

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

December 15, 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, December 15, 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; Ms. Jo Templin, Director, Division of Human Services; Ms. Maria L Rodriguez, Case Manager, Health Department; Mr. Michael S. Borchard, Appraiser; Mr. Brent Shelton, Deputy Clerk; Ms. Irene Hart, Director, Division of Community Development; Mr. John Schlegel, Director, Metropolitan Area Planning Department; Mr. Bob Lamkey, Director, Division of Public Safety; Dr. Timothy Rohrig, Director, Forensic Science Laboratories, Regional Forensic Science Center; Dr. Mary Dudley, County Coroner, RFSC; Mr. Michael D. Pepoon, Director, Government Relations; Mr. Glen Wiltse, Director, Code Enforcement; Mr. Chris Chronis, Chief Financial Director; Mr. Pete Giroux, Senior Management Analyst, Budget Department; Ms. Annette Graham, Director, Department on Aging; Dr. Cindy Burbach, Director, Health And Disease Prevention, Health Department; Mr. John Nath, Director, Kansas Coliseum; Mr. David Spears, 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

Colonel Robert Lyn Smith, Retired Kansas Army National Guard, Community Enrichment Award Recipient.

Ms. Jean Schodorf, Kansas State Senator/ Chairman, Sedgwick County/ South Central Kansas Legislative Delegate for 2004.

Ms. Jackie Berger, Raytheon Aircraft Company.

INVOCATION

The Invocation was led by Commissioner Unruh.

FLAG SALUTE

ROLL CALL

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

Regular Meeting, December 15, 2004

CONSIDERATION OF MINUTES: Regular Meeting, November 17, 2004

The Clerk reported that all Commissioners were present at the Regular Meeting of November 17, 2004.

Chairman Winters said, “Commissioners, you’ve had an opportunity to review the Minutes. What’s the will of the Board?”

MOTION

Commissioner Sciortino moved to approve the Minutes of the Regular Meeting of November 17, 2004.

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

Chairman Winters said, “Next item please, as Commissioner Norton moves around to the podium to conduct the next item, but Madam Clerk, would you please call the next item.”

AWARDS

A. PRESENTATION OF A COMMUNITY ENRICHMENT AWARD TO COLONEL ROBERT LYN SMITH.

Commissioner Norton said, “Commissioners, I’m here today to honor a good friend and a good friend to our community. In 1999, the commissioners began recognizing the work of individuals in our community who gave that extra time, that extra effort in making our community a better place.

Regular Meeting, December 15, 2004

It became known as the Sedgwick County Community Enrichment Award, thanks to Commissioner Carolyn McGinn, who created this recognition program while she was chairman. This award is to take time to celebrate those individuals in Sedgwick County who quietly make a difference, by sharing their time and talents. The award has been presented to neighborhood association leaders, volunteers who serve on advisory boards and those who directly serve citizens in non-profit organizations. It is the efforts of these types of involved citizens that make Sedgwick County a great place to live.

Today, I have the privilege of presenting this award to yet another deserving Sedgwick County resident who has served this community in many ways, for many years, my friend Colonel Lyn Smith. Before I tell you my personal experiences with Lyn, I must tell you some of the official information about it. Lyn is a graduate of Wichita High School North and holds a Bachelor's Degree from Newman University. He currently serves as the Disaster Recovery Coordinator for Cargill Meat Solutions in Wichita, where he has worked for 35 years. Colonel Smith began his military career with the Kansas Army National Guard in 1965 and has served on state active duty as the commander of ground troops for the tornado in Hesston and the Wichita/ Andover tornado. Lyn was also the senior National Guard liaison officer during the Kansas City flood and the Haysville/ Wichita tornado.

Colonel Smith has held numerous positions with the Guard, including Special Assistant to the Adjunct General and his final assignment here in Wichita was the Commander of the 69th Troop Command. Throughout his career, Colonel Smith earned many awards, including the Purple Heart, the Bronze Star, the Kansas National Guard Medal of Excellence and Legion of Merit. He retired from the Kansas Army National Guard on October 11, 2004.

A very distinguished career here in Kansas at the National Guard, but I have to tell you where I got to first know Lyn Smith. On May 3rd of 1999, at two in the morning, in the basement of the municipal building in Haysville, Kansas after the tornado. I was surrounded by around 20 to 30 public officials, safety officers, other elected officials and emergency workers and one of those was Colonel Lyn Smith.

And from that day forward, we put together a bond, very unusual, because in times of disaster, you really learn who your friends are, and at that time, I didn't even know who Colonel Lyn Smith was. But it only took me a very short time to understand how committed he was to his community, how committed he was to his mission at that time and how good a friends that we would become over the years.

So, I'm here today to honor Colonel Lyn Smith for his years of service. He just retired from the

Regular Meeting, December 15, 2004

National Guard, after 39 years and I was honored to be able to be there for him and his wife Patty, as they celebrated that. I know it was a bittersweet time for him, but I would like to honor him today and have all of Sedgwick County honor a true servant to this community, Colonel Lyn Smith. Lyn, and here is a small token of our appreciation, for all that you've done for us. Congratulations, and thank you for serving all those years. I appreciate it, friend."

Colonel Robert Lyn Smith, Retired Kansas Army National Guard, Community Enrichment Award Recipient, said, "Thank you, Commissioner Norton, thanks to the Board of commissioners for this honor. Just a few words. I have always been a resident of Wichita/ Sedgwick County area, love it here. It's where I raised my family and it's an honor for me to give things back over my career and it's an honor to be able to be able to meet and work with people like Tim Norton.

We're not done yet, Tim, even though I'm retired from the Guard. I'm going to keep my fingers in the pie. We've got a lot of things to do with the board on the new readiness center that we're still working on and we'll stay involved with Law Camp that the Sheriff's Department runs every year. We've been involved with that since it started. A very rewarding experience as well. But thank you very much for this. I appreciate it more than you know."

Chair Pro Tem Unruh said, "Thank you, Colonel, for your service to our community and Madam Clerk, will you call the next item please."

B. PRESENTATION OF AWARD TO SENATOR JEAN SCHODORF FOR SERVING AS CHAIR OF THE SEDGWICK COUNTY/SOUTH CENTRAL KANSAS LEGISLATIVE DELEGATION FOR 2004.

Chairman Winters said, "Commissioners, friends, each year we have the privilege and the opportunity to work with a different legislator from our area, as Chair of the Sedgwick County and South Central Kansas Legislative Delegation. I'm pleased to introduce Senator Jean Schodorf, who has served as the 2004 chair.

As chair, Senator Schodorf has coordinated efforts not only with our Sedgwick County legislators, but also legislators from the surrounding counties as well. She was responsible for organizing and conducting weekly luncheons during the session for the delegation. She coordinated the Saturday morning public forums at the WSU Metroplex and the Sedgwick County Extension Building. She planned impromptu meetings in Topeka for the delegation on topics that were specific to our region and she coordinated the annual delegation meeting at WSU that is coming up January the 4th.

At that meeting, Senator Schodorf will hand off the duties to the 2005 chair. Besides her duties as delegation chair, Senator Schodorf served on several key senate committees last sessions, including

Regular Meeting, December 15, 2004

Ways and Means, Transportation and Education. In this coming session, she will continue to serve on Ways and Means and will also be on Commerce Committee and will be the chair of the Senate Education Committee, an extremely important position, considering the issues facing school financing that will be addressed in the coming session.

Also, very importantly, she was just elected by her fellow senators to be in a leadership position, the Majority Whip. On behalf of the Sedgwick County Board of County Commissioners, I want to thank Jean for her help on getting several key pieces of legislation passed during the last session that will be very beneficial to county government. It truly is a collaborative process and we appreciate your continued support and assistance. We appreciate your assistance to our government relations director Mike Pepoon and look forward to working with you and other Sedgwick County legislators in 2005.

Senator, we have a token of our appreciation for your work with the delegation. It has been very helpful to have leadership that all of the delegation can respect and work with and you have certainly fulfilled that role. So on behalf of the Board of County Commissioners, we thank you for your work last year.”

Senator Jean Schodorf, Kansas State Senator, greeted the Commissioners and said, “Thank you very much. I do want to thank the Board of County Commissioners. I think you all are wonderful. I’m looking forward to working with Carolyn and my congratulations to Lucy. I have an open-door policy for anybody in Sedgwick County to come and see me and if they need to leave their things in my office to go about their business in the legislature, it’s always open.

The best thing we can do is work together as a county and a city and a region. That’s the way we get things done and I’m looking forward to continuing to work with all of you and come to Topeka. That’s where it makes a difference, is come and tell us your story, our story. So thank you very much. I really appreciate this.”

Chairman Winters said, “Thank you, Senator, for being here.”

Chair Pro Tem Unruh said, “Just happen to have a comment. Commissioner McGinn.”

Commissioner McGinn said, “Well, I just want to thank Senator Schodorf, too. Her senate district happens to lie within my county commission district, and six years as a commissioner and going to Topeka every year, it’s certainly been a great opportunity to have somebody there who has worked

Regular Meeting, December 15, 2004

in local government, on a local school board and that type of thing but have somebody that you can go to Topeka and work with and get things done for us back home, and Jean has certainly exhibited that ability and willingness to want to help us back here in south Central Kansas. So, I want to thank you also for all that you've done."

Chair Pro Tem Unruh said, "Thank you from all of us, Senator. Okay, Madam Clerk, call the next item."

RETIREMENT

C. PRESENTATION OF RETIREMENT CLOCK TO MARIA L. RODRIGUEZ, CASE MANAGER, HEALTH DEPARTMENT

Ms. Jo Templin, Director, Division of Human Resources, greeted the Commissioners and said, "This agenda item just takes a moment to recognize the valued service of one of our Health Department employees, Maria Rodriguez, for her valued service to this community and Sedgwick County. Maria will retire on January 1, 2005 after 27 years of service."

Chairman Winters said, "Maria, step right in here. We have a plaque, certificate, that we will present to you, outlining your times of service, but we also have this clock that the Board of County Commissioners would like to present to you, on behalf of the citizens of Sedgwick County, for 27 years of work. And I believe all of that's been with the Health Department? Part of it has been with the Health Department, certainly a very important group in our organization and I see there are some Health Department people here in the audience to help congratulate you and is that part of your family here too? Very, very good.

Well, 27 years any place is a long while, and again, on behalf of the citizens of Sedgwick County, we want to present this clock to you as a token of appreciation for your work to this community. Would you like to make a comment?"

Ms. Maria L. Rodriguez, Case Manager, Health Department, greeted the Commissioners and said, "Thank you very much. They've been great years."

Chairman Winters said, "All right, well thank you. Congratulations."

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

NEW BUSINESS

D. RESOLUTION AUTHORIZING ISSUANCE OF \$45,500,000 PRINCIPAL AMOUNT

Regular Meeting, December 15, 2004

**OF TAXABLE INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR
RAYTHEON AIRCRAFT COMPANY.**

Ms. Irene Hart, Director, Division of Community Development, greeted the Commissioners and said, "State statutes provide for the issuance of Industrial Revenue Bonds under certain circumstances, and in the statute it says to acquire, renovate and equip certain facilities for a commercial, industrial and manufacturing purposes.

In 1989, we first established a relationship with a company now known as Raytheon Aircraft Corporation and today we're here again, as we are every year, to work with the company and issue additional Industrial Revenue Bonds. We're asking to issue this time in the amount of \$45,500,000.

All but \$27,000 of those will be used here in Sedgwick County. The other \$27,000 will be used to equip the facility in Salina, and that is provided in an inter-local cooperation agreement with the City of Salina.

Today, we have with us Jackie Berger, and Wayne Wallace from Raytheon, Winton Hinkle, Raytheon's bond counsel from Hinkle, Elkouri law firm and Joe Norton of Gilmore, Bell, the county's bond counsel. After a brief presentation, if you have any questions, we'd be happy to answer them."

POWERPOINT PRESENTATION

Ms. Jackie Berger, Raytheon Aircraft Company, greeted the Commissioners and said, "I've got a few slides just to go through so everybody can see them at home, as well as here with us today. Our request is for 45.5 million. 41.5 of that is for tooling and that is for new replacement and upgrading tooling across all of our product range. The remaining 4,000,000 covers improvements to our facilities, machinery and equipment. And if we look at the 45.5 million, the majority of that is for our new super-midsize jet, the Hawker Horizon that we expect to certify in the next couple of weeks. In addition to the money that we're requesting today, Raytheon Aircraft Company significantly provides money for research and development for our products as well.

I wanted to just go through a couple of product highlights. This is the Hawker Horizon, our super-midsize jet. It's got trans-Atlantic range. We're expecting to certify that aircraft in the next couple of weeks and make our first delivery. It's a fabulous aircraft. It's meeting all of our performance requirements and we expect to make delivery by the end of this year.

Regular Meeting, December 15, 2004

In the photographs, you'll see the aircraft and the interior. The 800XP was really our biggest jet, but this seems to be twice the size of the 800XP. It's a fabulous aircraft. And then in the picture at the bottom, these are the workforce that are working really, really hard to bring this aircraft to certification by the end of the year.

The second product is the Hawker 400XP. The interesting thing about this product is it's in the light jet category and, about four years ago, we thought that this would go out of service, but it's become very popular. We actually re-launched it in the Hawker brand for corporate aviation and it's become the most popular jet in the fractional service. Net Jet is the biggest fraction owner in the world, has actually bought 70 of the aircraft and they have an option for another 50. And being European, I'm delighted that we're going to have 25 of the aircraft in Europe next year.

A couple of other things that we've been looking at is product upgrades and derivatives for our existing product line. In the top right-hand corner, you'll see the King Air 350. It's the 40th anniversary for the King Airline this year. That is actually the 40th anniversary aircraft that we delivered to one of our customers at the National Business Aviation Convention this year.

And you'll see, underneath there, is the new cockpit, the new avionics that we've actually upgraded into that aircraft. And then the other picture is of our Baron and Bonanza, the piston aircraft. We've actually upgraded those too, so it's the longest production line that we have and we've upgraded that with the Garmin 1000 Avionics.

One that most people don't know about is really our military trainer, the T-6A. The aircraft is actually in service with the U.S. Air Force and the U.S. Navy. We have a contract for 800 of those aircraft through to 2017. This is actually the next version, it's the upgrade version, the T-6B, and these photographs are actually taken just recently, in Pensacola, Florida. That photograph that looks kind of upside down, that's actually real. We did it in Pensacola, Florida a couple of weeks ago.

And you'll see that we have new avionics and heads-up display for that aircraft too. And the new cockpit is really mirrors the cockpits that the young pilots will go into for the fighter aircraft, the F-16s or the JSF.

Also, something that's interesting to know is that Raytheon Aircraft is the largest continuous volume producer of military aircraft in the world. Most people think that that would be Lockheed Martin or one of the other producers of military aircraft, but we actually have the longest continuous production line.

Regular Meeting, December 15, 2004

So let me just give you a little bit of a business update. The market is returning and so, for 2005, we're actually increasing our production rates by 43 units, so we're going from 383 units this year to 426 in 2005 and that's right across our product line, from commercial through to military aircraft.

We expect to enter 2005 40% to 50% backlog, which is wonderful news compared to the news I was giving you when I came this time last year. Our employment is relatively flat, year over year. Some other good news is that when we started this year, we expected to break even, and in our third quarter guidance, we've actually confirmed that we will be . . . we will expect to make an operating profit of between 50,000,000 and 60,000,000.

One of the great things about Raytheon Aircraft is, as you know, we were in trouble, you know, three years ago. We were losing over \$1,000,000,000. We had a very difficult task ahead of us. We set a strategy to return Raytheon to preeminence in aviation. The strategy has proven that we're on the right track. You know, we are now going to make a profit.

We still lag our competitors and we still have a long way to go, but it's really because of the wonderful work of our employees. We've made some very difficult decisions, but their pride and commitment has really helped us make a difference in our business, so I've got some great news to tell you today and I want to thank you, the commissioners, for supporting us and helping us through this difficult time and also the community for supporting us too. So, some great news for Raytheon Aircraft."

Chairman Winters said, "All right, thank you very much, Jackie. Commissioners, are there questions or comments. I would make just a couple, to begin with. I think that Sedgwick County is very pleased with our part of this relationship that's been going on from before I was a county commissioner, so it's been a while and I would like to say that this is good news, in relationship to this business happening at Raytheon Aircraft. We all know that our economy took a severe blow in the fall of 2001, and it really was something that had a huge affect on those in the aircraft manufacturing business, and with improvements that we see in the market, as you demonstrated and increased production rates for the coming year and increased backlogs and I think it's important to remember that this company is making \$45,000,000 more investment in tooling and facilities, in the community, and I think it's good to remember to remind folks that Sedgwick County is not in the financial obligation, with respect to the payment of principle and interest on these bonds. That is the company's responsibility to do that, and not ours.

So, I'm thinking that this is sounding like very good news. Commissioner Norton."

Commissioner Norton said, "Well, we've talked in the last few days and one of the issues that's always concerned me, and that is not the IRBs but you know there's some tax abatements that we

Regular Meeting, December 15, 2004

give along the way and we've had a lot of discussions in our community recently, not only Wichita has had them, but Sedgwick County has had, how do we put money into stimulating business, job growth, job retention, workforce development, and make sure it's good use of our money, and we had some conversations about job growth. Certainly, it's good news that the bleeding has stopped a little bit, that you've leveled off with your employment.

My challenge was that, as we move forward, I'm looking for the day when you come and put a slide up that says 'We created more new jobs in the community' because I think all of us in the public sector have been stimulated by job retention and job growth and economic development. You know, the Greater Wichita Area Economic Development Coalition was . . . came out of this kind of conversation, so very important to me that you keep making those kinds of commitments to our community. But at some point, I'm sure looking forward to that job growth that comes out of it, and it's just a challenge, you know, that we all have, but certainly I'd like to see Raytheon start adding jobs again. It's nice that you're going to be flat for now, but I'm ready for some job growth. So, just a comment, thank you."

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

Commissioner Unruh said, "Thank you. I just want to make a comment. First of all, I guess to express congratulations for the marvelous turn around that you all have accomplished in these last few years. From a year ago, it was a pretty grim picture and now, just a year later, it looks much more promising. And the fact that we've stabilized your jobs out there, I think, is worthy of comment.

So, you know one of the things we want to do in our partnership with business and industry is retention of companies, and so I see this as a big part of what we do here, is we consider you to be a good community partner and we want to keep you here and do what we can to partner with Raytheon to set the stage for this improvement in future years. But I'm proud of the turn around that you have accomplished so far.

I also think it's worthy to comment that, as a lot of citizens, as they see these Internal Revenue Bonds go out and tax abatements that are associated with them, there is an impression among many folks that 'Well, Raytheon doesn't pay any property taxes' and that is not a true statement. You're one of the largest taxpayers in our community and so it is not as though we've given away the farm. We're just helping try to create prosperity for all of us in doing these sort of stimulants to our economy. So kind of a ramble here, but I want to say thanks for what you've done. We're coming

Regular Meeting, December 15, 2004

out ahead in this, we need to continue to partner with you, to be successful for Raytheon and for our community. That's all I had."

Chairman Winters said, "All right, I have a question for Irene, if there are no other comments. Irene, we know that we have the newly formed Greater Wichita Economic Development Coalition and that group has been working on economic models that are to be used in valuing opportunities, such as this. This presentation has been run through that model, and has positive results?"

Ms. Hart said, "We have not run . . . we have not gone to the expense of running the economic model. With the new economic incentive policy, it does meet the levels of abatement and it meets all of the qualifications, due to the capital investment."

Chairman Winters said, "So there is nothing in this project that is contrary to what Greater Wichita Economic Development Coalition is recommending and working towards developing."

Ms. Hart said, "It meets the parameters, exactly."

Chairman Winters said, "Okay. Commissioners, are there other questions or comment? If not, we're ready for a motion."

MOTION

Commissioner Sciortino moved to adopt the Resolution.

Commissioner Unruh seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye

Regular Meeting, December 15, 2004

Chairman Winters Aye

Ms. Berger said, "Thank you very much and Happy Holidays."

Chairman Winters said, "All right, same to you Jackie. Thank you for being here. Wayne, thank you, Winton, Joe, thank you all for being here today, if there had have been other questions. So, thank you very much. Madam Clerk, would you call the next item."

PLANNING DEPARTMENT

E. CASE NUMBER DR2004-14 – URBAN FRINGE DEVELOPMENT STANDARDS FOR WICHITA AND SEDGWICK COUNTY.

POWERPOINT PRESENTATION

Mr. John Schlegel, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, "What I'm about to present to you is the urban fringe development standards. This represents a set of agreements that have been worked out over quite an extensive period of time and I think you'll probably agree, this has been a long time coming.

The agreements were worked out amongst the three parties: the City of Wichita, Sedgwick County and the Wichita Area Builders' Association and it was meant to establish a set of standards for development in the areas adjacent to the City of Wichita and the other cities of Sedgwick County where there was some controversy about how development should be occurring.

I've prepared a PowerPoint presentation for you, but you have already seen this and I can defer going through this and go directly to questions. I know you have a long agenda today, so if you feel that you're already familiar with these issues . . .”

Commissioner McGinn said, “How many slides are there, John?”

Mr. Schlegel said, "There's about eight to ten."

Chairman Winters said, "I think we need to review them."

Commissioner McGinn said, "I do too."

Mr. Schlegel said, "Okay. Well, then let me go through this very quickly. The question really that we were dealing with, in forging the compromises that are reflected in the white paper is how do we

Regular Meeting, December 15, 2004

want to see development occurring within and adjacent to Wichita and the other Sedgwick County cities. And as we address that question, one thing that we discovered was that geography was very important and I've included this map of the current Sedgwick County development guide. This is a map contained within a Wichita/ Sedgwick County Comprehensive Plan, that shows the future growth areas for . . . both for Wichita and the other small cities within Sedgwick County and it makes a difference whether or not you're in the growth area or not, as to what type of standard that you apply.

We looked at five different areas to develop standards: water supply and service, community sewer systems, subdivision street and drainage improvements, arterial paving and annexation. In looking at water supply and service, I think there was agreement amongst all the parties that we should be promoting higher densities closer to the cities. Certainly is something that the homebuilders would like and the cities as well.

And within those growth areas, even though we might require or allow on an interim basis community well systems, what we should be providing for in our subdivision regulations is that those systems that might be installed on a community well system would eventually be connected to municipal systems, as they're extended out from the cities.

So it was agreed that we should be allowing community well systems, in certain circumstances, by providing for systems that, as they are installed within those subdivisions, that they meet the standards of the city that is expected to extend their municipal systems out to that subdivision eventually and that the city, and we were talking primarily here about the City of Wichita, would be willing to own and operate those systems.

And then, as we get further out, beyond the reach of the future extensions of municipal systems, individual domestic wells would be allowed within subdivisions, but the developer would have to assure that there would be adequate safe yields of water for the home sites within that subdivision.

In a very similar way, we looked at community sewer systems as an interim method of providing sewer services within subdivisions that would be built just beyond the reach of current municipal systems. It was agreed again that it was a good idea to promote higher densities in the growth areas of the cities and that whatever system was installed would allow for it to eventually be connected to municipal systems once they were extended.

It was also agreed that in order to assure ourselves that the types of community sewer systems that

Regular Meeting, December 15, 2004

were utilized in subdivisions were a type of technology that was appropriate for our area, that the county manager would create an oversight committee that would review the various technologies and make recommendations about their appropriateness and that, when these types of systems were used, that one of the municipalities would create a sewer district for that subdivision to provide for ongoing operation and maintenance of the community sewer system.

We had a lot of debate about subdivision streets and drainage in these types of subdivisions and, as we debated this, we discovered that we really had already resolved this issue. The issue has already been dealt with in our current subdivision regulations.

Of particular interest to the county commission were how to deal with arterial paving. You've had to deal with a situation, over the years, where as subdivisions have developed in more rural areas, oftentimes it would generate a lot more traffic for unpaved arterial roads than those arterials were really meant to handle. So the compromise that was reached was that what would be required would be that any subdivision which would trigger a cumulative threshold of 200 vehicle trips per day or more would require access to a paved arterial.

The county has agreed . . . would be agreeing, if you would adopt this, to share in the costs of paving that arterial up to a limit. The first half mile, the developer . . . or after the first . . . and that would only be for the first half-mile, and then after that, the developer would pay under the normal ways that roads are paid for now.

And with annexations, it was agreed that once municipal services are extended to a subdivision, that annexation would follow and that would be agreed upon at the time that the subdivision was approved and platted.

And those are the basics for it. Our next steps would be to make the appropriate amendments to the subdivision and zoning codes where necessary and we would probably be back in the March/ April timeframe with those amendments for your review and approval. The county manager will have to create the community sewer system oversight committee and we'll have to start to implement the arterial paving policy and there are some details that still need to be worked out on that, but I think we're very close on that. And with that, I'll be glad to take any questions."

Chairman Winters said, "All right. Commissioner Sciortino."

Commissioner Sciortino said, "John, am I right in my understanding that you engaged, like with the Area Builders' Association, for their input and they're comfortable with the new policies that you're proposing today."

Mr. Schlegel said, "Yes, they were very much involved, throughout the forging of this agreement and yes, they are in agreement with this."

Regular Meeting, December 15, 2004

Commissioner Sciortino said, "Good. Thank you."

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

Commissioner McGinn said, "Thank you. John, on our backup material, on number four, under recommended policies under water supply and service, I was trying to find an updated list of what we finally came to a conclusion on when we talked about private wells and all the acre size and I could find that sheet, but under number 4-a and b, talk about the water availability and using the point of diversion to determine that in a two mile radius. I'm not sure that you use point of diversion for domestic wells. It's generally for small water generators and agriculture and municipalities, and so just wondered how that was going to factor in. And then item b talks about, in lieu of the above requirements, 'another method to approve by the Kansas Department of Water Resources', I guess I don't know what that means and what that formula is. And I don't know if anybody can speak to that today and if not, I guess I'll wait."

Mr. Schlegel said, "Well, I can attempt to, but I think your understanding of this may go beyond my own, but paragraph four was intended to state that the safe yield method, as that's defined by DWR, would be the method for determining whether or not a safe and adequate yield could be gotten from groundwater for that particular subdivision. And where it talks about point of diversion, in sub-paragraph A, I think that just meant that the center of the subdivision would become, in using that particular method, the point of diversion."

Commissioner McGinn said, "And I'm sure that would be a useful tool, especially if we're talking about community wells, but I'm not sure that you use that when we talk about individual domestic wells. So, that's where I'm . . ."

Mr. Schlegel said, "Well, my understanding of the safe yield method was, in determining whether or not a subdivision that would provide water through individual domestic wells, it's just to make a determination or have the licensed geologist or licensed professional engineer with experience in hydrogeology, make the determination that enough water would exist for that property, that when they do subdivide it, that there's a reasonable expectation, by those home site buyers, that when they sink a well, that they'll be able to have adequate water."

Commissioner McGinn said, "So, it's what they've done on some other areas where we suspected

Regular Meeting, December 15, 2004

that there may be a water shortage, is just to test for the quantity and not get into the whole methodology of safe yield. It's more of an individual testing to make sure we have water supply there."

Mr. Schlegel said, "Right, and it's not meant that for each and every lot within that subdivision that this test would be done. It would be for the property that's being subdivided."

Commissioner McGinn said, "Okay. I guess I was looking in my backup for the grid that we had on determining acre size and whether you'd have to have a private well or a community well and that type of thing and I didn't see that."

Mr. Schlegel said, "Well, we talked about . . . and that was in at one point, having a minimum acreage for these lots, but once we worked out that this was a method, or an alternative method in paragraph B, that would be allowed by DWR, once we worked out that agreement, we figured that a minimum lot size was not necessary."

Commissioner McGinn said, "Okay. Well, I just . . . if my commissioners will indulge me just a little bit, I think we need a little bit of background of how we got where we are today, because this has been a long journey and it has transformed itself many times, but I think because of the patience and the due diligence of looking at every aspect of this, I think we have a very good product today.

It started out looking at, you know, we've had septic systems in our county for . . . septic and lagoon for over 50 years and I always wondered why we were still using the traditional septic system. Although both systems are very good, but when you get into areas up into the north central part of the county, where we are so close to water supply, my question was, why aren't we using a better system that clean waste water and produces a better quality effluent, especially when we're talking about our drinking water.

And so, Commissioner Sciortino and I journeyed out and went on a tour to look at some of the things that they are doing in other parts of the state and in other states as well, and found out that there were a lot of systems that were much better than the systems that we currently use here in Sedgwick County. And so, by the way, just so everyone knows, I found some old notes that say March of 2000, so I don't think that we have done this through a knee-jerk reaction. I think it's been very thoughtful . . ."

Commissioner Sciortino said, "I had hair when we first started."

Regular Meeting, December 15, 2004

Commissioner McGinn said, "Exactly, I think I remember that too. And so I think that we have really worked towards trying to be responsible to our community and one of the things that started out was is there a better system that is better for our environment in areas of our county where we need to have individual septic systems or waste water systems and have cleaner affluent, so that in case there is any interaction with groundwater.

But, as we move forward, what we also discovered, that we had an opportunity to increase the density and, as we increased the density, we also found other ways where we could also take that increased density, encourage development closer to communities, and not just have them out in the middle of nowhere in the county and then having all these other problems, which came into play in this discussion, which has to do with road issues and increased traffic.

And so, when we started to talk about . . . and thanks to Chairman Winters for staying true to his concern . . . Is we do, when development occurs, we end up getting a lot of phone calls. And so, we either have to figure out somehow to work with the township or fix that road because of the high traffic counts.

With this policy, it actually encourages the density and then it triggers paving of that road, but not just by county government. This policy actually, that's put into place, put some of the responsibility on the developer. And so now the developer is going to share in that cost, and then, as other development occurs in that area, developers will come forward and have to pay for the rest of it, and that is something that we've not had before. So I'm optimistic in looking at how, in the future, developers are going to start paying for some of those roads and not be the responsibility of the taxpayers. And so . . . and I know that that's something we're going to keep a close eye on and have to watch very closely. We may have to change that, over time, but it's something that we've never had the opportunity in the past to pass the cost on to development.

The other thing is the fact that it's because of the developer has to pay for part of that road, it's encouraging them to stay close to paved arterials. And when we talk about water supplies and sewers and those kinds of things, it's encouraging them to stay close to communities and this gives small communities the opportunity to grow as well, that don't have the money to get into the big pipe system.

One thing I know that came out of this that people had a great deal of concern about is that, as you have a system like this in place, the success of that system is dependent upon governmental oversight. Now, in areas of the nation where it has failed, it's because it was turned over to homeowners' associations. This policy does not do that. This policy is governed by a board that is

Regular Meeting, December 15, 2004

appointed by the governing county commissioners and will have oversight authority of this, and so the responsibility is going to be on the homeowner and the homeowner will have to get permits and things like that to make sure that their system is staying in compliance and is working properly.

And as we talk to folks around the nation, we found out in almost every case, those that were successful were done the way that we're doing it. And I know people have been concerned that there isn't going to be proper oversight and I think we do have proper oversight to make sure that these are successful as well. Thank you, Mr. Chairman."

Chairman Winters said, "All right, thank you and thank you for all of your hard and persistent work on this project. Commissioner Sciortino."

Commissioner Sciortino said, "Thank you. Well John, I guess I just want to compliment your staff, the county staff, WABA's involvement and willingness to work with us on it. I think we have a very good, workable system that should provide a good guideline for us for many, many years to come.

Just a couple of items, I noticed on one action item that Wichita has committed to considering waiving the 58% surcharge on water supplied to customers outside the city limits, if they're assured that development will ultimately be part of the city. Has there been any movement right now that that would consider as well, waive? I mean, have they . . . where is that right now?"

Mr. Schlegel said, "No, I think the presentation of that policy change has been awaiting the endorsement . . . well, yesterday by the city council and hopefully today, by the county commissioners and then, if you are in agreement with these policies then we will, as staff . . ."

Commissioner Sciortino said, "That's something you're going to work on."

Mr. Schlegel said, "Yeah, move forward with getting that done."

Commissioner Sciortino said, "And just for clarification, this does not still address the individual alternative sewer system that a person might want to put in place in lieu of a septic tank, if they're way out there."

Mr. Schlegel said, "No, it was assumed, in doing this, that they're already allowed within Sedgwick County, and so you can continue to do that."

Commissioner Sciortino said, "And you're comfortable that we don't need any additional restrictions or what have you on it? You're comfortable with it?"

Mr. Schlegel said, "The county staff seemed very comfortable with that."

Regular Meeting, December 15, 2004

Commissioner Sciortino said, "That's fine. That's all I had."

Chairman Winters said, "Commissioner Norton."

Commissioner Norton said, "Well, as I've read this, I'm 100% sure that this is a great starting place, but there's a reason why our conversations took five years, trying to find every answer for every situation and put it in a regulation is very tough. So I think we've kind of put together a framework, a guideline that will guide us, but I think we're going to have issues that come up in the next few years that will change the letter of intent of this resolution that we've put out today. So I think we're going to have to work very hard. This is just the beginning of working very hard. Sitting in a closed room and coming up with all the 'What ifs?' is easy. When you're challenged by that by development and annexations and water supplies, I think this whole thing will take on a whole new meaning. So I think the work is just now starting, but at least we've got a good framework that everybody can agree on to start on. So, I'm pretty encouraged by that, after this long, and thank you, John, for getting us there."

Commissioner Sciortino said, "Do you think we should keep senator-elect McGinn on retainer if something comes up so you can come back and help us?"

Commissioner Norton said, "I thought we already did."

Chairman Winters said, "Commissioner McGinn."

Commissioner McGinn said, "Well, I just want to echo my colleagues' comments too, and John, thank you very much. You have worked on both sides of the street, all communities, and you do a remarkable job and I'm so glad that you're here in our community working to help us do planning and development.

One of the comments Commissioner Sciortino made about the individual site lots is, I think, important. You know, we typically think lagoon/ septic tank and I think it's good for citizens to know that there is another alternative sewer system out there that is better. And septic tanks generally have a life expectancy of about 13 years. With these kinds of systems, because they're better maintained and they're monitored, so that you know that they're breaking down if they are, where as a septic tank, we have no idea whether it's breaking down or not until we see the puddle in the yard or it backs up in your home. And so I encourage individuals who are putting new homes out in the unincorporated area to perhaps look at some of these other systems to have a longer life and to know that it's certainly . . . have the comfort of knowing that it's working.

And I agree with Commissioner Norton. This is just a starting point. I believe that we probably

Regular Meeting, December 15, 2004

will have some areas, or you guys will have some areas where you'll need to tweek and change along the way, but I think taking four years to get where we are today, I think that we have been very thoughtful, but I'm certainly well aware that there may be some changes along the way. Thank you."

Chairman Winters said, "All right, thank you. Commissioners, are there any other questions or comments?"

MOTION

Commissioner McGinn moved to endorse the standards as presented and direct appropriate staff to take actions necessary to implement them.

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

Chairman Winters said, "John, thank you very much. All right. You didn't have any other items, did you?"

Mr. Schlegel said, "No."

Chairman Winters said, "All right, commissioners, at this point in time I would like to take an Off Agenda item regarding the appointment of Sedgwick County Appraiser."

MOTION

Chairman Winters moved consider an Off Agenda appointment of the Sedgwick County Appraiser.

Commissioner Sciortino seconded the motion.

Regular Meeting, December 15, 2004

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

OFF AGENDA ITEM

Mr. Richard Euson, County Counselor, greeted the Commissioners and said, “Our office has prepared a resolution that would appoint Mike Borchard to an unexpired term as Sedgwick County Appraiser, and that term would be ending on June 30th of 2005. This resolution is in proper form and we recommend you adopt it and I would note that the appraiser is required to take an oath of office, which he may want to do this morning.”

Chairman Winters said, “All right, Commissioners, I think what I’d like to do is have Mike come up to the podium and just ask Mike one question, and that is, if he’s ready to proceed? And then I’d like for us to adopt this resolution and then make comments, if anybody has comments they’d like to share about this process and then at the end of those comments, we’ll ask Deputy County Clerk Brent Shelton to swear Mike in. So, Commissioners . . . Mike, we’ve had discussions about this job and you accepting the position of Sedgwick County appraiser. Are you ready for us to proceed with this process?”

Mr. Michael Borchard, Appraiser’s Office, said, “Yes, I am.”

Commissioner Sciortino said, “Is your wife?”

Mr. Borchard said, “Yes, she is.”

Commissioner Norton said, “Yeah, don’t try to speak for her. We’ll let her speak for herself.”

Chairman Winters said, “All right. Commissioners, I think we’re prepared to move forward with this motion and then make some comments. Do I hear a motion to adopt this resolution?”

MOTION

Regular Meeting, December 15, 2004

Commissioner Norton moved to adopt the resolution.

Commissioner Unruh seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

Chairman Winters said, “Congratulations, Mike. And I would like to make a couple of comments, as I think some others would. We have completed what I believe has been a rather extensive search of utilizing the services of a professional executive firm that advertised across the country, looking for a person to fill this position. The commissioners and others interviewed several folks in this process, and through that entire process, at the completion of the interviews, we choose Michael Borchard as the person that we believe best filled these requirements.

I think for anybody in the room not familiar with the Appraiser’s Office or perhaps watching on television, it would be a bit of information to know that the State of Kansas holds certain requirements that an individual needs to fulfill if they are to be capable of becoming a county appraiser in the State of Kansas.

When we hired Gerald Franz, and went through a transition at that time, we had no one on our staff, other than the current, former appraiser who was qualified to be a county appraiser in the State of Kansas. And in fact, we had to request from the state for them to send someone, temporarily, to sign off on documents and information that needed to have the signature of an appraiser that was qualified to be an appraiser.

The commissioners, at that time, challenged Gerald Franz to begin a training and development program so we would not be in those kinds of situations and we would have a well-trained organization. And I think that’s one of many of the legacies that Gerald has left for this county is that process. Today, we have several employees in our appraisal department who are qualified to be county appraisers any place in the State of Kansas. They meet the technical qualifications and I certainly want those employees to know that that has not gone unnoticed by the Board of County

Regular Meeting, December 15, 2004

Commissioners. We recognize the training and the effort that you all put into the process of education. There is an organization that does regular testing and certifying of the skills of people in the Appraiser's Office and our appraisers continue to participate in those programs, have a local chapter of the IAAO here and are involved in that process.

And so, as commissioners, we would like, Mike, for you to know and for all of the department to know, that we still hold training and education in high regard and we hope that your department continues on that road. It makes each and every one of you a better appraiser, a better person working for the citizens of Sedgwick County the more you understand about the process.

So, we are proud of this department and this organization. We have a great deal of confidence in Mike. We think he's going to be the person for the job. We would ask that those within the department support Mike and help him be successful. I would ask everybody else in the county organization to support Mike in his role as the new leader of this department. So we think that this is not going to be a huge change, but it is going to be a continuation of the foundation that Gerald Franz laid here in Sedgwick County. Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. I'm always excited whenever we can promote from within, because I think a message that we need to give our employees, if you do a good job, if you get training, and you're qualified, we're going to give you some kind of a hard look at opportunities and not always just bring people in from the outside.

With Mike, we have a known quantity. I take a lot of comfort that Gerald Franz had a lot of respect for you, or you wouldn't have been in the position you were serving under his administration. I also, it weighed on me a lot, the fact that you have been acting as the appraiser for Sedgwick County for these many months that we had our search and I haven't, personally, heard of any complaints from any companies . . . well, I get complaints, but that's just because they don't want to pay taxes . . . that they weren't being treated properly, and it just makes me feel very proud that we had a quality employee that made himself prepared for the opportunity, and that's my definition of luck is where preparedness meets opportunity.

I don't know for sure if I should be offering you my congratulations or my condolences, because now you're going to have to manage all of these friends, and they think, 'Boy, they've got an in now that they've got their buddy in there', and I think you're going to see a little metamorphose happen with the new leader and it might be a small, different relationship, but I do know that it's

Regular Meeting, December 15, 2004

nervous time for any department thinking that somebody strange will be coming in and we've been able to promote one of our own. So, congratulations. I really do mean that, and maybe this will be a Merry Christmas for you this year."

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

Commissioner Unruh said, "Thank you, Mr. Chairman. Well, Mike, I just want to congratulate you also and I'd like to congratulate the entire Appraiser's Office. As I mentioned to you all the other day when we were chatting, that we were able to conduct this search and evaluate things carefully and with much consideration, because we were able to do it not in an atmosphere of crisis. We knew that we had a good department, that you all were professional people who are well trained, able to carry out your job. As we went through the appeals process, it was evident that you all do good work, and that you make defensible appraisals, that they're accurate and so it would give us the freedom to go ahead and conduct the search in such a way that we didn't feel any pressure or any rush and we think we came up with the right person at the right time to carry on the work of Sedgwick County in this area. So, it's congratulations to you, but also congratulations to the entire department and for the good work that you all do. Thank you."

Chairman Winters said, "All right, thank you very much. Well, if there are no other questions or comments, at this point I would ask that your wife would join you and if Deputy County Clerk Brent Shelton would come forward and swear Michael Borchard in as the new county appraiser."

Mr. Brent Shelton said, Please raise your right hand.

I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas, and faithfully discharge the duties of the office of Sedgwick County Appraiser, so help me God."

Mr. Borchard said, "I do."

Mr. Shelton said, "Congratulations."

Chairman Winters said, "Mike, make just a comment or two."

Mr. Borchard said, "Okay. Well, just a couple of gratitudes. First, I'd like to thank my wife for

Regular Meeting, December 15, 2004

her support and my parents and the wonderful staff in the Appraiser's Office who have supported me over the past 17 years, the last nine months especially and for the support of the County Commission and the County Manager and it's just an honor to serve the people of Sedgwick County."

Chairman Winters said, "All right, we look forward to working with all of you. All right, Madam Clerk, would you call the next item. Do we need to take just a moment here, Tony, to set up for the next item? Should be ready to go."

NEW BUSINESS

F. PUBLIC WORKS.

1. PRESENTATION DEPICTING ROAD AND BRIDGE CONSTRUCTION PROJECTS COMPLETED DURING 2004.

POWERPOINT PRESENTATION

Mr. David Spears, P.E., Director/County Engineer, Bureau of Public Works, greeted the Commissioners and said, "I would like to report to you on the projects that were constructed in the year 2004, including roads, bridges and miscellaneous drainage projects.

This year, we completed 15 ¼ miles of skim coating, which is cold mix, and 17 ¼ miles of chat seal. The roads are selected by our staff in January and you are notified by memorandum accordingly. In addition to these projects, the 2004 construction program can be summarized as follows: one mile of road was completely reconstructed to four-lanes by contract, 19 ¾ miles of road were overlaid with one-inch of BM-1 hot mix, 24 ¾ miles of road were treated with a latex-modified slurry seal, 8 total miles of asphalt rejuvenation were done, 57 miles of nova chip were done, six bridges were constructed or are under construction by contract, nine bridges were constructed by our crews and 29 ½ miles of shoulders, both sides, were constructed by our crews.

All of the projects are in accordance with Sedgwick County's Capital Improvement Program. In total, improvements were made to 146 ¼ miles of the 500 miles of paved road that Sedgwick County is responsible for. This means that 29% of the county's road system was improved. Our guess, as Kristi said at the beginning, we've had a complete makeover of 29% of those this year.

Regular Meeting, December 15, 2004

Our goal is to always do at least 20% of our roads. That keeps us ahead of the curve, ahead of deterioration of the road system. A memorandum depicting the expenditures on our projects was sent to you on December 13th. Due to change orders in the past couple of weeks, those numbers may differ from our final amounts, but in general, the expenditures for 2004 were \$3,946,183.42 in actual road project costs, \$1,127,405.92 in actual bridge project costs, and in total we were \$921,793.46 under budget for road projects and another \$227,594.08 under budget on bridge projects.

Now we're ready to view the 2004 Public Works road and bridge presentation, and I simply want to remind you again that infrastructure is still the mother's milk of economic development."

Commissioner Norton said, "You won't have to hear that anymore, will you."

Commissioner McGinn said, "I don't. That's the last time."

Mr. Spears said, "All right, that is a picture of everything that we've done, on the map. This is all the roads by contract, all the bridges by contract, all the bridges by county crews, the asphalt rejuvenation, the BM-1 overlays, the slurry seal, the nova chip, and then by our crews, the cold mix, chat seal and rock shoulders.

You see a little summary there, over on the right, shows you under. All of those are under. We had two main projects this year, Central between 143rd and 159th and also the zoo parking lots. The two carryover projects are 63rd, between K-15 and Hydraulic, and the railroad grade separation project in Haysville.

This is Central, between 143rd and 159th, nearing completion. It will be completed early part of next year. Just have one final lift to put on. Ritchie is doing this project and to date we're currently under by about \$850,000.

This is the zoo parking lot, this is a before picture, before, that's an after, after. You can see, over to the left, where we took the . . . we had a lot of drainage problems on the parking lot. I don't know if you remember, if you were ever out there when it rained, a lot of puddles that were standing in the old one and we took care of that and you can see that we catch it in a sump condition and then take it over to that drainage swell to the left there."

Commissioner McGinn said, "How many spaces did we increase, David? Did we increase spaces?"

Regular Meeting, December 15, 2004

Mr. Spears said, “Excuse me?”

Commissioner McGinn said, “Did we increase spaces?”

Mr. Spears said, “No.”

Commissioner McGinn said, “No, just changed configuration.”

Mr. Spears said, “Yes. With the handicapped spots that we put in, additional, to meet the ADA requirements, it ended up that we did not increase the spacing.”

That looks like a brick sidewalk but it’s not. That’s asphalt that’s been stamped. I wanted to show you that. It’s a new process. Also, this is the new handicap ramp that has the little dimples in it.”

Commissioner Unruh said, “That’s an award-winning project, isn’t it David?”

Mr. Spears said, “Yes, sir, second place in the state. This is the metal arch that the zoo . . . the zoo is putting this in and I understand they’re going to put vines and vegetation on that and be a nice entryway into the zoo, more of the road. Total budgeted, five and a half million, actual cost about 3.9, under budget about one and a half million dollars.

Carryover projects, this is the intersection with the new signals at Hydraulic and 63rd. This is 63rd Street South project that we widened to four-lanes, from Hydraulic to K-15. There’s the signalization that we had to put. That was quite an extensive project, down at K-15, for four-lanes. More of the road project, you see Ritchie did this, under budget by about 1.2 million dollars.

This is the ongoing project in Haysville, the railroad grade separation project. It’s about 81% finished. Right now, it’s scheduled to be done somewhere in the latter part of March. This is the Grand Avenue bridge. That’s also Grand Avenue and the new bridge, looking west. This is the top of the new railroad fill, looking north. This is the top of the new railroad fill looking west/southwest. You see, that’s the temporary shoofly, the tracks that the train is going on now.

This is the K Street Bridge, for Haysville, that they’re paying for, and currently that project is about one and a quarter million dollars under budget. The City of Haysville participating in this, as well as KDOT and the feds and the railroad, so totally it’s about a \$10,000,000 project and our cost to date is about 8 ¾ million.

Now, for some of the . . .”

Regular Meeting, December 15, 2004

Commissioner Sciortino said, "Real exciting stuff."

Mr. Spears said, "Well thank you, Commissioner. Overlay, BM-1 overlays, 19 ¾ miles shown in the green color. That's some bike paths at the zoo. That's Greenwich Road, between 53rd and 61st Street North. That's the bike path along K-96 that we overlaid our portion. That's 143rd Street East, between Harry and 13th Street North, did that entire stretch. Cornejo did this and we had budgeted \$978,000 and we came in under about \$107,000.

Cutler Recycle did eight miles of this, shown in the blue, if you can pick that up. This is 21st Street North and Zoo Boulevard, between Ridge Road and the Wichita/ Valley Center Flood Control bridge. This process is good when you have a lot of traffic and you're trying to get in and out fast. There's now 30,000 cars a day on this road.

This is Oliver, down by Boeing, same situation there with the Boeing traffic. Budgeted \$1,000,000 and it costs just a little under a million, saved \$16,000.

Nova chip, a new process we're using that is a possibility. This preventive maintenance item could last 10 years instead of five, which in the long run will save us some money. It's a little more expensive. Did 57 miles, you can see in the light blue or turquoise.

This is out at Lake Afton. This is West Street, between Wichita city limits and 55th. Some of that looks a little white, because these pictures were taken after we had the recent snow, so there's a little salt residue. The City of Clearwater, budgeted two and a half million, the cost 2.3, savings of about \$200,000. This is a little summary of all that, under budget by about 320 on the preventive maintenance items.

Now the latex modified slurry seal, done by contract, 24 ¾ miles, in that color. Oliver, between 47th and 63rd, Central between K-96 and 143rd. This is just a brief sample of those, budgeted 823,000, cost 525, under about 300,000.

Rock shoulders, we do this with our crews, 24 ½ miles, both sides. It's 143rd Street East, between Harry and Kellogg. In some situations, like 295th Street West, you just don't have enough room, you put out as much shoulder as you can. In total, we spent about \$50,000 on this this year, costs about 2,000 a mile.

Cold mix, 15 ¼ miles, we did . . . most of the cold mix was done with a contract with sales tax with Brown and Brown and their company that they made the cold mix for us, we got the chips or the millings off of I-135, worked out an agreement with KDOT. This is an example of one, 47th Street between Hoover and Ridge. In total, we did 15 ¼ miles and the total cost, about \$500,000, ended up about 33,000 per mile.

Regular Meeting, December 15, 2004

Chat seal, mainly we do this with our crews, on top of cold mix and then also some other places, 17 $\frac{1}{4}$ miles. This is maybe the best that we've ever had on the chat seal. We used a different oil this year that has a rubber residue in it and we're real happy with the way it turned out. We're going to do some more of this next year, as well as another product using the oil, and we're going to go to a $\frac{1}{2}$ -inch rock and do some other roads and try something a little different. We're real happy with the way this turned out. All the chips stayed in the road and didn't have any blanks. And it shows you the cost, about \$166,000, \$9,600 per mile and we did this ourselves.

Bridge projects by contract, going a little fast there but there are six of them, you can see the list, all of them are under. I have one carry-over, which is the Broadway over the BNSF Railroad, shown down at the bottom. These next two bridges are on one contract, this is a before and after, both of these are on 87th, between 343rd and 359th West. There's the after. There's the other one in that mile, the before, there's the after and Klaver Construction did this and we were under budget by 71,000.

Another bridge on Colwich Road, between 77th and 85th Streets North, this is the after, King Construction, barely under budget there, 2,000. The bridge on Tyler, between 39th and 47th. My recollection, this was a very narrow bridge that we replaced, there's the new one, Klaver, under about 20,000.

This is a before picture of a bridge on 327th between old U.S. 54 and 23rd Street South. That's a cattle guard, if you want to know what that metal is. There's the new one."

Commissioner McGinn said, "Where's the cattle guard?"

Mr. Spears said, "It comes later. The bridge on 327th, between 47th and 59th, this is the after. This is a bridge down over the Arkansas River on 47th. We didn't replace the bridge, but we had to replace the approaches, because they were settling. Quite an extensive project. There's the after, under about \$51,000. A summary for the bridge projects, under budget by about two and a quarter, 225,000.

Carryovers from 2003, just want to show this because it's a big, big project. This is the bridge on Broadway, over the BNSF Railroad."

Commissioner McGinn said, "Dave, when is that expected to be done?"

Mr. Spears said, "March . . . no, sorry, May. Currently, under \$79,000. This is a 5.4 million dollar project. KDOT is supplying most of the money, 80% and our share is about . . . cost to date, one and a quarter million and we've budgeted 1.3.

County crews, these are the bridges we did, nine of them, shown in the pink. There's the list, actual

Regular Meeting, December 15, 2004

costs, mainly timber bridges, before on 327th between 23rd and 31st, that's after, total cost about \$31,000. I'll go through these rather fast. There's an old one. That's an after, about \$25,000. Bridge on 47th, between 231st and 247th Streets West, there's the after, 17.5. Bridge on 63rd, quarter-mile east of 215th Street West, there's the after. Bridge on 63rd, a quarter mile west of 199th, after. The bridge on 311th, a quarter mile north of 13th Street North. It's a little dark, \$24,000. We try to do about 10 of these a year, plus or minus, depends on the size.

This is the bridge on 239th Street West, south of 42 Highway. This is a rehab. I think we just did the rail on this. The substructure was okay, it's \$8,500 cost. The bridge on 107th, between 231st and 239th, total cost 23,000. This is the bridge on 295th, between 109th and 117th North, here's the after, about 12,000.

Miscellaneous drainage projects, kind of a bad picture there, you see the floor of it going out, or it is out. And this is pre-cast concrete boxes that we install with our crews. We're doing a lot of that now. You can get in and out in a couple of days and, you know, the public is not inconvenienced very long. This is a project we partnered with Maize on. They supplied the pre-cast box and we did the labor and installed it. This is a before picture and that's what it looks like now. So we had a partnering deal on that."

Commissioner Sciortino said, "Are those produced up in McPherson, is that that pre-cast concrete?"

Mr. Spears said, "Yes, sir. So, each year . . . this is in the CIP, about \$200,000 each year and we spent \$190,000, not just on those two. There were others that I didn't show.

JRBR parking lot, this is a job that we assisted Facilities Management with, you can see the before. We drew up the plans for them. This is a before. This is after. They had a bad parking situation up there and we helped them out a little bit. All these are after. They were just parking along the streets. Total budget of 389. We didn't pay for this. This came out of facilities money. Actual cost, 257 and they were under budget by 132,000, which then goes to other facilities.

Stillwell Yard parking lot, I don't know if you've been down. Before now, it was all pretty much dirt/ gravel. These pictures, this wasn't quite finish when these pictures were taken. It is finished now. APAC did the job, total budgeted about 216,000 and it cost about every bit of that. Under budget by \$1,800. Once again, that's just the map of everything we did this year and that concludes the show."

Chairman Winters said, "All right, thank you very much David. Commissioners, are there questions or comments of the presentation of the annual road and bridge projects show?"

Commissioner Unruh said, "Well, it just seems to me like there's no bridges left to fix in

Regular Meeting, December 15, 2004

commission district 3.”

Chairman Winters said, “There’s plenty of bridges out there.”

Commissioner Unruh said, “I mean, how does that work?”

Mr. Spears said, “Well, there’s 659, but most of them are in #3.”

Commissioner Unruh said, “Okay, thank you. I just had to say that.”

Chairman Winters said, “All right, Commissioners, do we have a Motion to receive and file this report?”

MOTION

Commissioner Sciortino moved to receive and file.

Commissioner McGinn seconded the motion.

Chairman Winters said, “We have a Motion and a second to receive and file. David, tell your staff that it was a good representation of the projects that you were involved in this year.”

Mr. Spears said, “I was remiss, I should thank Mara. She’s here, she did the PowerPoint and Jerry Day took some pictures. We had some other folks took pic . . . Phil Detrick and some others took pictures also. I want to thank all those folks.”

Commissioner Sciortino said, “Well, also thank the ones that actually did the work to create some of these.”

Chairman Winters said, “Well, I think it’s good to have a pictorial representation of what your department is responsible for over the year, so good job. Commissioners, we have a Motion to receive and file. Any other discussion? Seeing none, call the vote.”

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye

Regular Meeting, December 15, 2004

Commissioner Sciortino	Aye
Chairman Winters	Aye

Chairman Winters said, "Next item."

2. AGREEMENT WITH CITY OF WICHITA, KANSAS FOR CONSTRUCTION OF HYDRAULIC BETWEEN 57TH AND 63RD STREETS SOUTH. DISTRICT #2

Mr. Spears said, "Item F-2 is an agreement with the City of Wichita regarding the road improvement project on Hydraulic, between 57th Street South and 63rd Street South, designated as R-265 in the Capital Improvement Program. This project is currently included in the 2005-2009 CIP for construction in 2009.

As shown now in the CIP, the county will pay 100% of the cost of right-of-way, utility relocation and construction for a total cost of \$2,150,000. The county has previously contracted for design at a cost of \$94,000. The City of Wichita is nearing completion of a project that will widen Hydraulic down to 57th Street South. The City has proposed taking over management and financial responsibility for R-265 if the project can be moved up to the year 2005 and if the county would contribute \$500,000 toward construction in 2005.

The proposed agreement outlines fiscal and project management responsibilities for the project. The design will be completed under Sedgwick County's contract with Baughman and Company and the county will acquire right-of-way from one parcel that remains in the unincorporated area of the county. The City will acquire all remaining right-of-way, relocate utilities, contract for construction and pay all costs over the county's \$500,000 contribution. The City will annex the road and become responsible for maintenance.

A companion agenda item to amend the CIP and move project R-265 from 2009 to 2005 is Item J-2 on today's agenda. The City Council approved this agreement at their meeting yesterday and I recommend that you approve the agreement and authorize the Chairman to sign. And I want to tell you to come up with the \$500,000, we did not affect any other projects. You can see, on page 97 of your backup, where your money came from and that is from savings that we had on projects this year."

Chairman Winters said, "All right, thank you David. Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. I just want to publicly compliment you,

Regular Meeting, December 15, 2004

Commissioner Norton, because I know you were involved in these negotiations with the City, and this is a case where we can get a little money up front, we save a heck of a lot of money on the back end. It provides a more seamless completion of the project and this is something, just to remind the board, that Commissioner Hancock and I were involved in way back when, and it looks like your hard work and negotiating with that fellow over there . . . Lambke, wasn't it, yeah, Phil. And I think this works out for both of us. Long term, it's going to save us money and it allows the city to complete a project.

When we first got involved in it, the area that they wanted done was in the unincorporated area and then they went ahead and annexed it, and I just want to thank you for the hard work that you put in. This is a real good deal for all of the citizens, not only of the unincorporated area, but also the City of Wichita."

Chairman Winters said, "Commissioner Norton."

Commissioner Norton said, "Well, thank you Commissioner Sciortino. The key to this is that one of the things that I worry about and I know Commissioner McGinn has worried about this, as most commissioners have, as we start to push the urban boundaries out, there's a time when we have to partner to do these projects and create urban standards in the unincorporated areas, as we know the growth is coming. But this is one of those cases where the urban growth got there a lot quicker than the infrastructure did and five years after we committed that we would help out, it was clearly in the city limits of Wichita.

And I did work with Council Member Lambke, to be sure that they understood that when they take those aggressive annexation kind of steps, that the county will probably not, particularly if it's five years later, is probably not going to participate at the same level, because it is clearly in the city limits. And I think it starts to set a standard for some of the issues that we've dealt with for a lot of years and we want to be good partners. Dave Spears and I talked about this a lot, as to what our responsibility is for those areas that are growing on the fringe, and that as we do projects, we try to be good partners and put it to urban standards.

But this was one that clearly leaped past our infrastructure and our ability to pay for it, and five years is a long time, so I'm pretty tickled that the city analyzed this and figured out that they wanted to have it done in 2005, as they finish up their part of the project. Long term, it will free up a couple of million dollars for us to spend in other projects at another point in time, so good use of money and it really starts to set some precedence for what policy is going to look like on taking roads when people annex, and hopefully, at some point, we'll have a very distinct policy that describes that when municipalities annex, they can't just annex both sides of the road and not take the road in between, and this is a good example of that and hopefully it has maybe set the tone for some of our discussions in the future. But thank you, Commissioner."

Regular Meeting, December 15, 2004

Chairman Winters said, "All right. Commissioners, I see no other questions or comments. We're ready for a motion."

MOTION

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

Commissioner Sciortino seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

Chairman Winters said, "Thank you, David. Next item."

G. DIVISION OF PUBLIC SAFETY.

1. AGREEMENT WITH MARY DUDLEY, M.D. TO PROVIDE SERVICES AS DISTRICT CORONER/MEDICAL EXAMINER FOR SEDGWICK COUNTY.

Mr. Bob Lamkey, Director, Division of Public Safety, greeted the Commissioners and said, "I'm well pleased to be here this morning for this item. Dr. Dudley's current contract and term, four-year term as district coroner expires of January 8th of 2005.

If I could reflect back, in the last four years have been one of incredible achievement for the Forensic Center. Under her leadership, we've achieved National Association of Medical Examiners accreditation, which is not common in forensic pathology. We've achieved the American Association of Crime Lab Directors accreditation, again, a very difficult standard to achieve. We've consolidated the Wichita Police Department Crime Lab. We've increased service to our out-of-county customers by 50%. We've almost doubled the amount of service we've provided in the forensic laboratory. Dr. Dudley also serves as an adjunct staff member, faculty member for K.U.

Regular Meeting, December 15, 2004

Med School and W.S.U. She's published, presented at symposium of professional journals. She's actively involved in her professional associations, SIDS Alliance and the Medical Society of Sedgwick County.

I guess I would say, the operation capability and credibility of our forensic science center has never been higher, and she, in partnership with dedicated professional staff, has established a nationally recognized center of excellence in forensic science. So, I wholeheartedly recommend that you approve the agreement and authorize the Chairman to sign."

Chairman Winters said, "All right, thank you Bob. Dr. Dudley, welcome to our meeting. I think things are going extremely well. Commissioner McGinn leaned over and said, 'We do this every year?' and no, it's not been every year, it's four years."

Dr. Mary Dudley, Coroner, Regional Forensic Science Center, greeted the Commissioners and said, "Four years have gone fast."

Chairman Winters said, "And so four years have gone by extremely fast."

Commissioner McGinn said, "Well, I think that's a sign that things have gone smoothly."

Chairman Winters said, "I think it's a huge sign that things are going well. Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. Dr. Dudley, some of us were on the board when things weren't going as well in that area, and the turn around that you've been able to accomplish and reestablishment of the credibility, elevating the morale of the department and the professionalism of the department, I just want you to know, and I hope you feel that way with the new agreement that we worked out with you, that we're very, very happy to have you here and very proud to be able to say, and the public, that Mary Dudley is Sedgwick County's coroner, because we really do appreciate what you've done for us, and hope that you will continue for many, many years in the future.

The tomato plants have nothing to do with it, but I really enjoyed that too."

Chairman Winters said, "Well, I would only just make one brief comment, and again I was a commissioner who was here in the day and age when that entire operation was taking place in a Quonset hut metal building, under not the best sort of circumstances, and we had a group of commissioners who, at that time, that were finally ready to say that we were going to take a forensic lab into the modern era, and you have been a huge part of that.

Regular Meeting, December 15, 2004

I see Dr. Tim Rohrig is here for an agenda item later on. I would just say to both of you, we really do believe we have a world-class organization and just one of the finest facilities in this part of the country. And so we've very pleased and proud of the work you do. We would appreciate any comments you might have about your operation."

Dr. Dudley said, "Right, well I want to thank you very much for this reappointment for four years and also especially want to thank you, Chairman Winters, and also all of the commissioners, Mr. Buchanan and also especially Mr. Lamkey and the entire Regional Forensic Science staff for sharing in my vision, four years ago, to make this one of the best medical examiner, forensic science center operations in the country and I think we have achieved that, through our national recognition and through our accreditation and certification of our staff. I'm very passionate for my work and what I do and for the forensic science center and for this community and I really appreciate your ongoing support for the next four years. Thank you very much."

Chairman Winters said, "All right, thank you. Commissioners, are there other questions or comments of either Dr. Dudley or Bob?"

MOTION

Commissioner Sciortino 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 Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

Chairman Winters said, "Next item."

Regular Meeting, December 15, 2004

2. RESOLUTION APPOINTING MARY DUDLEY, M.D. AS DISTRICT CORONER FOR SEDGWICK COUNTY.

Mr. Lamkey said, "I guess, since you all have decided to hire, it would be appropriate to appoint her for the term. This resolution appoints her for another four-year term as district coroner, starting January 9th, 2005. I would add that one of the statutory requirements is that we get an endorsement from the medical society of Sedgwick County and they endorse her reappointment with a very hearty, without reservation, so they're also well pleased with her performance in this capacity. So, I would recommend that you adopt the resolution."

Chairman Winters said, "All right. Commissioners, are there questions or comments? If not, we're ready for a Motion."

MOTION

Commissioner Sciortino moved to adopt the Resolution.

Commissioner Unruh seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

Chairman Winters said, "Thank you, both. Mary, thank you very much for your service to the county. Next item."

3. MEMORANDUM OF UNDERSTANDING FOR USE OF BYRNE GRANT FUNDS.

Dr. Timothy Rohrig, Director, Forensic Science Laboratories, Regional Forensic Science Center, greeted the Commissioners and said, "The agreement that you have before you today is an agreement between the City of Wichita's Police Department and the Forensic Science Center for use of some Byrne Grant funds that the Kansas Criminal Justice Coordinating Council awarded to

Regular Meeting, December 15, 2004

the department. This is for the purpose of investigating a series of homicides and assaults that occurred in the 1970s and 1980s.

The City of Wichita has allocated to the Forensic Science Center up to \$15,000 for reimbursement of costs associated with various forensic analysis associated with the investigations of these crimes that occurred back in the '70s and 1980s. I'd like to recommend that you approve the memorandum of understanding and authorize the Chairman to sign and I stand ready to answer any questions that you may have."

Chairman Winters said, "All right, Dr. Rohrig, thank you very much. I'm sure that we're prepared to move forward with this. I just would want to comment on a couple of things. If there is anything that the Board of County Commissioners can do to assist you in any other additional ways during these investigations, please do not hesitate to contact us, because we are certainly concerned. We are appreciative of these additional funds to offset costs, but we want you and the folks in your organization to know we're fully supporting you in all of these endeavors.

And then secondly, I would just say again, with our reappointment of Dr. Dudley as the county's coroner, I want to say to you that we are also very proud of that facility that is here in Sedgwick County. We want to keep a first-class, top notch, well certified, qualified folks there and we appreciate all the work you do."

Dr. Rohrig said, "Thank you, sir."

Chairman Winters said, "Commissioners, are there other questions or comments?"

MOTION

Commissioner Unruh moved to approve the Memorandum of Understanding and authorize the Chairman to sign.

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye

Regular Meeting, December 15, 2004

Chairman Winters Aye

Chairman Winters said, "Next item."

H. PROPOSED PARAGRAPH #26 OF THE 2005 SEDGWICK COUNTY LEGISLATIVE PLATFORM.

Mr. Michael D. Pepoon, Director, Government Relations, greeted the Commissioners and said, "Last week, I presented the proposed 2005 legislative platform, which was adopted in whole, except for one paragraph which was raised by Commissioner McGinn concerning annexation. I've had an opportunity to talk with commissioner since the last meeting, added more specific language promoting legislation that would not allow a city to annex up to a road, edge of a road, without taking the road as well and a little more specific language there. It still doesn't interfere at all with the city's right to unilaterally annex or proper growth of cities, so I'm satisfied with this language if you guys are."

Chairman Winters said, "All right. Commissioner McGinn."

Commissioner McGinn said, "Thank you, Mr. Chairman. I just want to say thank you for working on the additional wording, and it is consistent with the Kansas Association of Counties. Thank you, Mike."

Mr. Pepoon said, "Thank you, Carolyn."

Chairman Winters said, "All right, are there any other questions or comments? If not, Commissioner McGinn, we're ready for a motion."

MOTION

Commissioner McGinn moved to approve proposed paragraph #26 of the 2005 Legislative Platform.

Commissioner Norton seconded the motion.

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

VOTE

Regular Meeting, December 15, 2004

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

Chairman Winters said, “Thank you, Mike. Next item.”

I. RESOLUTION AMENDING THE SEDGWICK COUNTY SIGN CODE.

Mr. Glen Wiltse, Director, Code Enforcement, greeted the Commissioners and said, “Before you, you have a new sign code we’re requesting that you adopt. Basically, our existing sign code we feel is inadequate. The industry had talked to us a few years ago about modifying some of this. The old code does not really address height, location, sizes and those types of things. The new code will address all of these issues and place restrictions on those.”

And currently, what we’re seeing is the old code does not allow very many signs, pretty much in the county, but people are still putting them up, so they’re putting them up illegally but the new code really will address the fact that we think the majority of them can be placed legally, so it’s like ‘Yeah, we can permit them but we can also limit quantities and these kinds of things this way’.

This code was drafted by the industry. The Wichita Area Builders’ Association sat in on this a few years ago, when we first started all of this. The Realtors’ Association, we’ve talked to them about it, so we feel like we’ve kind of covered the bases with the people that are going to be most affected with this. We also have two of the industry people here that have worked on this, Ron Blue with Clear Channel and Dave Mollhagen are here, basically in support of the code. So, we’re asking . . . of course, I’ll take any questions, but would ask that you approve the sign code.”

Chairman Winters said, “All right. Commissioner McGinn.”

Commissioner McGinn said, “I can’t remember if I asked this question and it specifically deals with, it seems like commercial, but how is the 4 by 8 political signs . . . does that stay the same?”

Mr. Wiltse said, “They would be still approved, basically, as an allowed sign.”

Regular Meeting, December 15, 2004

Commissioner McGinn said, “As long as people stay out of the right of way.”

Chairman Winters said, “Anything else?”

Commissioner McGinn said, “Commissioner Norton.”

Commissioner Norton said, “Glen, we’ve talked about this, but this new policy will be consistent and complimentary to what is available at the City of Wichita and other small towns, so that the unincorporated areas will blend in with what some of the urban areas have. Is that correct?”

Mr. Wiltse said, “We think that it is. We’ve had representatives from MAPD sit on the committee with us and in fact we held off from about six months ago, when there was discussions on billboards to see how the city was going to address those and we think we’ve covered our bases with that.”

Commissioner Norton said, “Okay. That’s all I have.”

Chairman Winters said, “I reviewed this with Glen and I think I’m pretty comfortable. You know, one of the issues that you always deal with is the esthetics of signs but realizing that business and industry would not be successful if you took away the ability to have signage, because it does play an important role in commerce. I would ask Ron and Dave if either of you have any comments that you would like to make and I assume Glen is correct, and you’re here and supporting this, thinking that we’ve got something that’s workable with your industries.

All right, we appreciate very much your coming to the meeting today and we appreciate your working with Glen and others in trying to arrive at a good solution here. And I guess one of the things that bothers commissioners, myself, is that there’s something in there that somebody won’t really know until we have a problem, but I think if we do have a problem someplace, we need to re-approach Glen and the commissioners and we’ll take another stab at it. So, I think this sounds like a good start. Commissioners, are there other questions or comments?”

MOTION

Commissioner Unruh moved to adopt the Resolution.

Commissioner Norton seconded the motion.

Regular Meeting, December 15, 2004

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

Chairman Winters said, “Thank you, Glen. Thank you guys for being here. We appreciate it.”

J. DIVISION OF FINANCE.

1. RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO TRANSFER FUNDS FROM THE DIVISION OF HIGHWAYS FUND TO THE SPECIAL HIGHWAY IMPROVEMENT AND/OR THE SPECIAL ROAD BRIDGE AND EQUIPMENT FUND.

Mr. Chronis said, “At the end of our fiscal year, which is December the 31st, we routinely transfer certain monies from operating funds to reserve funds. There is a particular state fund that requires, in the case of the highway fund, that if we are to do that, you take action prior to December 31st. The action that you have before you is the resolution that provides us the necessary authority to make that transfer of highway fund monies to the reserve funds that exist to support the highway department. I’ll be glad to answer any questions you have about it. If there are none, I recommend your approval.”

Chairman Winters said, “All right Chris, and this is something that we complete at every calendar year?”

Mr. Chronis said, “Yes, sir.”

Regular Meeting, December 15, 2004

Chairman Winters said, “Commissioners, are there other questions or comments? If not, what’s the will of the Board?”

MOTION

Commissioner Sciortino moved to adopt the Resolution.

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

Chairman Winters said, “Thank you, Chris. Next item.”

2. AMENDMENT TO THE CAPITAL IMPROVEMENT PROGRAM TO INCLUDE R-265, WIDENING OF HYDRAULIC.

POWERPOINT PRESENTATION

Mr. Pete Giroux, Senior Management Analyst, Budget Department, greeted the Commissioners and said, “Mr. Spears has already addressed this, the contract with the city, and I’ll provide the . . . as soon as we get this to come up, I’ll provide the pictures and the numbers to go with it.”

Here’s the road in question, in the middle of the yellow area. Most of the yellow area were a series of annexations that occurred in 2000. Unfortunately, the road was not included in the annexations. Here’s how our CIP currently reads, with obligations of about 2.2 and of course the design is already in progress. And as Mr. Spears outlined, the city has come to us and asked to move the project up, if we could make the contributions. And the fund sources are outlined in the agenda item. They were apparently numerous. And of course, staff and Public Works have reviewed this and recommend approval. Do you have any additional questions?”

Regular Meeting, December 15, 2004

Chairman Winters said, "Commissioners, do you have any additional questions? Seeing none, what's the will of the Board?"

MOTION

Commissioner Norton moved to approve the CIP amendment.

Commissioner Sciortino seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

Chairman Winters said, "Thank you, Pete. Next item."

DIVISION OF HUMAN SERVICES – DEPARTMENT ON AGING

K. AGREEMENT WITH STEVE AND CAROL MARTIN DBA REMOTE DATA SERVICES TO PROVIDE MEDICAID BILLING SERVICES FOR SEDGWICK COUNTY TRANSPORTATION BROKERAGE.

Ms. Annette Graham, Director, Department on Aging, greeted the Commissioners and said, "This contract covers Medicaid billing services for the non-emergency medical transportation services for fiscal year 2005, which is January 1st, 2005 through December 31st, 2005. This is in accordance with SRS and Medicaid billing requirements. This is through the MEMT, Non Emergency Medical Transportation through Kansas Medicaid Assistance program. Consumers who qualify are on Medicaid or enrolled with First-Guard of Can Be Healthy consumers in need of medical transportation in order to remain in their communities.

Under this contract, we reimburse for the Medicaid billing piece for this service. No additional county funds are requested. We pay 3% from Medicaid for the amount of money that is collected on these bills, the contractor gets 3% for remote data services for handling the billing.

We would request the Chair to authorize, sign this contract and would be happy to answer any

Regular Meeting, December 15, 2004

questions.”

Chairman Winters said, “Commissioner McGinn.”

Commissioner McGinn said, “Thank you. Have we used this company in the past?”

Ms. Graham said, “Yes, we have used it in the past for both the transportation program and for our home and community based services for elderly waiver program. They’re our billing agent.”

Commissioner McGinn said, “Okay, thank you.”

Chairman Winters said, “Are there any other questions? Commissioner Unruh.”

Commissioner Unruh said, “Thank you. Annette, this billing process, we don’t do that ourselves through our transportation brokerage. Is that just something we don’t do?”

Ms. Graham said, “For Medicaid they do this, because what they do is they bill, and then if we get denied for any reason, they do the research and they will bill up to 12 months if there’s problems with the billing. So we found this was a more economical way to do it and they had more experience with it. They do it for other agencies throughout the state and so we did it for a while for ourselves, but just found it to be much more efficient and economical to have them do it.”

Commissioner Unruh said, “Okay, so it’s an administrative decision that it’s more efficient and more economical.”

Chairman Winters said, “Okay, Commissioners are there other questions or comments? And I assume, with Mr. Chronis in the room, if he didn’t think it was more economical, he’d jump up and say something.”

Commissioner Sciortino said, “One would assume.”

Commissioner Unruh said, “One would assume.”

MOTION

Regular Meeting, December 15, 2004

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 Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

Chairman Winters said, “Thank you, Annette. Next item.”

DIVISION OF INFORMATION AND OPERATIONS – HEALTH DEPT.

L. CONTRACT WITH KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT TO SUPPORT EFFORTS TO PROVIDE TUBERCULOSIS SERVICES TO THE INDIGENT POPULATION.

Dr. Cindy Burbach, Director, Health Surveillance and Disease Prevention, Health Department, greeted the Commissioners and said, “This is a small grant. After listening to the road costs, it seems pretty small to talk about this \$12,000 that we get from KDHE to help fund services in our TB control program for the indigent. If you, at this point in the morning, are still paying attention to the fine print, you’ll notice that in item 17 of the contract, it mentions the affidavit quarterly reports that we are already well behind on, because we get financial penalties. As it turns out, the state didn’t get us this money until after the first deadline, so we are just now getting this grant that was actually supposed to come to us in the middle of the summer. So, it’s like dominoes, but we are glad to have every little piece that we can put into TB control in our county. Any questions?”

Chairman Winters said, “Cindy, I do not see any questions, but even though this is a smaller amount, in this kind of work, every dollar counts.”

Regular Meeting, December 15, 2004

Dr. Burbach said, “That’s what we know. We’ll take it all.”

Chairman Winters said, “We’ll take it all and put it to work. Commissioners, you have questions or comments? If not, what’s the will of the Board?”

MOTION

Commissioner Sciortino moved to approve the Contract and authorize the Chairman to sign.

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

Chairman Winters said, “Thank you, Cindy. Next item.”

M. KANSAS COLISEUM MONTHLY REPORT.

POWERPOINT PRESENTATION

Mr. John Nath, Director, Kansas Coliseum, greeted the Commissioners and said, “I’ll talk to you this morning about our operations in August . . . or excuse me, not August but November, I’m running just a little bit behind. We had nearly 66,000 people through the doors in November, 17 events, 23 individual performances, net revenues, event-related revenues were in excess of \$200,000.

Regular Meeting, December 15, 2004

Some of the highlights, Van Halen in concert, one of the old time rock and roll groups came through, 5,700 people in attendance for that show, we had the annual Farm and Ranch Show, had over 25,000 people through the doors. That show has really taken off. We have just entered into a new five-year agreement to produce the show. Incubus, a show that was cancelled from July, due to illness with one of the band members, was visiting us in November with nearly 3,800 people in attendance. Trans-Siberian Orchestra, great show from last year, had a lot of comments, very rarely do we get that many comments over a show. Came back again this year, we actually sold 1,000 more tickets than we did last year, so that's becoming a real favorite and hopefully we can get them back again next year.

In the sports zone, we had five hockey games, over 16,000 people combined attended the five hockey games. Coming up we have our annual RV show, January 12th through the 16th. We have the U.S. Hot Rod Thunder Nationals, Monster Trucks, 14th, 15th and 16th. Comedy concert with Larry the Cable Guy on January 19th, annual PRCA Rodeo, which you remember we buy and produce ourselves, 21st through 23rd. And then Sesame Street Live comes back to town 28th through the 30th. That concludes my report today, commissioners. If there are any questions, I'd be happy to answer them at this time."

Chairman Winters said, "John, I don't see any questions. Here's one. Commissioner Norton."

Commissioner Norton said, "Not really a question, just a comment. You know, as we start to think about the new mission for the Coliseum, it's interesting that the Farm and Ranch Show drew 25,000 people and that new missions could be something that has to do with our agriculture heritage and farm and ranch and everything. So I think it's encouraging that there will be good missions out there for the Coliseum. We're just going to have to figure out what that is, but you know, maybe it's not going to be athletics and concerts, but when you can draw 25,000 people to a farm and ranch show, maybe there are some other missions that are going to be very important to keeping that as a very viable institution in our community. Just a comment."

Chairman Winters said, "Thank you. Commissioner McGinn."

Commissioner McGinn said, "Well, and that was one of the things I was following, as you were going through the list. It seemed like at least half of the events will not go downtown, and of some of those, we're going to see the ones that come here from greater distances are going to spend the nights at hotels and eat at the restaurants and those types of things and so yeah, I think there's a future for the Kansas Coliseum. We just change the venue and I think we'll have better scheduling flexibility and I think we're going to have more opportunity to bring more tourism and people to south central Kansas."

Regular Meeting, December 15, 2004

Mr. Nath said, “Commissioner, if I may, over the course of a year, practically 40% of our business happens in the pavilions and those are events that are usually multi-day events, where people do come and spend the night and spend some time in our community.”

Commissioner McGinn said, “Thank you.”

Chairman Winters said, “All right, thank you. John, I was just thinking during your report, sometimes I think you probably wonder why do I come down here and give this monthly report, but even though it is short and concise sometimes, I appreciate your coming and sharing with what’s going on. You always do learn a little something, so we appreciate your effort to either be here or send somebody. Thank you. Commissioners, any other questions? Seeing none, what’s the will of the Board?”

MOTION

Commissioner Norton moved to receive and file.

Commissioner McGinn seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

Chairman Winters said, “Thank you, John. Next item.”

N. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING OF DECEMBER 9, 2004.

Regular Meeting, December 15, 2004

Mr. Jerry Phipps, Purchasing Agent, Purchasing Department, greeted the Commissioners and said, "You have the Minutes of the December 9th meeting of the Board of Bids and Contracts and there are two items for your consideration.

**1) JAIL ALARM TESTING- FACILITIES MAINTENANCE
FUNDING: DETENTION MAINTENANCE**

Item one, jail alarm testing for Facilities Maintenance. It was moved to accept the expenditure with Simplex Grinnell for \$54,837.

**2) HVAC UPGRADES FOR MUNGER BUILDING- FACILITIES MAINTENANCE
FUNDING: CAPITAL IMPROVEMENT PROJECT**

Item two, HVAC upgrades for Munger Building for Facilities Maintenance. It was moved to execute a performance contract with Johnson Controls in the amount of \$257,404.75.

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

Chairman Winters said, "Commissioners, any questions on these two items? Seeing none, what's the will of the Board?"

MOTION

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

Chairman Winters seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye

Regular Meeting, December 15, 2004

Chairman Winters Aye

Chairman Winters said, "Thank you, Jerry. Commissioners, we do not need to have an executive session today. Oh, we've got one more item. Madam Clerk, call the next item."

CONSENT AGENDA

O. CONSENT AGENDA.

1. Right-of-Way Easements.

- a. One Sanitary Sewer Easement and one Drainage Easement on the Sedgwick County Project at 53rd Street North and Hillside. District #1.
 - b. Temporary Drainage Easement on Martin Estates, located south of Central between 151st and 167th Streets West. District #3.
 - c. Temporary Construction Easement for Sedgwick County Project 616-3 through 36, widening of 13th Street North between K-96 and 159th Street East. CIP# R-253. District #1.
 - d. Temporary Construction Easement on the Sedgwick County CowSkin Creek Project. District #2.

2. Notices of Hearing for post annexation public hearings.

- a. February 16, 2005, annexation numbers 99-22 and 99-24
 - b. February 23, 2005, annexation numbers 99-27 and 99-30

3. Resolutions stating findings made by the Board of County Commissioners November 10 and 17, 2004 after public hearings regarding annexations.

- a. Annexation associated with City Ordinance No. 44-320
 - b. Annexation associated with City Ordinance No. 44-312
 - c. Annexation associated with City Ordinance No. 44-284

Regular Meeting, December 15, 2004

- d. Annexation associated with City Ordinance No. 44-299
4. **Lease Agreement with The Vee Gordon Living Trust for space at 102 East 6th Street, Augusta, Kansas used by the Department on Aging's Area Agency on Aging Butler County Office.**
5. **Section 8 Housing Assistance Payment Contracts.**
- | <u>Contract Number</u> | <u>Rent Subsidy</u> | <u>District Number</u> | <u>Landlord</u> |
|------------------------|---------------------|------------------------|-------------------------|
| V04081 | \$175.00 | 5 | Oakview at the Park |
| V04089 | \$281.00 | 4 | Gary Ashpole |
| V04090 | \$417.00 | 2 | Chapel Ridge Apartments |
| V04092 | \$145.00 | 5 | Christel Selcer |
| V04093 | \$285.00 | 2 | Chapel Ridge Apartments |
6. **The following Section 8 Housing Contracts are being amended to reflect a revised monthly amount due to a change in the income level of the participating client.**

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V2000	\$367.00	\$373.00
V020079	\$245.00	\$234.00
V020018	\$421.00	\$60.00
V200108	\$312.00	\$311.00
V200109	\$114.00	\$41.00
V98004	\$189.00	\$196.00
V020087	\$582.00	\$606.00
V020006	\$539.00	\$506.00
V020080	\$235.00	\$218.00
V020005	\$304.00	\$298.00
V2009	\$545.00	\$550.00
V20144	\$98.00	\$58.00
V2002	\$251.00	\$258.00

Regular Meeting, December 15, 2004

V02001	\$331.00	\$327.00
V020081	\$700.00	\$617.00
V020002	\$221.00	\$235.00
V03102	\$625.00	\$625.00
V2001	\$174.00	\$173.00
V020011	\$474.00	\$460.00
V04001	\$334.00	\$329.00
V97048	\$253.00	\$208.00
V03009	\$338.00	\$329.00
V03078	\$452.00	\$428.00
V04079	\$850.00	\$825.00
V04050	\$273.00	\$350.00
V04036	\$495.00	\$491.00
V04044	\$425.00	\$100.00
V04088	\$520.00	\$520.00
V01098	\$340.00	\$350.00
V04005	\$362.00	\$230.00
V01032	\$375.00	\$145.00
V04077	\$355.00	\$182.00
V04030	\$622.00	\$494.00
V99010	\$635.00	\$608.00
V03084	\$424.00	\$424.00
V04046	\$742.00	\$671.00

7. Applications for License to Retail Cereal Malt Beverages.

<u>Applicant Name</u>	<u>Business Name</u>
Michael R. Billingsley	Course Strategy LLC dba Clearwater Golf Course

8. Order dated December 8, 2004 to correct tax roll for change of assessment.

9. General Bills Check Register(s) for the week of December 8 – 14, 2004.

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, “Commissioners, you have the consent agenda before you and I would recommend you approve it.”

Regular Meeting, December 15, 2004

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 Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

Chairman Winters said, “Commissioners, we do not need to have an executive session today. We do need to have a Fire District meeting, but before we move into the Fire District, let’s conclude any other community discussion items that any commissioner may have. Commissioner Unruh, anything?”

P. OTHER

Commissioner Unruh said, “Well, Mr. Chairman, I would just want to tell everybody to be on the alert for an announcement when we’re going to have Sampson and Virgil move in with Matt and Jabar. Those are the gorillas out at the zoo. We have eight now, and the two newest ones are about all acclimated and ready to meet their cousins, is who they are, so we’re going to try to make a big announcement out of that, but they’re getting along fine. So, even in the middle of the winter, good things are happening out at the zoo. And that’s all I have at this time, Mr. Chairman.”

Chairman Winters said, “Okay. Commissioner McGinn.”

Commissioner McGinn said, “Don’t you guys have monthly meetings at the zoo?”

Commissioner Unruh said, “We normally do. We didn’t meet in December.”

Commissioner McGinn said, “Well, I just have this feeling that you’re out there more often than that. Let’s ask Karen about some of your mannerisms.

Regular Meeting, December 15, 2004

I just, I guess, wanted to share, I haven't had a chance to look at the paper today, but Cowtown broke ground on their new entrance and I think it's going to be a wonderful facility. It's going to be a great place to bring the busloads of children that we bring in every year and let them go through . . . see a nice building and then go through and start that history process in an orderly way, than the way we have in the past, in coming through the back, and you're kind of just smack-dab in the middle of it. So, very exciting things happening at Cowtown and I guess we're looking for that to be done in October of '05."

Chairman Winters said, "All right. Commissioners, the only two things I would mention is I would again say congratulations to Michael Borchard, as he was today appointed Sedgwick County Appraiser. Again, we congratulate him and the entire Appraiser's Department for a job well done and we will keep in contact with Mike.

I would like to advise, I think most of you may know that Commissioner McGinn had been serving on the Kansas Association of Counties Board of Directors, but with her leaving county government and proceeding to state government, the counties in south central Kansas have selected me to replace Carolyn on that Kansas Association of Counties board, so I'm looking forward to working with the association on a statewide basis.

If there's nothing else to come before this board, this regular meeting of February . . . or December 15th is adjourned."

Q. ADJOURNMENT

Regular Meeting, December 15, 2004

There being no other business to come before the Board, the Meeting was adjourned at 11:13 a.m.

**BOARD OF COUNTY COMMISSIONERS OF
SEDWICK COUNTY, KANSAS**

THOMAS G. WINTERS, Chairman
Third District

DAVID M. UNRUH, Chair Pro Tem
First District

TIM R. NORTON, Commissioner
Second District

CAROLYN McGINN, Commissioner
Fourth District

Regular Meeting, December 15, 2004

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2004