

BOCC MEETING PUBLIC COMMENTS

02/03/2021

These are questions and comments received through the County website and through the Strategic Communications email.

Name:

James Kunkel

Contact Information:

Jameskunkel179@yahoo.com

Received By:

This comment was received through the communications email.

Subject:

How is Spiritaerosystems not included in the covid-19 cluster! lol

Comment:

Name:

Debra O'Leary-Kurtz

Contact Information:

dolerarykurtz@protonmail.com

Received By:

This comment was received through the communications email.

Subject:

Feb. 33 CC mtg, ZNON2020-00048

Comment:

“Dr. County Commissioners,

Attached is my Golden Rule letter in protest of the above case.

Thank you for your consideration.

Regards,

Debra O'Leary-Kurtz

Dear Sedgwick County Commissioners,

RE: Zoning Case 2020-00048 (11510 E Pawnee)

Please **deny** approval of Zoning Case **2020-00048**. Following are the reasons for denial based on **The Golden Rules** (rules used by Planning and Zoning department)

1. **The zoning, uses and character of the neighborhood.** The surrounding property is SF-20, single family homes on not less than 20,000 square feet. The average lot size on Clay Lane

bounding the west side of the application area is approximately 25,000 square feet or .55 acres. East of the application area on Pawnee and Ellison Street are three single family homes. One single family residence on Ellison sets on 132,589 square feet or 3.04 acres. The west side of a single family home at 11530 E Pawnee bounds the east side of Ellison Street and the application area; this home sets on 44,102 square feet or 1.01 acres. The single family home at 11608 E Pawnee, to the east of the application area sets on 40,485 square feet or .93 acres. The character of the neighborhood is rural. Some residents raise livestock. **Based on the above factual description of surrounding property, recommend Zoning Application #2020-00048 be denied because the zoning change does not conform to the character or existing context of the neighborhood.**

2. **The suitability of the subject property for the uses to which it has been restricted.** The property is currently zone SF-20 Single-Family Residential and is suitable for the subject property because surrounding properties are on lots of more than 20,000 square feet, some properties are over an acre. The property is on a gravel one lane road. **Residential Uses SF-20 is the only use appropriate for this property.**
3. **Extent to which removal of the restrictions will detrimentally affect nearby property.** The uses allowed in the requested district would not be good neighbors to existing development. Going from SF-20 to SF-10 would allow houses to be constructed on $\frac{1}{4}$ acre lots rather than $\frac{1}{2}$ acres, thus doubling the number of residences that is now allowed. The property is accessed by Ellison road, a one lane dirt road, not constructed or maintained for the increased traffic of SF-10. The increased automobile traffic would further hamper the **walkability** of Ellison road and Clay Lane. **Ellison intersects Pawnee near a steep hill.** Visibility of Pawnee westbound traffic is restricted; two residential driveways and Ellison road intersections are not visible until driver is fully over

the hill. Near misses and accidents have occurred. Increased traffic on Ellison would increase the danger of this Pawnee hill.

4. **Length of time subject property has remained vacant as zoned.**

The subject property has been vacant for approximate 2-3 years due to estate judicial proceedings. The subject property was owned by Eldon and Lois J Beck since 1976 until June 2020. Becks did not reside on the property but rented it out during their ownership. In 2013 Eldon Beck died thus property ownership was transferred to Lois J. Beck. A two-story house was on the property until it burned down shortly before January 1, 2010; the property value was decreased from \$41,700 in 2010 to \$20,630 in 2011. The house was demolished in 2010. Lois Beck continued to rent the property for private livestock boarding-primarily horses. On June 16, 2020 as part of a judicial settlement Lois Beck's property was sold to Clear Ridge Investment LLC. According to County Appraiser records approximately 1½ months later Clear Ridge Investment sold the property to Craft LLC on September 3, 2020. According to Register of Deeds October 13, 2020 Superior Homes LP sold land to Craft LLC for approximately \$122,500.00. **The property has been actively occupied as zoned. The short time of vacancy was due to estate judicial matters and developers' application processes. SF-20 Zoning is suitable for the area. Beck family purchased the land as an investment to rent. They had no desire to sell.**

5. **Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant.**

Changing zoning for SF-20 to SF-10 would **not** enhance the public health, safety and welfare of the community. The community's walkability is very limited. Residents frequently walk on the neighborhood dirt roads. The property is accessed by Ellison road, a one lane dirt road, not constructed or maintained for the increased traffic of SF-10. The increased automobile traffic would further hamper the **walkability** of Ellison road and Clay

Lane. Also, increased traffic of a SF-10 nature would decrease **quality of air** due to increase dust. As Ellison is a one lane road traffic would deteriorate other adjoining property when yielding to oncoming traffic. Further, Ellison intersects Pawnee near a steep hill. Visibility of Pawnee westbound traffic is restricted; two residential driveways and Ellison road intersections are not visible until driver is fully over the hill. Near misses and accidents have occurred. Traffic on Pawnee has increased since the construction of the new Southeast High School. Although the speed limit is 40 mph, Pawnee road design induces higher traffic speeds, thus increasing the potential hazard for neighborhood residents to access Pawnee. Pawnee is NOT pedestrian or bicycle friendly. **Therefore, denial of Zoning Application 2020-00048 is appropriate because the zoning change would not be a relative gain to the public health, safety, and welfare of the neighborhood.**

Based on the above I want the County Commission to deny approval to change the zoning from SF-20 to SF-10.

Thank you for your time

Regards,
Debra J O'Leary- Kurtz
11608 E Pawnee
Wichita KS 67207"

Name:

Patricia Broders Hysko

Contact Information:

Peppermint44@aol.com

Received By:

This comment was received through the communications email.

Subject:

Shocking article

Comment:

“This article was in the USA Today about a week ago. Now the whole nation knows an incredibly BAD DECISION WAS MADE in WICHITA.

A month ago New York Times did a state by status of Covid management and Kansas was half way down the bottom third. Last week CNN did vax administration state by state with 3-4 states at 60% or better and Kanas was mentioned as the worst in the US at 15%. Two days ago the CDC listed Kansas as the worst. I would like an explanation of why the Mayor and City Commissioners would make such a tragic choice when every effort is needed to help with Covid management.

Why don't Wichitans deserve better?!

I expect an answer.

Patricia Broders Hysko

316 644 5903

KANSAS Wichita: The City Council is diverting COVID-19 grant funding intended for hiring a pandemic-control officer and instead using it to lease software that ensures police officers don't cheat on their training.

Name:

Carrie Wade

Contact Information:

cwade@cox.net

Received By:

This comment was received through the communications email.

Subject:

Zoning Case 2020-00048 (11510 E Pawnee)

Comment:

“Dear Sedgwick County Commissioners,

RE: Zoning Case 2020-00048 (11510 E Pawnee)

Please deny approval of Zoning Case 2020-00048. Following are the reasons for denial based on The Golden Rules (rules used by the planning and Zoning department)

1. The zoning, uses and character of the neighborhood. The surrounding property is SF-20, single family homes on not less than 20,000 square foot. The average lot size Clay Lane bounding the west side of the application area is approximately 25,000 square feet or .55 acres. East of the application area on Pawnee and Ellison Street are three single family homes. One single family residence on Ellison sets on 132,589 square feet or 3.04 acres. The west side of a single family home at 11530 E

Pawnee bounds the east side of Ellison Street and the application area; this home sets on 44,102 square feet or 1.01 acres. The single family home at 11608 E Pawnee, to the east of the application area sets on 40,485 square feet or .93 acres. The character of the property, recommended zoning application #2020-00048 be denied because the zoning change does not conform to the character or existing context of neighborhood.

2. The suitability of the subject property for the use to which it has been restricted. The property is currently zone SF-20 Single-Family Residential and is suitable for the subject property because surrounding properties are on lots of more than 20,000 square feet, some properties are over an acre. The property is on a gravel one lane road. Residential Uses SF-20 is the only use appropriate for this property.
3. Extent to which removal of the restrictions will detrimentally affect nearby property. The uses allowed in the requested district would not be good neighbors to existing development. Going from SF-20 to SF-10 would allow houses to be constructed on $\frac{1}{4}$ acre lots rather than $\frac{1}{2}$ acres, thus doubling the number of residences that is now allowed. The property is accessed by Ellison road, a lane dirt road, not constructed or maintained for the increased traffic of SF-10. The increased automobile traffic would further hamper walk ability of Ellison road and Clay Lane. More people moving in means

more noise and let rural setting. Ellison intersects Pawnee near a steep hill. Visibility of Pawnee westbound traffic is restricted; two residential driveways and Ellison road interactions are not visible until driver is fully over the hill. Near misses and accidents have occurred. Increased traffic on Ellison would increase the danger of this Pawnee hill.

4. Length of time subject property has remained vacant zoned. The subject property has been vacant for approximate 2-3 years due to east judicial proceedings. The subject property was owned by Eldon and Lois J Beck since 1976 until June 2020. Becks did not reside on the property but rented it during their ownership. In 2013 Eldon Beck died thus property ownership was transferred to Lois J. Beck. A two-story house was on the property until it burned down shortly before January 1, 2010; the property value was decreased from \$41,700 in 2010 to \$20,630 in 2011. The house was demolished in 2010. Lois Becj continued to rent the property for private livestock boarding-primarily horses. On June 16, 2020 was part of a judicial settlement Lois Beck's property was sold to clear ridge investment LLC. According to County appraiser records approximately 1 ½ months later clear ridge investment sold the property to craft llc for approximately \$122,500.00. The property has been actively occupied as zoned.
5. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant.

Changing zoning for SF-20 to SF-10 would not enhance the public health, safety and welfare of the community. The community's walk ability is very limited. Residents frequently walk on the neighborhood dirt roads. The property is accessed by Ellison road, a one lane dirt road, not constructed or maintained for the increased traffic of SF-10. The increased automobile traffic would further hamper the walk ability of Ellison road and Clay Ln. Also, increased traffic of a SF-10 nature would decrease quality of air due to increase dust. As Ellison is one lane road traffic would deteriorate other adjoining property when yielding to oncoming traffic. Further, Ellison intersects Pawnee near a steep hill. Visibility of Pawnee westbound traffic is restricted; two residential driveways and Ellison road intersections are not visible until driver is fully over the hill. Near misses and accidents have occurred. Traffic on Pawnee has increased since the construction of the new Southeast High School. Although the speed limit is 40mph, Pawnee road design induces higher traffic speeds, thus increasing the potential hazard for neighborhood residents to access Pawnee. Pawnee is NOT pedestrian or bicycle friendly.

Therefore, denial of Zoning Application 2020-00048 is appropriate because the zoning change would not be a relative gain to the public health, safety, and welfare of the neighborhood. More people moving in means more noise and no rural setting.

Based on the above I want to the County Commission to deny to approval to change the zoning from SF-20 to SF-10.

Thank you for your time

Regards,

Carrie Wade”

Name:

Sheri Gravenmier

Contact Information:

sjgboo@gmail.com

Received By:

This comment was received through the communications email.

Subject:

Zone Case 2020-00048 (11510 E Pawnee)

Comment:

“recognize the sender and know the content is safe. Sedgwick County Division of Information and Technology

I am writing today to respectfully ask that you deny the rezoning of the above property. I live in this neighborhood at 2237 S Crest Street and my lot is a half acre, currently the smallest lot size allowed in the neighborhood. The neighborhood is rural with many residents raising livestock. This rezoning will allow this 4 acre lot to be broken up into 1/4 acre or smaller lots, immediately changing the entire neighborhood and putting extreme strain on all of our systems including roads, water, sewer, drainage and safety, just to name a few.

The subject property is currently zoned SF-20 and most lots in the neighborhood are an acre or more with a single family home.

Allowing the subject property of just over 4 acres to be rezoned to allow 13 single family homes on the said lot does not conform with the zoning, look and feel of the neighborhood. We live in this rural area for a reason - for me, many reasons. Rural neighborhoods should be allowed to remain rural. There are many neighborhoods currently zoned properly for the use the applicant is seeking and very few rural neighborhoods left for those of us who choose a rural living setting. It is extremely unfair to the current owners, some who have lived in the neighborhood for 30 or more years, to have our rural neighborhood encroached on by those seeking to live in the city with very small lots. There are many neighborhoods in which the applicant could immediately begin building these types of properties, on small lots, without needing to request rezoning and destroying the current neighborhood as it has existed for its entirety. The property is on a gravel one lane road. Residential Use SF-20 is the only use appropriate for this property.

Thank you for your time.

I can be reached at 316-680-0326 or 2237 S Crest, Wichita, KS 67207 or sjgboo@gmail.com

Sheri Gravenmier, homeowner”

Name:

Bruce Robinson

Contact Information:

Bmr.roc8@yahoo.com

Received By:

This comment was received through the communications email.

Subject:

Minns Order

Comment:

“Dear Council Members:

I had contacted the city of Wichita requesting a reply as to their intent to adopt further Orders from the Local Health Officer, G. Minns. Not surprisingly I have heard nothing from the city.

The last Order they show on their website was the November 27, 2020 up through and until January 9, 2021 order by Dr. Minns. As I recall, the city's participation was needed to have any enforcement as to any violations related to businesses. Beyond that, any orders by a local health officer are only well meaning suggestions as Dr. Minns had stated in an earlier order.

So in the absence of the city's adoption of Dr. Minns most recent order extending into February should you not inform the public that businesses previously subject to any order no longer are and do so with the same amount and degree of vigor in which it was made that businesses do so?

Should you choose to adopt further orders executed by Dr. Minns I believe it is your duty to verify his claims of which he claims authority to make. Many of the reasons he asserts as premises for his order are: 1) outdated, 2) Incorrect, 3)misleading, and 4) void of any factual basis which can be demonstrated.

Additionally, portions of Minns orders are overreaching, improperly defined, inconsistent in stated terms, and unconstitutionally vague.

Further he should be reprimanded in qualifying the two cases he cites as significant and factual quotations. His first case he relies is Jacobson V. Massachusetts 1997 U.S. Supreme Court. In that case regarding forced vaccinations and the refusal by one individual was centered around what recourse could be had. Ultimately it was the decision of the court that a \$5 (five dollar) fine could be assessed.

The other case Minns' cites as a 'quotation' uttered by the Justices as if those words quoted (as indicated by the text of

Minns) was their (justices) opinion when in fact that could not be further from the truth and context of the case. That which Minns quoted as intent of the Justices is nothing more than them reciting out of some health handbook as it applied to a completely different case.

Attorneys are often sanctioned for such linguistic abuses where it is clear the language cited is not direct quotes of judges or, even worse, that said to be the intent of Supreme Court Justices when it clearly is not.

While contrary to any reasonable juris prudence as it relates to liability due to negligence, physicians and immediate health care workers have been provided immunity even in the case of wrongful death of patients, save gross negligence, by the Governor as ratified by legislation in their recent special session...however I find no such immunity pertaining to community boards of any type. Beyond this which are customary, that is.

For that reason I would highly recommend you request the expert testimony of any several of the hundreds of thousands of physicians and epidemiologists world-wide who in their peer reviewed papers and expert opinions regarding COVID-19 and other (actually) isolated viruses find those mandated by Minns to be in error. There from each of you as civil servants to this community can make informed decisions rather than those

accepted as by and from the biased opinions which you have received in much detail.

Respectfully

Bruce Morgan

Wichita, Kansas”

Name:

James Kilpatrick

Contact Information:

jkilpatrickinc@gmail.com

Received By:

This comment was received through the communications email.

Subject:

Public Agenda 2-3-21 information

Comment:

“I would like to see this material in the record and given the County Commission members. Lynda would you send me a copy of the oath the Commissioners take when they swear into office.

Thanks

Thank you for hearing my petition.

I am requesting the Commission **not extend** the Public Health Emergency Orders concerning Covid-19. The deprivation of income, closing of businesses, and increasing mental health dilemmas to the public far exceed the value of extending the Public health Orders. The response to Covid-19 (SARS-CoV-2) has been disproportionate to the danger¹.

I was doing research for this meeting when I realized it would not be productive. The meeting of 12-2-20 I shared information during the meeting that related current policies and practices² were manipulating data to produce an outcome not consistent with managing the disease. Producing additional information illustrating the destructive and unnecessary effects of current policy would not be effective.

We have been in the pandemic for a year now and I believe this is enough time for Dr. Garold Minns and the Sedgwick County staff to produce studies that show the positive effects of current strategies in managing the disease. I would like to see those studies posted to the Sedgwick County website for evaluation by the public. It will be interesting to see justification for people losing their income, their businesses, and not being able to support their loved ones.

The current policies are against decades of empirical evidence and time honored policies. I want to emphasize this by reading some quotes from the CDC³ concerning the 2009 H1N1 pandemic:

The CDC explains in an archived [webpage](#) that individual cases of H1N1 pandemic influenza were monitored early on to track the spread of the disease, but as the virus became widespread, the case counts “became an increasingly inaccurate representation of the true burden of disease” as many people were mildly ill and did not seek treatment and the vast majority were not tested.

“CDC recognized early in the outbreak that once disease was widespread,” the website continues, “it would be more valuable to transition to standard surveillance systems to monitor illness, hospitalizations and deaths.”

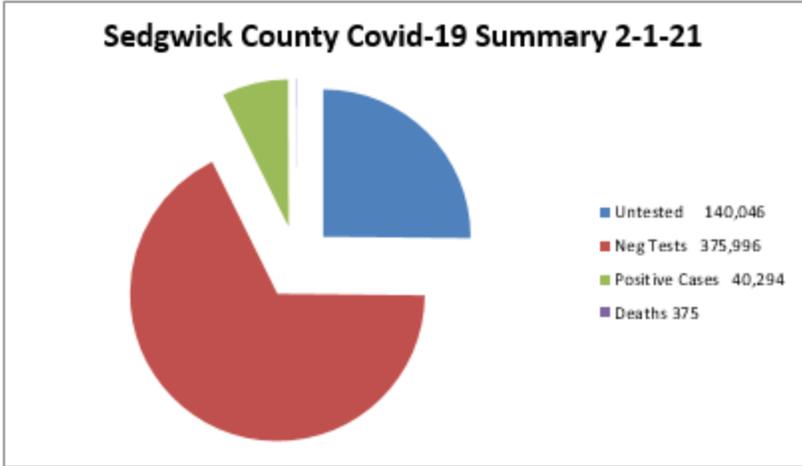
On [another webpage](#), the CDC says that individual case counts became “increasingly impractical and not representative of the true extent of the outbreak” because only a small proportion of patients were tested for influenza, “so the true benefit of keeping track of these numbers is questionable.”⁷

You might have had a smile when in the last meeting I said; the election is over, let us return to a normal life. In my research for public health I found some interesting perspectives. President Biden⁴ wants to declare gun violence a public health epidemic to accomplish gun control. Sen. Sanders and Rep. Cortez⁵ want to declare climate change a public health emergency to force environmental changes. There are groups⁶ that want to declare income inequality a public health crisis for wealth redistribution. It appears public health crisis have a future in politics.

Those political positions forget the law. When I was in law enforcement there was a joke: I can't break the law, I am the law. The law is the U.S. Constitution⁷ and the first, fourth, fifth, and ninth amendments should be remembered. The U.S. Supreme Court⁸ in Roman Catholics Diocese vs. Governor Andrew Cuomo said the Constitution and rights are not eliminated in a pandemic.

I ask you to not extend the public health orders and return to the people their fortunes, their lives, and their sacred honor.

1. <https://www.cdc.gov/coronavirus/2019-ncov/covid-data/covidview/index.html>
2. National Vital Statistics System, Covid-19 Alert No. 2, March 24, 2020
3. <https://www.factcheck.org/2020/07/trump-misleads-on-h1n1-swine-flu-testing/>
4. <https://joebiden.com/gunsafety/>
5. <https://www.theguardian.com/environment/2019/jul/08/climate-crisis-sanders-ocasio-cortez-emergency>
6. <https://jamanetwork.com/journals/jama/fullarticle/2677433>
7. <https://www.govinfo.gov/content/pkg/GPO-CONAN-1992/pdf/GPO-CONAN-1992-7.pdf>
8. <https://www.nytimes.com/2020/11/26/us/supreme-court-coronavirus-religion-new-york.html>



<https://sedgwickcounty.maps.arcgis.com/apps/opsdashboard/index.html#/7b2b4364a5fa4ba3a015d52450acfe0d>



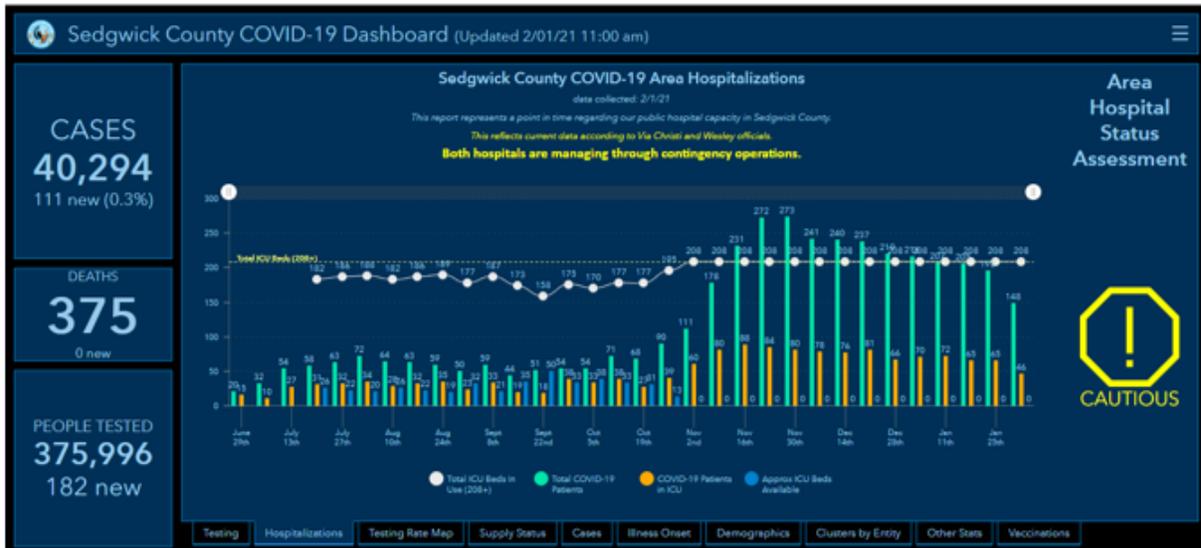
KS COVID-19 Overview	Nursing Home Metrics	Hospital Capacity	Cluster Summary
Case Characteristics	Testing Rates	Hospital Summary	Death Summary
Case Rates	School Gating Metrics	ED Summary	Reopen Kansas Metrics

Kansas COVID-19: Death Summary

Statewide Deaths	County Deaths	Median Age	Age Range
3,718	3,718	81	18 - 107

Death counts and data are preliminary and subject to verification.
 A COVID-19 death is any person that died where the death certificate lists COVID-19 or SARS-CoV-2 as the underlying cause of death or a significant contributing factor to death.

<https://www.coronavirus.kdheks.gov/160/COVID-19-in-Kansas>



Sedgwick County has a population of 516,042.

At a 94% CO-MORBIDITY RATE that would mean 352.5 patients had other serious medical conditions. A possible 22.5 covid-19 deaths.

There are 194 patients in the hospitals at the current time and we do not know how long any of them have been in the hospital.

Divide the total number of cases by 12 months would mean a possible 3358 cases largely non-hospitalized in the last month.

In Kansas the median age of death for Covid-19 is 81 (18-107).

Is the damage to the people of Sedgwick County justified by the actions taken.

”

Name:

Kim Stroupe

Contact Information:

stroupe@sbcglobal.net

Address:

25501 W 63rd St S

City:

Viola

State:

Kansas

Zip Code:

67149

Received By:

This comment was received through the online website.

Subject:

KSHSAA Voting for 4 Participants to attend sports events

Comment:

“In light of the KSHSAA Board of Directors approving 4 Participants to attend Sports events will Sedgwick County be considering this too? Will this be considered for changes in other winter sports at YMCA and Farha for example.”

Name:

Michael Faulkner

Contact Information:

msfaulkner@cox.net

Address:

1637 W May St Apt 2002

City:

Wichita

State:

Kansas

Zip Code:

67213-3588

Received By:

This comment was received through the online website.

Subject:

Election Commissioner

Comment:

“4 counties out of 105 counties can not appoint their election commissioner. That is voter fraud. Keep voters in urban areas from voting, That should be against U. S. & Kansas constitution. More evidence that federal, state & local elections are corrupt.

Special interest and money steals elections. I thank Donald Trump for exposing the corruption.”

Name:

Rolando Gomez

Contact Information:

Shadoe7@mac.com

Address:

N/A

City:

Wichita

State:

Kansas

Zip Code:

67204

Received By:

This comment was received through the online website.

Subject:

Covid Vaccine

Comment:

“Putting together pieces of information it sounds like independent living centers are not apart of CVS/Walgreens roll out. Senior living there need to travel to Intrust to receive their vaccine. Not all of the residents have a car, or travel well. Are provisions being made to get vaccine to these people?”

Name:

Joesph Fenske

Contact Information:

joeyfens@hotmail.com

Address:

770 N Silversprings Blvd

City:

Wichita

State:

Kansas

Zip Code:

67212

Received By:

This comment was received through the online website.

Subject:

What are my taxes paying for

Comment:

“What are my taxes going towards paying for when I have a county van taking two of our community parking spots every weekend? I pay too much to have some freeloader using my tax paid vehicle a spot to park in”

Name:

Sam Burchfield

Contact Information:

Burchfield.sm@gmail.com

Address:

4805 S Custer St

City:

Wichita

State:

Kansas

Zip Code:

67217

Received By:

This comment was received through the online website.

Subject:

I am 75

Comment:

“I have a bad lung and had a heart attack. My wife is 81 and got her shot. She thinks my health U deeded one more than her.”

Name:

Lynda Scarborough

Contact Information:

scarboroghlynda@gmail.com

Address:

2023 N Woos Ct

City:

Wichita

State:

Kansas

Zip Code:

67212

Received By:

This comment was received through the online website.

Subject:

COVID-19 Vaccine Distribution Tracking

Comment:

“Where do I locate the data/metrics for how many vaccines have been received by the county and how many have been injected into citizens? How many as my have been compromised and not been able to be given? I have been unable to find this visibility. Thank you.”

Name:

Curt Young

Contact Information:

curtyoung@cox.net

Address:

N/A

City:

N/A

State:

Kansas

Zip Code:

N/A

Received By:

This comment was received through the online website.

Subject:

Proactive Communications

Comment:

“We've been dealing with Covid since March of 2020. Where are the proactive communications. Now we just have to keep going to the Covid website all the time to check for any new information like the proverbial needle in a haystack. Or you can call and get voicemail on the so called HELPLINE. The promise of a Weekly

Newsletter is nice but where is it? How much longer do we have to wait on something so simple and so important?! The staff at the local Junior High do a better job at communication to parents than the County does for critical, life impacting Covid updates! Who's in charge? It's SHAMEFUL!"