case management is a mandatory service and a core service for all community mental health center, COMCARE is requesting at this point an addition of nine case managers and two employment specialists to our staffing table. The addition would allow us to . . . would allow current Via Christi case managers to apply for a position at COMCARE and to bring their established clients with them in that process. I'd be happy to answer any questions that you have on this."

**Chairman Norton** said, "I see no questions or discussion. What is the will of the Board?"

**MOTION**

Commissioner Unruh moved to approve the adjustment to the COMCARE Staffing Table.

Chairman Norton seconded the Motion.

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

**VOTE**

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

**Commissioner Sciortino** said, “I have just one question real quickly of Marilyn. To the clients of these case managers, it will be pretty transparent for them, will it not? I mean, they’ve got a case manager and they’ll still have the same case manager for the most part, because these people are sometimes rather vulnerable. But it’s pretty transparent to them, this transition over?”

**Ms. Cook** said, “Via Christi gave notice to the consumers the same day that they gave notice to their staff and so they have been working. The consumers do understand that their case managers will be seeking employment elsewhere. Most of them will choose to go with the case manager they’re with, because they’re comfortable there.”

**Commissioner Sciortino** said, “Okay, thank you.”

**Chairman Norton** said, “Just one comment. Sometimes we get criticized a little bit because we do a lot of this in-house. And this is one of those cases where we’ve tried to farm it out. We’ve had a pretty good relationship with Via Christi, but they’re getting out of that business, and we feel compelled to take it on to be sure there’s no loss of service and that we feel like we can hire case managers and provide this service, even though it’s been outsourced in the past.”

**Ms. Cook** said, “Oh, absolutely.”

**Chairman Norton** said, “Okay. Thank you very much. Next item.”

**G. GRANT APPLICATION TO KANSAS DEPARTMENT OF TRANSPORTATION FOR CONTINUED FUNDING OF AN IMPAIRED DRIVING DETERRENT PROGRAM**

**Sergeant Terrilee Jones**, Sheriff’s Department, greeted the Commissioners and said, “We would like to request that you approve the application for the renewal of the Impaired Driving Deterrent grant from the Kansas Department of Transportation, Bureau of Traffic Safety. We are requesting

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\$5,279.66 to be reimbursed to the Sedgwick County Sheriff's Department for overtime use to enforce five saturation patrols, three sobriety checkpoints and traffic education.

During the last year, there has been 1,807 crashes that the Sedgwick County Sheriff's Department has worked, 88 alcohol related crashes, 683 DUI arrested and one alcohol related fatality. And we feel that by having this grant, it helps us reduce the numbers of fatalities in Sedgwick County. The numbers have gone down significantly since we've had this grant and I'd ask that you approve the grant."

**Chairman Norton** said, "So this is a reapplication for a grant that we've had in other years."

**Lieutenant Jones** said, "Right, this would be our third year with this grant."

**Chairman Norton** said, "Okay. I see no questions. What is the will of the Board?"

**MOTION**

Commissioner Sciortino moved to approve the grant application and authorize the Chairman to sign all necessary documents, including a grant award agreement containing substantially the same terms and conditions as this Application; and approve establishment of budget authority at the time the grant award documents are executed.

Chairman Norton seconded the Motion.

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

**VOTE**

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

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**Chairman Norton** said, "And Terrilee, what will you be doing in your new assignment?"

**Lieutenant Jones** said, "I will be on third-shift patrol."

**Chairman Norton** said, "Well, you've done an admirable job in the position you've been as community liaison and we appreciate that but we're glad that you got the promotion, even though you have to go to third shift. Next item."

### **H. DIVISION OF CULTURE, ENTERTAINMENT AND RECREATION.**

#### **1. RESOLUTION AMENDING THE *SEDGWICK COUNTY CODE* RELATED TO RULES AND REGULATIONS FOR USE OF SEDGWICK COUNTY PARKS, LAKES AND RECREATIONAL FACILITIES.**

#### **POWERPOINT PRESENTATION**

**Mr. Mark Sroufe**, Superintendent of Parks, greeted the Commissioners and said, "I come before you today to request approval of revisions to the County Code relating to fees for Sedgwick County Park and Lake Afton Park.

Revisions include increasing the rental fee at Horseshoe Shelter Sedgwick County Park from \$75 a day to \$90 per day. That is due to the upgrade we did in January of this year. Increase the camping fee at Lake Afton one dollar per day. The last increase in camping at Lake Afton was in 2000 and this puts us in line with what our competitors in similar operations, to what they charge today.

Other revisions, proposing a new recreation permit fee of \$3.00 per vehicle or \$25.00 per year for users of Lake Afton Park. By doing this, we would delete our fishing permit fee and exceptions to this fee would be during certain major events such as the go-cart races, boat races, Wheatland Jam and the car show we would waive that fee, all emergency vehicles, county other, maintenance vehicles would be allowed, any law enforcement, other official government vehicles, staff/residents, vendors and visitors to Judge Riddel's Boys Ranch, or the public shooting range and the public observatory would be exempt. Persons participating in events which are duly licenses for

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exclusive use of the park, such as shelter rentals and any other major event that we would attract to the park would be exempt as well.

Shelter number three is due to be torn down and replaced. We're going to delete that until we get that project completed. This inside building is no longer rentable. There are various language and corrections in the rules. Increased fines for some violations and deletion of the fishing permit fee, which was a provision if we ever decided that we wanted to have a fishing permit fee at Sedgwick County Park it was in the rules, but we don't see that happening in the future, so we'd like to delete that as well.

Other considerations, new fees would become effective January 1<sup>st</sup>, 2004. We require the publication of course for three weeks in the official County newspaper and as soon as we have this approved, we would start educating our users at Lake Afton, as soon as we can get some signs made and get those posted.

This fee that we're charging is about 50% of what it costs for a state park fee for the recreational permit. How we're going to administer that will be the permits could either be sold at the bait shop, purchase them through the self-pay station during off hours or through the security people with a 50 cent service fee.

The estimated new revenues, based on a two year old car count at Lake Afton, with the exceptions, is \$150,000 minus the \$34,000 for expenses, makes the net revenue of \$116,000. Our lost revenue fees for fishing permits was \$26,005 in 2002."

**Commissioner Sciortino** said, "Is that part of the expenses?"

**Mr. Sroufe** said, "Yes."

**Commissioner Sciortino** said, "\$26,000 is part of the \$34,000?"

**Commissioner Sciortino** said, "Okay."

**Mr. Sroufe** said, "I request your approval of this. If you have any questions, I'd be more than happy to take those at this time."

**Chairman Norton** said, "Commissioners? Commissioner Winters."

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**Commissioner Winters** said, “Just for clarification, I’m not sure I understood that. There’s \$34,000 expense, but that was the amount that it’s going to take to collect these fees. Is that correct?”

**Mr. Sroufe** said, “Part of that \$26,000 was the fees, the income that we’ll lose from the fishing permit that we do now.”

**Commissioner Winters** said, “So that was included in that 34, so it wasn’t 34 plus 26.”

**Commissioner Sciortino** said, “\$8,000 to administer the new fees, I guess.”

**Commissioner Winters** said, “Okay. Somebody else talk first.”

**Chairman Norton** said, “Commissioner Unruh.”

**Commissioner Unruh** said, “Mark, do you expect increased cost for enforcement of the new rules? I mean, what’s that going to imply?”

**Mr. Sroufe** said, “Of that \$34,000 of expenses, there’s \$10,000 in there for part-time people to enforce it in the field and also there’s some printing costs included in that as well.”

**Commissioner Unruh** said, “Okay.”

**Commissioner Sciortino** said, “Well, wait a minute then. That doesn’t add up. If \$26,000 of the \$34,000 is the loss of fishing permits, you don’t have \$10,000 for the other thing.”

**Mr. Sroufe** said, “Well, there were \$10,000 for part-time help, \$1,000 for printing. That would have been \$11,000 and then . . . Well, you’re correct. The 26 is not part of that \$34,000. Excuse me.”

**Commissioner Sciortino** said, “Okay.”

**Commissioner Unruh** said, “So the entire change nets out to \$90,000 net revenues.”

**Commissioner Sciortino** said, “Right. So you have net revenues of about \$90,000.”

**Mr. Sroufe** said, “Yes.”

**Chairman Norton** said, “Okay. Anything else, Commissioner Unruh?”

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**Commissioner Unruh** said, "No, thank you."

**Chairman Norton** said, "Commissioner McGinn."

**Commissioner McGinn** said, "Okay. So if I want to go out there and fish one day, I have to buy a three dollar permit to get in."

**Mr. Sroufe** said, "That's correct."

**Commissioner McGinn** said, "But if I do it on a regular basis, I'll buy this annual recreation permit for \$25, and if we need another vehicle to get in there, they've got to pay another \$12.50."

**Mr. Sroufe** said, "That's correct."

**Commissioner McGinn** said, "Okay. And then, if some company is having a party in one of the shelters, they rent that facility and you come in and you say 'I'm coming in for the Cessna party' or whatever and I know the shelter and all that, I won't pay that \$3.00."

**Mr. Sroufe** said, "That's correct."

**Commissioner McGinn** said, "Okay. Thank you."

**Chairman Norton** said, "Commissioner Winters."

**Commissioner Winters** said, "Well, thank you. I'm going to be supportive of this today, but I've really tried to be one that has supported parks and recreation, free and open to the public. But these are difficult financial times that we're in and I think it's important for citizens to remember that we're still at about 50% of what it would cost to use a state park and we know the state has struggled with this issue, so I think there still is value added to using Lake Afton, even though there's going to be a change and there's going to be an increase, there are still other options. There are state parks available, and if they want to use state parks they can.

So I just hope that folks realize that this was a decision that we've not taken lightly. That we just haven't jumped to this conclusion that this is what we need to do, but that Mark and Ron Holt have spent significant time trying to analyze this and determine what's the best. So I'm going to be supportive, even though I wish there was a way we did not have to do this, but I don't see any other alternatives in this kind of financial climate that we're operating in. Thank you, Mr. Chairman."

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**Chairman Norton** said, "Commissioner McGinn."

**Commissioner McGinn** said, "Well, I agree with Commissioner Winters about I certainly support parks free and open to the public, but this is a little different situation than like Sedgwick County Park, where people go in there and skate and ride their bike or walk or whatever. I mean, this offers other amenities and those are camping amenities, there are fishing, there are swimming, there are boating, and those kinds of things and not everybody uses that, so we're kind of getting into the user fee philosophy here. The people that use it, they want a park that's clean and the camping facility and those kinds of things are picked up and mowed and all that. Well, should everybody pay that that don't perhaps use that facility? And so, to me this is I guess the best way that we can offer those enhanced amenities to those that use that park and also be pretty prudent with our tax dollars as well."

**Chairman Norton** said, "Commissioner Sciortino."

**Commissioner Sciortino** said, "Yeah, I agree with that because we've got an excellent park. I think the amenities are very good. We used to have a fishing permit and that used to take a lot of management to make sure that people weren't throwing their line in the water without having a permit, and that would take a lot of time. This is a flat rate, \$3.00 a day, have at it. If you want to fish you can or whatever and I think it will be a lot easier to manage and to oversee it."

As I understand it, this just barely puts us kind of on equal footing for other options that people have, as far as . . . well, we're still below state, but even some of the city parks or city lakes, we're now maybe just getting up close to what they're charging. So I don't think we're gouging the public. I think, more and more the government is going toward charging people for services that they use and I understand that concept and I'm going to certainly be supportive of it. And I hope that you are able to generate that revenue, although it's going to be a tough number for you to reach, but I hope you can make it."

**Chairman Norton** said, "Certainly not all of the money that supports the park comes from fees. There's general funds that get dropped into there, so this offsets a little of it. I think it's important to note also that you've been looking at this for six or eight months and it wasn't just the economic reality that triggered some of these fees being changed and upgraded. It's kind of a new system, getting rid of the fishing fees and moving that over to a more general fee to get into the park. It's a little bit different philosophy and it really doesn't have as much to do with the economic downturn"

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as it does just with revisiting fees and services that we provide out there and getting us a little more in line with what other parks are doing throughout the area, but there is still a huge implication as far as revenues and supporting the park in a time when, you know, it's pretty tough to come up with general fund money to do that and maintain the same services. What is the will of the Board?"

**MOTION**

Commissioner Unruh moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

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

**Chairman Norton** said, "And next item."

**2. AGREEMENT (FIVE-YEAR) WITH BIG EVENTS, L.C. FOR USE OF LAKE AFTON PARK JULY 11 – 13, 2003 TO HOLD DRAG BOAT RACES.**

**Mr. Sroufe** said, "I come before you today to request your approval of a five-year contract with Big Events L.C. and Sedgwick County for the use of Lake Afton Park for the drag boat races January [sic] 11<sup>th</sup> through the 13<sup>th</sup> this year. This is the second five-year contract we've had with the drag boat races. It's a good relationship. We look forward to holding this event every year, as it draws quite a few people when the weather cooperates of course. It's a good all around event and we request your approval of the contract."

**Commissioner Winters** said, "Mr. Chairman, I'd make a comment. I've been out to the drag boat races several times and am going to certainly . . . I'll be glad to make this Motion, but I think it's a good event. It draws a lot of people, a lot more people than I thought go to watch drag boat races but there's people from all over the Midwest come and Mark is right. When they have good weather, it's a great event but it's certainly a weather related event."

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**MOTION**

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

Commissioner McGinn seconded the Motion.

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

**VOTE**

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

**Chairman Norton** said, "Thank you, Mark. Before we move to the Kansas Coliseum monthly report, I do have another Off Agenda item. I sure we probably should have taken it during appointments, but we have a resolution nominating members to the Wichita Airport Advisory Board and I'd like to take that as an Off Agenda item."

**MOTION**

Commissioner McGinn moved to consider an Off Agenda item.

Commissioner Winters seconded the Motion.

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

**VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye

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Chairman Tim Norton

Aye

**OFF AGENDA ITEM**

**RESOLUTION NOMINATING MEMBERS TO THE WICHITA AIRPORT ADVISORY BOARD.**

**DION AVELLO (COMMISSIONER SCIORTINO'S APPOINTMENT)**

**BILL CALLAWAY (COMMISSIONER NORTON'S APPOINTMENT)**

**BETH GARRISON (COMMISSIONER WINTERS' APPOINTMENT)**

**DOROTHY MCKAY (COMMISSIONER McGINN'S APPOINTMENT)**

**JAY SWANSON (COMMISSIONER UNRUH'S APPOINTMENT)**

**Chairman Norton** said, "Commissioners, before us is the resolution nominating members to the Wichita Airport Advisory Board. That is Dion Avello, that's Commissioner Sciortino's appointment, Bill Callaway, which is my appointment, Beth Garrison, Commissioner Winters' appointment, Dorothy McKay, Commissioner McGinn's appointment and Jay Swanson, Commissioner Unruh's appointment."

**MOTION**

Chairman Norton moved to adopt the resolution.

Commissioner McGinn seconded the Motion.

**Chairman Norton** said, "Any discussion? Just one comment. These are all reappointments. These are folks that have served us well for several years and we appreciate their serving. Will they need to be sworn in at any time, Rich?"

**Mr. Euson** said, "If they do, the City would do that, because you nominate them to the City and then the City actually appoints them and the City would take care of that."

**Chairman Norton** said, "Okay, good. Clerk, call the roll."

**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."

**Commissioner McGinn left at 11:09 a.m.**

### 3. KANSAS COLISEUM MONTHLY REPORT.

#### POWERPOINT PRESENTATION

**Mr. John Nath**, Director, Kansas Coliseum, greeted the Commissioners and said, "The report today is on our operations for the month of May, where we had over 75,000 people through the doors, 19 events, 32 individual performances. Net revenues were in excess of \$122,000.

Some of the highlights for the month, we had the 10<sup>th</sup> annual Park City Bluegrass Festival. Now this thing grows just a little bit every year and it's pretty consistent and they have a great time up there with their lawn chairs and picking and grinning out in the parking lots all night.

We also served as the host site . . . I think I got maybe a little bit out of order here . . . maybe I didn't, so I'll jump right into the Park City Raceway. We opened up the raceway this month with a ribbon cutting and had 42 entries for the first day at the races and it's working out pretty good. We doubled the amount of mini-sprint entries the second race we held and it's a lot of fun.

We'll get into the graduations now. Nine graduations, had almost 54,000 people attend the graduations out at our place this year.

The Stealth had nearly 10,000 people attend three football games. Since most of the month of May is taken up by graduations, we really don't have much in the form of other shows, but coming up we've got a concert tonight, which is the Power 93 Summer Jam with rap stars DMX and Ludacris. We've got a mega-comedy show this coming Saturday featuring Arness Jay as the headliner. Palomino Horse Show June 27<sup>th</sup> and 29<sup>th</sup>. A new event for us, King of the Rodeo featuring Joan Sebastian. Now this is a Mexican rodeo and it's a lot of singing, a lot of dancing and Linkin Park

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concert July 30th. If there's any questions, I'd be happy to answer them at this time."

**Chairman Norton** said, "Any questions? Looks like another good year. I would just really quick maybe ask Ron Holt to come up and tie in with the Coliseum kind of. We're having our third Coliseum update task force meeting today. I hate to put Ron on the spot, but this is the perfect time to do that. So, Ron just give us kind of a glimpse of what we're doing today with the task force."

**Mr. Ron Holt**, Director, Division of Culture, Entertainment and Recreation, greeted the Commissioners and said, "The Coliseum citizen design review task force is meeting its third and final meeting, as we promised them when we asked them to serve, today from 1 to 5 at the Coliseum. We will again preview with them the five options that we looked at the last time. We will talk about what kinds of presentations and public input we've had and we'll give them an opportunity to share with us the kinds of input they've had since their April 30<sup>th</sup> meeting.

Then we hope, about the middle of the afternoon, to ask them to come to a consensus hopefully, around one of those options as we get ready to move toward making a recommendation to you folks in the middle of July. With that sort of group, we may end up with two different options, but we're going to work towards the consensus around one, and then we'll get any other input we have from them about the experience and other thoughts that they might have as we move forward. But it's been a very fine group to work with. They've been, if you will, an ear to the community and very thoughtful input as to trying to help us make a recommendation to you that will respond to what we've been hearing from the citizens for the past year about the Coliseum, 'whatever you do out there, do it right' and they're helping us determine what right is."

**Chairman Norton** said, "What is next after today, Ron? Kind of outline for the public and for the Commission where we go next."

**Mr. Holt** said, "After today's meeting, the rest of the meetings that will happen in the next 30 days will be with County staff and the A & E team, as we work toward a recommendation to come to the Board of County Commissioners on July 16<sup>th</sup> is what we have scheduled to come before you now."

**Chairman Norton** said, "When will . . . when that comes before the Commission, will we have some time for public comment and ability to look at that final recommendation?"

**Mr. Holt** said, "I would . . . that would be up to the County Commissioners as to what action you would take on the 16<sup>th</sup>. We plan to come with a recommendation. We would suspect that you would want to take whatever action on or before the budget is adopted, which is August 6<sup>th</sup>. So between the 16<sup>th</sup> and August 6<sup>th</sup>, depending on what your desires would be, we could and would have opportunity for additional public input."

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**Chairman Norton** said, "Okay, good. Well I just thought it was good that since Ron was here, that we kind of link that into the Coliseum and continued to talk about that, because I know we've seen several articles in the newspaper and people are talking about it. There is a buzz out in the community and we want to be sure that it's opened and aired to the public, as we move forward on this."

**Mr. Holt** said, "Very fair and balanced articles I could say, and we appreciate that."

**Chairman Norton** said, "Yes, thank you. Thank you, John. I don't see any discussion or questions here. What is the will of the Board?"

**MOTION**

Commissioner Winters moved to receive and file.

Commissioner Unruh seconded the Motion.

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

**VOTE**

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

**Chairman Norton** said, "Thanks, John. Next item."

**I. RESOLUTION DESIGNATING AND CLASSIFYING CERTAIN STREETS TO THE SHERMAN TOWNSHIP SYSTEM. DISTRICT #3.**

**Mr. David Spears**, P.E., Director/County Engineer, Public Works, greeted the Commissioners and said, "It is standard procedure that after a road is constructed within a platted residential

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subdivision, in accordance with county standards, that road is then assigned to the township road system. In this particular case Tenpoint, located in the Antler Point Addition, will become the responsibility of Sherman Township. The Sherman Township Board was informed that this resolution would be on the County Commission agenda by letter, dated May the 1<sup>st</sup>. I recommend that you adopt the resolution.”

**MOTION**

Commissioner Winters moved to adopt the Resolution.

Commissioner Unruh seconded the Motion.

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

**VOTE**

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

**Chairman Norton** said, “Thanks, Dave. Next item.”

**J. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING OF JUNE 12, 2003.**

**Mr. Jerry Phipps**, Purchasing Agent, Purchasing Department, greeted the Commissioners and said, “You have the Minutes of the June 12<sup>th</sup> meeting of the Board of Bids and Contracts and there are three items for your consideration.

**1) DELINQUENT PROPERTY TAX COLLECTION- TREASURER FUNDING: TREASURER TAX COLLECTION**

Item one is delinquent property tax collection for the Treasurer’s Department. It was moved to accept the low proposal meeting requirements from OSI to execute a contract for two years with

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two one-year options to renew for an estimated annual cost of \$200,000.

**2) CHANGE ORDER FOR COURTHOUSE CAFÉ REMODEL- FACILITY PROJECTS**  
**FUNDING: CAPITAL IMPROVEMENT PROJECT**

Item two, change order for the Courthouse Café remodel. It was moved to acknowledge the change order with Van Asdale Construction for the net amount of \$1,573.53.

**3) RADIOS- FLEET MAINTENANCE**  
**FUNDING: VEHICLE ACQUISITION**

Item three, radios for Fleet Maintenance. It was moved to accept the quote from Motorola for \$27,159.28 which is off our state contract number 3440.

I'd be happy to take questions and ask that you approve the June 12<sup>th</sup> meeting of the Board of Bids and Contracts."

**Chairman Norton** said, "Commissioners, I see that Treasurer Jan Kennedy is here, so I guess she can answer any questions on number one if needed. What is the will of the Board?"

**MOTION**

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

Commissioner Unruh seconded the Motion.

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

**VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye

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Chairman Tim Norton

Aye

**Chairman Norton** said, "Thank you, Jerry. Next item."

**CONSENT AGENDA**

**K. CONSENT AGENDA.**

- 1. Temporary Construction Easement for Sedgwick County Drainage Project 614-13; 21<sup>st</sup> Street North between 199<sup>th</sup> and 215<sup>th</sup> Streets West. District #3.**
- 2. Resolution providing for the sale of County-owned property located at 433 North Maize Road.**
- 3. Submission of line item adjustments to Kansas Department of Corrections for the Adult Intensive Supervision, Adult Residential Services and Conditional Violator Programs.**
- 4. Submission of line item adjustments to Kansas Juvenile Justice Authority for the Community Truancy Immunization, Juvenile Intensive Supervision, Juvenile Case Management and Juvenile Intake and Assessment Programs.**
- 5. Amendments to Client Assessment Referral Evaluation and Targeted Case Manager Contracts (26) to include Health Insurance Portability and Accountability Act requirements.**
  - Linda Adkins
  - Gayle Cloud
  - Kathryn Coit (2)
  - Mary Corrigan
  - Cindy Crangle (2)
  - Jaylyn Elliott
  - Janice E. Elmore
  - Mae Lois Fields
  - Melissa Hogan
  - Valorie Howard-Windholz
  - Lisa R. Jolliff
  - Wilma Loganbill
  - Jody Lujan (2)

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- Debbie McClellan
- Julie Olivas
- Lisa Parker (2)
- Pamela S. Petrik
- Cynthia Rowlete
- Anthony Rubin
- Michelle Shaheen
- Joanne Thomas
- Aileen Vaughn

**6. Plats.**

Approved by Public Works. The County Treasurer has certified that taxes for the year 2002 and prior years have been paid for the following plats:

Miami Dolphins Addition  
Dove Haven Second Addition  
Imbler Estates Addition

**7. Section 8 Housing Assistance Payment Contracts.**

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V03044	\$387.00	5	Helms Rental Properties
V03045	\$256.00	5	Cottage Grove
V03046	\$312.00	5	Springcreek Apartments
V03047	\$301.00	2	Haysville Housing/ Chapel Ridge
V03048	\$324.00	5	Mulvane Housing/ Country Walk
V03049	\$131.00	4	Sunflower Gardens
V03050	\$261.00	2	Mulvane Housing/ Country Walk

**8. The following Section 8 Housing Contracts are being amended to reflect a revised monthly amount due to a change in the income level of the participating client.**

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<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V010116	\$301.00	\$290.00
V94012	\$605.00	\$494.00
V020044	\$178.00	\$147.00
V94049	\$178.00	\$138.00
V72016	\$270.00	\$247.00
V020037	\$197.00	\$130.00
V96035	\$278.00	\$266.00
V2045	\$169.00	\$162.00
V020040	\$281.00	\$287.00
V010110	\$504.00	\$504.00
V2047	\$600.00	\$298.00
V010114	\$292.00	\$510.00
V01094	\$109.00	\$90.00
V020035	\$218.00	\$240.00
V01072	\$258.00	\$246.00
V99035	\$193.00	\$136.00
V99039	\$255.00	\$253.00
V010103	\$282.00	\$292.00
V01051	\$183.00	\$216.00
V01064	\$600.00	\$573.00
V020076	\$575.00	\$575.00
V01075	\$260.00	\$320.00
V03034	\$700.00	\$700.00
V95117	\$178.00	\$160.00
V01061	\$238.00	\$375.00
V2021	\$310.00	\$499.00
V2093	\$550.00	\$550.00
V99079	\$236.00	\$346.00
V020045	\$309.00	\$386.00
V020033	\$256.00	\$259.00
V03001	\$400.00	\$400.00
V020061	\$510.00	\$347.00
V01041	\$541.00	\$523.00

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9. **Order dated June 11, 2003 to correct tax roll for change of assessment.**
10. **General Bills Check Register(s) for the week of June 11 – 17, 2003.**

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

**MOTION**

Commissioner Winters moved to approve the Consent Agenda as presented.

Chairman Norton seconded the Motion.

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

**VOTE**

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

**Chairman Norton** said, “Anything else to come before us today? Commissioner Unruh.”

**L. OTHER**

**Commissioner Unruh** said, “Well, since Commissioner McGinn has left, I guess I can talk about Cowtown in her place. But went out there this last weekend with my grandkids for Wild West Days. Had a great time, saw lots of cowboys get shot and got to dance with the saloon girls, so it was a great time.”

**Chairman Norton** said, “In front of your grandkids?”

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**Commissioner Unruh** said, “Oh yeah, they got a big laugh. Also, I would just like to share that I got a tour of Boeing yesterday with Mike Ermine and with Fred Solis and they gave me a lot of information. I was very happy to receive that information and get a little bit of their insight on their optimism about gaining the contract for the 7E7. So they’re a great part of our community, and indicated to them that we would do all we could to make sure of their success and likewise they said anything they could do for us they wanted to do. So, that was good.

I also want to mention the zoo. They have started their summer concert series. They had a great turnout at the first one. I think they set a record in attendance and the next one comes up on June 26<sup>th</sup>, so nice thing to do on a summer evening is to go out and hear some music and enjoy the zoo. And that’s all I have.”

**Chairman Norton** said, “That’s plenty. Commissioner Sciortino.”

**Commissioner Sciortino** said, “Well, I had a lot of fun at the zoo on Father’s Day. I went out there and I got to look at the new exhibit, you know the Australian/ South American exhibit. My wife and I took me out there, my daughter got hungry at 9:30 so we had a hot dog and French fries for breakfast. And we left about noon and I got to drink some Malox and take a nap, because of the hot dog.

But the area of the zoo that I could have spent the whole morning in was the monkeys, Koch whatever that ape exhibit is. I mean, the little baby monkey was pestering the teenage monkey and the teenage monkey would hit the baby monkey and the monkey would run to his mom and I swear, at one time it had it’s hands pointing at the . . . the mother got mad at the . . . I mean it was just hilarious. I could have sat there in a chair and just spent the whole morning watching those monkeys interact. But it was fun.

I made a mistake the last time we had a meeting and I said I was going to be out at the Race for the Cure or whatever last Friday in Derby. It’s actually this Friday, so we’ll be out there at High Park with a lot of other teens and I’m on the senior citizen team and it will be a fun event, a lot of activity, a lot of fun, but it’s for a real serious cause, it’s trying to find a cure for cancer and encourage all of you, if you’re in the area and want to see an old guy limping around the track, come on out and say hi. That’s all I’ve got.”

**Chairman Norton** said, “Commissioner Winters.”

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**Commissioner Winters** said, “Well, I just wanted to follow up. My wife and I were also out at the zoo Sunday and we didn’t see you but I think they had an attendance of over 6,000.”

**Commissioner Sciortino** said, “6,700.”

**Commissioner Winters** said, “And they had a car show out there that was just a tremendous car show and lots of people at the zoo having a great time. And so it just makes you proud that we’re part of that process with the Zoological Society. It’s a great partnership and it’s a great zoo. That’s all I have.”

**Chairman Norton** said, “Well, if there’s nothing else to come before us today, we’re adjourned.”

**M. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 11:20 a.m.

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

**Regular Meeting, June 18, 2003**

**TIM NORTON**, Chairman  
Second District

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**THOMAS G. WINTERS**, Chair Pro Tem  
Third District

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**DAVID M. UNRUH**, Commissioner  
First District

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**CAROLYN McGINN**, Commissioner  
Fourth District

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**BEN SCIORTINO**, Commissioner  
Fifth District

ATTEST:

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**Don Brace**, County Clerk

APPROVED:

\_\_\_\_\_, 2003