

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

### **REGULAR MEETING**

**December 24, 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, December 24, 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; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. John Schlegel, Director, Metropolitan Area Planning Department; Ms. Kathy Sexton, Assistant County Manager and CIO; Mr. Bill Gale, Election Commissioner; Mr. Jim Weber, Deputy Director, Bureau of Public Works; Mr. Jerry Phipps, Purchasing Agent, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

#### **GUESTS**

Mr. Phil Meyer, agent for applicant, Baughman Company.  
Mr. Bob Kaplan, counsel for applicant.  
Mr. Wess Galyon, Wichita Area Builders Association.  
Mr. Doug Eck, Developer.

#### **INVOCATION**

The Invocation was led by Father Dwight Birket, Pastor of All Saints Parish, Wichita.

#### **FLAG SALUTE**

#### **ROLL CALL**

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

#### **CONSIDERATION OF MINUTES:** Regular Meeting, December 10, 2003

The Clerk reported that all Commissioners were present at the Regular Meeting of December 10<sup>th</sup>, 2003.

**Chairman Norton** said, "We have the Minutes before us. If there's no corrections, what is the will of the Board?"

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**MOTION**

Commissioner McGinn moved to approve the Minutes of the Regular Meeting of December 10, 2003.

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	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

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

**PLANNING DEPARTMENT**

- A. CASE NUMBER ZON2003-00045 – SEDGWICK COUNTY ZONE CHANGE FROM “RR” RURAL RESIDENTIAL TO “SF-20” SINGLE-FAMILY RESIDENTIAL, GENERALLY LOCATED AT THE NORTHEAST CORNER OF 29<sup>TH</sup> STREET NORTH AND EAST OF 151<sup>ST</sup> STREET. DISTRICT #3.**

**POWERPOINT PRESENTATION**

**Mr. John Schlegel**, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, "As the Clerk read to you, on this particular item the applicant is seeking 'SF-20', Single-family zoning for a 33 acre tract located on the northeast corner of 29<sup>th</sup> Street North and 151<sup>st</sup> Street West.

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You as a Board had reviewed this application back on November 5<sup>th</sup>, and at that meeting you asked that the case be returned to the Metropolitan Area Planning Commission for further consideration and that they specifically address a number of questions that were raised at that County Commission meeting. And those four questions that you asked at that time were: who should pay for the paving of the section line roads adjacent to the site in order to provide paved access to the nearest paved road, is there sufficient quantity and quality of ground water to support the development because individual on-site water wells are being proposed, and has the drainage plan effectively incorporated the existing farm terrace system that surrounds this property and has it taken into account the potential impacts on the adjoining properties, and then finally, what is the difference economically to the applicant between the applicant between the development at the site's current zoning and the zoning that's being proposed.

I presented these questions to the MAPC at their meeting on December 11<sup>th</sup>. The applicant made an attempt at that time to address that and to respond to those questions. I believe those responses are found in the Minutes of the meeting, which are part of your backup report. And rather than me going into a lot of detail, I think that the applicant's representatives today will probably want to address some of those things. I'll let them provide those responses to you.

At the MAPC meeting on December 11<sup>th</sup> there were two citizens that spoke against the zoning change and they were adjacent property owners and they cited the concerns that you heard previously from those same individuals about the need for proper drainage, the need to protect the existing terrace system in the neighborhood, the difficulty of traveling on unpaved section –line roads in poor weather and the limitations of groundwater usage that those particular neighbors have already encountered. And they also felt that the proposed one-acre lots were out of character with the existing pattern of lots in that vicinity.

The MAPC, at that meeting, did vote 8 to 2 to recommend that the zoning change be approved, as they reaffirmed their previous approval, subject to staff recommendation of platting within one year. There are no written protests that have been filed on this action, so any action you take today only requires a simple majority vote.

Your options today are to adopt the MAPC findings and recommendations, or you can override the MAPC recommendation by a simple majority of the membership of the governing body. With that, I'll answer any questions that you might have.”

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**Chairman Norton** said, "I think we'll start off, see if the Commissioners have any questions of you John. And our tradition, this is not a public hearing, is to open it up to comments from the public if they would like, either pro or con. I'll limit the questions right now to the bench, if there's any of John. So, Commissioners, any questions of John to start out? Or would you like to hear from the public?"

**Commissioner Winters** said, "I'd like to hear from whomever is here, I think."

**Chairman Norton** said, "At this point, I'll open the dialogue to the public. I'll grant anyone five minutes that would like to speak to this issue, either pro or con. Please come forward, state your name and address for the record."

**Mr. Phil Meyer**, Agent for applicant, Baughman Company, greeted the Commissioners and said, "With me here today is Doug Eck, who is the applicant in this case and also Mr. Bob Kaplan, who is the legal counsel for Mr. Eck. I believe they both would also like a couple of minutes to talk to you."

Before you today, we have this zone change request again. It is a zone change request to go from 'RR', which basically allows two-acre lots down to 'SF-20' which just allows us to do one-acre lots, which is what we're proposing to do in this development are one-acre lots.

Last time this was in front of you, as John had said, you deferred it back to the planning commission for their input. I was at the planning commission meeting on December 11<sup>th</sup> when we discussed these four items. I tried to respond to some of those issues to the planning commission. And the four issues that were in front of them, the road issue was the first one we talked about and I think probably the biggest issue. In my opinion it's probably your commission's biggest issue is that road issue. I offered to discuss that with planning commission, told them I wanted to address the easier ones first and I'd come back and answer any questions they had about the road policy and that the commission kind of wants some input on that.

The planning commission, they didn't come back to that issue, so we didn't get a lot of input from them on that, but I felt like I left the door open to discuss that with them but they just didn't get into that conversation much. I would like to come back to that road issue in a minute, if I could, with you and I'll address that last because I really feel like that is the biggest issue and the one that you want to talk about the most.

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This second issue was the sufficient groundwater and what testing should be required. Again, before it went back to planning commission, I talked to Tim Wagner with County Code Enforcement and I had talked to him before we ever started this process. Presently on the books, there is no testing required. I asked him if there was any testing we should be doing. He felt like there was probably adequate water at this location. We really don't want this to be an issue and I think it's a minor issue to the commission. We don't want this to be an issue to deny this case. If you would like us to do some testing between now and the final plat. Our plat has been approved by planning commission. It still needs to go to City Council, still needs to come to County Commission. We're more than willing to do some testing on the water quantity and quality between now and the plat if that helps ease your mind. So that's not an issue. We really feel like there's plenty of adequate water at this location. So we'll do any testing that you feel necessary.

One of the commissioners had a concern on the terraces and the drainage. We have been through the platting process, as far as planning commission approval. We're kind of on hold till we get the zone change request done. Our drainage plan was approved by County engineer with the platting process. We are not creating any adverse effects on neighboring properties by removal of these terraces. I believe that Jim Weber, Assistant County Engineer, he mailed the commissioners to let them know that the drainage plan had been approved. I'll attempt to answer any questions you may have on drainage from my layman standpoint.

The other issue is the difference, economically, between the current zoning and the proposed zoning. This is a 26 lot plat. We've only got 26 lots in this plat. If we did not . . . if you did not grant the zone change and we accepted the 'RR' zoning, we have 13 lots. The economic impact is the loss of half of the lots, 13 lots. I really didn't address that with planning commission. I basically told them what I've just told you and said, 'Look, you can put the value on each lot, multiple it by 13, that's the economic impact. We're just basically cutting this development in half.

We are in the urban growth area of the City of Wichita. Planning staff has supported it, by the written comments, and planning commission has supported this zone change. We are in the urban growth area. It's recommended in the urban growth area that lots become a size of either one to six lots per acre. We are basically one-acre lots, just a little bit over, but that's due to road right-of-way. We're basically one-acre lots on this subdivision. That's appropriate lot size in the urban growth area. I feel like the two-acre lots creates a little bit more of a problem for the City of Wichita, as this area grows to the west.

The main issue, I feel, with the County Commission, is this road policy. Our applicant purchased this property based on the present policies. If I could as for one more minute, I'll wrap it up quick.

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He purchased this piece of property after we had done a lot of research. We had talked to county, we'd talked to planning, felt like we had support to do this. We didn't realize the road issue was such a major issue. He purchased this piece of property. I don't really think it's fair to him. I understand the commission's concerns and your concerns are good concerns. I don't know that it's fair to this applicant to enact a new policy on him in the middle of this process that is a serious economic policy to him, depending on how you approve this road policy.

We would be more than willing to try to work at some level to help reduce the impact on the road. I think he would be willing to offer you a petition for the frontage of his property, for his half, that in the future if there's a road problem you can go ahead and use that petition. He's more than willing, I believe, to offer to, we're guessing 20 to \$30,000 just cold mix. We would be willing to give the County the money to cold mix that and you can cold mix it at any time in the future. You know, if you start getting problems and calls, you can take that money and go put some cold mix down. That at least is a solution to help ease the concerns on this, but to do a mile of pavement, really a mile and a quarter, of asphalt pavement is going to 250, \$300,000. That's an unfair burden to drop on this developer in the middle of this zone change request during the middle of this project.

If he'd know that going in the front, he sure would evaluate it differently and future developers that develop in the county, when you establish these policies, are going to approach it differently. But to do it right in the middle of this process I think is unfair to him. We do want to work with the county, so if you would like to talk to us further about one of those issues, we'll be glad to do that. With that, I'll stand for any questions."

**Chairman Norton** said, "Okay, questions of Phil at this time? Okay, thanks. Is there anyone else that would like to speak?"

**Mr. Doug Eck**, 15740 W. Breezy Lane, Wichita, Ks., greeted the Commissioners and said, "Myself and Bud Syler are partners in Wildcat Homes, which is the applicant. A friend of Bud's approached us back in May about this 35-acre piece of ground that he owned. We first offered to help him develop it, told him we'd buy some lots, build some houses on it. This guy had already had a piece of ground that we wanted to do a 1031 exchange on, didn't have time, didn't want to mess with it, so we bought it from him.

At this point, we have about \$200,000 invested in the land. Of course, with bank interest accumulating every day and if we get to the point of putting the road in for our interior streets, we'll have another 100 to \$115,000 invested. Dry land farm ground out there is worth about \$1,500 to

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\$2,000 an acre in that part of the County, so you do the math and you'll see that we already have better than 5,500 an acre invested in this.

I'm no dummy. When we were approached, like Phil said, we made many phone calls, as did Phil. I'd been involved in selling some other lots for another developer who was using that new advanced waste water treatment system, which allowed us to go to the smaller lots. It's Imbler Estates, some two-acre lots up north and west of Maize.

Anyway, we went through and did soil profiles, designed a system that met the county code enforcement standards with Tim Wagner. Of course, doing one-acre lots is more in line with what the county is wanting to see. We've done some five-acre lots out there and we didn't get the warm fuzzies. We were eating up a lot of ground and one acre is what people want. They don't want five acres. I'm no different. I have five acres and I've got a farmer that's farming four acres and I'm using an acre. So it's really in line with what the market wants to see out there and I think what the county wants to see. So we assumed this would be a slam dunk, which at the subdivision and planning commission it was.

Mr. Meyer told me that the county had started to making an issue of developers having to pave roads up to their development and told me that Wess Galyon with the Builders Association was involved with the county and Jim Weber in determining this policy. So I talked to Wess Galyon way back before we made a decision to purchase it and he said that the issue, at that time, had been dropped and didn't know when it would be taken up again. So he assured me it wouldn't effect my development. Phil Meyer was in contact with the county and was told the same, so based on the rules in place, buying a piece of ground and I could develop it and make a few bucks.

Back in November, after planning commission had already approved our plat and zone change, Phil notified me that Commissioner Winters was going to make a motion to defer our plat back to planning commission, something about he didn't want to approve the plat until a road policy was in place, something along those lines. I of course wondered how the rules could be changed in the middle of the game, so I contacted Wess Galyon again and he told me that there was an agreement, or what he thought was an agreement with the county and Jim Weber that there would be a triggering point for this road policy. For the developer to have to pay for the road, you were going to have to create an extra 200 vehicle trips a day, which we were not going to come close to that. So, Wes said the policy was going to be discussed and passed within a few weeks, so the deferral didn't bother me at that point.

So we went back to planning commission, got approved again and are back to you guys. It's been told to me that during the meeting with Mr. Winters, with Phil Meyer, he wanted to defer us again till the third meeting in January. Phil Meyer now tells me that the road policy that we thought was

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going to be in place is now deteriorated into a developer pays to pave to his property, no if, and or but about it.

To give you an idea how this will affect us, I've been told by Phil Meyer that I'm looking at a minimum of \$250,000 to pave up to my property. I have 26 lots that we'll be able to sell for 20 to \$22,000 each, or \$520 to \$572,000 total, not including Real Estate commissions, tax pro-ration, title insurance, closing fees. So this will turn my investment into a break even at best but most probably a money losing situation. Had we purchased this land knowing that no matter what we were going to have to pave up to our property, we wouldn't have even considered it, much less given the amount of money we gave, it would have been our own fault. However, investing in good faith, knowing that we could meet the current rules, we feel we're getting forced into a situation of owning a piece of farm ground that we can't afford to keep. I would ask that you approve our development, so we're not subjected to a road policy that may or may not be forthcoming.

I live on the west side of 151<sup>st</sup>, about a quarter mile from the development, and I drive the four roads that feed that development and when it gets wet it gets sloppy on top, but there's a good base there. And I know, I've lived in the country all my life, I know the car is going to get dirty. Of course, I'm not the one that has to get the phone calls about it but something that I started up in that Imbler Estates development when we drew up restrictive covenants is I made it a point to have the buyer acknowledge that they will be subjected to dust, noise, odors of farming operations around them and that the roads surrounding the development are going to be less than perfect during wet weather.

The people that live in our development won't be calling you about the sloppy road, they're going to be warned before they buy. Most of the people that I've already talked to about lot purchases are from the area already and already accustomed to country living, if that's what you want to call it.

Another thing I want to point out is this, and it hasn't ever been brought up it seems, with my discussions with Phil and Phil's discussions with Mr. Winters, but the houses that are going to be built here are going to be around 180,000 bottom on up, lot and house, so that's going to be another \$4,680,000 in additional appraised value of property in the county. Take it times 11 ½%, you've got \$538,000 in assessed value, times the mill levy in the area, it's about \$61,000 a year in additional revenue for the county, township, schools, fire district and of course that's every year. So, anyway, appreciate your time. Any questions?"

**Chairman Norton** said, "Any questions from the Commissioners while Doug is up here? There may be some later, Doug. Thanks. Anyone else like to speak?"

**Mr. Bob Kaplan**, Legal Counsel for applicant, greeted the Commissioners and said, "I'm recently involved in this. I think you made Mr. Eck sufficiently nervous that he called me, and I was asked

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to simply review the record and to speak solely to the legal issues of this applicant, and that's exactly what I have done.

From a review of the record, it appears Chairman Norton, that your comments were directed to the water issue and the roads issue. Commissioner Winters spoke to the water issue, the roads issue and the economic impact issue. This is taken from the Minutes. Commissioner McGinn, you spoke to the water, roads and the drainage issue. Commissioner Unruh brought up all of the issues, plus concerns about the proposed location of the proposed northwest bypass. Commissioner Sciortino focused on the roads.

I discussed with Mr. Eck the possibility of another deferral, which I felt might be in the minds of the commissioners, and I told Mr. Eck that I would recommend to him a short deferral. I know you're meeting again next week on the 31<sup>st</sup>, a short deferral if, from your discussion, you bring up issues which we can't speak to and we can speak to all of the issues except the road policy. We cannot speak to a policy which is not yet enacted. I'm somewhat like Mr. Meyer, in that I do not believe that I can, ethically or professionally, discharge my duties to Mr. Eck as legal counsel if I suggest to him that he should defer this matter to voluntarily subject himself to a policy the substance of which we do not currently know. And it may be a policy that may not be economically viable in so far as this very small development is concerned, so I'm not going to do that.

With that exception, I think we can take a short deferral, if there are issues that you want us to address. The little handout I gave was intended to save some time. It's not very comprehensive. We discussed this water issue very, very substantially in the Bentley subdivision. In that application, which you approved, I have volumes of material on the water issue, both as to quantity and quality of the water and we can certainly furnish that by next week.

The economic impact I have addressed there on my handout. You can read as well as I can, I don't need to read that to you. I think, like Mr. Meyer thought, that the focus that I took from your Minutes was the roads and we are willing to offer one of those two alternatives, which you see on the handout in front of you. I'm not sure that the commission has finally . . . you've not obviously finally determined what your policy is going to be. We will cold mix, we're agreeable to cold mixing or filings, whatever you want as a temporary pavement within reasonable parameters of cost from 29<sup>th</sup> to 21<sup>st</sup>. That will provide the extension, and we believe we can cold mix that or the county . . . we can reimburse the county for the cold mix.

I think the county is the only one that does cold mix, and we can reimburse the county for the cold mix and provide temporary hard surface paving, which we can handle. We can also do 50% of the

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cost of standard paving of the six inch paving and the six inch matting along the front of the development on 29<sup>th</sup> Street and we're willing to do that.

The city policy, if you adopt that, and we had to do the entire right-of-way for the length of the development, both east/ west, that's not fair and it's not been fair for a long time because the guy across the street gets a free ride. In other words, we pay the entire right-of-way and then the fellow develops on the south side of 29<sup>th</sup> Street and that's not equitable and whatever policy you come up with, I certainly hope you don't immolate what the city has done in that regard, because there's just simply no equity in that and it's obvious it doesn't need discussion that there isn't equity in that. About one minute.

So I think if the road is the issue, give us the alternative of one of those two paving propositions. Barring that, if the commission does vote to deny, I've told Mr. Eck in my opinion, I've lost cases before, in my opinion there is really not reasonable legal justification for denying this application. I'm sure that the Motion will cite reasons. I've been asked if I will appeal an adverse decision. I've told Mr. Eck that I would undertake an appeal because, from my review of the record, unless something develops from your discussion that I've not heard, I do not believe that you can . . . I think you're going to be reaching. I think you're going to be reaching to find a reason to deny that will withstand a court test. Now, simply my opinion as counsel and that of course is my professional responsibility. Questions?"

**Chairman Norton** said, "Any questions of Mr. Kaplan. Thanks, Bob. Anyone else like to speak? Wes."

**Mr. Wess Galyon**, Builders Association, greeted the Commissioners and said, "Since my name was mentioned, and not in vain, sometimes it is, I thought I might speak to this issue just briefly. I've watched this case since it was originally filed, at both times it appeared at the planning commission and I think Mr. Eck is correct is that there has to be a degree of predictability with regard to what requirements one is expected to meet when they begin to take action. I think he's indicated that he did his due diligence in terms of checking to see what those requirements were and, in good faith, has tried to comply with those. I think that basically what this has come down to is the road policy, and as you know, we've been having quite a bit of discussion about what the road policy might be.

And while I wasn't able to advise Mr. Eck or anyone else at this point on what the policy might ultimately be, our development community has met and discussed this at length. In trying to promote the more efficient utilization of land, particularly in urban growth areas or the direction

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that growth is heading, and eliminate pushing off a five-acre tract, so to speak, on individuals because that may be the only alternative they've got or larger tracts and clutter up the county countryside and then have the problems associated with that that we all heard about at the last update of the comprehensive plan. We have supported the use of higher technologically advanced alternative sewer treatment systems and we are willing to support a road policy that has some equity to it.

When Mr. Weber and the staff of the county came to the commission with a matrix that you all are familiar with, one of the proposals was is that the development community be asked to support a petition whereby a half roadway that borders a piece of property could be . . . costs of that could be assessed against that subdivision as a special assessment. The development community is willing to do that. The trigger mechanism that we were talking about at that point was basically 200 trips per day that were caused by the specific subdivision. We're willing to support that because it's reasonable, it's easy to understand and we don't run into the situation of having to do a traffic study and then somebody else doing a traffic study and arguing about where the traffic is coming and which traffic study is done better and so on and so forth. It gets a little subjective at times.

So at least this is a simple trigger mechanism. It has a degree of predictability, people can understand it across the board. The notion if, and I don't know that you are, but if the county is headed towards proposing a policy whereby the developer is going to have to pay and charging the subdivision the cost of that road out to and across the front of his subdivision, then I think we're going backwards. I don't think there's equity in that, I think we're going backwards and the reason I think we're going backwards is what will happen is, instead of trying to utilize and make land more efficient, what we're going to go back to is where we were before.

We're willing to support an equitable policy and I think the gentlemen that have spoken here this morning are as well. And I would suggest that the 50% petition has merit. Perhaps the cold mix does, if that's what they're willing to do and a reasonable trigger mechanism. But anything more than that, I think there's going to be some difficulty. And I just wanted you to know where we stand on it. The development community is willing to support a policy whereby, over time, people pay their fair share and there's equity in it. But barring anything to the contrary, I don't think you'll have their support. So, I wanted to speak to that this morning if I could. Thank you."

**Chairman Norton** said, "Thanks, Wes. Anyone else like to speak? Last call. At this point, I will limit the conversation and discussion to the Bench. Commissioner Winters."

**Commissioner Winters** said, "Thank you. I'd like to have a discussion here a minute about, we talked about these policy changes and changing policy in midstream, and Mr. Euson, I might need some help from you. I have in front of me a page out of the Wichita/ Sedgwick County Unified Zoning Code talking about the review criteria, when a group is looking at changing a zoning map or

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the text of the zoning code. And there is a list of ten or so things that we're to consider. One of those is the impact of the proposed development on community facilities. So if a developer brings any project and it has and is going to have a negative impact on a road, this is exactly what this criteria is talking about, isn't it? I mean, this is not saying, well here is the direct policy, the exact policy, because that's what we're trying to devise now. That's the process we've been in and some can say well, it's taken you too long to come up with your road policy. Well, we are trying to come up with a policy regarding roads that would be more clearly defined, and we're talking about developers perhaps paying 100%, perhaps a 50% petition, will we allow cold mix, those are issues that have not been resolved.

But if a developer decides to do a project and it's going to have a negative impact on a community facility, we have a policy that addresses that. Says that's one of the criteria we're going to look at on whether we allow the zone change. So if the developer says I'm going to put in 26 houses, well that's going to have an effect on the road. So, Mr. Euson, wouldn't it be appropriate then that we consider that, even though perhaps we hear this, well you don't have a policy about roads. Well we do have a policy about public facilities. Now, am I off track there?"

**Mr. Richard Euson**, County Counselor, said, "No, sir. I don't think you're off track and I think that is appropriate to consider. It's one of the factors in the review criteria in the Unified Zoning Code that you are permitted to and in fact really required to consider."

**Commissioner Winters** said, "So this doesn't have anything to do with us changing policies in midstream here. We've had a policy saying if you're going to effect a community facility, you're going to need to fix it or not have a negative impact on it."

**Mr. Euson** said, "I think that's right, whether you have a policy or not."

**Commissioner Winters** said, "Okay. Well I think that I guess I don't want folks to think that we're changing policy in the middle of the stream. What we're trying to do is come up with a policy that deals with roads and issues like this and we haven't come with an answer yet because it's not an easy question to ask and answer. If we talk about one, the developer paying the entire cost, that makes some development off of paved road perhaps too expensive to do but somebody is

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going to have to pave the roads, once we get a certain number of people there. If we say, well we'll do a 50% petition, then as those developments happen, then the petitions are activated, then we're going to start spending our capital improvement money on a project that may not even be a capital improvement project that's on our radar screen. We're looking at projects all over the county that need to be done now. And so if we go the 50% petition route, then development will be dictating exactly where our road improvement projects happen. Well I don't know that I think that's right.

The cold mix issue, if we listen to David Spears, cold mix is a temporary solution. It's not a long term road solution and it's in the places where we can't get the capital improvement projects up fast enough to do some things that are already going on, so the cold mix is just not long term in its solution. So we're struggling with all of those and we've talked about those many times and we all come away scratching our heads and saying, you know developing this road policy is not an easy process. It does not have an easy answer. But I would like for Doug Eck and Phil Meyer and Mr. Kaplan to know that I don't believe that we're changing the rules in the middle of the stream. We already have criteria in there that say if public facilities are affected, we need to think about that in making a zone change.

So, Mr. Chairman, with that, I mean, if other commissioners have comments they'd like to make. I did find it interesting that in the Minutes of the Metropolitan Area Planning Commission there was Dr. Greg Reichenberger was there making two comments that I thought were important. One is talking about this smaller lot development fitting in with the neighborhood, which is basically five-acre lots and he has a five-acre lot out there and on his five-acre lot he does have two wells, one of which has gone dry. And I know that is a hilly terrain and I would assume the higher up on the hill, the less chance of water, but I don't know that for sure. But it does seem like there's at least some question of water on this property.

You know, I do know that, just when I look at the aerial map and I see 28, 29, 30 houses already out there, I just know that if we add another 26 and get over 50 families out there, I know 151<sup>st</sup> Street is just not going to take it. So, that's all I have for right now."

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

**Commissioner Unruh** said, "Thank you. I guess I just want to kind of ramble here a minute. I went out and looked at this property yesterday and it's a good looking piece of property, number one. But a couple of questions I had or concerns that have kind of been verbalized already, but I was glad I had the opportunity to see them first hand. But it had rained a little bit, misted a little bit on Monday and I was out there on Tuesday afternoon and 151<sup>st</sup> Street, especially north of 29<sup>th</sup> was not a good road to be on, even with that small amount of moisture. So my concern is people using

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that road, when we have any substantial rain at all. It is not going to be a good road to be on and I think you've already referenced that yourself from living out there.

But is the entrance and exit to the development going to be on 151<sup>st</sup> or is it going to be on 29<sup>th</sup>?"

**Mr. Schlegel** said, "I think you can see, this is the plat that was submitted and they'll have an entrance on both. The street loops around."

**Commissioner Unruh** said, "Well the way that the ground lays out there, and I know someone made comment that we've checked the drainage and that's not going to be an issue, but the ground all slopes going north and a little to the west, and it's a pretty significant slope, it seems to me like. Down there, that entrance on the northwest part of the property is that going to be underwater when it rains? I mean, whose . . . Mr. Weber, are you the fellow that knows about the draining? I mean, I'm concerned that, from what I see there, that not only are the roads going to be bad, but we're going to have a little lake down there."

**Mr. Jim Weber**, Deputy Director, Bureau of Public Works, said, "I have not personally reviewed this drainage plan, but the guys down in Storm Water have looked at it and have been out there and they have approved the plan, which tells me . . . I mean, we're looking for plans that don't leave standing water around. We have had them address the terraces in the plan. I'm comfortable that this can be built without causing drainage problems for us."

**Commissioner Unruh** said, "Okay. Well, I had concerns about the road, concerns about the drainage and also concerns about putting in 26 individual wells out there. The City . . . I mean, it's pretty high density about a mile to the east of this, it seems like. I mean, it's just going to be not long before the City is going to be out there with all their water and sewer and infrastructure and I'm just wondering about the wisdom of creating this out there with all individual utilities and then having an enclave out there that's difficult to hook up to the larger community's facilities. So those are some of my concerns. I am in favor of having higher density development. I mean, it seems not smart to allow big development out there, so in a sense it seems like we're kind of in a little bit of a box. We want denser development but we don't have the code and the rules in place to create the proper support and the infrastructure.

So, I mean those are just my concerns right now and . . . but I will tell you, the roads I think are going to be a real problem when you get 26 homes out there. That's all I have right now."

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

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**Commissioner McGinn** said, "Thank you, Mr. Chairman. Well first I want to address the drainage issue. I have a little bit of concerns, as Dave does, about it coming down to that one end and then if they do have it solved, how is it going to affect the rest of the properties and that's something that the engineers work on and I'm not in that league to total understand that, but it raises questions about how it goes off that property and then is that going to affect roads and those kinds of things.

But the drainage issue that specifically that I brought up last time we heard this had to do with the terraces and just for the record, Mr. Weber sent an e-mail discussing that and it's my understanding that soil conservation districts use those dollars and I believe they're federal dollars to do the terraces. After 10 years, they're no longer required to stay in terraces and that this is older than 10 years. And so I just wanted to share that, because the terraces was an issue for me last time and I know there's other ways to take care of drainage.

The other thing I guess I'd like to speak to has to do with, I keep hearing this is taking a long time but if you really look at it from the perspective of our county history, we've been using septic tanks and lagoons for 50 years and we haven't changed for that amount of time and now we're changing for a number of reasons. One has to do with we found out there's a better system out there that is friendlier to the environment and that's something that we'd like to see in place if we could and not use as many septic tanks in the future. It also allows us to perhaps use those systems in areas where lagoons were used in the past, so there would be a little less unsightly than lagoons are.

And then, over the years, subdivision regulations have changed over time, as we look at comprehensive plans. But when we said we're going to put these alternative sewer systems in and now we can put them on a smaller lot and we want to do that because as cities grow out to them, it does make more sense to hook up to a smaller lot. Also, we want to decrease the amount of farmland we're using, but it created some other challenges for us, and we really got into thorough discussion of this probably last summer.

And you know, when you change your lot size and your density and you're now going to areas that aren't close to paved road, it does create a whole other host of problems and I think that's why we're taking the time to thoughtfully go through this and put in policies in place, over time, so that we don't have problems that we have to go back and correct at a later time. And so I don't see that we are taking a long time. I think we're being very thoughtful about it. I think we're on track to try to get something done, quickly right after the first of the year.

And so, we are back to this road issue and hearing what Commissioner Winters said about subdivision regulations and not changing the rules, thinking about other developments that we have stopped. The one down by Clearwater comes to mind. It was five miles from any water or roads, paved roads or anything like that and so there was a situation where we said this doesn't make sense for our county. I think about when I hear we haven't done any particular water testing, I think about a situation north of Valley Center where we heard the same thing from neighbors, that they're

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having water problems, that we're not being able to pump enough, and so we required those developers to do some extra testing and I think they made some changes that were appropriate to that to make sure that there would be water in the future for all the neighbors and the people that were building new homes.

So I just wanted to make those comments. And I'll hear what the rest of you have to say, but I think we're really back to we are changing what we're doing and we need to make sure we do it right so we don't have problems in the future here in Sedgwick County in our developing. Thank you."

**Chairman Norton** said, "John, where are the city boundaries right now? Do you have a map that kind of shows where the City of Wichita is presently?"

**Mr. Schlegel** said, "This is the only map that I have in the presentation that shows a larger view on this and this really doesn't show precisely where all the city boundaries are. I think you're probably about a mile to a mile and a half from the nearest city boundary with this property."

**Chairman Norton** said, "Commissioners, do you know? I'm not familiar."

**Commissioner Winters** said, "Well, going east on 29<sup>th</sup> Street, you can see that development there a mile and a half, right in there. I think that's still in the county. You can see where it's really dense, that is in the city. The green up at the top is the City sewer treatment plant, so down 135<sup>th</sup> there is city sewer in the right-of-way of 135<sup>th</sup> Street. So from that perspective, this is not far from the City of Wichita's sewer line."

**Chairman Norton** said, "John, is the black area the proposed northwest bypass?"

**Mr. Schlegel** said, "Yeah, the hatched area through here is all the corridor that was assigned for the northwest bypass and of course the exact location for that facility hasn't been set yet."

**Chairman Norton** said, "Do you not have any kind of a update. I understood that KDOT was getting closer to describing that, the meetings they had, but we do not have . . ."

**Mr. Schlegel** said, "We don't know when the record of decision will be made yet. They're still trying to decide what to do about the Goddard bypass and that will have a big impact."

**Chairman Norton** said, "Okay. What is paved now? Can you describe that on that map, what roads are actually paved and which are not?"

**Mr. Schlegel** said, "I'm going to ask Phil Meyer, do you know?"

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**Mr. Weber** said, "I can do that for you I think. 21<sup>st</sup> Street, which is a mile south of the site, is paved."

**Chairman Norton** said, "How far does it go?"

**Mr. Weber** said, "All the way to the County line, that's a major east/ west arterial. And then Colwich Road, which is 167<sup>th</sup> which is just a mile right there to the west is paved all the way from Colwich down. And then, with the City's sewer plant, the mile east, which is 135<sup>th</sup> is paved, after they put their force main in the middle of the road, on 135<sup>th</sup>, then they paved on top of it all the way from the sewer plant down to 21<sup>st</sup>. And I think the closest paving on the north is clear up at 53<sup>rd</sup>."

**Chairman Norton** said, "Okay. Where does 29<sup>th</sup> city standard paving end?"

**Mr. Weber** said, "Okay, 29<sup>th</sup> Street, I think the city standard paving ends back at Tyler. They haven't done the piece over to Maize Road yet. There's cold mix from Tyler to 119<sup>th</sup> Street, which would be John, a little bit to the left is 119<sup>th</sup>. That is 119<sup>th</sup>, right."

**Chairman Norton** said, "Is that cold mix or city standard paving?"

**Mr. Weber** said, "Cold mix all the way back to Tyler."

**Chairman Norton** said, "Okay, and that's county cold mix? We're the only person with cold mix."

**Mr. Weber** said, "Right, we put all that in."

**Chairman Norton** said, "Does some of that cold mix fall within the boundaries of the city limits of Wichita?"

**Mr. Weber** said, "Most of it does now."

**Chairman Norton** said, "Most of it does now."

**Commissioner Winters** said, "And, Mr. Chairman, and again this is a case if this development was on 167<sup>th</sup> Street, a paved road, if it was on 21<sup>st</sup> Street, a paved road, if it was on 135<sup>th</sup> Street, a paved road we would not be having this discussion. But if this development goes in, we're going to commit ourselves to paving 151<sup>st</sup> Street. And I just . . . I think that's going to have a negative effect on a community facility and we will be the ones that have to pay for it."

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**Chairman Norton** said, "Well, at this point we're talking mostly about 151<sup>st</sup>, but isn't 29<sup>th</sup> not paved?"

**Commissioner Winters** said, "That's correct, it's not paved either."

**Chairman Norton** said, "And is there not an entry way from this development onto 29<sup>th</sup> also?"

**Commissioner Winters** said, "Yes. And see, my best guess is that people basically are going to, most of them go south, 21<sup>st</sup> Street because 21<sup>st</sup> Street is a fine quality road and there is already one development on 151<sup>st</sup> Street that when you include all the surrounding communities, you can see the hash marks of that development. John can you point that out, just to the south and west of the proposed . . . yeah, right there. And so if you take all the houses within the half a mile of there, you're talking right now about 30 houses and you add 26 more, you've got 55 houses and then you've got a lot of traffic."

**Chairman Norton** said, "Talk about what they're proposing, the 32,000, what is that proposal to cold mix that has been offered up? I don't know that I understand what that offer is?"

**Mr. Schlegel** said, "Phil, I think that's a question that you probably need to address."

**Mr. Meyer** said, "I apologize, I was over there strategizing, I didn't hear the question."

**Chairman Norton** said, "So you're that guy in school, huh?"

**Commissioner Unruh** said, "At least that's an honest answer."

**Chairman Norton** said, "That's okay. I heard an offer, I thought, of \$32,000 for cold mix. What is the proposal proposing to cold mix?"

**Mr. Meyer** said, "We would suggest and as a compromise, because we know paving is an issue to you, we would offer to do a cold mix or give the county the money to do a cold mix and you could do it whenever you want, but we'd give you the money for it with recording the plat to pave from 21<sup>st</sup> Street North to our entrance on 151<sup>st</sup>. We're more than willing to do it the other way, if you prefer to go 135<sup>th</sup>. In my mind, I see most people leaving this subdivision getting on 151<sup>st</sup>, driving down 21<sup>st</sup> Street going into Wichita. We could do it either way. That's what we offer. If you

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would prefer to do it from our entrance on 29<sup>th</sup> over to 135<sup>th</sup>, we can also do that, but I just visualize most people using 151<sup>st</sup>. I think that would be a solution to at least get this thing rolling.”

**Chairman Norton** said, “From that would be the west entrance onto 151<sup>st</sup>, from that entrance south to 21<sup>st</sup> Street, a mile and a quarter. Will \$32,000 worth of cold mix pay for that, Jim?”

**Mr. Weber** said, “Probably will, but for the record I need to tell you that we don’t have a mechanism to take their money and do cold mix. It causes all kinds of problems in the budget and we continue to ask them to look for some way to handle these things privately.”

**Commissioner McGinn** said, “Just a clarification too, \$30,000, that only pays for one mile.”

**Mr. Weber** said, “That’s one mile.”

**Commissioner McGinn** said, “So it would be \$60,000 to get there.”

**Mr. Weber** said, “Well it’s a little over a mile, it’s like a mile and a quarter so it might be \$35,000.”

**Chairman Norton** said, “Let me finish my thought and then I’ll turn it over. I understand that cold mix is only . . . there’s debate over how long it last, but from three to five years, sometimes I hear five to seven, but I would probably go with the three to five year. You might have to go back and do something to it to keep it up. If development doesn’t get there, if nothing else changes and this is . . . and you’ve kind of bought into that, are they willing to come back later and put a second layer of cold mix on it to keep that road prepared, because the county, we end up with then taking care of it and putting county money into it at some point when it’s a township road. Is it not a township road? It is a township road right now. I guess that’s one of my concerns. That road probably won’t hold up and once it becomes cold mix, the township, they don’t have the ability to take care of it like the county would, so we become obligated to repairing it, taking care of it. Am I right there, Jim or am I wrong?”

**Mr. Weber** said, “Pretty much. Every time we cold mix, we pretty much universally end up taking over, because they do over time require more than normal maintenance because they are temporary.”

**Chairman Norton** said, “Well, I see lights now so maybe I’ve moved us into a direction. Dave, Commissioner Unruh.”

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**Commissioner Unruh** said, “Well, first comment though and it would be to follow up I guess on what Mr. Weber said. If we try to impose that requirement of cold mix, private industry doesn’t do . . . there’s no private firm out there that does cold mix, is that correct? So they’d have to use our capability and your comment was is that we don’t have a way to do that. I mean, so it looks like we’re putting a requirement on that we can’t fulfill. I need to have that explained. I mean, Jim are you the guy to explain it or is Mr. Chronis?”

**Mr. Weber** said, “I’ll make a stab at it. So far, in our local market, we don’t have any of the paving contractors that are cold mix asphalt. That doesn’t mean that they can’t but at this point in time they’re not. There is a contractor up in the northern part of the state who is doing some in some other counties. It’s a process that we’re looking at. I think Commissioner Winters has been up and seen it. So far, we don’t have any local projects that have been done by them. We don’t know for sure what they look like. It’s something that can be done by other people, but at this point in time, nobody in this town is doing it. And the fact that we can do cold mix for \$30,000 doesn’t mean that in the private sector they can do it for \$30,000. It could be more, it could be less, I don’t know but it’s sort of untested at this point.”

**Commissioner Unruh** said, “Okay, so imposing that restriction, I mean there’s just a lot of questions attached to that that we don’t have the answer for and I’m uncomfortable doing that without having those . . . I mean, whose going to do it and I’m sure the developer would want to know how much is it really going to cost before we . . . we can’t use our estimates, because our estimates are not the marketplace, I don’t think. So that’s just an observation.

Secondly, Phil maybe you can answer. Without a zoning change, you can put in 13 lots.”

**Mr. Meyer** said, “Yes, sir we can plat two-acre lots.”

**Commissioner Unruh** said, “Is the project economically viable at 13 lots or is it not?”

**Mr. Meyer** said, “It’s a twofold problem and John may want to address this if he thinks I’m leading you the wrong way or he’s welcome to say I’m wrong. If I try to do two-acre lots at this location, I’m on the urban growth area. That’s the last thing City of Wichita wants, so now I’ve got another problem. I’ve got the county happy but now the City’s upset, I’m doing two-acre lots inside their urban growth area. You know, one acre is about as big as they want. They prefer they be smaller than that. So I’ve got a problem if I don’t get the zone change. Now, when I go replat it with two-acre lots, I’ve got to fight with the City of Wichita. So that’s a problem I see. I could replat it to two-acre lots. I don’t know what type of problems, if I could get it done or not, but I assume I can, it’s just going to be a little bit of a battle and some deferrals on the city side rather than the County side.

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Back to the road issue, I mean we have offered to do a cold mix from 21<sup>st</sup> Street to our entrance on 151<sup>st</sup> Street and I agree with what Jim said. I think there's a firm in Salina that can do cold mix. They haven't done any in the County yet. If the commissioners are entertaining that thought, you know we're in the urban growth area, so the city is going to be out here sooner. As other developers develop up and down that road, you have them each continue to improve that road, so as the development occurs, it's going to be a continual improvement process. We'd be willing to defer this thing for a week or two and try to get a handle on the cost and whether we're willing to live with those costs on the private side. I assume we are, but there's some unknowns there that we probably, if you wanted to defer it while we pursue that avenue, we'd be willing to do that with you."

**Commissioner Unruh** said, "Okay, thank you. That's all I have right now."

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

**Commissioner McGinn** said, "Thank you. Well, in trying to move this along, I'm going to suggest some ideas and you guys can take it from there."

**Commissioner Winters** said, "Can I say one thing before you do that?"

**Commissioner McGinn** said, "One thing, I mean I'm not going to make a motion, but I do want to suggest some ideas."

**Commissioner Winters** said, "Okay, well I just wanted to make one comment about the cold mix and the part of the discussion that we're having. I had GIS make an aerial, so I just got an aerial map of the area and on here you can clearly see that about a quarter of a mile north of 21<sup>st</sup> Street there is a creek that runs across and water does run across the road there. Cold mix won't solve that problem. Cold mix just goes in, puts down cold asphalt on top of whatever is there. So that's the problem we get into with whether cold mix is the right road or not, because it isn't going to solve all of the problems. So it's like we're still going to have a problem. Now I'm not saying that's not something we could work through, but it's just one of the issues of why cold mix is not a simple solution. Thank you, that was all I had."

**Commissioner McGinn** said, "Thank you. Well, first off I don't want to go back to two-acre lots, because that takes us backwards. It's in Wichita's growth area, it needs to be one-acre lots or less. I'd be willing to move this forward on a couple of conditions. One is that they cold mix the road all

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the way to the first paved road and to their entrance. That is an interesting point that you brought up. I worked on a cold mix project over by Park City and it didn't get done this year because we had to go in and put in special culverts and those kind of things to take care of the drainage problem first, and so that's what we ended up doing this summer and so it's supposed to get taken care of next year. And so there's the question again, you're right Tom, you can't just put cold mix if the water comes over the road. So now somebody has to put the culverts in there, or whatever is proper, to do that and so, that's another little discussion item I think we'd have to have.

So, I would move forward, if the developer wanted to do the cold mix to the first paved road and I would move forward if they would do the water quantity testing, the proper testing that needs to be done in that area, so that neighbors can be assured that they're not going to drain theirs, and also so the people that are building brand new homes can be assured that there's going to be water there once they are ready to unlock the doors.

So, those are my thoughts. The only other thing would be is to defer this case until . . . Well, I think the next time we're going to have all commissioners together is about the middle to January."

**Chairman Norton** said, "I can go along with deferring. I'd like to hear more about the cold mix, because I think we're going to have other places in the county where that offer may be extended to us come forward, as people know that we're struggling with CIP monies and where to put out infrastructure and we don't want to be totally guided in our infrastructure plans and our Capital Improvements budget by a person that just has a piece of property they want to development and might have unintended consequences on a road that we're not prepared in five years or seven years to do anything with. And I think that's the dilemma we've gotten to on this is that we have care, custody and control of all the roads and we have to prioritize them and that it gets out of sequence if all the sudden we have to put Capital Improvements money into a road that we hadn't had on our radar screen previously. So it does set us at a conundrum that's not easily solved. So I don't have a problem with deferring, while we wrestle with that a little bit. Maybe in that time, we can also come closer to what we think is a long term road plan and arterial plan also. Commissioner Unruh."

**Commissioner Unruh** said, "I think Tom was next."

**Chairman Norton** said, "I'm sorry. Commissioner Winters."

**Commissioner Winters** said, "Okay, well I was going to suggest two options and maybe we need to take a break here and let the applicant discuss it, but if they . . . I'm prepared to make a motion to deny it and if they would like a denial in hand so they can get to court and go to court and see if the judge is going to do something else, then lets get on with it.

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If they want a defer, after hearing this discussion, which would seem to me like what we're saying is figure out the water quality and quantity issue and probably come up with 50, \$60,000 to do some paving, we'd at least consider that. But again, commissioner, you're right. If we start having others come up with that cold mix offer, is that really what we want. And again, that's what we're in the process of trying to have these discussions about coming up with the road policy. But I know the developer is anxious, time-wise, and if we make a denial today, then if he plans on going to court, he can get on with it. And if we needed to take a recess now, for 10 or 15 minutes for people to think about that, we could do that too."

**Chairman Norton** said, "Commissioner Unruh, did you have another final thought?"

**Commissioner Unruh** said, "No, no, no. I think that's a good suggestion to let the applicant decide if they'd rather have us vote on it now or have us have a deferral for a while. So if you all need some time to do that."

**Chairman Norton** said, "Mr. Kaplan?"

**Mr. Kaplan** said, "I've got the option of either litigation or I've got the options of working under a policy the substance of which I do not yet know. Between those options, I'll accept . . . I'll take my chances on the policy, Commissioner Winters, in lieu of litigation which means a deferral."

On the other hand, the conditions that Commissioner McGinn suggested are very acceptable to the applicant and we could accept those conditions if we could move forward. If that's not the sense of the majority of the commission, then we'll take the deferral. The litigation is going to delay us every bit as long or longer."

**Commissioner Winters** said, "Well, I don't have a problem with deferring. I mean, next week is we're going to be short, and the next week we're going to be short. The next week is the week that we select a chair and try to have a relatively short meeting, so we're looking at four weeks. But the other thing, some day we're going to have to make a decision about whether we want projects like this to be done with cold mix roads or whether we want them to county standards. And I think someday we're going to have to have . . . I mean, and that's part of these subdivision regulations that we're struggling with right now."

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

**Commissioner McGinn** said, "Just two quick comments, and this is going to be part of our discussion later. One is, you know right now we're the only ones that do cold mix, but if that

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should become part of our policy, I'm sure the private market is going to come in and be a part of that.

The other is this particular development happens to be in Wichita's growth area and that's why I see that the cold mix would be a temporary fix and then, as the rest of development moves out there, it's going to take care of itself, because Wichita is going to require whatever standards of road that they want at that time, so I see this as a good way to bridge it. But like I said, as Mr. Kaplan said, we can either accept what I've proposed or we can do the denial and move towards about the middle of January is what I'm hearing."

**Commissioner Winters** said, "Well, is what you've proposed then is to defer and then somebody's going to work out the details and bring us back then a proposal?"

**Commissioner McGinn** said, "Well, I guess . . . I think I may have said this wrong. I will either move forward on what I proposed, that they will cold mix and figure out how to properly do it with that drainage situation; do the water quantity/ quality and move forward today or I will defer it until the middle of January, which I think we're going to have a little more concrete idea of what we want on future developments like this."

**Commissioner Winters** said, "Okay. Well, I would support deferring it and then bringing back and seeing what the final proposal is before we decide and make a firm commitment."

**Commissioner McGinn** said, "You want to make that a Motion?"

**Commissioner Winters** said, "You can make it the Motion."

**Commissioner McGinn** said, "Can I make it as simple as I would like to defer this until I believe it's the second Wednesday of January. Do we want to put a specific date or do we want to say maybe come back within 30 days."

**Mr. William Buchanan**, County Manager, said, "The 14<sup>th</sup> is the day that we do change the chair. That meeting is only going to last till about 10:30 or so. The reception is at 11. If you want to take your chances of extending . . . I you want to take your chances of having a meeting up till 11:00, going into the reception and come back and finish your business, that's always a possibility, on the 14<sup>th</sup> or the 21<sup>st</sup>."

**Commissioner Unruh** said, "Say the 21<sup>st</sup> and give him time to do the investigation."

### **MOTION**

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Commissioner McGinn moved to defer this item until January 21<sup>st</sup>, 2004.

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	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

**Chairman Norton** said, “Thank you, John. Clerk, call the next item.”

**NEW BUSINESS**

**B. PRESENTATION OF A REPORT ON THE NEW LAND INFORMATION SYSTEM FOR ADDRESS MATCHING.**

**POWERPOINT PRESENTATION**

**Ms. Kathy Sexton**, Assistant County Manager and CIO, greeted the Commissioners and said, “We do have a little Powerpoint presentation to show you today. And what I’d like to report on is status of a computer information system project that was implemented this past year, a great deal of work from our GIS department, our County Treasurer’s department primarily. Essentially, the subject matter for today is addresses.

And you go, ‘Why are we going to talk about addresses?’ What’s so important about addresses. Well, essentially a core function of county government is to maintain property information. We do that with our county appraiser, county treasurer, county clerk, register of deeds office, many, many offices including our planning departments, public works departments, many departments in the county and many of the city’s help do this core function of maintaining property.

Doing so requires that we have a common identifier for each piece of property. That would be called the address. We are not talking about mailing addresses. We’re not talking about P.O. boxes. We are talking about situs addresses, or the address actually tied to a piece of property. That address is the key for any property owner or other interested person to learn information about their property regarding whether it be a deed, title history, appraisal, tax payment status, zoning

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information, economic development just as you were dealing with a minute ago.

Now the issue today is accurate addresses and how important that is cannot be stressed enough, especially in terms of public safety. If we do not have appropriate addresses, then when one calls 9-1-1 to get service from a fire department, a police department, an EMS unit, they need to know how to get to that property and we do have situations in the county where some of the addresses make that difficult.

Also, accurate addresses are important to insure valid, democratic elections. Our election computer system uses the addresses that the county maintains and we have to have accuracy in that. We also need to be able to accurately collect and distribute tax revenues to the various schools, cities, townships that rely on county government to collect taxes and then distribute it to all the different tax units. And we have had concerns with this in the past, the recent past.

Another issue is what we are now all calling Homeland Defense, but essentially so people know where to get treatment, whether there be for example some sort of biological warfare you might say, or Anthrax or what have you, the county has been at the forefront of leading an effort to make sure that the people in our county know where to go and in fact you can get on the county's website and put in your address into the system and it will tell you here is the location where you would go to get treatment should some outbreak of some sort occur.

Now the issue today and the issue of why we created this new system and worked on this all year long is that prior to the year 2000, information about addresses was not entered or stored in a consistent format in the county databases. We had multiple databases for different depart . . . every department had their own different database and that was common at the time. What we're in now though is a technological age that allows us to connect databases and share databases, rather than duplicate them and have duplicate data entry.

What we had, what we learned a couple of years ago is that over time errors had crept into the system, as people changed their addresses. You know, some of these addresses have become rather confusing with northwest and southeast and courts and streets and circles and all these kinds of things and so errors have crept in. Now sometimes that's because of data entry, people who work for the county maybe entered it incorrectly. Sometimes it is the citizen themselves, when they update their tag registration, their car tags and pay for their vehicle licenses, perhaps they give the

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incorrect address. So over time you just have errors entering the system.

What we were left with, we learned a couple of years ago, is that we did not have a reliable and complete source of address information, nor did we have one central authority. And you think, 'Well, we're the county, aren't we the central authority?' As you know, county government is a little archaic in our 100 year old statutes that set up county government to have elected register of deeds, elected clerk, treasurer, appointed appraiser, all these different offices and so they each had their own computer system. These were all created more than 20 years ago.

What that created was a situation that said 'Whose in charge of this?' so we decided to fix it and take charge of it. One more issue though was that we have experienced in the last few years an increase in the number of plats being filed, increases in annexations for many of our cities in our community, and so that sort of all together created a situation where we needed to do something about this. And because of the increasing technology, we also have people's expectations higher. In the issue you all just dealt with, I saw about three or four different maps floating around that a mere six, seven years ago would not have been available at all. We didn't do computerized geographic mapping like that, but now that we do and that technology is now common, there is an increased expectation for maps and for connecting databases.

Let me make this a little more real to you with a couple of examples. My good friend Jack Frost lives, for example, at 1224 South Pole Northwest. This is a very typical address for our community. His buddy, Frosty the Snowman, lives next door at 1226 South Pole Northwest. You can see that those folks are neighbors but they each express their address in a different way. Whether one abbreviates Northwest or spells it out, whether one spells out or abbreviates South and whether one uses a period in some of those.

And another example with Rudolph living just down the street a little further on the same street again expressing it in a completely different way. 'So.' used to be a very common way of abbreviating south. Now that is not common and that would show up, those folks would show up in our databases as three different streets. That is a very simple yet very realistic and common example of why addresses are difficult to keep consistent.

Another example gets us into a little bit more complexity. Kris Kringle and Jolly Ole Saint Nick live on the same street for example. Kris uses a lettered street name for his address. Let's call that Avenue G. However, Saint Nick uses a numbered street name from the county grid system. He's using East 104<sup>th</sup> Street. They're on the same street but there are reasons why these two folks chose to use different street names. For example, perhaps one of their properties, or both of their properties for that matter, had been annexed, but the city that annexed them did not change the street signs, did not change their addresses to match the city addressing system, so that could be a

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reason.

Another reason is that perhaps, as example one showed you, errors got entered into the system and they had just never been corrected. No one realized what was going on, and certainly there was a lot of resistance to changes, especially if someone has lived in their house for a long time, they think 'Well, you know I always get my mail' you know, 'People know where I live', that kind of thing. But as we have an increasing population of urban dwellers and pushing out into rural areas, that becomes less of a given.

A third example shows you even more complexity. That is with the City of Whoville. City of Whoville annexed Mr. Grinch's property but did not annex the street in front of his house. To match the city's addressing system though, the City of Whoville said, 'Well, we're going to change your address, Mr. Grinch'. We're going to change it and readdress your street to 1200 East 77<sup>th</sup> Street North so it would match the city's system and get it off the county grid. Well, when EMS responds to a call at 1200 East 77<sup>th</sup> Street North, they think that's a county address miles away, okay which is going to be on the other side of the county at another city because of the east/ west factor. Because East 77<sup>th</sup> is, for the county road, is in a different location and let me show you what I mean by that.

For example, you all know that when the county started its grid system many, many moons ago it was built off of a key intersection. Who knows what that is? Douglas and Main Street, did I get that right John? Douglas and Main in Wichita is where the county grid started and as you know then we proceed out both directions with larger and smaller numbers each way. But if you're a city out here, say this yellow city is the City of Whoville, well they created their city addressing system based on their coordinates, which are probably right about in the middle, probably right on Main Street or whatever they call their primary street in downtown. So they created that and then they get, as you can see, smaller numbers going this way with the 100 and larger numbers going this way toward the 1,000.

So as cities grow, they continue to push out further and their numbers get bigger. But as the county is going this way, their numbers are getting bigger that way, but you can see one side for the county is east, the other side is west, but for the city, these are east and these are west. So therefore, you reach this point where the addressing collides and this will happen in almost every city of our twenty cities in Sedgwick County, as they continue . . . now some of them haven't reached that point, some of them have, but what we need at this point is a great deal of cooperation and collaboration among the cities and the county to help address these address problems.

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In example three, just one more point on that, is Suzie Who lives next door to the folks mentioned before, to Mr. Grinch, but her address remains the same, on the county system, okay, at West 77<sup>th</sup> Street North. Why? Because she wasn't annexed, okay, so if you think about the point at which the annexation stops, then if they do readdress all the way up there, then you have Suzie Who living right next door with a completely opposite address. You have someone living beside someone at 3422 West right beside someone at 1200 East and by gosh, they're both a county road, because the city never annexed the road, so they never changed the name of the road from 77<sup>th</sup> to some city street name.

Complex, weird, let me tell you, this stuff exists. I couldn't believe it when I started learning about this system recently and the problems and the solution here is complex, but I think we have a pretty good handle on it now. The solution began with the hiring of a person we called the address coordinator and Jennifer Chambers is our address coordinator and actually she's on vacation this week so she's not joining us, or else I would introduce her to you. But she has become very well up to speed on the system and has created several things, with a lot of help from other folks.

We've created a countywide, geographic, address database. In other words, every point you can find, every piece of property can be mapped and identified on a geographic basis. That was not the case before. We have also a more accurate address matching system, what we call our land information system, and this came to us in software that we purchased this past year, in cooperation with the county Treasurer's Office, when they purchased the motor vehicle management system. It was the same vendor and we purchased them as a package.

What has occurred then is what we used to call the add match system. It was good at the time but an old system that needed to be replaced, has been replaced by this new land information system and it has helped us have more accurate matching of address exceptions.

We've also created a document called the address guidelines and John Rogers is going to hand those out to you now so you will have a better idea of what we're talking about. This is a guideline set that is based on national best practices and really is a model for other communities, as they struggle with this address issue as well. This is something that has had a lot of thought and a lot of input from different stakeholders go into it, but essentially if you think about it, we have twenty cities in this county, plus the county itself, creating new addresses. Everyone was doing it a different way. There was no standard education, workshops, KAC workshops, no national things they could go to to learn how do you do addresses. So our people sat down and said, 'Let's solve

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this thing, let's put on paper some of the best practices in how to create addresses' and this information has been shared with a good many of the cities in our community and will be shared with the rest of the city clerks of some of the smaller ones that don't have quite as much growth, we haven't got to everybody yet, but we will soon be getting to everyone.

And that education and communication, using these guidelines and also using the address committee, a group of folks from all these different jurisdictions, as shown on the slide here, many different cities, many different county offices, the U.S. Postal Service, quite a number of organizations. These people meet monthly and they work through the issues of numbering new addresses for new plats being filed, brand new houses, brand new streets and then also figuring out problems when citizens contact either one of the cities or the county and say, 'You know, I'm Suzie Who and I'm right beside this guy and we have completely different addresses'. They bring us problems and we work through how do we re-number current addresses to fix these problems.

Also, this address committee recommends updates to maps, to street signs and to the records to insure that the public safety . . . in other words, to insure that EMS and Bill Auchterlonie is here from EMS today because he is a part of the address committee and EMS and fire and some of these other public safety organizations have been critical to bringing to the attention of the county and to these various cities the problems that exist out there when they have difficulty finding certain homes. The address committee, as I say, communicates with residents and is led by the address coordinator.

The benefits that we have seen so far from our efforts, both with the computer systems and with the address committees, are fewer discrepancies in addresses and we believe this will only multiply over time, as some of the standards are adopted by more and more of the addressing authorities. We also see that benefit to public safety, and regarding the Treasurer's Office and the motor vehicle management system that was implemented this past year, we have seen an enormous increase in the daily match rate. In other words, for all the people who go to the different tag offices today and update and pay for their vehicle registrations, then tonight the new system will run those addresses through the system and match them up. It's matching up 95% of any of the errors or discrepancies.

So if you wrote South by writing So. it's going to find that little quirk and get that error out of the system the very same day that it was entered in the system. And so we're having a much higher match rate on those exceptions or problems. What's that's leaving is only 5% for someone to come in the next day in the Treasurer's Office and fix, and find those errors.

What that has done is that has cut the time that it takes to manually finds these errors each and every week by 10 hours. They have someone that was spending 16 hours a week finding these errors and now she spends six hours a week doing that. It's also cut out five programming hours per week just

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simply maintaining an old, clunky system that didn't work the best way it could. We had to have a programmer spending five hours every week doing that and so we were able to cut back on that.

Now the foundation has been laid for a good many successes in the future and you're probably wondering what is next. Next on this, we will continue to maintain our address database that GIS has created and has to maintain. That is an ongoing work for them. We will also begin working with the cities, various cities to send us weekly address updates, those that have development going on or renumbering of addresses will send those in to county GIS so then they can get them to the election commissioner, to the clerk's office, to the maps, to the public works to change the street signs, that kind of thing.

Then we will also be connecting the address database and matching system to other important computer systems in the county. For example, the new register of deeds system that's going on-line here in a month or so and the new code enforcement system and we're planning to connect the address database also to projects that are planned for the upcoming couple of years, which include the sheriff's system, new tax system, elections system we'll have to be replacing in 2005, I believe it is, and then the CAMA, the appraisal system that is in planning stages at the state level as well. So we took was pretty baseline approach and said let's fix the base problem and then apply it to every system that can benefit.

I just want to reiterate how mission critical the addressing is, and as you can see by this slide, and I realize you can't read all the little words, but I've got them up here, our mission is to assure quality public services that meet the needs of our people and to do that, you have challenged us as staff to establish partnerships. We have done that with the addressing. I dare say, we could have never fixed the addressing situation without the participation and the collaboration of the City of Wichita and all the other cities and the U.S. Postal Service and other folks who have helped do this.

We have to train employees. We have done that with county employees and with city employees and we have more of that to do. And they, by the way, have been very responsive. The city clerks and other staff out there in some of the small cities do not normally have someone who can help them with this addressing guideline piece of material there and we feel like they've been very receptive and liking the help, fostering two way communication, definitely doing that and hoping that the system will help you allocate resources better, because it will cut down on both manual labor processes and information technology costs in the future.

Not only do I think it's a good system though and I'm sure that you appreciate it, but the Kansas

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Association of Mappers awarded this system in 2003 its Outstanding Mapping Project and we are very proud of Jennifer Chambers and Jan Keathley and John Rogers and everyone in GIS for making this happen.

That concludes my presentation. I did put Jennifer's name and number on this slide, so anyone interested, certainly if you perhaps have an addressing situation in your neighborhood where you feel like, 'Boy, this is just a mess, no one can ever find my house' or this is whatever or if you all have folks that you know, over time who have said, 'We have this addressing situation' it's important to call GIS because then they can see about the problem, they can talk and bring the issue up to the address committee and deal with it. And I thank you for your attention this morning."

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

**Commissioner Winters** said, "Thank you. Thanks, Kathy, very interesting. I would like to do some follow up too, perhaps. We don't need to go into a great deal of detail now but about six or seven years ago, everyone in the square mile where I lived had to change their address and the reason, and I guess I'd like to know if there's been any solution is Central Street, in the western part of the county it's 4<sup>th</sup> Street, in the eastern part of the county it's 4<sup>th</sup> Street, from the river near Riverside Hospital in the City of Wichita it's 6<sup>th</sup> Street and so, as somehow Central got off the numbering scale and so what is happening on to the west, as growth goes on and I live out near 119<sup>th</sup> Street and lived one block south, so I had a 400 number, everybody in that whole mile had to change and I now have a 600 number. So is that a problem that has been solved? And I guess I'd like to know more about that."

**Ms. Sexton** said, "Okay, I'll check on that one."

**Commissioner Winters** said, "Maybe at a later date. And then, and maybe you've said this, but I've also had constituents talk about for instance living on Pawnee Avenue or on 23<sup>rd</sup> Street. Are you going to now . . . are we going to tell them what their address is and take away all of that discrepancy, send them a note and say stop putting Pawnee on there or stop putting 23<sup>rd</sup>? What are we going to do?"

**Ms. Sexton** said, "I'm really glad you asked that question. At this point, we are responding to citizens who see their own problems and wish to have them addressed. We're also sending the guidelines out and educating all the city clerks. So in other words, we're putting most of our efforts

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on both identified problems, complaints from the citizens, and on new addresses. We will, in 2004, get to the point, probably about halfway through the year or so when some other issues are taken care of, we will get to the point of, okay, let's start dealing with areas that have problems that don't necessarily know they have problems and don't necessarily know what the solutions might be. If you're in a city limits, within the city, any city, that city is in charge of setting their addresses, so as we work with cities and help them understand some of the issues or they bring issues to us, it will be the responsibility of those cities to decide if they want to change within their cities.

The County Commission is in charge of changing any addresses in the unincorporated areas of the county, okay. So if the areas you were just referring to are within the unincorporated areas, then the county is in charge. Now with the county being in charge, what that means is we'll be bringing to you, like I say in about six months or so, a proposal for a policy that says, here's what we would think you ought to do.

An example of that, off the top of my head, would be something like we would notify the people in the area, here's the problem, here's an informational meeting, come to the meeting or we will explain to them in a letter and then have a meeting so they could understand and hear from EMS and 9-1-1 and the people who have a hard time getting there, that type of thing, and then we would ask for voluntary compliance and then the next step is what is yet to be determined really. The County Commission has the authority to change the addresses, but as far as I know, that authority has never been delegated to staff and I don't know that staff has ever asked you for that, so it will be a topic of conversation."

**Commissioner Winters** said, "It will be a good topic, because the people asked me, I said, 'Well, what do you want your street sign to say?' and they said Pawnee, so I called up David Spears and said, 'Make the sign say Pawnee'. Now I don't know whether that was the right thing or not."

**Ms. Sexton** said, "Well I will tell you, Commissioner, that you did the best you could at the time and what we're hoping that the new leadership by Sedgwick County to say, you know, there is a place and there are guidelines and there are rules, so 50 years from now we don't have fire trucks and can't find your house."

**Commissioner Winters** said, "Okay, well if you'd get back to me about the Central Avenue issue."

**Ms. Sexton** said, "Sure, thank you."

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**Commissioner Winters** said, "Thank you."

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

**Commissioner McGinn** said, "Thank you. Well I think this has been very interesting, because I always thought the post office was the driver of this. Fifty years ago, my grandmother was the postmaster in Valley Center and all the streets to the west are named after trees and all the streets to the east are named after cities in Kansas and then the other reason is we live in the country and you used to be able to get by with route two and I liked it real well, because that's all I had to put down and that was the post office and I think also . . . but I think they blamed it on Emergency Communications, said you have to start using your written address."

But the other question I have, Kathy, and I think this may be what you're saying too, is that in the city I would live on Tyler but I live on 87<sup>th</sup> Street in the country and I know a situation that happened a few years ago. Somebody called 9-1-1 and was standing under the pole and it said 103<sup>rd</sup> and 109<sup>th</sup> and somebody kept saying, 'No, that's Maize Road' and the lady says, 'I'm looking at it, says 103<sup>rd</sup>' and so there was that kind of frustration. And will we be trying to take care of that?"

**Ms. Sexton** said, "Yes, that is definitely an issue, because sometimes a map says one thing and a street sign says another and because the public works departments are involved in the address committee on a monthly basis, where issues are brought up, then as things change we have this distribution now where our address coordinator makes sure that she contacts public works, makes sure that she contacts the election department, all those different agencies and then it's a matter of getting the signs changed."

**Commissioner McGinn** said, "Okay. Well again, I think this is very informative and I thank you and others for taking the lead in trying to solve this problem, because you just gave some very good examples of how people write their address and then the one about the annexing, both sides and not the road, that's a real situation that's occurred. So, all right, thank you."

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

**Commissioner Unruh** said, "Well, echo some of the comments that have been made. This is one of those types of problems that you think well, it's out there but it's too complicated, it's a big knot, I don't want to mess with it, so I'm really happy that you've gone ahead and said, 'We've got a problem, we're going to fix it' and you've invested the energy and time to make it right. You know, really it's a win/win/win thing. I mean, we win because we're going to do a better job and the resident wins because he's got some consistency and is going to receive better services and

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we're able to just deliver our responsibility in fire and medical and EMS things like that. So anyway, it's a great job and it's kind of brought to light a lot of issues that we know are there and we just kind of ignored them, so I'm glad it's getting fixed."

**Ms. Sexton** said, "Commissioner, thank you very much. And I would be remiss if I did not specifically and again recognize John Rogers and the whole staff of GIS, who have put so much work into this and certainly the vision and leadership of Richard Vogt, who really made this happen within current resources. And certainly, like I say, the whole address committee, everybody who is on there and you saw so many agencies represented there, from both Metropolitan Area Planning Department, the various cities, several county departments and certainly the county Treasurer's Office, with our first implementation this year of this system, in conjunction with the motor vehicle system. They've dealt with a lot of headaches probably the first year, but progress and we appreciate their working with us and Ann Smarsh and Jean Quinn are here from the Treasurer's Office. We appreciate their help."

**Commissioner Unruh** said, "Well, good job."

**Chairman Norton** said, "Well it seems to me this whole issue is like untangling my Christmas lights when I pull them out. Not only are they all tangled up, but once you get them untangled, you find out there's one bulb that doesn't work and then you're continually solving the problem."

It's interesting that I had an issue just a couple of weeks ago where someone out in a rural area, lived in an area that was not platted, lived on a road that had been named by the developer. Their mail originally came off of a major street with a rural address and then they had a 9-1-1 address that was the official address and she was concerned that if they had a 9-1-1 call, nobody would know where to go and I think we finally got that figured out, but her mailing address was totally different than her emergency address, which was really totally different than the address assigned by the developer originally, because it was like an improvement district, it really wasn't assigned any other way. So there are some very complicated issues out there and hopefully this will solve those in a much easier manner.

Commissioners, what is the will of the Board?"

#### **MOTION**

Commissioner McGinn moved to receive and file.

Commissioner Winters seconded the Motion.

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

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**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, Kathy. Next item."

**C. ELECTION OFFICE.**

**1. WAIVER OF POLICY TO HIRE ONE CHIEF DEPUTY ELECTION COMMISSIONER AT STEP 10.**

**Mr. Bill Gale**, Election Commissioner, greeted the Commissioners and said, "We have a couple of items of importance to the Election Office before you this morning. As you all know, we've had several retirements in the Election Office in the last few months, including one of our previous election commissioners, Marilyn Chapman, who I have the honor of taking that spot in the last couple of months. And we've had also a couple of others, including the chief deputy election commissioner.

We went through the process and have found individuals that I feel will serve us very well in the Election Office, as we face some big challenges here in the next few years, some of which are presidential election year, which is coming up next year, which will involve a lot of work and as I understand a lot of overtime and extra hours and all that good stuff, but is also some other changes kind of brought about by federal legislation, requiring some things we have to address. Kathy referred to one, which will involve us converting to a new system, a statewide voter registration system by 2005 as well as some accessibility issues which will involve the voting machines we use and all of the polling places we use.

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With that . . . with the retirements, we did lose over 70 years of very valuable experience from the election office. Fortunately, we still have about 120 years of valuable experience left in the office, and I believe, I feel confident that those, as well as the two new hires that have been selected, that we'll be well prepared to meet and face these challenges before the office and so before you today we bring with you a couple of requests for policy waivers in relation to the new hires for your consideration and approval."

**Chairman Norton** said, "Okay. Questions from the bench? At this point, I would entertain a Motion."

**MOTION**

Commissioner Winters moved to approve the policy waiver.

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	Aye
Commissioner Ben Sciortino	Absent
Chairman Tim Norton	Aye

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

**2. WAIVER OF POLICY TO HIRE ONE ADMINISTRATIVE ASSISTANT AT STEP 6.**

**Mr. Gale** said, "This is a related item. This position we're actually under-filling, I'm proposing to underfill, which will allow us some flexibility with budgetary savings to evaluate the whole office and the staffing table in our office. With these retirements, as I mentioned, we've got a lot of fine staff that we've delegated additional duties and responsibilities throughout the office and they are stepping up and I look forward to continuing the work with Human Resources, as we evaluate the staffing classifications throughout the office.

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And this item, approval of this item will, I believe and the savings involved with that will allow us to take a look and possibly do some of those things which will bring me back before you probably next year.”

**Chairman Norton** said, “Questions? I have one comment. I think it’s good that you run that through Human Resources and let Jo Templin, who is extremely skilled at organizational kinds of things, to help you with redesigning what you think will be a workable organization, not that anything has been bad over there, but when you have a change in leadership, sometimes it’s a good time to look at the organization, really look at the people doing jobs, make sure that the classifications are right and make sure you’re filling them with the kinds of people that you want. So I think that makes really good sense to engage Human Resources to help you with that process.

I would entertain a Motion at this time.”

**MOTION**

Commissioner McGinn moved to approve the policy waiver.

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	Aye
Commissioner Ben Sciortino	Absent
Chairman Tim Norton	Aye

**Chairman Norton** said, “Thank you, Bill. Clerk, call the next item.”

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**D. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF DECEMBER 18, 2003.**

**Mr. Jerry Phipps**, Purchasing Agent, Purchasing Department, greeted the Commissioners and said, "You have the Minutes of the December 18<sup>th</sup> meeting of the Board of Bids and Contracts and there are two items for your consideration.

**1) ONBASE MAINTENANCE- DISTRICT ATTORNEY  
FUNDING: DISTRICT ATTORNEY RECORDS**

Item one is OnBase maintenance renewal for the District Attorney's Office. It was moved to accept the expenditure with Automated Business Systems for \$27,009.

**2) CAD SOFTWARE MAINTENANCE- EMERGENCY COMMUNICATIONS  
FUNDING: COMMUNICATIONS EQUIPMENT**

Item two, CAD software maintenance renewal for Emergency Communications Department. It was moved to accept the expenditure with Northrup Grumman Public Safety, Incorporated for \$60,437.50.

I'll be happy to take questions and recommend approval of the Minutes of the Board of Bids and Contracts."

**MOTION**

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

Commissioner McGinn seconded the Motion.

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

**VOTE**

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

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

**CONSENT AGENDA**

**E. CONSENT AGENDA.**

**1. Application for License to Retail Cereal Malt Beverages.**

<u>Applicant Name</u>	<u>Business Name</u>
Wayne R. Larson	United Golf of Wichita, Inc.

**2. Notice of Hearing for February 25, 2004 post annexation public hearing for an area generally located near 53<sup>rd</sup> Street North and Meridian.**

**3. Orders dated December 10 and December 17, 2003 to correct tax roll for change of assessment.**

**4. Payroll Check Register of December 19, 2003.**

**5. General Bills Check Register(s) for the week of December 17 – 23, 2003.**

**Mr. Buchanan** said, "Commisisoners, you have the consent agenda before you and I would recommend you approve it."

**MOTION**

Commissioner McGinn moved to approve the consent agenda as presented.

Commissioner Winters seconded the Motion.

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

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**VOTE**

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

**Chairman Norton** said, “At this point, I will suspend the Board of County Commissioner Meeting.”

**The Board of County Commissioners recessed into the Fire District #1 meeting at 10:55 a.m. and returned at 10:57 a.m.**

**Chairman Norton** said, “Is there any other things to come before us today? Commissioner Unruh.”

**F. OTHER**

**Commissioner Unruh** said, “Well, I’ll just take the opportunity to wish everyone, our staff and the citizens of Sedgwick County a very warm holiday season. I hope they have a great deal of enjoyment following their family traditions, whatever they may be and just hope that they will progress toward a really profound understanding of what this season is all about.”

**Chairman Norton** said, “Anything else before us?”

**Commissioner Winters and Commissioner McGinn** said, “Merry Christmas.”

**Chairman Norton** said, “I would . . . I’m not sure, Kristi will have to prompt me, are we showing ‘Around the County’ as soon as it’s over? Well, then I’ll have to plug our ‘Around the County’. It is a special Christmas message. If you have young children, you might want to pull them into the room right now, before ‘Barney’ comes on and let them hear ’Twas the Night Before Christmas and have a special message from all the people that work so hard at Sedgwick County to you and your families. And from us, as the Board of County Commissioners, we wish you the very best of holiday seasons. We hope your family is blessed.

A special notation for those that are in other countries, protecting our freedom, so that we are allowed to have time with our families to enjoy. And with that, we’re adjourned.”

**Regular Meeting, December 24, 2003**

**G. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 10:57 a.m.

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

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**THOMAS G. WINTERS**, Chairman  
Third District

**Regular Meeting, December 24, 2003**

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**DAVID M. UNRUH**, Chair Pro Tem  
First District

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**TIM R. NORTON**, Commissioner  
Second District

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**CAROLYN McGINN**, Commissioner  
Fourth District

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**BEN SCIORTINO**, Commissioner  
Fifth District

ATTEST:

\_\_\_\_\_  
**Don Brace**, County Clerk

APPROVED:

\_\_\_\_\_, 2004