

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

### **REGULAR MEETING**

**June 16, 2004**

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., on Wednesday, June 16, 2004 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chair Pro Tem David M. Unruh; Commissioner Tim R. Norton; Commissioner Carolyn McGinn; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Andy Schlapp, Director, Community Relations; Ms. Marilyn Cook, Director, Comprehensive Community Care (COMCARE); Mr. John Schlegel, Director, Metropolitan Area Planning Department (MAPD); Mr. Joe L. Norton, Bond Counsel, Gilmore & Bell, P.C.; Mr. Jim Weber, P.E./Deputy Director, Bureau of Public Works; Mr. Ron Holt, Director, Division of Culture, Entertainment and Recreation; Mr. John Nath, Director, Kansas Coliseum; Mr. Glen Wiltse, Director, Code Enforcement; Ms. Monica Cissell, Program Manager, Department on Aging; Mr. Bill Gale, Election Commissioner; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

### **GUESTS**

Colonel Michelle Johnson, Commander, 22<sup>nd</sup> Air Refueling Wing, McConnell Air Force Base.  
Mr. Robert Kaplan, agent for applicant, Kaplan, McMillian and Harris.

### **INVOCATION**

The Invocation was led by Reverend Jerome Beat of All Saints Catholic Church, Wichita.

### **FLAG SALUTE**

### **ROLL CALL**

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

### **CONSIDERATION OF MINUTES:** Regular Meeting, June 2, 2004

The Clerk reported that Commissioner McGinn was absent at the Regular Meeting of June 2, 2004.

**Chairman Winters** said, "Commissioners, you've had the opportunity to review these minutes. What's the will of the Board?"

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**MOTION**

Commissioner Norton moved to approve the Minutes of the Regular Meeting of June 2, 2004.

Commissioner Unruh seconded the Motion.

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

**VOTE**

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

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

**AWARD**

**A. PRESENTATION OF THE SEDGWICK COUNTY MEDALLION TO COLONEL MICHELLE JOHNSON, COMMANDER OF THE 22<sup>ND</sup> AIR REFUELING WING AT MCCONNELL AIR FORCE BASE.**

**Mr. Andy Schlapp**, Director, Community Relations, greeted the Commissioners and said, "Today I have the privilege and honor to present and talk about Colonel Michelle Johnson. Ben Sciortino is ill today, he was looking forward to doing this, so again it's a privilege that I get to be up here today.

First, before I get started, I want to talk a little bit about the Sedgwick County Medallion. It's the highest award that we give. It's something that we don't do very often. We save it for very special occasions, and in fact, doing some research we realized in the last five years we've only given it out three times.

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Colonel Michelle Johnson is currently the Commander of the 22<sup>nd</sup> Air Refueling Wing at McConnell Air Force Base and is one of three core tanker bases in the country. As we go around and we're dealing with the issues that we deal with in trying to tell the rest of the country how important McConnell is to our community, but one of the things that's always known is how well this base is run and that we owe that to people like Colonel Johnson and how well they run that operation. It makes it easier for all of us to talk about how special it is to our community, so we owe her a great deal of thanks for that.

Colonel Johnson graduated from the United States Air Force Academy in 1981, and she also played on the women's basketball team there. I was going to have my mom challenge her to one-on-one but she was too busy and I don't think it's going to happen before you leave, but when you come back to town that may happen.

Colonel Johnson, while there, was named a Rhodes Scholar and she received her Masters from Oxford University. And to real briefly touch on some of the things she's done, she's done some pretty neat things but probably the most important that stands out on her resume, from 1992 to 1994, she was at the White House and she was the Air Force Personal Assistant to the President.

From March 2000 to March 2002, she served at the 92<sup>nd</sup> Operations Group at Altus Air Force Base in Oklahoma and she currently has over 3,600 flight hours in the air. Colonel Johnson has been awarded the Defense Superior Service Medal, the Air Force Meritorious Service Medal and the Air Force Commendation Medal, among many others.

Colonel Johnson has shown dedication and commitment to pulling people together and to make them a team, in every sense of the word. Eleven of McConnell's units have been labeled the best in air mobility command for the Air Force during her tenure.

Under Colonel Johnson's command, the 22<sup>nd</sup> Air Refueling Wing was recognized as the Air Force's top wing and was awarded the Salerno trophy. McConnell security forces, for the last two years, have been named the best security forces in the Air Force. Colonel Johnson will be leaving us here next week and be going to Scott Air Force Base, outside of St. Louis and will serve as the Chief of Personnel.

And so again, I have the privilege of now turning this over to Chairman Tom Winters to present the award."

**Chairman Winters** said, "Colonel, on behalf of the Board of County Commissioners, and

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especially Commissioner Ben Scortino, Ben certainly wanted to be here this morning. I know that you've worked with him on a number of issues and projects, but Ben is a bit under the weather this morning, so he is not able to be here. But we want to take this opportunity, again, to remind you and all of the men and women that serve at McConnell Air Force Base how proud we are of you and your work and your facility here. We do believe that you are an integral part of our community and we appreciate the service that you all provide both here locally and to our nation as a whole.

So we know that you've been very instrumental in a number of projects that have been a plus for the community, as are a number of men and women that have served in the Air Force at McConnell. So we wish you the very best of luck in your future endeavors and we hope that you'll always remember Sedgwick County, Wichita as a pretty good place to be and hope that you've had a pleasant stay and just wish you the very best in the future. Thank you. Would you like to make just a comment?"

**Colonel Michelle Johnson**, Commander, 22<sup>nd</sup> Air Refueling Wing, McConnell Air Force Base, greeted the Commissioners and said, "Commissioners, Council Woman Schlapp, ladies and gentlemen, friends from all parts of Sedgwick County, I see Don Brace, Rio Hodgson, Jack Pulley among others. Thank you so much for this, on behalf of the team of the wing and I'm so appreciative that Andy mentioned it in terms of team because on the base we've managed to forge teamwork within the active duty and to be successful and to forge teamwork with the Air National Guard across the way and the reserves and Boeing, who are our teammates as well.

But even more so with the county, on emergency services we team every day to look after the first response for people who live in this county and who include our families from our base. So every day we work on that level, and then on the greater level, you empower us to really put the global in the global power of our country, for the United States to be able to project military power across the globe, we need these air refueling assets, you know, flown by the captain and the airmen and the sergeants out there doing the work in the trenches every day. So I'm in their debt and I'm in your debt for honoring us and I assure you that we will never forget Wichita and McConnell Air Force Base because it's been a professional blessing and a personal blessing. Our twin sons were born here and it will always be home. Thank you very much."

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

**Chair Pro Tem Unruh** said, "Madam Clerk, would you call the next item."

## **DONATION**

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**DIVISION OF HUMAN SERVICES - COMCARE**

**B. DONATION BY THE FORREST C. LATTNER FOUNDATION OF \$4,000, TO BE USED FOR COMCARE'S WALK FOR AWARENESS OF HOMELESSNESS AND MENTAL ILLNESS.**

**Ms. Marilyn Cook**, Director, Comprehensive Community Care (COMCARE), greeted the Commissioners and said, "We're pleased to have received a donation of \$4,000 from the Forrest C. Lattner Foundation. This money is going to be used for the Walk for Awareness of Homelessness and Mental Illness and this is an activity that's going to be coordinated again this year by COMCARE's homeless program, also known as Center City.

This will be the seventh year that we have had this walk, an annual event, and it is going to be held on October 8<sup>th</sup> of this year, again at the Mid-America All Indian Center. The purpose of the walk is to increase public awareness of homelessness, mental illness and effective interventions and it's also to increase awareness of the struggles and the courage of many in our community who are impacted by mental illness and homelessness. We're requesting that you accept the donation and authorize the Chairman to sign a letter of appreciation."

**Chairman Winters** said, "All right, thank you Marilyn. Commissioners, questions or comments? If not, what's the will of the Board?"

**MOTION**

Commissioner Unruh moved to accept the donation and authorize the Chairman to sign a letter of appreciation.

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

**Chairman Winters** said, "Thank you very much, Marilyn. Next item."

**RESIGNATION**

**C. RESIGNATION OF ANDREW P. SELENKE FROM ATTICA TOWNSHIP TRUSTEE APPOINTMENT**

**Mr. Rich Euson**, County Counselor, greeted the Commissioners and said, "Commissioners, you've received this resignation request and I recommend that you accept it."

**Chairman Winters** said, "Thank you, Mr. Euson."

**MOTION**

Chairman Winters moved to Accept the resignation.

Commissioner Unruh seconded the Motion.

**Chairman Winters** said, "We have a Motion and a second. I might comment that Mr. Selenke is resigning because of health issues, but we certainly have appreciated the job that he's done in Attica Township. He stepped up at a time where there was a need for someone to replace another township board member and I think he has just done an excellent job in his time. We're sorry to lose him. We should have another appointment for that position just very shortly. We have a Motion and a second to accept the resignation. Seeing no other discussion, call the vote."

**VOTE**

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

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

**PLANNING DEPARTMENT**

**D. METROPOLITAN AREA PLANNING DEPARTMENT.**

- 1. CASE NUMBER ZON2004-00004 – ZONE CHANGE FROM “RR” RURAL RESIDENTIAL TO “LI” LIMITED INDUSTRIAL, GENERALLY LOCATED AT THE NORTHWEST CORNER OF HIGHWAY 254 AND 127<sup>TH</sup> STREET EAST. DISTRICT #1.**

**POWERPOINT PRESENTATION**

**Mr. John Schlegel**, Director, greeted the Commissioners and said, "This first case that I have to present to you is, as the Clerk read, an application . . . originally, an application for Limited Industrial zoning on this 13 ¾ acre tract which is currently zoned 'RR', Rural Residential. And they are seeking this rezoning for purposes of constructing an office warehouse, service warehouse, outdoor and enclosed RV and boat storage and, in the original proposal, a 6,000 square foot assembly building or auditorium. And their intent, originally, was to rent out the assembly building for a variety of social or business events.

At the first MAPC hearing of this application, which was back on March 11<sup>th</sup>, there was significant neighborhood opposition to the proposal as it was presented at that time and the applicant asked at that time for a deferral in order to allow them to meet with the neighbors.

And at the second MAPC hearing on this item, which was held on April 8<sup>th</sup>, again there was still significant neighborhood opposition, so the applicant at that time asked for a second deferral in order to continue to meet with the neighbors, refine his plan for the site and also offer to reduce the request at that time from Limited Industrial to Office Warehouse zoning and they continued then to meet with the neighbors regarding their plans for the site.

Prior to the third MAPC meeting on this item, which was on May 20<sup>th</sup>, the applicant expressed an

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interest in amending the request from Office Warehouse to General Commercial, once they had learned that outside vehicle storage, which was one of their intended uses, was not permitted as an Office Warehouse use. And they formerly made that request to amend the application at that third MAPC meeting, subject to a protective overlay that would allow the outside vehicle storage yard and all other uses allowed in an Office Warehouse, except for a list of prohibited uses, which are listed in your backup.

Again, there were still significant neighborhood opposition at that third MAPC meeting. The applicant then agreed to amend the request from General Commercial back to the Office Warehouse zoning, which then eliminated the outside vehicle storage use. They also agreed at that time to eliminate the assembly hall or auditorium use that was proposed originally and to restrict the parcel 2 of the site, and let me get the . . . this is their original site plan and parcel 2 is the western portion of that site, so they agreed at that time to restrict use of that land to those uses that are depicted on the site plan.

So with the elimination of the auditorium on parcel 1, which is the eastern six acres, they would not be allowed to have the auditorium but they would still be allowed to have 91,356 square feet of gross floor area for a number of different types of uses that would be allowed. And parcel 2 would allow close to 118,000 square feet of gross floor area in a maximum of eight buildings on this 7 ¾ acres. And what that drawing depicts is there is an office and warehouse that the applicant would use for his business, plus an enclosed storage and mini self-storage. All of the buildings on parcel 2, as proposed on this site plan, would be surrounded by wood and block wall fencing. And as you can see by this site plan, the frontage of the property and their access to the property is off that frontage road that runs parallel to 254, which is a gravel road, and then goes out to 127<sup>th</sup> Street, which is also gravel.

As you can see from the zoning, all the surrounding property is currently zoned Rural Residential. Properties located to the north, east and south are all used for agricultural activities. Let's get the aerial up there, you can see that, and there is a property immediately to the west, which has a residence on it and an antique shop that is also used for agricultural purposes.

As I stated, the MAPC has heard this case on three different occasions, finally taking action on May 20<sup>th</sup>. In total, five citizens have spoken in opposition to the application. Their contention is that the request is out of character with the rural and agricultural character of the area. They're also concerned about the traffic to be generated by this proposed development and the inadequate transportation facilities available to serve this, mainly no improved left turn lane onto 127<sup>th</sup> Street and the fact that 127<sup>th</sup> and the frontage road are still gravel roads.

The auditorium was a particular source of concern to the neighbors and the applicant, as I've mentioned, has agreed not to pursue that use of the property. At this time, we have received protest

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petitions from 38% of the property within the notification area. Those are the properties shown in red. The one property we're showing in yellow is a protest petition that we received after the time limitation on the protest petitions."

**Chairman Winters** said, "And then John, while you have that, the property in blue?"

**Mr. Schlegel** said, "And the property in blue are additional protests, properties from which we have received protest petitions but are not included because they are outside the notification area."

**Chairman Winters** said, "Okay, thank you."

**Mr. Schlegel** said, "The applicant has agreed to, as I've already mentioned, to drop the request for the assembly hall or the auditorium and to add it to the prohibited uses, as well as a number of other amendments that were made in the course of the MAPC hearings, plus the original staff conditions."

One last important note, and I'm going to go back to the site plan. Office Warehouse zoning does allow general retail uses, so parcel 2 . . . although parcel 2 is limited to those uses that are depicted on the site plan, parcel 1 does allow as I've mentioned, over 91,000 square feet of potential retail uses and we've calculated that that could generate up to 3,800 average daily trips.

The recommendation of the Metropolitan Area Planning Commission is to approve the zone change to Office Warehouse, subject to platting within one year and the protective overlay #138, which would include all of the amendments that were discussed at the MAPC meeting, plus the staff conditions. And with that, I'll be glad to take any questions."

**Chairman Winters** said, "All right, thank you. Commissioners, are there any questions of John at this point, before we proceed? Okay John, I don't see any. This is not an official public hearing, but has always been our custom to listen to folks who would want to address the commissioners on these zoning kinds of issues, so I would ask if there's anybody here that would like to speak in favor of this application to the commission. Please give your name and address for the record."

**Mr. Robert Kaplan**, agent for applicant, Kaplan, McMillian and Harris, greeted the Commissioners and said, "As you can determine, not only from the material you have, but also from the planning director's comments, Mr. Marquez has virtually accepted every suggestion, has bent to every wish and has done everything that he can possibly do to accommodate any of the surrounding landowners who had any difficulties with anything he wanted to do. And I think that is readily apparent that I don't believe there is anyone here to speak in opposition of this this morning. And so my second issue is I need just a bit of guidance, two issues. Number one, does the Commission desire, do you want me to run through this and do you want my read on all of this?"

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I'm willing to do it if there is an issue on the bench with this application. If there is an issue on the bench with this application, then I'm going to ask that you defer it, because of the need for a 3/4<sup>th</sup> affirmative vote. The statute anticipates a 75% approval because of the protests. It doesn't anticipate 100% approval and with Commissioner Sciortino not available, I would be here requiring a 100% approval, so if there is any question or dissent at this time, then I'm going to ask that it be deferred. If there isn't, I don't know that you want to hear an extended presentation. I'll be glad to elaborate."

**Chairman Winters** said, "Okay, well let's just think this through for a minute. I think, with being one commissioner short, it might be best to defer this. And then, even at that time, ask you back to give your full detail description of the whole plan."

**Mr. Kaplan** said, "That's perfectly acceptable, Mr. Chairman, if that's the will of the bench. I just don't want to be . . . Well, I've said what I've said."

**Chairman Winters** said, "Mr. Euson, what do you think about that? I don't think we're causing any difficulties for us or the commission to defer. Our only question is getting our calendars together to see when that's going to be, because we are approaching our budget time and we're going to not meet on July the 28<sup>th</sup>. We're going to have an evening meeting on the 27<sup>th</sup> of July, so . . ."

**Mr. Kaplan** said, "We've been two years on this project."

**Chairman Winters** said, "What about next week? We're having a regular . . . I'll tell you, I'm going to go get my calendar. Just give me 30 seconds. We're going to not recess, but we're going to be in animated suspension for a couple of minutes."

**Commissioner Norton** said, "So we're supposed to be animated while he's got us suspended."

**Commissioner Unruh** said, "No, we're just supposed to be suspended."

**Commissioner Norton** said, "Just wanted to know my role."

**Commissioner McGinn** said, "And Rich, is there a rule about how soon it needs to come back, if we defer?"

**Mr. Euson** said, "No, there really isn't. And if the applicant is requesting that, I think it's okay to defer it. If the applicant wasn't requesting it, that may raise some other issues, but I think it's

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okay.”

**Commissioner McGinn** said, “Okay.”

**Commissioner Unruh** said, “Well we really need Commissioner Sciortino for a few jokes right now, don’t we?”

**Commissioner McGinn** said, “No.”

**Commissioner Unruh** said, “Okay.”

**Chairman Winters** said, “Well, I think it appears everybody is going to be here next week, so Mr. Kaplan, if it’s acceptable with you then, I think we’d be better off to hear this with a full commission in place.”

**Mr. Kaplan** said, “Yes, sir.”

**Commissioner McGinn** said, “I have something for the Manager. And then I guess, we just need to make sure the agenda is not packed, because I notice we have budget hearings that day as well.”

**Mr. William P. Buchanan**, County Manager, said, “We intend to leave the courthouse no later than 8 p.m.”

**Commissioner Unruh** said, “That’s good. That’s good, appreciate that.”

**MOTION**

Chairman Winters moved to defer Item D-1 for one week.

Commissioner Unruh seconded the Motion.

**Chairman Winters** said, “We have a Motion and a second. And Mr. Kaplan, then we would just anticipate if you want to make a full presentation then to all of the sitting commissioners on that day, then you can start off with that presentation.”

**Mr. Kaplan** said, “Thank you, sir.”

**Chairman Winters** said, “All right, we have a Motion and a second. Any other discussion?”

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Seeing none, call the vote.”

**VOTE**

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

**Chairman Winters** said, “Next item.”

- 2. CASE NUMBER ZON2004-00026 – ZONE CHANGE FROM “RR” RURAL RESIDENTIAL TO “SF-20” SINGLE-FAMILY RESIDENTIAL, GENERALLY LOCATED AT THE NORTHWEST CORNER OF 183<sup>RD</sup> STREET WEST AND MAPLE. DISTRICT #3.**

**POWERPOINT PRESENTATION**

Mr. Schlegel said, “I’m going to take you to a broad view to show you where this 76 acre application site is located, at the northwest corner of 183<sup>rd</sup> Street West and Maple. The applicant is seeking SF-20, Single-family Residential zoning, to allow ½ acre size lots in a proposed 77 acre subdivision. The preliminary plat for the subdivision has already been approved by the MAPC Subdivision Committee on April 1<sup>st</sup> and it depicts access points both onto 183<sup>rd</sup> Street and onto Maple.

As you can see from the graphic, it’s located . . . the site is located diagonally across the intersection from the Goddard city limits and it’s anticipated that the site will be annexed by Goddard, once the zone change and plat approvals are completed.

All the surrounding area, as you can see from this graphic, is currently zoned Rural Residential, except for the land located to the southeast, within the City of Goddard. And the uses, as seen on the aerial, are either . . . the surrounding areas are either agricultural or large-lot residential. The property in Goddard is vacant and appears to be intended for commercial use.

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The MAPC heard the case at their May 20<sup>th</sup> meeting and recommended approval unanimously, per staff comments. The Goddard Planning Commission also heard the request and has recommended approval unanimously. No one has spoken in opposition to this request.”

**Chairman Winters** said, “Before you go away from that slide, I have just one really basic question. We don’t have any drawing of this. Could you help me with where the access points are approximately going to be?”

**Mr. Schlegel** said, “Okay. No, I do not have the plat included in this presentation. There are two on Maple and I don’t know their precise locations and one on 183<sup>rd</sup> Street. I can get that information for you. I can get a copy of the plat to you.”

**Chairman Winters** said, “Okay, I think I would just like to have a copy of that, if I could, but it’s not a significant enough question to cause a problem today. Do you have any . . . did I interrupt you before you were completed?”

**Mr. Schlegel** said, “No, that was it. I had completed my presentation.”

**Chairman Winters** said, “All right, Commissioners do you have any questions for John at this point? Seeing none, again this is not an official public hearing, but if there is anyone here from the public who would like to address the Commission on this issue, we would take comments from anyone. Is there anyone that would like to address the public on this issue? Seeing no one, we will reserve discussion to staff.

John, I guess the two questions I had were one, just figuring out where those access points were and I can do that later. And secondly, again it’s the intention if this request is completed today, that this will be annexed into the City of Goddard and Goddard will provide the water and the sewer for this development.”

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

**Chairman Winters** said, “Well, I think it works for me. Commissioners, if there’s questions or comments?”

**Commissioner Norton** said, “It’s pretty straightforward to me.”

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**MOTION**

Chairman Winters moved to approve the zone change, subject to platting within one year; adopt the findings of the MAPC; direct staff to prepare an appropriate resolution; and authorize the Chairman to sign the resolution.

Commissioner Norton seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, “Thanks, John. Next item.”

**NEW BUSINESS**

- E. RESOLUTIONS (TWO) CREATING ROAD IMPROVEMENT BENEFIT DISTRICTS IN SEDGWICK COUNTY, KANSAS AND AUTHORIZING IMPROVEMENTS THEREIN (REDMOND ESTATES – PHASES I AND II).**

**POWERPOINT PRESENTATION**

**Mr. Joe L. Norton**, Gilmore & Bell, P.C., Bond Counsel, greeted the Commissioners and said, “For your consideration this morning are two resolutions which would create road benefit districts in Redmond Estates. On the screen before you is the map depicting the location of this proposed benefit district, which is located just west of 119<sup>th</sup> Street West, south of 31<sup>st</sup> Street South and north of MacArthur Road.

The petitions have been signed by 100% of the owners of property within the proposed districts. On the screen before you is a depiction of phase I and phase II. There are two resolutions. One would create the phase I benefit district. The second would create the phase II benefit district. There are 20 lots in phase I and 32 lots in phase II. The petition requests that the costs of the project be assessed equally among all of these lots, that are substantially the same size.

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Public Works has prepared an estimate of costs for these improvements for phase I and phase II. As you can see, the total project costs for phase I is about \$215,000. When divided equally among the 20 lots, would be about \$10,746 capital costs, spread over 15 years at 6%, about \$1,100 per year.

The same information is available for phase II with a total cost of about \$391,000, about \$12,200 per lot, or about \$1,258 annually at 15 years, 6% spreading of the assessments.

Mr. Weber from Public Works is here available to answer questions, as I will attempt to do if you have any prior to consideration of the resolutions.”

**Chairman Winters** said, “All right, thank you Joe. Again, this is a new development. There’s nothing in there now and 100% of ownership has signed for these lots.”

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

**Chairman Winters** said, “All right, Commissioners, again I think this is a pretty straightforward deal. If there’s no questions or comments, I’m ready to make a Motion.”

**MOTION**

Commissioner Unruh moved to adopt the Resolutions.

Chairman Winters seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, “Thank you, Joe. Next item.”

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**F. DIVISION OF CULTURE, ENTERTAINMENT AND RECREATION.**

**1. RESOLUTION AUTHORIZING USE OF THE KANSAS COLISEUM AS AN ALTERNATE ASSEMBLY AREA FOR THE KANSAS ARMY NATIONAL GUARD.**

**Mr. Ron Holt**, Director, Division of Culture, Entertainment and Recreation, greeted the Commissioners and said, “This is a resolution authorizing the Kansas Coliseum as an alternate assembly area for the Kansas Army National Guard. You passed a similar resolution back in 2001. It expired at the end of December, 2003. The Kansas Army National Guard has asked if we would renew that resolution, or that agreement for an indefinite period of time and this would be staging area for them in case of some major disaster or state emergency. And so, we think it certainly makes good sense and makes a good location and we would recommend that you adopt the resolution.”

**Chairman Winters** said, “All right, Commissioners, are there questions or comments?”

**MOTION**

Commissioner McGinn moved to Adopt the Resolution.

Commissioner Norton seconded the Motion.

**Chairman Winters** said, “We have a Motion and a second to adopt the resolution. I guess my only question would be, and I certainly am going to support this, if there would ever be a time when there was some big event going on at the Coliseum and yet they needed it, would we be able to work through that somehow?”

**Mr. Holt** said, “In talking to John and his folks, we think we could accommodate that and really, based on the kind of state emergencies or disasters they’re talking about, probably we would be displacing that event anyway, not necessarily but probably. So, we think there’s no problems.”

**Chairman Winters** said, “All right, very good. Commissioners, we have a Motion. Any other questions or comments? Seeing none, call the vote.”

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**VOTE**

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

**Chairman Winters** said, "Thank you, Ron. Next item."

**2. AGREEMENT WITH SWANSON CORPORATION TO PROVIDE CONCESSIONAIRE SERVICES AT KANSAS COLISEUM.**

**Mr. John Nath**, Director, Kansas Coliseum, greeted the Commissioners and said, "The current agreement with Swanson, which was a five-year agreement, is expiring. It's due to end in August of this year. We are looking to extend the agreement this year until May of 2005, when we are projected to shut down for our renovations. This would allow us to go out and complete our RFP for the new concession services. If there is a new concessionaire on board in time for design, that way they don't have to come in and do a full blown operation and have to ramp back down to 40% for two years, then go back up to a full-blown operation. This way they can stage it, which would be a proper way to do it. We recommend the contract approval."

**Chairman Winters** said, "All right, thank you. Commissioners, what's the will of the Board on this contract extension?"

**Commissioner Unruh** said, "Well, I have a question first. This doesn't have any ramifications in our renovated facility. I mean, this just . . . so it will give us time then to put out an RFP and get the best deal we can going forward."

**Mr. Nath** said, "Exactly. It would be very difficult to get a concessionaire to come in and just do a partial year on an agreement and then bring his entire operation in and then have to take it back down. Because, keep in mind, we're projected to be closed for about 90 days, from May of 2005 until August or September of 2005. Then only the pavilions are going to open, and that's about 40% of our business."

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

**Chairman Winters** said, "Are we prepared for a Motion?"

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**MOTION**

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

Commissioner Norton seconded the Motion.

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

**VOTE**

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

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

**3. KANSAS COLISEUM MONTHLY REPORT.**

**POWERPOINT PRESENTATION**

**Mr. Nath** said, "Report on the month of May, on our activities, nearly 70,000 people through the doors, 18 events, 32 performances. Net revenues, event-related revenues were in excess of \$220,000.

Highlights, the 11<sup>th</sup> Annual Park City Bluegrass Festival. These folks come from all around the country and they just have an absolute ball out there pickin' and grinnin'. We had over 1,300 people through the doors. It was a good month for concerts. We had the Josh Groban concert, over 6,000 people in attendance. Now it's interesting, Groban has such a cult following. He started really with Oprah Winfrey's help. There's a group called 'Grobanites' that follow him around the country. They have little reunions and little parties right before his concerts, about three or four hundred people that go from city to city.

We had the farewell tour with Alabama. Alabama has been in the business about 25 years and this is their last tour. We had 6,400 people at that show. We had Kid Rock, 6,222 folks came out to see Kid Rock this year.

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Again in May is graduation central. We had eight graduations total: USD 259, Friends University, Campus, Derby, WSU.

In the sports zone, we had one football game, 1,641 people attended. Coming up, the Stealth will play Tulsa. They're having a heck of a good year. They're tied for first place in their division. They play Tulsa this coming Saturday. We're going to have the Mid-America Flea Market next Sunday. Tornado Alley, now this is our third paintball tournament. We started this as a trial about a year and a half ago and it's really taken off. They'll pull people in from about seven or eight states that will come in and compete for the prizes.

Incubus plays in concert July 25<sup>th</sup>. Rod Stewart is here August 26<sup>th</sup> and Crosby, Stills and Nash perform August 31<sup>st</sup>. If there are any questions, I'd be happy to answer them at this time."

**Chairman Winters** said, "All right, it looks like a pretty good lineup coming up."

**Mr. Nath** said, "It's going to be a good concert year for us."

**Chairman Winters** said, "Commissioners, are there questions or comments of John? If not, what's the will of the Board?"

### MOTION

Commissioner Unruh moved to receive and file.

Commissioner Norton seconded the Motion.

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

### VOTE

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

**Chairman Winters** said, "Thank you, John. Next item."

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**G. CODE ENFORCEMENT.**

**1. RESOLUTION ADOPTING REVISED FLOODPLAIN MANAGEMENT REGULATIONS FOR SEDGWICK COUNTY.**

**Mr. Glen Wiltse**, Director, Code Enforcement, greeted the Commissioners and said, “What we have before you is a revised floodplain resolution. The major changes were to transfer the duties from Public Works over to Code Enforcement, but also we have . . . since Bob George has come to our department, but also we instituted a couple of additional changes.

One of them would be to increase the first-floor elevation of structures within floodplain from now we have a one-foot elevation. We’re proposing to go to two-foot elevation above flood elevation. Also would be the institution of fees for some of the work that staff would be doing and has been doing in the past in this resolution.

We have . . . the changes were basically falling in line with the FEMA regulations, as far as suggestions on the current elevations. It’s not a requirement through FEMA, but it is a suggestion. Also, we looked at the Black and Beech flood study and it is in line with that study. They’re recommending that same elevation change within their study also. I’ll be glad to attempt to answer any questions, if you have any additional questions.”

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

**Commissioner McGinn** said, “Thank you, Chairman Winters. I guess when I look at this, I hope this is maybe just the first step in many, as we continue to develop in areas that have flood issues. Also in that area, it’s not necessarily that area, but north of there where we’re having a great deal of development is very flat. And you know, when I hear about we’re going to raise the pad elevation, you know I think that’s probably wise but when we go back and start thinking about this whole concept of watershed development, you can raise a pad in several different areas in a plat, but the water still has to run somewhere. I mean, all we’re doing is raising it up and making sure those homes . . . we need to understand what happens downstream and those kinds of things.

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And so, I guess I will say I was a little disappointed in the Black and Beech study. I think we asked for more in that study about how to develop in these sensitive areas and I didn't get the answers that I was hoping to have. And so to me, I look at this and hope it is just a first step in a continuation of proper development in areas that have flooding issues, areas that are flat and have drainage issues. You know, I think we need to continue the conversation about maybe development here in this area needs to look different than it has in the past. Maybe it's large buffer areas along tributaries. Maybe those are supposed to be designated drainage areas and not where people have their backyard or their walkout basement and those kinds of things.

So, I will support this recommendation but again, I don't think this is the end to our solution, as it pertains to development and drainage issues in the areas that we're moving into in Sedgwick County. Thank you."

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

**Commissioner Norton** said, "Well, I have to agree with Commissioner McGinn. I think this is a first, good start but I think there's a fine line between an area that's called a floodplain and an area that we just call low. As I've looked at it, particularly in some of the basins on the south side, and I think it holds true around the county, you can move pretty quickly from an area that's designated as a floodplain to an area that is off the floodplain map and there's not too much difference in the two of them, as far as elevations and fall moving towards the south.

So I think this is a good first step, but I would urge us to continue to look at floodplain and drainage issues, because I continue to have issues on the south side and I think we've got them around the county that probably will only manifest themselves as other developments happen, but we'll find those pockets of areas that are going to be problems all around the county, even though I think the south side bubbled up first.

I think there's places all over the county that have those same issues and I would urge us to keep strengthening this, you know, work with the developers developing community but also understand that there may have to be a very broad base policy for the whole county on drainage and floodplain that may limit some areas from ever being developed until we really understand what it's going to do to the whole county system. Thanks, Mr. Chair."

**Chairman Winters** said, "All right, thank you. Commissioner Unruh."

**Commissioner Unruh** said, "Thank you. Glen, I think my colleagues are more versed in floodplain issues than I am, so if my questions are elementary just forgive me. But what does a one-foot, two-foot elevations, what is that supposed to provide for? Is that what we call a 100-year flood?"

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**Mr. Wiltse** said, “Yeah, and basically the FEMA regs basically deal with structure only or possibly a road going through there for access to and from the home and it deals with that particular structure and that’s what we’re doing is updating and staying in line with the FEMA regulations basically. And I think that I agree with you that we do need to look at, you know in a broader sense, not only just the structure, but the entire subdivisions and farther down the road and it may take involving . . . which it will take involving of course the subdivision and planning and the storm water department and all of that to possibly get involved in all of that.”

**Commissioner Unruh** said, “What is the . . . in our backup material it talks about a requirement to elevate structures three feet above the estimated . . . I mean, where?”

**Mr. Wiltse** said, “There are certain areas in the county that are not technically mapped through FEMA that you have high-water marks and you base those elevations off high-water mark because there is not enough data to go in and say, ‘Yeah, it’s not truly a floodplain but it may have a short burst of water through there’, so you’re looking at some of these pockets that some of the commissioners were talking about our problem, but they’re not mapped out through FEMA regulations.”

**Commissioner Unruh** said, “But it is within a designated floodplain area though.”

**Mr. Wiltse** said, “Yeah.”

**Commissioner Unruh** said, “Okay, all right thank you, I appreciate it.”

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

**Commissioner Norton** said, “Well, just another comment. As we talk about floodplains and low areas, one of the issues with, even if you raise the pad elevation, many times you raise the pad elevation, people still put a basement in the ground and if it’s a flood area, where water will stand and percolate, which is what we had on the south side, you had problems in basements. I mean, you’re sitting in the floodplain in the water, even though the pad, the level of the house is at a certain level, you dig down ten feet with a basement, you put it right now into the groundwater and I think that’s something we have to look at, as we move forward on this, because there’s other implications. Just because you build up the pad doesn’t mean you’ve mitigated all the problems that a home can have if they’re building in a very low area where water stands and it percolates right into the basement. So, I think it’s a pretty complicated process we’re going to have to go through and we need to make sure that we have policies in place that look at the long term and not just the short term. You know, build a house and sell the property and move on. I think it has to be more systemic than that. Thank you, Mr. Chair.”

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

**Commissioner Unruh** said, "Well, and in reaction, response to that question, basements are permitted?"

**Mr. Wiltse** said, "Basements are permitted but you look at the opening also. If they've got a view-out or a walk-out and basement windows, that's partially what you look at too. You can't just figure the first floor of the house. You've got to look at the opening and that's part of the elevation process."

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

**Chairman Winters** said, "All right. Well, Glen I think we're probably all going to be supportive and vote for this. I think I agree with Commissioners though. I don't think the discussion is done yet about this floodplain development. And I would like to see us continue the discussion with the builders' organizations and others that would be willing to discuss how we do find those most sensitive areas and say, 'Look this is just, even though it's not in the floodway, this is just not a good place to be building and constructing development'. So I hope we can have that discussion sometime."

Commissioners, what's the will of the Board regarding these proposals?"

### **MOTION**

Commissioner Norton moved to adopt the Resolution.

Commissioner McGinn seconded the Motion.

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

### **VOTE**

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

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

**2. AGREEMENT WITH CITY OF WICHITA TO PROVIDE SERVICES IN CONNECTION WITH A LOCAL ENVIRONMENTAL PROTECTION PROGRAM GRANT.**

**Mr. Wiltse** said, "Last week, if you remember Commissioners, we brought to you the request to apply for the Local Environmental Protection Plan grant through KDHE and you approved that for the application. This is the actual contract that we have with the City of Wichita and it's a two-year contract. In the past, the Health Department had administered all the grant fund and they did all the work. In the past three, four years we've started doing some of that work within our department, so we have used some of that money. Well, this defines the dollar amounts. They receive 75% of the grant funds for '03/ '04 and '04/ '05 through July 1 basically and then we get 25% of that. So this is just a contract for those two years."

**Chairman Winters** said, "All right. Commissioners, are there questions? Commissioner McGinn."

**Commissioner McGinn** said, "How long have we had the Health Department now? Bill, do you know?"

**Mr. Buchanan** said, "Two or three years."

**Commissioner McGinn** said, "Two or three years, okay. I guess my memory was that we would have phased this out by now. I thought we were past the 75% and now we're going clear into '05 now."

**Mr. Wiltse** said, "I believe the agreement was that we were going to use 50% this year but I think the agreement was made that we would go 75/25 for the '04/ '05 grant and we would get 100% of the grant after that to where it would have been 75/25. So the dollar amounts are the same and it was on a four-year agreement, if I remember right. So, the '05/ '06 grant we should receive the entire 125,000 or whatever the amount of the grant is at that time."

**Commissioner McGinn** said, "I'm thinking on a question here."

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

**Commissioner Norton** said, "I think we're just phasing it in a little different, until we end up with the 100%. Isn't that . . .?"

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**Mr. Wiltse** said, "The same dollar amounts."

**Commissioner Norton** said, "I know there has been discussions and to get where the city wanted to be and where we needed to be ultimately, the percentages have changed over the last couple of years, but it still gets us to the 100% in '06. Is that correct?"

**Mr. Wiltse** said, "Yes, sir."

**Commissioner Norton** said, "I think that's the difference."

**Commissioner McGinn** said, "Well, and my concern was we're taking on those responsibilities that the LEP grant was designed for and so that's why I'm concerned. We're taking on the responsibilities, I think the dollars should follow that as well. Okay, thank you."

**Chairman Winters** said, "All right. Are there other questions about this item? Seeing none, what's the will of the Board?"

**MOTION**

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

Commissioner McGinn seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Thank you, Glen. Next item."

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**H. DIVISION OF HUMAN SERVICES – DEPARTMENT ON AGING.**

- 1. AGREEMENT WITH KANSAS DEPARTMENT ON AGING AND KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES FOR CENTRAL PLAINS AREA AGENCY ON AGING TO ADMINISTER NURSING HOME PRE-ASSESSMENTS IN SEDGWICK, HARVEY AND BUTLER COUNTIES.**

**Ms. Monica Cissell**, Program Manager, Department on Aging, greeted the Commissioners and said, “First thing I have before you is the fiscal year 2005 client assessment referral evaluation provider agreement with Kansas Department on Aging. Under this agreement, we coordinate the CARE program and are responsible for coordinating all the nursing home pre-assessment screenings in Sedgwick, Harvey and Butler County.

We are paid by the state on a fee for service basis for this coordination. And I would like you to recommend approval of the CARE contract and authorize the Chairman to sign and I’d be glad to answer any questions.”

**Chairman Winters** said, “All right, thank you. Commissioners, are there questions or comments? If not, what’s the will of the Board on Item H-1?”

**MOTION**

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

Commissioner McGinn seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, “Next item.”

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**2. AGREEMENTS (21) TO PROVIDE SERVICES ALLOWING OLDER PERSONS TO REMAIN IN THEIR HOMES.**

- **ADVANTAGE HOME CARE, INC.**
- **AFFORD-A-CARE, INC.**
- **ALL SAINTS HOME CARE, INC.**
- **ASSOCIATED HOMECARE**
- **BLESSED HOME HEALTH CARE**
- **CARE 2000 HOME CARE**
- **CATHOLIC CHARITIES, INC.**
- **DEPENDABLE ASSISTED LIVING, INC.**
- **HOME HEALTHCARE CONNECTION**
- **KELLY HOME CARE**
- **HOME HELPER**
- **LOVING HEARTS HOME CARE**
- **MEDICALODGE HOME CARE**
- **MT. HOPE HOME HEALTH**
- **PROACTIVE HOME CARE, INC.**
- **PROGRESSIVE HOME HEALTH CARE**
- **RESOURCE CENTER INDEPENDENT LIVING**
- **RIGHT AT HOME**
- **ST. RAPHAEL HOME CARE, INC.**
- **VIA CHRISTI RIVERSIDE HOME CARE**
- **WICHITA LIFELINE, INC.**

**Ms. Cissell** said, “This contract I have before . . . the group of contracts I have before you today are 21 fiscal year 2005 Senior Care Act vendor contracts. The Senior Care Act program provides in-home services, such as attendant care, homemaker services, respite care, personal emergency response. These services are provided on a sliding fee scale to older adults who are 60 years of age and older. And the 21 vendors listed are paid under a fee for service contracts.

And there are two new vendors this year, Blessed Home Healthcare and Home Helper and the rest of the vendors we have worked with for several years now. The recommended action is that you approve the 2005 Senior Care vendor contracts and authorize the Chairman to sign and I would be glad to answer any questions.”

**Chairman Winters** said, “All right, we do have a question. Commissioner McGinn.”

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**Commissioner McGinn** said, “Well, not a question, a comment. I think this is an excellent example of using tax dollars in a very efficient and effective way. When we keep our seniors at home, they’re healthier and their happier and it keeps them out of the hospital, it keeps them out of maybe care homes and those kinds of things. And I just, I think this is a very good program that, together the state and the county work together on, as far as making very limited tax dollars go a long way and it’s all about healthy communities too. So, thank you.”

**Chairman Winters** said, “All right, thank you. Are there any other questions or comments? If not, what’s the will of the Board?”

### MOTION

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

Commissioner Unruh seconded the Motion.

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

### VOTE

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

**Chairman Winters** said, “Thank you Monica, that was way too easy. Next item.”

### **I. ADJUSTMENT TO THE ELECTION COMMISSION STAFFING TABLE.**

**Mr. Bill Gale**, Election Commissioner, greeted the Commissioners and said, “As you may remember, I was last before you the end of last December, as our office was filling a couple of positions as a result of some key retirements of some valuable and long-serving employees. So at that time, after which we were able to review out office and actually this necessitated to shift responsibilities and duties throughout the office, which we did.

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And after that was done, Human Resources was very helpful and came in and studied, did a classification study of the office and, as a result of that, has recommended three positions to be reclassified. Funding has been identified for these proposals in the current year budget, as well as the proposed 2005 budget that you'll be considering shortly. Human Resources is present today to answer any questions you might have, as well as myself. We'd appreciate your consideration of this item."

**Chairman Winters** said, "Okay, thanks Bill. Commissioners, any questions or comments? I see Jo and Jane are here. You both have reviewed this proposal and . . .okay. Commissioner Unruh."

**Commissioner Unruh** said, "Well, the object here, in this reorganization, is just more efficiency and these people that we're reclassifying have got expanded duties. Is that . . .?"

**Mr. Gale** said, "That is correct. There's . . . we've been working very diligently to try to find deficiencies throughout the office, as well as the duties have changed for many people and these particular ones before you were ones that changed enough to warrant reclassification of those positions."

**Commissioner Unruh** said, "Okay. Well, I'm in favor of efficiency and improvement, so I'll be supportive."

**Chairman Winters** said, "All right. We're ready for a Motion. Commissioners, what's the will of the Board?"

#### **MOTION**

Commissioner Unruh moved to approve the adjustment to the Election Commission Staffing Table.

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

**Chairman Winters** said, "Thanks, Bill. Next item."

**J. PUBLIC WORKS.**

**1. RESOLUTION DESIGNATING AND CLASSIFYING CERTAIN STREETS TO THE ATTICA TOWNSHIP SYSTEM. DISTRICT #3.**

**Mr. Jim Weber**, P.E., Deputy Director, Bureau of Public Works, greeted the Commissioners and said, "Item J-1, it is standard procedure that after a road is constructed within a platted subdivision, in accordance with county standards, that road is then assigned to the township for maintenance. In this particular case, 'Reece Road' located in Prairie Crossing Addition, will be the responsibility of Attica Township. The Attica Township Board was informed that this resolution would be on the county commission agenda by letter, dated May 5<sup>th</sup>, 2004. We recommend that you adopt the resolution."

**Chairman Winters** said, "Thank you, Jim. Commissioners, are there discussion or comment?"

**MOTION**

Chairman Winters moved to adopt the Resolution.

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

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

**2. RESOLUTION DESIGNATING AND CLASSIFYING CERTAIN STREETS TO THE EAGLE TOWNSHIP SYSTEM. DISTRICT #3.**

**Mr. Weber** said, "Item J-2 is similar to the previous item and again, it is standard procedure to turn the road over to the township for maintenance. In this case, 105<sup>th</sup> Street North, 106<sup>th</sup> Street North, 107<sup>th</sup> Street North and Aurora Street, all located in the Bentley Meadows Addition, will become the responsibility of Eagle Township. The Eagle Township Board was informed that this resolution would be on the county commission agenda by letter, dated May 5<sup>th</sup>, 2004. And again, we recommend that you adopt the resolution."

**Chairman Winters** said, "Commissioners, similar story. Any discussion or questions?"

**MOTION**

Chairman Winters moved to adopt the Resolution.

Commissioner Unruh seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Thank you, Jim. Next item."

**K. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING**

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**OF JUNE 10, 2004.**

**Ms. Iris Baker**, Director, Purchasing Department, greeted the Commissioners and said, “The meeting of June 10<sup>th</sup> resulted in three items for consideration today.

**1) RE-ROOF ADULT RESIDENTIAL- FACILITY PROJECT SERVICES  
FUNDING: CAPITAL IMPROVEMENT PROJECT**

The first item is a re-roof for the Adult Residential Facility for Facility Project Services. The recommendation is to accept the low bid, including alternate, from Larry Booze Roofing for a total cost of \$140,298.84.

**2) CHANGE ORDER- 5<sup>TH</sup> FLOOR REMODEL- FACILITY PROJECT SERVICES  
FUNDING: CAPITAL IMPROVEMENT PROJECT**

Item two is a change order to the 5<sup>th</sup> floor remodel project for Facility Project Services. Recommend that you accept the change order with Rainbow Construction for \$20,114.

**3) RECRUITER FOR HEALTH ADMINISTRATOR- HUMAN RESOURCES  
FUNDING: HUMAN RESOURCES**

And item three, recruiter for the Health Administrator for Human Resources. The recommendation is to accept the proposal from Tryon & Heideman for a not to exceed cost of \$34,300.

Would be happy to answer any questions and recommend approval of these items.”

**Chairman Winters** said, “All right, Commissioners, you’ve heard the report. Commissioner Unruh.”

**Commissioner Unruh** said, “Thank you. Iris, on the first item, there’s a substantial difference in the bid prices. We will be getting high quality material and we’ll be getting the same warranties?”

**Ms. Baker** said, “Yes, it’s a bonded project. We did talk with the low bidder. He’s been in business for many years. He’s done work for the County before. We feel very confident that he understands the specifications and he’s providing services as per the documents.”

**Commissioner Unruh** said, “Well, great, we got a good bid.”

**Chairman Winters** said, “Any other questions? Are there any other questions or comments on Bid

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Board? If not, what's the will of the Board?"

**MOTION**

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

Commissioner Norton seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Thank you, Iris. Next item."

**CONSENT AGENDA**

**L. CONSENT AGENDA.**

- 1. Temporary Construction Easement for Sedgwick County Project 807-J, drainage project in the 5200 block of North Maize Road. CIP# R-264. District #4.**
- 2. Amendment to Lease with Builders, Inc. for space used by the Department of Corrections Juvenile Field Services at Parklane Shopping Center, 961 South Glendale, Wichita.**
- 3. Plat.**

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Approved by Public Works. The County Treasurer has certified that taxes for the year 2003 and prior years have been paid for the following plat:

A & G Farms

- 4. Order dated June 9, 2004 to correct tax roll for change of assessment.**
- 5. General Bills Check Register(s) for the week of June 9 – 15, 2004.**

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

**MOTION**

Commissioner Norton moved to approve the consent agenda as presented.

Commissioner McGinn seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, “We do not need an Executive Session today, do we Rich?”

**Mr. Euson** said, “No, we do not.”

**Chairman Winters** said, “We do need a fire district meeting, so I believe we will recess this meeting and we’ll come back and have the community discussion at the end of this meeting.”

**The Board of Sedgwick County Commissioners recessed into the Fire District #1 Meeting at 10:12 a.m. and returned at 10:16 a.m.**

**Chairman Winters** said, “I’ll call back to order the regular meeting of June the 16<sup>th</sup>. Is there any other business of community interest and concern? Commissioner Norton.”

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### M. OTHER

**Commissioner Norton** said, “Just a couple of things. First is this Saturday is the Haysville Chamber of Commerce golf tournament at Hidden Lakes and if there are those that would like to play golf and would like to play on Saturday and have part of their entry fee go as a donation to the Haysville Chamber of Commerce, that I think there are still two times available. I am playing, yeah, I’ve got a team together and we’ll be walking the course. I don’t know if playing good golf will be part of it, but I will be walking the course.

And the other thing that Commissioner Unruh may want to comment on, and I didn’t get to go, was Bel Aire opened their new city building this last Sunday and had an open house and I understand it’s a beautiful facility and maybe Commissioner Unruh would like to comment on that. But I know Mayor Gary O’Neal and his council and the citizens there are very proud of their new facility. That’s all I have.”

**Chairman Winters** said, “All right, thank you. Commissioner McGinn.”

**Commissioner McGinn** said, “I just wanted to announce that June 19<sup>th</sup> is Juneteenth parade and celebration and it will be in between WSU and McAdams Park is the parade and I believe that starts at 11:00. So lots of activities that weekend as well.”

**Chairman Winters** said, “All right, thank you. Commissioner Unruh.”

**Commissioner Unruh** said, “Thank you. Thank you, Commissioner Norton. I was going to mention the Bel Aire opening of their new city building. It is a beautiful building and they had a great turnout. All their elected officials and staff was all hosting and so we got the tour and all the background and a nice piece of cake and everybody was having a great time. And I have an office there that they provided for me, on the second floor, which is a great office and so anyone in my district watching, or any other district for that matter, if you’re near Bel Aire on Friday mornings, that’s when I’m there. Be happy to have you drop by and you can see the building and I’ll be happy to chat with you.

The other thing, I need to give a report on the Zoo again, our West Lowland Gorillas, that’s what someone asked, are they highland or lowland gorillas, they are West Lowland Gorillas. We have

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six of them and they're getting acclimated to our zoo and the way that our handlers are taking care of them. And Shango, the big boy out there, was a little upset the other day and bit his brother, but they've given him some antibiotics and healing up just fine. And I was out there last night and got a look at those guys and I'm telling you, they are fascinating animals and you just don't quite know what they're going to do. They're kind of scary. They're big. You know, I wrestled at K-State for four years and thought that I wrestled gorillas, but I'm telling you, I didn't. These are real gorillas, these are big boys. So, anyway, that's all I have."

**Chairman Winters** said, "All right."

**Commissioner Norton** said, "I'd have a question. We now know they're lowland, but west where? What does the west . . .?"

**Commissioner Unruh** said, "West Africa."

**Commissioner Norton** said, "West Africa. Okay."

**Chairman Winters** said, "All right, Commissioners, thank you very much. Is there any other business to come before this meeting this morning? Seeing none, this meeting is adjourned."

## **N. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 10:19 a.m.

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

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

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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:

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**Don Brace**, County Clerk

APPROVED:

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

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