

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

JANUARY 17, 1996

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, January 17, 1996, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chairman Pro Tem Melody C. Miller; Commissioner Betsy Gwin; Commissioner Paul W. Hancock; Commissioner Mark F. Schroeder; Mr. William P. Buchanan, County Manager; Mr. Stephen Plummer, County Counselor; Ms. Becky Allen Bouska, Director, Finance Department; Ms. Mary Ann Mammoth, Personnel Director; Ms. Louanna Honeycutt Burress, Administrative Officer, Department of Housing and Economic Development; Mr. Marvin Krout, Director, Metropolitan Area Planning Department (MAPD); Mr. J. Kenneth Hales, Director, Department of Corrections; Mr. John DuVall, Director of Admissions, Bureau of Comprehensive Community Care; Mr. Douglas King, Records Manager, County Clerk's Office; Mr. Kenneth W. Arnold, Director, Capital Projects Department; Mr. J. David Rush, Acting Director, Kansas Coliseum; Mr. David C. Spears, Director, Bureau of Public Services; Mr. Darren Muci, Director, Purchasing Department; Mr. Fred Ervin, Director, Public Relations Officer; Ms. Dorsha Kirksey, Director, Information and Assistance, Appraiser's Office; Mr. Ken Williams, Assistant Purchasing Director, Purchasing Department; Ms. Diane Gage, Assistant Director, Emergency Communications; and Ms. Susan E. Crockett-Spoon, County Clerk.

GUESTS

Mr. Martin Hammer, Sheriff Civil Service Board

Mr. T.J. Smith, Derby High School DECA

Ms. Joan Stork, Salem Township

Mr. Doug Scott, Park City Council

Mr. Jack Woodson, Director, Park City Planning Department

Mr. Bob Finkbiner, City of Valley Center

Mr. Leonard Biggs, Mayor, Park City

GUESTS CONTINUED

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Mr. Ed Parker, Mayor, Kechi, 314 E. Kechi, Kechi, KS
Mr. Dave Robins, Park City Coucil Member
Ms. Carol Oldham, Park City
Ms. Emil Bergquist, Park City
Ms. Ron Darlington, Park City
Ms. Jacquelynne A. Powell, 1321 Columbia Terrace, Wichita, KS
Mr. Bill Ethridge, 5709 Sullivan Road, Wichita, KS
Mr. Bill Ard, 5811 Sullivan Road, Wichita, KS
Ms. Wilfrid Martin, Sr., 844 W. 54th St. N., Wichita, KS
Ms. Wilene Smith, 815 W. 61st N., Wichita, KS
Mr. Al Hall, 960 W. 53rd St. N., Wichita, KS
Ms. Sonja Karlowski, 5211 N. Armstrong, Wichita, KS
Ms. Gloria Reiz, 5535 N. Sullivan Road., Wichita, KS
Ms. Donna Renfro, 800 W. 55th St. N., Wichita, KS
Ms. Edna Maye Neilson, 6031 Armstrong, Wichita, KS
Mr. Ralph J. Postlethwait, 715 W. 61st N., Wichita, KS
Mr. John H. Stark, 5518 Sullivan Road, Wichita, KS
Ms. Susan Kandt, 5615 Sullivan Road, Wichita, KS
Mr. Fred D. Underwood, 823 W. 54th St. N., Wichita, KS
Ms. Donna Ard, 5811 Sullivan Road, Wichita, KS
Mr. Bill Sutton, 859 W. 50th N., Wichita, KS
Mr. Dick Clark, 1135 W. 53rd St. N., Wichita, KS
Ms. Cecile M. Cox, 6559 W. Parkview Dr., Wichita, KS

INVOCATION

The Invocation was given by Mr. David Cline of the Christian Businessmen's Committee.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, November 8, 1995

The Clerk reported that Commissioner Gwin was absent at the Regular Meeting of November 8, 1995.

MOTION

Commissioner Miller moved to accept the Minutes of the regular meeting of November 8, 1995

Commissioner Hancock seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Abstain
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Before we go on, let me say that for those of you that are standing, we do have a Commission Board Room just down the hall with a television in it and if any of you would like to be in that room until we get to your particular item, you can certainly do that or you're certainly welcome to continue to stand. Thank you. Next item please."

CERTIFICATION AS TO THE AVAILABILITY OF FUNDS

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Ms. Becky Allen Bouska, Director, Finance Department, greeted the Commissioners and said, "You've previously received the certification of funds for the expenditures on today's regular, fire, and sewer agendas. I am available for questions if there are any."

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

APPOINTMENT

A. RESOLUTION APPOINTING MARTIN HAMMER (COMMISSIONER WINTERS' APPOINTMENT) TO THE SHERIFF'S CIVIL SERVICE BOARD.

Mr. Stephen Plummer, County Counselor, greeted the Commissioners and said, "You have in front of you a resolution appointing Martin Hammer to the Sheriff's Civil Service Board. This is Commissioner Winters' appointment. I recommend you adopt the resolution and make that appointment."

MOTION

Commissioner Hancock moved to adopt the Resolution.

Commissioner Schroeder seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Is Mr. Hammer here? I think he was going to be. Would you please come forward and the Clerk will swear you in."

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Ms. Susan Crockett-Spoon, County Clerk, said, "Please raise your right hand and repeat after me. I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Kansas and faithfully discharge the duty of the Office of Sheriff's Civil Service Board, so help me God."

Mr. Martin Hammer, responded, "So help me God."

Ms. Crockett-Spoon said, "Congratulations."

Chairman Winters said, "Thank you very much Martin. We do have a number of citizens serving on advisory boards and the boards are very important to this County. We appreciate it when folks, like you, take the time and effort to do that, it is greatly appreciated."

Mr. Hammer said, "Thank you sir."

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

RETIREMENT

B. PRESENTATION OF RETIREMENT CLOCK AND RETIREMENT CERTIFICATE TO DAVID ORTH.

Ms. Mary Ann Mamoth, Director, Personnel Department, greeted the Commissioners and said, "It is my privilege this morning on behalf of the Board to present a Retirement Certificate to David Orth. David is retiring after 19 years of service with Sedgwick County from the Appraiser's Office."

"David plans to spend time with his four daughters, three sons, eleven grandchildren and one great grandson. He looks forward to visiting them in Utah, Wyoming, Lawrence and in Washington. David plans to devote his time to doing some work for the church."

"David worked for the County Clerk's Office and was an Accountant at the County Hospital, and for the past nineteen years has worked in the Appraiser's Office. He describes his period of employment as very rewarding. We want to wish him well."

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Chairman Winters said, "David, on behalf of the Board of County Commissioners and all the citizens of Sedgwick County, we appreciate the work that you've done and we wish you the best in your retirement. As a token of our appreciation we wish to give you this clock."

Mr. Orth said, "Thank you, Mr. Winters. Actually, I started in 1959 when this building was brand new. In fact, I started in the other building originally and then we came over here in December of 1959, so I've been here almost 37 years all together really. Thank you."

Chairman Winters said, "Thank you. Commissioners, while I'm down here, I'd like to move that we take an off agenda Proclamation."

OFF-AGENDA PROCLAMATION

MOTION

Chairman Winters moved to take an off agenda Proclamation.

Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Let me read the Proclamation into the record."

PROCLAMATION

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WHEREAS, the American Free Enterprise System is responsible for the quality of life in Sedgwick County, Kansas; and

WHEREAS, our economic system allows for individual freedom of choice in education decisions, private ownership opportunities, and career decisions; and

WHEREAS, the thirty-eight members of the Derby DECA Chapter and the DECA members of the following Sedgwick County High Schools: Wichita East High School, Wichita South High School, Wichita North High School, Wichita Northwest High School, Wichita Southeast High School, Wichita West High School, and Valley Center High School, are involved in assimilating information concerning the advantages of the Free Enterprise system throughout the Sedgwick County area; and

WHEREAS, DECA is celebrating Free Enterprise in the Sedgwick County area;

NOW THEREFORE BE IT RESOLVED, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim the week of January 22 - 26, 1996 as

"FREE ENTERPRISE WEEK"

in Sedgwick County and encourage citizens to remember, Free Enterprise makes America strong.

"There are students here today from Derby High School to accept this Proclamation. T. J. Smith, and if there are others, please come forward. Here is the Proclamation and if you would like to say a few words go ahead."

Mr. T. J. Smith, said, "Thank you. Good morning. Thank you for allowing us to be here this morning, we appreciate your time. I'm here with Corey Damerson and Sarah Irick. We are here this morning to proclaim Free Enterprise Week from January 22 to the 26th on behalf of Derby DECA.

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"DECA is an association of marketing students that are wanting to pursue a career in business. Each member picks a specific business area to study and compete in. Competition against other area high school students prepares members for the State level.

"Top finalists at State advance to the Nationals which are being held in Orlando, Florida this year. We are competing in the Free Enterprise written manual.

"Our objective is to inform and to teach people about the free enterprise system and how it works. By doing this, we have lined up several activities for this upcoming week. We are currently painting a Free Enterprise billboard which is to be placed on K-15 entering Derby. Our theme, Free Enterprise Makes America Strong, along with our Free Enterprise hot line number will be displayed. The hot line number is for those interested in further information on the Free Enterprise system and DECA itself. A recorded message or a brochure can be obtained by calling this number.

"Another one of our projects, is teaching an elementary class about profit, loss, promotion, the free enterprise system, et cetera. After teaching them the fundamentals, we help them bake cookies and sell them at their school. Then the class votes on what they do with the profits.

"Along with doing a radio talk show, school and public television presentations and other various promotions throughout the week and this next month, we are hoping to reach a wide variety of people. In the last several years, we have advanced with this manual to finalist. This year we are aiming to finish in the top three and with your help we are on our way. Once again, thank you for your time."

Chairman Winters said, "Thank you very much."

Commissioner Schroeder said, "Mr. Chairman, do we have a Motion to adopt the Proclamation?"

Commissioner Gwin said, "No."

MOTION

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Commissioner Schroeder moved to adopt the Proclamation and authorize the Chairman to sign.

Commissioner Miller seconded the Motion.

Chairman Winters said, "I have a Motion and second. Discussion?"

Commissioner Gwin said, "Just briefly. I had the opportunity, several years ago, to judge a DECA competition locally and the young men and young women who were actively involved in DECA know a great deal about business and they are going to be formidable businessmen and women when their time comes. I'm glad to support this."

Chairman Winters said, "Alright, very good. Madam Clerk call the vote."

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Thank you."

Commissioner Miller said, "Madam Clerk, could you please call the next item."

PUBLIC HEARING

C. PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION PROVIDING THE TERMS AND CONDITIONS FOR AN AD VALOREM TAX EXEMPTION TO PRECISION PROFILING, INC.

Mr. William P. Buchanan, County Manager, said, "Commissioners, that item has

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been pulled from the agenda. We need to do some more staff work and will put this on at the appropriate time. Sorry."

Chairman Winters said, "That's alright. I knew that, I just couldn't hustle back up here quick enough."

MOTION

Chairman Winters moved that the item be postponed for one week.

Commissioner Schroeder seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item please."

CITIZEN INQUIRIES

D. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING SEWER TAXES.

Chairman Winters said, "Commissioners, I have spoken with this individual and because of the length of our meeting, he has requested to be deferred for one

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week."

MOTION

Chairman Winters moved to defer this item for one week.

Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item please."

E. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS (BOCC) REGARDING A REQUEST BY THE "TAXPAYERS OF SALEM TOWNSHIP" THAT THE BOCC ENFORCE K.S.A. 80-304.

Chairman Winters said, "A bit of information for the public. Citizens are always invited to make comment at this time in our meeting. Request to do that is made to the Commission or the Manager's Office and please remember to state your name and address. You are limited to five minutes."

Ms. Joan Storck, said, "Thank you. Mr. Chairman and Commissioners, we would like to thank you for this time you are allowing us in your busy schedule. I am spokesperson for the Salem Township taxpayers and also taxpayers of Sedgwick County and we request that the Board of County Commissioners enforce statute 80-304, which I passed around a copy, and act accordingly in reference to the misspending of our road fund tax dollars by the Salem Township Board. We

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understand that most of you are not as informed of our efforts as Mr. Hancock is, so we would like to give you a summary at this time.

"The Attorney General opinion of 1995 has created a much needed clarification of the statutes concerning township board compensation. However, the Salem Township Board has not been paying themselves compensation. They have been paying themselves salaries and these are coming out of our road funds. All of the Attorney General opinions that have been issued out so far, reference 68-525 as the statute that dictates compensation. This statute allows a maximum of \$1,280 for each Board member in a township of our population. Statute 80-302 allows each of these Board members \$50 a day, four times a year, to audit their book, thus allowing these Board members approximately \$1,580 each per year for their described duties of their office.

"Now we have acknowledged that statute 80-207 states that the Board is allowed compensation for time actually and necessarily spent attending their duties. We would also like to ask you to read chapter 80 articles 2, 3, 4, and 5 and they describe their actual and necessary duties of their offices. We find no statutes allowing salaries for any elected Board members of any township of any population and furthermore, none of the Attorney General opinions that have been issued recognize salaries as a legal compensation. The aforementioned statutes that do apply to Salem Township allow the three person Board a total of \$4,440 a year for regular Board duties.

"The Sedgwick County Clerk's Office indicates that over an eight year period, these two Boards have taken in excess of \$100,000 over and above the amount allowed by law. For the record, none of these Board members are equipment operators and none of them can be paid as road overseer per the statutes. Another example of this Board's disregard for the law is in respect to Christmas bonuses. In August of 1994, the County Clerk's Office called them and told them they could not pay themselves Christmas bonuses. December 26 of 1994, they paid themselves \$100 each for an organizational meeting. Continuing the tradition

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of disregard for the money entrusted to them by the taxpayers, they, in January of 1996, according to their check stubs, paid themselves \$700 each per diem. Statute 68-525 allows \$600 per diem. To presume that this Board's abuse of the salaries is due to lack of knowledge of the statutes is to liken it to somebody not paying their taxes because they didn't read the tax forms.

"There is a video tape available in the District Attorney's office that shows where we requested that this Board quit paying themselves salaries and start paying themselves per the statutes until there could be an Attorney General opinion or else we would seek prosecution. If in fact this Board's general interest was to the obedience of the law, then the request of their constituents would have been to immediately quit paying salaries until there had been an Attorney General opinion clarifying the allowed compensation.

"Statute 80-304, that we're asking you to enforce, requires 'the County Commissioners to site a township auditing board and their bondsman for any and all accounts or demands by them allowed that are paid in excess of that allowed, authorized by law, for any purpose, it shall be the duty of the County Attorney of such County to prosecute any and all suits in the name of such township for the recovery of the same in any court of jurisdiction.'

"It's always been easy to say, if you don't like what they're doing, vote them out. That is an excuse, and it is an unfair burden on taxpayers to have to wait until the next election."

Chairman Winters said, "Excuse me, how much more time do you need?"

Ms. Storck said, "Less than a minute."

MOTION

Chairman Winters moved to give Ms. Storck one more minute to complete her remarks.

Commissioner Schroeder seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Ms. Storck resumed, "We feel it is a lazy excuse and an unfair burden to the taxpayers to have to wait until the next election to stop illegal expenditures of our tax dollars. I could stand up here all morning and elaborate on the many violations and the gross misconduct that have continually occurred in this Township Board, but we are primarily interested in the recovery of our money that was illegally taken from our road funds. This money has been stolen from our pockets. Money which would have assisted in the maintenance of our roads.

"We ask that you recommend to the County Attorney, recovery of our road funds and immediate dismissal of the remaining two Board members of the Salem Township Board or proceed with recall petitions due to their lack of responsibility to the Township, constituents and to their neighbors. We the Salem Township taxpayers would like to state very strongly that townships would cease to be a year round burden to the County Commissioners if statute 80-304 were followed in its present form. That form being of checks and balances, the most absolute and honorable form of government.

"After two years of reviewing township statutes we're not without suggestions for clarification of the statutes and we would be glad to share those with you and entertain any questions at this time. Thank you."

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

Commissioner Hancock said, "Thank you, Tom. I don't have any questions. One of the interesting things about this job is that every once in a while you run across citizens who really dig into a subject and learn a lot about it and Joan is such an example. She's been very tenacious the last couple of years trying to bring this to

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the attention of a lot of folks whose job it is to provide some oversight to townships.

"When I came on the Board of County Commissioners, the Commissioners did not officially review the budget of Townships and I don't know how that came about, it just wasn't being done and I'm not sure I know when it stopped or why it stopped or even if it ever existed. But Joan has brought that to our attention and she's also brought it to the attention of the Commissioners about how townships, not only Salem, but as near as I can tell from a lot of it I've done over the last few months, there's about 17 townships who are not working within the framework of the statutes Joan has sighted.

"One, I am very excited that citizens are able to do this. I apologize that it has taken so long that she needed not one request, but probably dozens to make this thing happen and we're not only working with it here in this County, we're notifying other counties throughout the State who have townships that maybe they ought to review their townships and how those township officials are being compensated for their work. We find that in this County, a number of township officials are actually doing the work. There are township officials, that do not have hired employees, who go out on a daily basis and trim trees, grade roads, dig ditches, put up signs and what have you, and then turn around and pay themselves wages for doing that. We know now that is illegal. We know that is not acceptable and townships two weeks ago at a meeting were notified. We met in the basement here in the courthouse and went over the statutes to try and clear any of that up.

"Many of the townships are beginning to make changes now. In Salem Township, for example, they have notified me this week that they no longer will be taking any kind of a salary and so that is good. Joan is asking for us to prosecute those folks who have taken a salary and try to recover that money. I don't know, I'll leave that to the District Attorney's Office and to the County Counselor's Office.

"The County Commissioners will also be doing something a little bit different in that we will be formally reviewing the budgets of townships every year to make sure they are in compliance to State statute. Steve, did you have something to add to that?"

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Mr. Plummer, said, "Not unless you have some questions."

Commissioner Hancock said, "I know that we've asked the County Counselor's Office to set up those formal procedures for review and we'll be doing that. Joan is a friend of mine and we've been acquaintances for a long time and at one point she said to me that the township officials were out there doing work and there are a lot of them that do work every day in the township and pay themselves and I feel badly for some of them. Well, that's fine and I can appreciate that feeling. I know that some of the township officials took those jobs expecting to be paid for work, but that law is the law and if the law needs to be changed then we will work with the legislature to get some of that changed and make compensation available for people who do work for townships. I am not sure how that will work but our delegation, they know the problem, and they're going to work on it. I think it is just wonderful that one citizen can do so much and you've really worked hard Joan. Appreciate it."

Ms. Storck said, "Thank you."

Chairman Winters said, "Thank you very much. Next item Madam Clerk."

PLANNING AGENDA

F. METROPOLITAN AREA PLANNING DEPARTMENT (MAPD).

- 1. CASE NUMBER SCZ-0701 - ZONE CHANGE FROM "R" RURAL RESIDENTIAL TO "R-1" SUBURBAN RESIDENTIAL, ON PROPERTY LOCATED APPROXIMATELY ½ MILE NORTH OF 47TH STREET SOUTH ON THE WEST SIDE OF ROCK ROAD.**

Mr. Marvin Krout, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, "I don't think these people are all members of Glenville Bible Baptist Church, but that is the first request in front of you this morning. If I could have the slide, this shouldn't take too long. This is a 40 acre piece of land."

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It's on the west side of Rock Road and about a quarter mile north of the intersection of 47th and Rock Road, 47th Street South. And on the west side, it abuts McConnell Air Force Base, their golf course and other facilities that we learned about in the process. The current zoning is R- Rural Residential and the request is for a church use in the first district, and the County Zoning Resolution requires it for churches and schools as the R-1 district. As you can see, there is a combination of R and R-1 zoning already in this area. Their intent is to build a church on the Rock Road frontage and to use the rear of the property for outdoor recreation areas. This seemed to be an ideal use in terms of compatibility to McConnell and also for the neighborhood. If you remember, this site about a year ago was proposed for a mini-warehouse and truck rental operation.

"There was significant neighborhood opposition and the County Commission denied that application. So this seemed to be an ideal use and there was no neighborhood opposition at the Planning Commission Meeting, but at the initial meeting, a representative of McConnell Air Force Base showed up. He wasn't sure exactly how the property was going to be used. He had concerns because as we learned, this is not just a golf course area for McConnell, but is also the area that they use for staging of war games and an occasional disposal of explosives and grenade training and so there were some uses that could be incompatible with some adjoining uses.

"McConnell wasn't sure how the church was going to use this property and whether or not noise and other issues would arise and they didn't want to have a situation of future complaints, which would tend to impact Air Force operations.

"The Planning Commission deferred this item for a couple of weeks to give the Air Force Officials and the church some time to get together. Over that time, the Air Force set off a few explosives and the church people positioned themselves on the site where their building was going to be and their fields were going to be and both decided that these uses would be compatible. McConnell decided that this would be much preferable to having five acre lots and residences nearby and the church felt that with their building being quite far away on the Rock Road frontage, they really couldn't hear the explosives down at the Rock Road frontage that were being set off on the McConnell site. So they both came to the second meeting in agreement. There were no other protestors at the meeting. The neighborhood to

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the east was satisfied with this request and the Planning Commission unanimously by a 13 to 0 vote, voted to recommend approval of this request.

"I will go through the slides of the area because I need to get to another map. This is the aerial photograph, you can see a subsidiary runway, some of the buildings of McConnell. This is the golf course and where the occasional other uses of the site are. This is the suburban residential to the east across Rock Road and also a house to the north of this church site. This is looking at the site and across to McConnell to the west. Looking south down Rock Road, toward the intersection of 47th and Rock Road, all vacant and open at this time. This is the southeast corner of Rock and 44th Street with suburban homes across the street and again, this is looking east down 44th Street South at the suburban homes on five acre lots. This is looking north up Rock Road. This is the tree line of the church site which would be located here and there is a house located behind that tree row. Again, that same tree row and the house. That is the aerial photograph and the zoning map. If you have any questions I'd be glad to try and answer them."

Chairman Winters said, "Commissioner Hancock."

Commissioner Hancock said, "Marvin, I have been contacted about this and my response to the contact was that in the event that we did not approve this zoning case for this particular use, we've already denied this area for commercial zoning at one time, my question to you is if this was denied, what would be left, residential?"

Mr. Krout said, "Residential and there are other non-residential uses that are potentials in the R-Residential Zone, but primarily residential, it would most likely develop with five acre lots like across Rock Road."

Commissioner Hancock said, "I'm not sure that I would vote for residential there."

Mr. Krout said, "I think that the Air Force decided that this was definitely better than residential uses."

Commissioner Hancock said, "Okay, thank you."

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Chairman Winters said, "Is there anyone from the public that would like to comment about this planning agenda item F? Is there anyone from the public who would like to comment about planning agenda item F? If not, we'll close all the public comment. Marvin, one last clarification. All Air Force Base officials don't have a problem with this zone change then?"

Mr. Krout said, "They appeared at the second meeting and testified in favor of the request. They had no objections."

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

Commissioner Schroeder said, "Marvin, at the MAPC hearing, were there any residents or any people from the neighborhood that appeared?"

Mr. Krout said, "No, there were no residents. I think there were some telephone inquiries as to what the proposed use was, but no one testified or appeared."

Commissioner Schroeder said, "I had not heard anything on it, that's why I thought I'd ask. I didn't receive any feedback from anybody so I assumed it was a good relationship between the two and that's what you are reiterating."

Mr. Krout said, "Churches or residential uses, I think those people are probably very pleased with this."

Commissioner Schroeder said, "I think it is a very appropriate use. I'm glad to see that there are people taking advantage of some of that space on Rock Road. That obviously makes a good buffer for McConnell and if the church is satisfied, so am I. Thank you, appreciate it."

Chairman Winters said, "And I guess that addresses my question. I certainly want us to keep as much away from that air base as we need to keep away, so as long as they're comfortable, then I'm comfortable. Commissioners, you've heard the discussion, what's the will of the Board?"

MOTION

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Commissioner Schroeder moved to adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change subject to the condition of platting; adopt a Resolution establishing the zone change and instruct MAPD to withhold publication until the plat has been recorded with the Register of Deeds.

Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item please."

2. CASE NUMBER A96-1 - REQUEST BY THE WICHITA CITY COUNCIL FOR THE SEDGWICK COUNTY COMMISSION TO MAKE FINDINGS REGARDING ANNEXATION.

Mr. Marvin Krout, Director, Metropolitan Area Planning Department, said, "This is a request for an asphalt plant. No, I'm just kidding."

Chairman Winters said, "By the way, let me announce before we get started, it is our intention to hear from all the folks that we need to hear from today and there are others in other rooms in the courthouse who are watching this on television and please feel free to stay there and continue to watch it on the television monitors and as this meeting room empties out or as people talk we'll rotate and if you feel the need to speak, you will be given that opportunity. Thank you Marvin, I'm sorry."

Mr. Krout said, "One of our traditional responsibilities as a City-County Planning

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Department is to process annexations on behalf of the City of Wichita. I am here this morning on behalf of the City of Wichita, along with the City Attorney and the City Engineer of Wichita, to request that the County Commission find that the annexation of a large number of tracts by the City of Wichita, in an area that is north of the Wichita city limits and is commonly known as the Riverview area, will not hinder and prevent the proper growth and development of the area or of any other incorporated city in Sedgwick County.

"The City of Wichita has received petitions for annexations from the owners of well over 400 properties in this area and I will show you in a minute the map of this area. We received those petitions last month. We continue to receive petitions. Because most of these tracts do not directly adjoin the city limits, the City of Wichita is appealing to the County Commission for your approval to annexing these lands under a statute that allows the annexation of lands not adjoining the City under certain circumstances.

"If you make those findings that this is not going to hinder or prevent the proper growth of the area or other cities, and Wichita believes that is the case.

"Over the past two or three years, a number of residents and property owners in the area have expressed interest in being annexed into the City of Wichita, and if you recall, back in 1994, the County Commission approved a similar request by the City of Wichita to annex an overwhelming number of property owners in an area south of the area in question today, and that is the area between 45th and 49th Street North and between Arkansas Street and the Little Arkansas River. That annexation occurred back in late 1994.

"This request concerns the area north of 49th Street and I think it would be helpful to have a map. North of 49th Street to 61st Street South and this is 49th Street and this is Arkansas, this is the Atchison, Topeka, Santa Fe Railroad track. This is 61st Street. This is the Little Arkansas River. And that area, plus an area that derives south of 61st Street, east of the railroad tracks, and west of the Wichita/Valley Center flood control ditch, is the area that is in question this morning.

"The driving mechanism for this petition drive for Riverview residents and property owners, I think clearly, is the fact that they are concerned that Park City will annex

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all of this area eventually if these owners don't request annexation and come into the City of Wichita. Park City had previously indicated intentions that it was not going to be annexing any property west of those railroad tracks, but in early November, Park City initiated an effort to annex the northern portion of this area, the area just south of 57th Street to 61st Street. Park City scheduled a public hearing for January 30 on this possible annexation and that was certainly the driving force, not only for property owners who were directly affected by that January 30 hearing, but property owners to the south and to the east that felt that eventually Park City would be annexing those properties even though they were saying they had no intention to do that at this time.

"I want to note for you, this seeking County's approval for non-adjoining annexation or island annexation is not something that is an everyday occurrence, but it is not unprecedented. In addition to the City's request in 1994, the County Commission recently approved an island annexation request by the City of Maize and the City of Clearwater for properties that were not adjoining their City limits.

"The City has provided you with information on this annexation, including a number of reasons that you might include in a motion to approve. Let me briefly highlight a couple of those. First, the Planning Commission has reviewed this area along with the area to the west of the Little Arkansas River to Meridian which was recently proposed for creation of the new rural water district back in early 1995. The Planning Commission, in reviewing the Comprehensive Plan, voted to change the designation of this area from suburban to low density residential to recognize that this area has a fairly high density, is well developed and eventually should have full urban services. In their vote, they did not take a position on what city should provide services and annex what portions of this area, but they recognized that Park City, Valley Center and Wichita all had some interest in this area and ought to be meeting and talking about that issue.

"Park City's intended annexation of a portion of this area did spur quite a drive in a short period of time. I think that it is the overwhelming number of residents and property owners that have requested annexation to Wichita which is a

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consideration for you in this case. As of December 22, which is when the City of Wichita passed the Resolution and sent it to the County Commission, the numbers which are reflected by the yellow areas in the map look like this. In the area that Park City has set the public hearing for, 57th Street to 61st Street, 153 of 194 property owners as of December 22 since then have filed with the City requesting annexation to the City of Wichita. That is 79%. Since December 22, the number has increased from 79% to 82%. We've received additional petitions in those area and those are the blue shaded areas on the map.

"The areas that we received petitions for from December 22 until last week, overall, the number increased from December 22 from 442 to 466, so that is another 24 as of last week, which means overall, 77% of the property owners as of last week were requesting annexation to the City of Wichita.

"In the past week, we've received five more petitions from property owners all in the area south of 57th Street and we received yesterday, one telephone call and one letter from property owners who requested their petitions be withdrawn based on some communication from Park City that was sent out to property owners in this area indicating to people that they didn't realize that they didn't necessarily only have a choice of being annexed to Wichita or Park City, but could remain unincorporated and they contacted the City in that regard and I can show you where those properties are if you are interested, but there are two properties in that category.

"The salmon colored areas at the bottom of the map are those properties that do adjoin the City of Wichita and they are eligible for annexation any time. Next week, the City of Wichita can annex those areas and those were not part of the request, because those are joining the City limits.

"The City of Wichita believes the annexation should not interfere with Park City's orderly development for a number of reasons. First of all, the only service that is provided to this area is water service with an undersized water line that needs to be replaced along 61st Street to a handful of customers in that area. Park City doesn't provide any other services to the area. Secondly, KDHE's official service

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plan boundary indicating the western extent of sewage treatment plant service area for Park City was the railroad tracks and not any area west of the railroad tracks.

“As we indicated, prior to November, Park City had never indicated, stated an intention to annex west of the railroad tracks and not in your information presented earlier. But in Park City's officially adopted 1982 Comprehensive Plan, the Park City Comprehensive Plan does not state anywhere that Park City should annex or extend services to the Riverview area. The Plan includes something called the planning area that extends well outside the city limits and includes Riverview.

“But the Plan states that this designation does not create a regulatory boundary, but just identifies an area that has an influence on the planning and development of the City and should therefore be studied as part of the total community. The Plan reports on the results of a citizens' survey of Park City citizens indicating a substantial support for city growth to the northeast and south, but little to the west.

“And in that plan, there is something called an urban area map boundary and that boundary reflects the survey results and the boundary identified for urban growth. In Park City, plans on the west side stop only one quarter of a mile to the west of Broadway and does not include any of this area either east or west of the railroad tracks. Either of the railroad tracks or the flood control ditch would provide what would be considered a reasonable municipal boundary in terms of its physical separation between Wichita and Park City.

"It is true that Park City has annexed this area to the South and there would be somewhat of an irregular boundary if this was part of Park City and this was a part of Wichita, but I think either community could provide that area, all of whose property owners have requested annexation to Wichita, with services. And I think if you drive along 61st Street, from a visual standpoint, you can see that these people feel like they are a part of the Riverview neighborhood, that they are physically connected to Riverview.

"There is additional logic with the City providing services and with annexing in this area, in that, in the terms of the discussion that are going on to provide water service, possible annexation of land across the river in this area of the rural water district that you looked at recently, Wichita is planning to provide an oversized water line to serve the Salvation Army property and has the financial ability and

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technical ability to bring that water line across the river to provide service to this area and the line of size to be able to do that.

"The City of Wichita Capital Budget for water alone is \$15,000,000 a year, so the City has extensive financial resources to be able to absorb the at large cost of serving this entire area, not only with water, but with sewer. Fire service for this area for the time being will remain primarily the same, under the City/County's first responder agreement. The City of Wichita is increasing substantially its uniformed officers on the Police force and will provide improved service to Riverview and to other City residents over the next several years.

"If Wichita annexes this area, and I think this is one part Wichita and Park City both agree to, that this area should come under City regulations for Health and Environmental and Housing Codes and that will result in maintaining property values and upgrading this area. That will be of benefit to these citizens, to Park City and to Wichita and to the whole area of northern Sedgwick County. I think that pretty much concludes my remarks.

"As I said, there is other City staff here today for any question you may have. I just want to say that I think we have maintained some good communications with Park City and Valley Center officials over this period. It hasn't been an easy period, but we've had several meetings with them and I think in the future all three governments realize that there are more opportunities for cooperation and I don't think that any one of the cities is going to let this issue block those future areas of cooperation from occurring. I will try to answer any questions that you have."

Chairman Winters said, "Are there any questions of Marvin at this time? Commissioner Miller."

Commissioner Miller said, "I do have one question at this time and then I'm going to reserve to probably call you back up to the podium after we have heard from

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some other individuals. Marvin, did you say that residents of Riverview have asked for a time line for services if indeed this island annexation is confirmed by the Commission today, that residents of Riverview have asked for a time line of when services could be provided in that area? Has that been something that they've talked about?"

Mr. Krout said, "The meetings that I've been invited to, that's not a primary issue. Most residents have said that their on site water systems and sewer systems are working and they are not in a need of immediate extension of water or sewer services. Their concern is that eventually if there is water service, they would like the quality of water in Wichita, they would like a lower rate of the water in Wichita, they like the lower property taxes, the tax levy in Wichita versus in Park City, and they also have some other personal reasons for preferring Wichita."

Commissioner Miller said, "Just for my mental note, what is the difference between the mill levy and maybe our Clerk could assist us here."

Mr. Krout said, "I don't have that information."

Commissioner Miller said, "Okay, 128."

Chairman Winters said, "Anything else Commissioner?"

Commissioner Miller said, "No."

Chairman Winters said, "I would like us to take up a point at this time. Yesterday, we received a request from the Association for Legislative Action of Rural Mayors. Mr. Plummer, could you address for us just quickly the Association of Rural Mayors has requested that we delay this action. Can you tell us if that is a realistic possibility, are we in a position to do that or do we need to move forward?"

Mr. Plummer, said, "The statute we are talking about here says that the Board of County Commissioners shall make appropriate findings within thirty days that the date the City enacts its annexation resolution or ordinance. In this case, the City enacted its ordinance on December 22 and it would be my opinion this morning that the word shall means that we have to proceed this morning."

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Chairman Winters said, "Okay, thank you very much. I do want to acknowledge to the Chairman Carl Koster and the rest of those mayors that we have duly received their request but unless the Commissioners have something else to say, I think our Counselor, Mr. Plummer, has answered the question that we need to proceed on today.

"Alright, the way I think I'd like to begin this is if there is somebody from Park City here or someone who wants to talk about the Park City view on this, I would like that to happen now. Is there someone from Park City who would like to speak in support of this? As we move on through, we are going to take public comment today and as we get into the rest of taking comments from folks that are here, I think we are going to have to have some time limits, but with Park City in making your presentation, we don't want to take all morning, but feel free to take time needed to make your presentation."

Mr. Doug Scott, Park City Council Member, greeted the Commissioners and said, "I represent the interests of 1,250 residents within my ward, over 5,000 city residents city-wide. Stated in my January 2 letter that I sent to each of you, I asked that you find that this type of island annexation will in fact hinder and harm not only the City of Park City but surrounding Sedgwick County. I believe it can be generally argued that island annexation when used in this type of application is a misuse of its purpose. In my memory, island annexation has been used most recently to allow the City of Cheney to island annex their sewer treatment facility and I believe it was the City of Maize who annexed a Coleman plant into their city limits. This practice has not been used in Sedgwick County to annex residential properties in order to usurp a legal and state statute conforming annexation hearing process.

"Today, in front of you, and I'm sure in a few minutes you are going to hear many emotional pleas. Unilateral actions, like annexation, are very seldom popular with those who define themselves as the majority. However, just as you had decided to set a motion aside and make your recent decision on Rural Water District #5 based upon the facts, I ask you to set aside emotion today while I share with you the facts.

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"The first fact, the MAPC has not reviewed this proposed annexation on either behalf of Wichita or on behalf of the Sedgwick County Commission. Fact, the entire area before you today, not only the area that we have declared an interest in, is located in Park City's area of influence, growth and zoning as represented by our Comprehensive Development Plan and the Metropolitan Area Planning Commission. By approving this request, the ability of Park City to expand west and southwest into this predefined area of influence and growth is inhibited. Fact, we have declared an interest in an area that we have been providing water service for several property owners since 1969. When they asked us to help, we reached out without precondition. If annexed by Wichita, we stand to lose a potential service area. Fact, the eight residents east of the area we have declared an interest in have water mains adjacent to the properties. These properties are within our wastewater service area as defined by the KDHE. A Wichita annexation will increase the cost of service to adjacent property owners which are within our city limits.

"Fact, we have prepared a comprehensive service plan, not only for utilities but for police services for the area we have declared an interest in. Our wastewater treatment facility is within one half mile. Water service presently adjoins the area. In contract, Wichita has prepared no such plan. However, I have heard this morning, they do have plans to provide service over the next few years. By approving this request, the residents of the area, if and when their septic tanks and wells should fail, which co-exist in the same environment, will have to rely on receiving water and sewer services which is roughly two miles away. This request will also lead to the duplication of services among cities.

"Bottom line, will it be more economical for Riverview residents to obtain utility services that are a half mile from their home or two miles from their home. Fact, if this area is annexed into Wichita, the Sedgwick County Fire Protection District, will lose a significant revenue source. But because of first response rules, and the proximity of the station, 53rd Street North and I-135, would still have to provide service to this area.

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"Since Park City uses and funds the Sedgwick County Fire Department through a mill levy, revenue and service would remain proportional. The residents of Sedgwick County, Park City, and other cities within Sedgwick County who use the Sedgwick County for fire protection should not be asked to make up this lost revenue.

"My last fact. We followed state statute. The area that we have declared an interest in and in this entire area is within our area of influence and growth. We service portions of this area already and we can more economically serve the rest. We have prepared a comprehensive service plan which I have always forwarded to you in my January 2 letter. We have parks within walking distance, and we don't discriminate against who uses them and it makes no sense having an area adjoined or surrounded by a city but not in it.

"Finally, it's a fact, a majority of residents oppose this annexation. Now do all of these facts apply to the Riverview area that Park City has set a hearing for? The answer is yes, however, the last facts I shared with you were points made the other day during an annexation hearing by Wichita Council Member, Greg Ferris, preceding a seven to zero vote to annex an area near 119th West and Central.

"Despite the parade of property owners who opposed the annexation, the Wichita City Council based it's ultimate decision on the economics and what was in the best interest for orderly growth and proper development of the area. Doesn't Park City deserve the same opportunity to hold our hearing in accordance with State statute. Let us hold our hearing on January 30, where we can address not only the desires and wishes of Riverview residents as well as the residents of Park City."

Chairman Winters said, "Thank you Mr. Scott. Commissioner Gwin."

Commissioner Gwin said, "Mr. Scott, just a question, and tell me if I heard it wrong. I thought I heard you say that the majority of the residents oppose this annexation and then Mr. Krout gave me 79%, 82% and then 77%. Help me understand, did I hear you wrong?"

Mr. Scott said, "No, you heard me correctly. To clarify, the majority of the residents oppose the Park City annexation in the area we've declared an interest

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in. You've seen the petitions here that show that the majority of the residents would prefer to be in the City of Wichita."

Commissioner Gwin said, "Okay, thank you very much. I just wanted to make sure. Thank you."

Chairman Winters said, "Are there any other questions of this speaker?"

Commissioner Miller said, "Mr. Scott, we've had an opportunity to talk face to face and as I said at that time, we have somewhat of a dilemma and a challenge in front of us, but I believe that we're going to get through this in a very cooperative way. There is a couple of things that I'd like to respond to in the initial letter that you sent to us and you referred to them in your presentation today. One would be, when you talk about the area of influence, can you give me some criteria that makes it such that Riverview was included in Park City's area of influence and growth and hypothetically, could they indeed be an area of influence of the City of Wichita or the City of Valley Center also?"

Mr. Scott said, "I would really like to defer that question to Jack Woodson, who is our Director of Economic Planning."

Commissioner Miller said, "Okay. Jack?"

Mr. Jack Woodson, Director of Planning, Park City, said, "The area of influence map I think was drawn up in order to have an area that the cities, in their construction of planning operations, could view as an area of interest. For example, we looked at Riverview as an area of interest because we thought like that what happens in Riverview could somewhat impact on Park City. True, Wichita could have also done that. But through cooperations and hearings I guess before MAPC, these lines were defined so that you didn't have a duplication of areas of influence. Certainly, those lines can be changed and altered."

Commissioner Miller said, "Okay, thank you Jack. Mr. Scott, another question would be, when you speak of providing services to residents. The number of residents that have actually benefited from the water line, could you make that public?"

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Mr. Scott said, "Again, I believe it is a small number. Jack, is it ten? Jack, the number of people who are hooked to our water line that goes down 61st Street, about ten households? Ten."

Commissioner Miller said, "And how long has this service line been in existence?"

Mr. Scott said, "Since '69."

Commissioner Miller said, "Since '69 and there are ten residents that are hooked on it. And I understand that it is also an aging line that would have to more than likely..."

Mr. Scott said, "Yes, it is a four inch water line. To adequately provide water and fire service to the area we have declared an interest in which is one reason we have bounded an area by 57th and 61st Street is that it would likely require an eight inch water line."

Commissioner Miller said, "Okay, thank you. One final question or I'd like to have a comment on, and that is, your January 9 meeting, I believe there were some residents of Riverview that came and wanted to speak to the issue of the annexation and present a petition that 85% of the residents had signed and how did Park City receive that?"

Mr. Scott said, "On advice of our legal counsel, we did not accept that petition. That is what the January 30 hearing is for. At that time, we would invite all interested parties to come to that hearing."

Commissioner Miller said, "Okay, thank you. No further questions."

Chairman Winters said, "Thank you. Mr. Hancock."

Commissioner Hancock said, "Just real quickly. Marvin, do we have a general area map that this is in? Did you bring one today that shows more than just..."

Mr. Krout said, "I can call over and have one brought over."

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Commissioner Hancock said, "If you would, I'd like to see what the area looks like relative to the City of Wichita, Park City and Valley Center, it would be really helpful to me. I've looked through all the information that I've got and it's considerable, but none of it has a general area map showing what it looks like."

Commissioner Gwin said, "Commissioner Miller has gone to fetch one."

Commissioner Hancock said, "Okay, thank you."

Chairman Winters said, "Thank you Mr. Scott. Marvin, Commissioner Gwin has a question of you."

Commissioner Gwin said, "I'm just curious. In planning, because both Mr. Scott and Mr. Woodson talked about areas of influence and areas of interest and is there not a certain radius around or so many miles out from a city's limits for planing purposes you identify as area of influence?"

Mr. Krout said, "It's more or less three miles. They are squared off, but each of the small cities by the County's Zoning Resolution has an area of influence that has an influence that is a rectangle that approximates a three mile ring around those cities. Some of those cities had extra territorial zoning prior to the County approving County wide zoning in 1985 and so in return the County gave the small cities Planning Commissions authority to review cases in those influence areas and if the Planning Commission recommends denial of the case then it requires the unanimous vote of the County Commission to override."

"But I do think you have to distinguish an area of influence for zoning purposes where a community feels that what happens out there is going to influence their growth from the actual expansion, growth and extension of services of that community. I mean we have communities such as Mt. Hope and Colwich and Andale who have three mile rings around their boundaries but I don't think that any of those communities expect that they are going to be annexing and growing three miles outside of their city limits for the next hundred years or more."

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Commissioner Gwin said, "Thank you. Does the City of Wichita have the same thing or was that just something we gave the small communities?"

Mr. Krout said, "Only the small communities."

Commissioner Gwin said, "Okay, thank you. Thank you Mr. Chairman."

Chairman Winters said, "Okay, thank you. Is there anyone else here representing the City of Park City that would like to be heard on this matter?"

"At this time then, I would ask that anyone here who is supporting Park City's request and would like to speak at this time in support of Park City and if there is any person in any of the other rooms in the Courthouse that would like to speak in support of Park City's request, they might make their way to this room and we would listen to them. Seeing none of those folks, could I ask a show of hands of those in the audience who would like to speak to this issue? Okay, very good. We're going to begin that process and I am going to ask the Clerk, with the indulgence of the Commission, that we limit your speaking to three minutes. Did someone just come in that wants to speak in favor of Park City's request? If you would like to speak Bob, come on ahead and please state your name and address for the record?"

Mr. Bob Finkbiner, City Administrator, City of Valley Center, said, "We believe that this is not a fair use of island annexation and we really object to the eight properties across the tracks. We support Park City."

Chairman Winters said, "Okay, anything else? Is there any questions? Mr. Hancock has a question."

Commissioner Hancock said, "Bob, I don't know if you can answer this or maybe Marvin Krout can. Marvin, the City of Wichita's interest in this, that's the reason I was looking at a map Melody has. That's quite a map Melody. The boundary that Wichita is interested in annexing, is it continuous to the City of Wichita? I've heard island annexation and maybe I'm a little confused."

Mr. Finkbiner said, "Part of it is, but you area jumping two miles."

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Commissioner Hancock said, "So they're taking everything in between."

Mr. Finkbiner said, "Right."

Commissioner Hancock said, "What's Valley Centers interest in this?"

Mr. Finkbiner said, "What's to keep the City of Wichita from doing that in the future? That's what we're concerned about, especially jumping over the railroad tracks. You are jumping the City's boundary, property that's already in the City of Park City."

Audience responded, "No."

Mr. Finkbiner said, "Well, that one strip."

Chairman Winters said, "Excuse me just a second. We need to keep order here. Everyone will have their chance to speak. As we begin, whenever there is a speaker at the podium, we'll listen to that speaker and we'll give them the respect of listening to what they say. If you disagree, you'll have your opportunity to speak."

Mr. Finkbiner said, "The strip of land on the east side of this area that runs straight up to 61st Street that Park City has, there are eight tracts of land on the other side. Now, that means that the City of Wichita can jump parcels of land and come right up against other cities. Somehow or other, I think you really need to give thought to this island annexation for a precedence point of view."

Chairman Winters said, "Commissioner Hancock? Commissioner Gwin?"

Commissioner Gwin said, "Bob, thank you for being here and I appreciate the concern that you voice. I want to assure you and any other resident of the small cities in Sedgwick County that have these kinds of questions come before us, I'm going to consider them, and I would assume the entire Board is, on a case by case

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basis. All cases are going to have a different criteria, a different spin on them, different influences and those kinds of things and so I guess to answer your questions, what's to prevent Wichita from doing this again, is the common sense of the Board of County Commissioners and listening to what the case contains, what the factors are and those kinds of things. I think each case is different. I don't know that if this kind of case came up that involved Valley Center that this Board would look at it any differently than we're looking at it at this point.

"I think that we're looking at them individually as to what makes up that case. So I would hope to assure you in your concern that I don't think, depending on what our decision it today, if this Board decides to support the annexation of this area by the City of Wichita, I don't believe legally, ethically, morally, that opens up the flood gates. It certainly doesn't for this Commissioner for the City of Wichita to go annex at will. That still has to come by this Board and I want to assure you that this Board will consider any of those requests very seriously as we are this one. I don't know if that makes a difference to you, but I certainly can assure you on that point."

Mr. Finkbiner said, "We're getting ready to annex right north of 61st and Seneca. We're almost down there. Last night our Council passed a Resolution to annex 117 tracts right north of 61st and Seneca."

Commissioner Gwin said, "May I ask, at this point have those residents had an opportunity to talk to you about whether or not they oppose or support the annexation into Valley Center?"

Mr. Finkbiner said, "There will be a public hearing in March on it."

Commissioner Gwin said, "Okay, thank you."

Chairman Winters said, "Mayor Biggs, this would be a good time for you to come forward."

Mr. Leonard Biggs, Mayor, City of Park City, said, "Good morning Commissioners, Chairman Winters. Appreciate the opportunity for us to come and speak to you on these issues that are very near and dear to the citizens of Park City. I am Leonard

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Biggs, Mayor of Park City, one of the twenty cities that area part of the make up of Sedgwick County. We're the fourth largest city in Sedgwick County, Kansas. Approximately 5,300 people. And also at this time, I would like to submit to the record, letters to the County Clerk that have been sent. Again, thanking you for your cooperation in this matter. I just want to speak briefly to the Sedgwick County Mission Statement. It is one that I think lends itself nicely to this situation.

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"It reads, 'Our mission is to assure quality public services that provides for the well being of the citizens of Sedgwick County to be the best we can be, to establish partnerships with other units and those of government agencies and the private sector, to build and communicate and understand and therefore assure the effective and efficient delivery of services. It goes on to talk about how partnerships with other communities is a vital part of Sedgwick County. I just want to assure you that again, as Mayor of Park City, that we very much believe in these statements also. I would like to key off of four of them. One would be the quality of public service, two the well being of citizens of Sedgwick County, the partnerships within units of government in those other twenty cities and the effective and efficient delivery of services.

"Park City, very much like the rest of Sedgwick County, believes in government close to the people. We believe in economical government, if you will, the most bang for the buck. We do believe very much in hearing from the people. This area that we have declared an interest in, 61st Street to 57th, Park City believes makes the most economic sense to be able to deliver services. We believe that Park City should be allowed to provide those services because if not, there will be a duplication of services. You've already heard that we have had a water line there since 1969. We also have filed a plan that will demonstrate very precisely how we will provide those services.

"We believe that if this Commission finds that Wichita be allowed to annex this year that it would hinder the growth and development of Park City. We also believe it would hinder the planning and zoning of Park City. Again, this has been part of Park City's plan since 1982, it's been recognized by MAPC as Park City's area of influence and third, this is not a popularity contest. When we talk about the majority of the people, we in Park City believe very much that the majority of the people should include not only the Riverview area but the citizens of Park City and we feel that opportunity should be allowed on our hearing date of January 30.

"Neighborhoods? Yes, we do believe in neighborhoods. Just as our community is made of a few commission districts, two school districts, we feel very much that Riverview could continue to be a part of a neighborhood of their own and still be a part of the great city of Park City.

"We understand that many feel otherwise but this is Park City's view. Again, we would ask that you delay this action until our January 30 meeting. If this is not

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possible, we would ask that you vote no. Thank you very much."

Chairman Winters said, "Thank you Mayor Biggs. Are there any questions of the Mayor? Commissioner Hancock?"

Commissioner Hancock said, "Thank you for coming Mayor, we appreciate you being here. I have asked myself some questions before the hearing today how I was going to make this decision and the question that you may be able to answer is a real practical matter, who has the lowest taxes? Some of the citizens that have called in about this are telling me that if they're in Park City, their taxes will be higher. That is not always the whole story. Sometimes the cost of services along with those mill levy taxes contributes to the overall cost of residing in a particular area and so far, in this hearing, in the information that I have received from folks including Park City, claim that Park City will deliver services at a more reasonable cost. In your view, do you think that the total cost of a property that would be within the boundaries of Park City, would it be comparable to that of Wichita or would it be less or more in your view, have you thought about that?"

Mayor Biggs said, "Thought about that, the mill levy would be greater at this point of time, but as you mention, the cost of delivering services, primarily law enforcement, water, and sewer, would be at a lesser amount. It would be more cost effective to go to the City of Park City. I honestly believe that."

Commissioner Hancock said, "Okay, thank you."

Mayor Biggs said, "Any other questions?"

Chairman Winters said, "Seeing none, thank you Mayor."

Mayor Biggs said, "Thank you very much."

Chairman Winters said, "Are there other people here that would like to support Park City's proposal. Thank you, please come forward, state your name and address."

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Mr. Ed Parker, Mayor, Kechi, said, "My address is 314 E. Kechi Road, in Kechi. I am here to show support for Park City and their efforts to have a hearing on January 30. I know the County Commission has a real tough decision to make in this matter. My main concern is maybe Park City has not presented their side of the case adequately at this time and I would ask the County Commission to delay your decision until they have an opportunity to hear what the residents of Riverview have an opportunity to hear what Park City has to say and maybe the 80 or 90% of residents in that area may change their mind once they hear what Park City has to say. That's all I have to say."

Chairman Winters said, "Thank you Mayor Parker. Commissioner Miller has a question."

Commissioner Miller said, "No, I don't have a question, but if there are other residents that wish to speak on behalf of Park City, I'll wait and then I'd like to speak."

Chairman Winters said, "Okay, thank you. Are there others here who would like to speak in favor of Park City's proposal, come right ahead."

Mr. Dave Robins, Council Member, Park City, said, "My question is why are we here today doing this when Park City has a hearing set for January 30, and that is my question to the Commission?"

Chairman Winters said, "Okay, thank you. Any other comments?"

Commissioner Hancock said, "Well, there is an answer to that."

Chairman Winters said, "The Counsel will give that Dave, so if you want to have a seat, our Counselor, Stephen Plummer, will give us the answer to that again."

Mr. Plummer said, "The answer is that by State law, we are required to make our findings here within 30 days of the time the City passes it's ordinance and thus we have until January 22 to do that, so today is the last chance to do that and stay within the 30 day time limit required."

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Chairman Winters said, "We're setting on a time frame now that is running on the City of Wichita's ordinance that they passed on December 22."

Mr. Plummer said, "That's correct."

Chairman Winters said, "Okay, thank you very much. Are there others here who would like to speak in favor of the Park City proposal today. If there are any others, please move forward to the microphone. At this time, we are going to begin limiting comments to three minutes. I want everyone to know that we certainly want to hear from everyone that wants to address this Commission so we're not attempting to limit discussion, please be as concise as possible. Thank you."

Ms. Carol Oldham said, "I'm a resident of Park City. We have a friend that lives in that area, not in the one that you're interested in, but south of that area who called us because she had been, for lack of a better word, badgered by people passing petitions to go to the City of Wichita and she didn't want to. She felt very threatened and she called my husband, who is a Council member, who couldn't get off to come today, she called concerned about some of the things she had heard and wanted to know what was actually going on. My husband allayed a lot of her fears, (inaudible) and starting a school district of their own. I don't think Park City can do that without the State's okay and the State is working at consolidating school districts, so that this is a very minimal concern."

"Another concern that she had that just really did not come into play as a true concern, and yet other issues when we talked to her about like Wichita's police force only has one officer for 2,500 people and this area is a long way from any of their service areas. Park City Police already help the Sedgwick County patrol in that area when requested and we have one officer for every 425 people. So there is a lot of area where I believe park City would provide far better service than Wichita would. Thank you."

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Chairman Winters said, "Thank you. And as I might mention also, excuse me, Commissioner Schroeder."

Commissioner Schroeder said, "I just wanted to comment. I know that there is a law that says when a city or community annexes an area, that proper fire and police protection shall be maintained and that is obviously something that those residents of that area or any area have to keep track of, but I know when it comes to annexation there is a law that addresses that specific issue that adequate fire and police protection would be provided. So, regardless of what happens here today, I think that needs to be made clear in respect to law enforcement and fire protection. Thank you Mr. Chairman."

Chairman Winters said, "Thank you. Those in support please come forward. If there are others that are in support, please come to the podium."

Mr. Emil Bergquist said, "I am also on the City Council in Park City and I have one fairly simple statement to make. An action that was taken in the end of November by Park City to set a hearing for annexation of the area between 57th and 61st and the river and the eastern boundary is being circumvented by an action taken in December by the City of Wichita. I find that to be an offensive abuse of the opportunities they have within the law. The near end of January date that was stipulated by Counsel is an opportunity to circumvent our public hearing and I believe you should consider strongly overriding that and giving the citizens of Park City their due, giving the residents of the Riverview area the chance to address our Council directly and not to be circumvented. Thank you very much."

Chairman Winters said, "Thank you. Anyone else in support of Park City's plan."

Mr. Ron Darlington said, "I am a resident of Park City and I spent about eight years on the Planning Commission here. From the original conception of the Comprehensive Plan, I feel like I should make some points of clarification. In the process of developing the Comprehensive Plan, also in our conversations with MAPD and MAPC, the areas of influence were clearly discussed as possible areas of annexation. Wichita had very little interest, has always had very little interest, even in conversation from 1985, when we squared off the three mile ring that was

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discussed earlier, Wichita expressed that this would not be a desirable area to have, it would cost more than it was worth. Park City has maintained that it is a possible area of annexation, not at a particular time, but at some point in time it would be an area of annexation, an area of concern.

"All the statements made that we are better equipped to service that area is very true. I don't recall any time that Wichita's taxes have been lower than Park City's. The point is that Park City is acting on its Comprehensive Plan and within it's annexation plan which is established by it's own Planning Commission and adopted by the City Council, I think in 1988 and also in 1991. Petitions have been passed with a very small heading to request annexation to the City of Wichita. A lot more was carried with those petitions than just that message. I think there have been some very slanted opinions expressed, misstatements, half truths, from basically people that don't know, don't really want to know. I think the general populous of the area deserves a right to hear Park City's view point and hear what Park City has to offer, and that was what the hearing on the 30th was supposed to be for. And Park City is simply requesting that they be allowed that opportunity because they certainly haven't been allowed the opportunity through the petition process. Thank you."

Chairman Winters said, "Thank you Mr. Darlington. Any others here who would like to speak in support of Park City's plan? Alright, we'll begin with..."

Commissioner Miller said, "Excuse me, I would like to, for the record sake, state that there are two other individuals that I would like to enter in as being supportive of Park City by way of letter. There was a couple by the name of Sterling and Kathleen Woodard and they are residents of Park City and they wish to express their view of being supportive of Park City.

"And a gentleman by the name of Mark A. Bradburn also sent a letter and a phone call that expressed his support to Park City and I just felt that as a Commissioner of that District that I needed to have that for public reasons."

Chairman Winters said, "Okay, very good. If there are those of you now that would like to speak to this issue, remember to state your name and address for the

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record. Suzi Lenker of the Clerk's Office is sitting right behind the podium and she would ask that you write down your name and address as you will become part of the record of today's meeting. So would you please come forward, those of you wishing to speak and others who wish to speak, please proceed to the podium area. Thank you, go right ahead."

Ms. Jacquelynn A. Powell, said, "I live at 1321 Columbia Terrace, I married my husband in 1969 at which time I moved up there. The ten houses that they say they served from 1969 do not exist. There was a line running along 61st Street that services Camp Bideawee. The ten houses were built after 1985, which is across the street from me. Former Mayor, Larry Gray, was a good friend of ours. At one time, we asked Mr. Gray what the possibilities were of getting water, which after '85 they put that line in across the street from us which was paid for by Mr. Babs, who developed that little area for all of those homes. It was not large enough to support us. Columbia Terrace is a small cul-de-sac that is a half block south of 61st Street on Sullivan.

"There are three houses on that cul-de-sac and we would have liked to have had Park City water but the scare came up of all the pollution that was going down Broadway. Now we were refused at that time, because they said it wasn't feasible. Now that they are saying that they are going to tear up that line and put in a bigger line, it is going to be feasible to service us now?

"They say they started this in November. I had a big conversation with Mr. Scott in December before Christmas about this and was informed that they had no intention of annexing us and then all of a sudden the next week, we're getting all of these statements and all of these problems that Park City is going to annex us. We do not wish to be a part of Park City. We do not wish to be a part of Wichita but we would rather be left alone because we've been that way so long and we've survived and there are a lot of homes, but we would prefer to be with Wichita, number one, the figures show that the utilities would be cheaper with Wichita than they would be with Park City.

"The taxes would be cheaper with Wichita than they would be with Park City, plus the fact that if Park City annexes us, they may have to have more schools because

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they are taking in more children and more people. Our school up there is slated to be closed, they wanted to close it this last year, that is Riverview. We have an older resident area up there. It is changing, we're getting younger people and most of us have been up there for 25 to 30 years. My husband has lived up there since he was three years old and he will be 62. Thank you."

Chairman Winters said, "Thank you. Next speaker please."

Mr. Bill Ethridge greeted the Commissioners and said, "I live at 5709 Sullivan and I will do my best to get this into three minutes. I had planned on five."

Chairman Winters said, "We'll do the best we can."

Mr. Ethridge said, "I am here representing approximately 470 property owners in the area that was defined on the map. For the 189 years that my family has lived in this area, we have been well served by Sedgwick County. The County Commission, the Sheriff's Department, the County Fire Department, the maintenance personnel, have been very professional and responsive in all of our needs and situation and with very few exceptions we would be pleased to have it remain unchanged. Unfortunately, however, the winds and time bring change. Valley Center is heading our direction from the north and west.

"Park City is encroaching on our area from the east and Wichita is slowly but surely expanding its boundaries northward. Our future is clear. We will eventually become part of one of these municipalities. My family attends church, it is a Wichita church incidentally, with a large number of wonderful Valley Center residents. But aside from the fact that Valley Center is the home of several of our church friends and has a well managed fall festival, an excellent youth sports program and a young lady that wants to wrestle on the high school wrestling team, I know very little about the city.

"Our neighborhood became more familiar with Park City when we invested many hundreds of hours and thousands and dollars attempting to dissuade Park City officials from building a new sewage disposal plant in an area adjoining our community. As you recall we lost, of course.

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"Park City proceeded with the construction despite virtually unanimous opposition from the citizens and contrary to the wishes of the City of Wichita, Sedgwick County and the KDHE. The plant immediately malfunctioned and polluted the Arkansas River during the 1994 Wichita River Festival. And as we expected and predicted, there is an odor problem. The official Park City position is that 'the only odor problems we have heard about were traced to the sale barn area on Seneca where large numbers of livestock had been kept.'

"Interestingly, that sale barn has been the home of an automobile auction the last two years. One Council Member attributed the odor first to trees and then to cows. We just know that the smell was not there before the construction of this sewer plant and it is always straight north or straight south of this facility and yet not one Park City official has been straight forward enough to say yes, we have an odor problem and we're working to correct it. This is not the type of city government with which our community wishes to work, and most of us have no other ties to Park City.

"We believe that our best interests, both immediate and long term, are more in common with Wichita. Our children attend Wichita public schools and use Wichita libraries and parks and we shop in Wichita. Many of our citizens work for or are retired from Wichita based businesses.

"A number of us own Wichita based businesses. In turn, we believe that for an area of our size the City of Wichita is better equipped to meet our long term service requirements."

Chairman Winters said, "Bill, how much longer? In sixty seconds could you conclude?"

Mr. Ethridge said, "I'm probably about two minutes away."

Chairman Winters said, "Okay, let's go ahead and finish it and I would encourage others of you that if you have prepared speeches as Mr. Ethridge has, we appreciate that, we want to hear from you, but if everyone in this room takes a full five minutes, we may not be done today."

Mr. Ethridge said, "I'll do my best. For an area of our size, the City of Wichita is

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better equipped to meet our long term service requirements.

"The police and fire department provided by Wichita are second to none and City government is operated at a professional level we can respect and appreciate. My mission today is to request your approval of our community by the City of Wichita. We have been collecting individual petitions from property owners requesting annexation which we have delivered to the Wichita-Sedgwick County Metropolitan Area Planning Department. We estimate that we have 80% of all property owner signatures requesting voluntary annexation into Wichita and I want to stress the emphasis on voluntary.

"In spite of the fact that this has been presented as a Wichita project, the truth is that Wichita was not active in the area until we invited City representatives to a November neighborhood meeting discussing annexation. This annexation request was initiated by the citizens of Riverview and the entire campaign was staffed by neighborhood volunteers. My family has lived in the area for 18 years. My children have known no other home. We have neighbors who have lived there longer than we have and some who have recently moved into the area and we have second and third generations who have returned. We have a school, Riverview Elementary, and we have block parties.

"There are homes ranging in value from \$25,000 to \$150,000. We are decent citizens with a low crime rate in our area. We have worked together to form neighborhood watch programs and banded together to fight against influences which we felt threatened our quality of life. We are very much a community and we feel that we should have a voice in determining our direction in the future. The media has portrayed our actions as an annexation fight between Wichita and Park City, and Park City's Director of Planning, Jack Woodson has referred to us as the anti-Park City group."

Chairman Winters said, "Bill, that is five minutes. You've got ten seconds."

Mr. Ethridge said, "We don't see it that way, it is not an issue of good versus bad, right versus wrong or David versus Goliath. There are no Darth Vaders or Luke Skywalker. This is simply of choice being voiced by a group of American citizens and the choice is that we as a whole community want to become a part of the City of Wichita. Friends and neighbors should not have to be divided politically we

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have chosen to live together and we ask that you allow us to remain a community within the City of Wichita. Thank you."

Chairman Winters said, "Thank you Bill, Commissioner Gwin has a question."

Commissioner Gwin said, "Mr. Ethridge, obviously you have been very active in this process and you have indicated that petitions have been carried in that 75% to 80% or whatever. The individuals that signed those said that they, given the choice, they would choose Wichita. Did the other 20% want to be part of Park City."

Mr. Ethridge said, "As a general rule no, there is a very small percentage that would prefer to be part of Park City. The 20% that is not represented probably 95% of them want to be left alone."

Commissioner Gwin said, "I see, thank you."

Chairman Winters said, "Thank you very much Bill. Next speaker please."

Commissioner Miller said, "I do have a question."

Chairman Winters said, "Okay, excuse me, of Mr. Ethridge?"

Commissioner Miller said, "Yes. Mr. Ethridge, the correspondence that was received in regards to the Park City Council Meeting held on the 9th, is there any comment that you need to make in order to clarify what it is that you were attempting to do at that meeting? You and a group, a dozen residents that..."

Mr. Ethridge said, "The Park City..."

Commissioner Miller said, "The Council Meeting where you were bringing the petitions."

Mr. Ethridge said, "I believe Bill Ard is going to address that and is prepared to answer that."

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Commissioner Miller said, "Okay, then I'll hold for that. Thank you."

Chairman Winters said, "Thank you very much Bill. Next speaker."

Mr. Bill Ard said, "I live at 5811 Sullivan Road in the Riverview area and in the portion that Park City has indicated that they want to annex. I brought a copy of a petition today that we took to Park City a week ago Tuesday to give to them. This petition is to the Park City Board of Commissioners and the copy I am going to give you is for information purposes. Very briefly, when we presented this petition we told them that our area has no animosity toward the citizens of Park City. We think it's the Commission, it is who is in charge of Park City that this is an issue with and just as an aside, I think you've heard from the majority of the Park City Commissioners today, so you know what kind of hearing we would get on the 30th if we were there.

"Let me read this petition to you, it is very brief. It is to the Park City Board of Commissioners, it is regarding the rejection of annexation into Park City. We the undersigned property owners or the Riverview area of unincorporated Sedgwick County Kansas do not want to be annexed into Park City as per your Resolution Number 236-95.

"The properties we own are in an area generally bounded by the Atchison, Topeka and Santa Fe Railroad, west of the center line of the Little Arkansas River, bound on the north by 61st Street North and extending south to 57th Street north, approximately 359 feet more or less. This petition is signed by 155 homeowners in this area which is roughly 90% of those who could be contacted.

"I wasn't involved in circulating this petition, but I saw my neighbors, many retired, some with medical problems, out in the freezing weather before Christmas circulating this, trying to protect their right to have some say in where they ended up. We took this petition to Park City and they refused to accept it which to me told volumes about the whole case. They don't care what we want frankly.

"They have no interest. We are here to ask your help to allow us in Riverview to make a decision on our municipality and allow us to go to Wichita. Thank you."

Chairman Winters said, "Thank you Bill. Next speaker."

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Mr. Wilfrid Martin, Sr. said, "Good morning, I live at 844 West 54th Street North and I retired, it will be two years in March, from Raytheon. I am here because I do not want to be part of Park City. I have lived in Park City, I know what their taxes are and the quality of their water is not what the quality of water is in the City of Wichita. I don't really want to be annexed by either one, but if they are going to annex us, we want to be in Wichita and I think we're still in a democratic country where the majority of the population gets what they want, not the minority. I have to agree that I think the majority of those that did not sign the petition to be annexed by Wichita is because they do not want to be annexed period, but I have been in Park City. I lived on Jacksonville, and I lived there a year, and I got out of there because of their taxes. That's all I have to say."

Commissioner Miller said, "Thank you Mr. Martin. Next speaker please."

Ms. Wilene Smith said, "Before I begin, I am the only one here to represent our little triangle and I worked several days on keeping this to five minutes."

Commissioner Miller said, "Ms. Smith, could you give your name please for the record."

Ms. Smith said, "Okay. Chairman Winters, Commission members and County Manager Buchanan, good morning. I represent and speak for a triangular area of eight property owners on the south side of 61st Street North immediately east of the Riverview neighborhood.

"We are physically separated from the Riverview neighborhood by the St. Louis and San Francisco Railroad that runs along the south boundary of seven our properties and by the Atchison, Topeka and Santa Fe Railroad west of the first one, and also by an area of farm land between these two railroad lines and lined directly south of those that Park City annexed in July, an annexation that we were unaware of until early December. The two railroads are 108 feet as they cross 61st Street, parallel to one another, minus the right of ways, this is the distance that is separating our small area from the Riverview neighborhood.

"Our triangular area is immediately surrounded on three sides by farm land, the

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south, the east and stretching on the north nearly to the Sedgwick County line. Riverview is the only residential area that is close by and Riverview is the only neighborhood that we identify with outside the City of Wichita. Our preference of course, is to stay the way we are because this is what each of us chose originally. However, that has ceased to be an option. At this moment in time, we have a choice between Wichita, Park City, or possibly Valley Center. We echo the sentiment of the Riverview residents. Our unanimous choice is also with Wichita for the very simple reason that Wichita is the only one of these three entities that we identify with. We are united 100% in our opposition to becoming a part of Park City. We have all requested annexation into Wichita.

"This is not a war between Wichita and Park City. This is quite simply about us being able to choose and have a voice in our own destiny. This is about where we want to go to call home. Councilman George Rogers observed on December 22, and I quote, 'I don't know how I could not support 78% of the people, why we should put 78% of anybody that doesn't want to be there in somebody's city, it seems to me that's like pouring gas on a fire.' A Park City Councilman recently went on the record in the Wichita Eagle and in a Valley Center newspaper, 'I personally do not want to force anyone to have to become a part of a city that they do not want to be a citizen of.'

Chairman Winters said, "Can you shorten it down just a little bit. Please proceed."

Ms. Smith said, "I have three paragraphs. And I quote, 'I personally do not want to force anyone to have to become a part of a city that they do not want to be a citizen of. It seems the government forces people into things that they do not want too much as it is. I believe in a democracy not a dictatorship.' While working with this issue over the past six weeks, I have repeatedly heard the same words expressed without exception, the first choice was Sedgwick County, second was Wichita and third was Valley Center. But a fourth choice was never identified. Instead, everyone added in one way or another that they wanted no part of Park City. Citizens prefer and want professional responsible government.

"Statements made in a public meeting such as they'll get used to, only serves to

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intensify friction, resentment, hostility and bitterness. I am here today to ask the Commission, indeed to plead with the Commission, if it is at all possible that our small area be included in your consideration of the Riverview neighborhood just west of us. Thank you for allowing me the time to speak to you. I very much appreciate the opportunity."

Chairman Winters said, "Thank you, we appreciate you coming. Next speaker please."

Mr. Al Hall said, "Thank you Commissioners for listening to me on this matter. My name is Al Hall. I own a business on 53rd Street that I have had for 26 years, it is Almar Boiler Works. We are a mechanical contractor, we work all over the state. I would like to keep my address as Wichita, Kansas, not as Park City. I lived in Park City for 15 years and I can tell you some stories about that water up there. I didn't have a shower at the time and I would run me a tub full of water and I would look in that tub and think, I'm cleaner than that already. That's the problem that I have with the water. This water that they have along 61st Street, I don't think Park City guys ever got around to telling you that's a three inch water line. They've got several fire hydrants on that. I am a licensed fire sprinkler installer in Wichita and you cannot put a fire hydrant on a three inch line in Wichita. You can only do that in Park City I guess. Park City says the Wichita water is two miles away, well the Salvation Army Camp is directly across the River from the area that we are wanting to take into Wichita, that's not two miles.

"On the taxes, a friend of mine just bought the old Quik Trip store at 53rd and Arkansas. He checked on the taxes on that. Right now they are \$2,800 a year. They would go up \$200 if he was taken into Wichita, they'd go up \$300 more if he was taken into Park City. So that is where the taxes stand. I own about seven pieces of rental property in this area that we are talking about annexing and I was real thrilled to hear that Valley Center is going to get two more of mine north of 61st, because I don't want to be in their little city either. Park City is talking about a zone, they want to leave a zone between the city limits. Well I don't know how that can ever be done that it's not taken into one city or the other. What purpose would it serve?"

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"I have one renter that moved out of Park City into my rental, which is on a well, but she said now that she was living in a 14 x 70 mobile home then which is the same thing that I'm renting her, she said that her water bill in Park City was running \$80 to \$90 a month, and she has three kids, she doesn't take in laundry or anything."

Chairman Winters said, "Mr. Hall, that's three minutes."

Mr. Hall said, "I'm done, I appreciate your time. I would just ask you to vote to let us into Wichita."

Chairman Winters said, "Thank you very much. Next speaker please."

Ms. Sonja Karlowski said, "Good morning, I live at 5211 N. Armstrong, I don't really have a lot to say except that everyone is saying how unfair it is that Park City didn't have a chance to voice their opinion. First and foremost, the opinion of the people are the most important one. We're the ones, the landowners, the property owners, we have children that will grow up there. I'm one of the younger members of this community. We do not want to be split as a neighborhood, 57th to 61st is part of our neighborhood."

"We want to stay a neighborhood, we want to stay a community and we want to stay apart from Park City for more reasons than just water and taxes. We have our own interests, the parks, everything like that, we shop there, we want to be there. That's about all I have to say and I want to express our interest and on behalf of many others who could not be here today that we are interested in being in Wichita and not in Park City."

Chairman Winters said, "Thank you very much for being here. Next speaker please."

Ms. Gloria Reiz, said, "I live at 5535 Sullivan Road and I appreciate the opportunity to talk to you this morning about the Riverview area annexation. As has been stated, annexation is never a very popular subject and I know a lot of the Riverview area residents would be happy staying a part of unincorporated Sedgwick County."

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"However, I believe that annexation by some city entity is inevitable and I would much rather be a part of Wichita than Park City. My opinion is that during the controversial location of the Park City's sewage disposable treatment plan, Park City officials appeared to not have our best interest in heart and were seemingly insensitive to our feelings. Now some of us are uncertain as to how much credibility there is in what they tell us. But more importantly, we are Wichita centered, not Park City centered.

"Most of us work in Wichita, have retired from Wichita companies. We shop in Wichita, we attend church in Wichita. Some of us even own businesses in Wichita.

"The Riverview area is a community neighborhood that will be divided if the area of north of 57th Street is annexed by Park City on January 30. Please don't divide a neighborhood that is truly a neighborhood. We know each other. We watch out for each other. We have block parties. Our children grew up together. They played baseball together. Some of us have lived on Sullivan Road for thirty years or more. Please give us your consideration to this very important matter. I believe the majority of our area has spoken. We wish to be annexed by the City of Wichita. Please allow us to have a choice in which city we wish to be a part. Thank you."

Chairman Winters said, "Thank you. Next speaker please."

Ms. Donna Renfro said, "I live at 800 West 55th Street North. I am here today to speak about our request to be annexed by the City of Wichita. I have been a resident of Kechi Township since childhood. I grew up here, went to school and graduated from Wichita Heights. I left the area for a few years and later returned in 1983. In 1989 I purchased my first home there. Many residents, like I have, returned to the Riverview area to raise their families.

"We are a close community involved in all that goes in and around the area. We all have many friends and wonderful neighbors among us and have worked very hard to keep this community together. We do not want to be divided. We should have a choice in our destiny and we have had an overwhelming response of signed requests for annexation by the City of Wichita. No one was forced to sign those.

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"We presented the facts, the people discussed it with their husbands, wives, family members or whoever and they signed that. No one was pressured. On Friday, December 22, the City of Wichita willingly acknowledged that they will accept our requests for annexation.

"Our future to stay together as a community are very important to all of us. I hope each one of you will feel the same way and let us become a part of the City of Wichita. Thank you for letting me speak today."

Commissioner Miller said, "Thank you."

Chairman Winters said, "Thank you very much for being here. Next speaker please."

Ms. Edna Maye Neilson said, "I've been in that area since 1951 and I think the lady with me has been there longer than that. We are satisfied with the County as far as that is concerned. When I leave town, I call neighborhood watch and from some of our neighbors, they say we know you're gone because of the watch. But if we have a choice, I guess it would be Wichita anyway, so why not make it a legal address.

"Park City doesn't have a post office so their address is Wichita, the same as us. So I think in all honesty, the majority should rule because we are in the United States and that's the right. If Mr. Biggs don't believe that he should step down and give John the job because that's who lost to him, but I do believe in the majority rule and I think Mrs. Miller told me there was about 80% when I talked to her on the phone and I think 80% is a little bit over 51. Thank you very much."

Chairman Winters said, "Thank you. Let me say if there are others in other rooms in the courthouse who wish to speak on this issue, they need to come to this room at this time. Are there others here who wish to speak to this issue? Please come forward. Could I see a show of hands of how many other people want to speak? Okay, several, thank you."

Mr. Ralph J. Postlethwait said, "My home address is 715 West 61st North. I am

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speaking as kind of a back up to Mrs. Smith who referred to the little triangular area with the eight properties which is true, there is about 26, 27 acres in that area and I speak for 20 acres of that area. Now I bring that up only in the fact that I've heard people say well I've lived there for 18, 19, 25 years.

"The piece of property that I am referring to dates back in my family to the land grant time and was purchased during that time by my great-great grandfather from Atchison, Topeka, and Santa Fe Railroad.

"We since that time have had affiliation with Sedgwick County and Wichita and have been very satisfied. Mr. McCray was our representative and was very beneficial to us out there and like most of them have said, I would prefer no change. But of course, it does come and we have to accept it and I would prefer to keep what's left, and by the way, most of the property that these people are talking about was in my family when they had all that ground out there. But being Kansas Day coming up here at the end of the month and so forth I wanted to throw my two cents in and please Wichita, if it has to be, take us."

Chairman Winters said, "Thank you. Next speaker please. Are there other speakers? If there are other speakers, please come to the podium. Any other speakers in the audience, please come to the podium."

Mr. John Stark said, "I live at 5518 Sullivan in the Riverview area. I wish to clean up any issues that didn't get mentioned and try not to repeat things you've already heard. As you can see, the issue is friendly annexation versus forced annexation, with the numbers that you have received, 80% wanting to go to Wichita, 90% not wanting to go to Park City approximately. We believe Park City's philosophy is, if you don't agree with us, then you must not have all the facts yet. There are occasionally odors from their sewer plant at this time and we're concerned that if the volume is increased with more connections that there would be more problems with sewer odors as you increase the volume of what is there, that would increase the amount of odor that would come off of it. We want to say that we do not reject the citizens of Park City.

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"We feel that we are friends with them. We have some neighbors that are from that area and this is not in any sense of the word a rejection of those people. This is just that their government is trying to put themselves on us and we don't want that. We want to have our own free choice in what happens here. We believe that Park City is too small to provide adequate service to an area as large as Riverview and the Park City water line along 61st Street probably needs a little more clarification. A day or two ago, I talked to the people who bought that camp area. There used to be a YWCA Camp. It was called Bideawee and the current owners of it bought it from the YWCA and the YWCA was the one that paid to put the water line in there.

"It is four inch water line, as I understand, with ten connections and it is outdated and it is not really an issue in this matter at all. No matter who gets the area, if water service is provided up there at some point, that water line will become obsolete. It is pretty much that way at this point as far as water and fire protection goes. We pay taxes and maintain the community up there and our future is at stake in this, not Park City's future, as they would like you to believe. There have been no citizens in the Riverview area that have spoken up in favor of annexation to Park City.

"We find that to be rather significant although you've heard from some of their City Commissioners and people that support them, you've not heard from anyone in our area and that is not because we've badgered anyone, we respect the rights of all of our neighbors and we have not badgered anyone in this matter at all. This is not an issue of Wichita overpowering small towns around them. The issue is that our community realizes it can no longer remain unincorporated and we are expressing our desire to become part of Wichita. In America, this is the essence of grass roots democracy."

Chairman Winters said, "Thank you. Are you completed John?"

Mr. Stark said, "Not really, but I think you've got the jest of where we're going."

Chairman Winters said, "I think we've got the jest of your comments. Are there any other speakers?"

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Ms. Susan Kandt said, "I live at 5615 Sullivan Road. I will be very brief. I just wanted to say that my husband and I moved to this area very recently, about four years ago. We moved here for quality of life. We were welcomed with open arms by our neighbors and I just wanted to mention, I don't know if anyone has noticed it, but the City of Park City is not mentioning quality of life. It is our neighborhood. Thank you."

Chairman Winters said, "Thank you. Appreciate your being here. Anyone else in the audience who would like to speak to this issue, come forward."

Mr. Fred Underwood said, "823 West 54th Street North, I have lived in the area forty some years. I would just like to bring up several points that I feel haven't been brought out. In our sewer meetings with Park City, we had a meeting like on January 30 like this one was going to be and we had a meeting where we all stood outside, colder than hell. This has all the earmarks of being the same thing. Same meeting hall, no room, you can't even get in the door.

"Our first indication of this annexation was not what's been brought out so far, it was by a bragging Park City person who back in September said we were going to be part of Park City. That's when we decided we better get off our duff and start doing something. That's when we started. The bad water in Park City we don't want. All those people have to pay to buy at least 3,000 gallons of water a week at the local grocery store and they have a line coming down from the Belaire wells at about 48th Street coming down Arkansas Street.

"I can only find three people hooked up to it. One party says that they put a filter system on and they can tolerate it. The two other people can't even drink it. Well I have some more thought on it but I don't want to take up any more time. I just wanted to bring out those particular things at this meeting. Thank you gentlemen."

Chairman Winters said, "Thank you very much. Appreciate your being here. Is there any other speakers? Please come forward."

Ms. Donna Ard said, "I live at 5811 Sullivan Road. I will be exceptionally brief. We find ourselves curiously unrepresented and you are the only body to which we may appeal. We have never been able to vote for the representatives of Park City

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who have misled us at every opportunity. We cannot vote for the members of the Wichita City Council. You are our only hope and we appeal to you most directly. Thank you."

Chairman Winters said, "Thank you. We appreciate you being here. Other speakers please."

Mr. Bill Sutton said, "I live at 859 West 50th North. The city limits is exactly one block south of me, so if you're going to make a line as far as Park City and us, I want to be in Wichita, because it is just exactly one block south of me. That's all I have to say."

Chairman Winters said, "Thank you. Appreciate you being here Mr. Sutton. Next speaker please."

Mr. Dick Clark said, "I live at 1135 West 53rd Street North. I am Medical Director of SOS Technology. Mr. Scott from Park City talked about this being island annexation by the City of Wichita. They didn't ask to do this, we went to them. It was our choice that we wanted to do. Secondly, he says it is an emotional thing. You're darn right, when you mess with our homes, our schools, our kids, our playgrounds, it's emotional. It's our right. As far as the influence in growth in Park City that this will hinder it, I think that's a direct lie.

"Why not put up here a chart of how far north Park City has annexed, how far east, how far west and how far south? They have plenty of room to annex, there is no getting around it. Another thing, the distance between Riverview and Wichita is an urban area. The distance between Riverview and Park City is an agricultural area. So, we want to be with the City of Wichita if we have to go somewhere. The last thing that I'll say is that as far as the speakers that have been up pro and con, for Park City, there has been three members of their Board, three others, two letters, and two phone calls presented by Mrs. Miller, and look around you and see what you see. Thank you."

Chairman Winters said, "Thank you Mr. Clark, appreciate your being here. Other speakers? Again, if there is anyone else who would like to speak on either side of this issue, I know we've been listening to the side who are from the Riverview

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area but if there is anyone else on either side or any question that has not been spoken this is the time to do it."

Ms. Cecile M. Cox said, "I live at 6559 West Parkview in Park City. I have lived in Park City 38 years and the old water plant was directly behind our home and the truth is that we did not have maybe once in a great while any odor. But I'd like to say that I like Park City, I've lived there 38 years. We had six children that were raised there. Two of our daughters have bought homes there and Park City is a growing community. We have a Quik Trip, a McDonalds and I venture to say that a lot of these people from Riverview participate and go to Park City for these services. But I just want to stand up for Park City and say that I enjoy living there and we are proud of our city and I was president for two years of the Park City flag committee.

"We try to do all that we can for our community. So, I hate to hear all these negative things about Park City so thanks a lot for your time."

Chairman Winters said, "Thank you. We appreciate your being here. Is there anyone else who would like to speak? Anyone else who would like to speak? Okay, we're going to close the public comment of this meeting and limit the discussion to the bench and staff. Commissioners, you've heard the discussion."

Commissioner Gwin said, "Mr. Chairman, I'll start. This is very unusual, quite frankly, because in most cases when annexation request come before this Board of County Commissioners they are done quietly and very easily. Generally there is not a protest and it is kind of a routine process if you will. In talking to a number of you on the phone, I have explained that this is different for us. Generally, when a city prepares to annex an area, maybe the area is or is not thrilled about it but in most cases, they go whether it is Maize or Clearwater or the City of Wichita, or whoever. It is a natural process of growth and prosperity. So to have a dilemma, to have this kind of presentation before us is unusual. It's never happened since I've been on the Board and I'm not the senior member in years, just in age."

Commissioner Schroeder said, "Thank you for clearing that up, I really appreciate that."

Commissioner Gwin said, "And so as I started to gather the information about the

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Park City request and then the neighborhood's request, I've been overwhelmed quite frankly by the response of the neighborhood. I don't think I've ever had an issue come in front of me that there was this kind of out pouring of opinions from the neighborhood. Neighborhoods are usually fighting one another. They are usually 60-40 or 70-30 at most, or usually 51-49, so it makes it very difficult for us. There are several things obviously that I have to consider in this but one of them is certainly the opinion of the neighborhood.

"I have to consider whether or not this is in line with the comprehensive plan in your request to be annexed by the City of Wichita, if that's appropriate to planning. I have to consider if this annexation will inhibit the growth of the City of Park City and inhibit their prosperity. I also have to consider whether or not services can be readily available and whether or not the capacity to provide those services is available. I have, in considering all those things, I believe I am prepared to support the annexation of this area in the City of Wichita.

"I would caution anyone who believes that this sets a precedent for Commissioner Gwin and that I will easily approve annexation when there is controversy or as some have said, island annexation, though I don't know that this is necessarily that case. As I stated earlier to Mr. Finkbiner I am going to consider each of these cases as an individual case when it comes in front of me and I am going to consider the factors that I must consider when it comes to an annexation question.

"Considering those, I believe my support will be to support annexation of this area to the City of Wichita. I would hope that my friends and that the Council of Park City understand that I don't believe this is choosing sides necessarily. I certainly don't intend it to be so because I am proud to represent a portion of Park City. What I am trying to do is what I think is right and what is right for the majority of the people who are affected and to follow the will of the people who are in the

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Riverview neighborhood. Thank you Mr. Chairman."

Chairman Winters said, "Thank you Commissioner Gwin. Commissioner Miller."

Commissioner Miller said, "Thank you Mr. Chairman and Commissioner Gwin, I concur with everything that you said. I would like to bring a bit of a different slant to this. Yesterday I decided that I needed to take another drive through Riverview and I did that and I just want to say to those of you that have taken the time away from your jobs, away from your home life to come down and present your case, your personal opinions, your view points on this issue, I want to thank you for taking the time to do that. I feel that I now a lot of you out there as I look. I know that I know some of you. Others, I have had an opportunity to talk to over the telephone and others I have had correspondence by way of mail and your neighborhood is a quaint neighborhood. It is one that is whole and collective and I can't see separating or breaking it up. I can't agree with that.

"I want to track through a chain of events here. Sometimes people tend to, well, especially now, tend to balk and complain and grumble about how it is the government just simply isn't responsive. How it is we don't respond to the average taxpayer, the average resident out there. Well, I'm happy to say that you've turned it on the flip side? How have you done that? Exactly what Commissioner Gwin was saying. You made government move and move quickly. Some in Park City and my respects go to you Mayor Biggs, Jack Woodson, Doug Scott and others that are representative of Park City. The fact of the matter is that this is not a popularity contest, it is a matter of choice. You had a choice and preference in this issue of annexation.

"Well, let me step back, most of you don't want to be incorporated by anybody. You enjoy the lifestyles of being associated with the County and I love hearing that and I'm sure every other Commissioner does and our Manager. But circumstances do change and the look is as though one of the cities is more than likely going to annex your area. You have a choice in the matter. You've chosen and you've spoken in an overwhelming majority. And as an elected official, who has been elected to represent yes, individuals in the City of Park City, who has been elected to represent residents in your area?

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"There is no way that I can turn a deaf ear, that I could question that sound judgement of a majority of residents. And that is exactly what you've been able to do. When I think about this being an issue that will somehow separate bodies and I'm talking about governmental bodies, Sedgwick County, the City of Wichita, and Park City, I'm hopeful that once the decision is made that we will be able to, and this is an old cliché, the fact of the matter is that we will be able to begin a healing process. There's been a lot of rumor mongering that's been going on out there and we have to understand that we, government officials, have responded to your request.

"I am prepared to be openly supportive of the recommendation as it is stated. To make the findings that the annexation of certain non-adjoining lands to the City of Wichita will not hinder nor prevent the proper growth and development of the area or of any other city located in the County as presented in the MAPD report; and notify the Wichita City Council and City Clerk of the findings. I am prepared to make that motion Mr. Chairman.

MOTION

Commissioner Miller moved to make findings that the annexation of certain non-adjoining lands to the City of Wichita will not hinder nor prevent the proper growth and development of the area or of any other city located in the County as presented in the MAPD report; and notify the Wichita City Council and City Clerk of the findings.

Commissioner Gwin seconded the Motion.

Chairman Winters said, "We have a Motion and a second, do we have discussion? Commissioner Schroeder."

Commissioner Schroeder said, "Chairman if you please, this has really been interesting for me. This is the first time I've ever dealt with this type of an issue and especially of this magnitude. We haven't filled this room like this since rock concerts at the Kansas Coliseum. But it is a different crowd, much quieter and we thank you for that. It's been interesting to listen to the comments today because I hear a lot of what I think most of us feel in our own lives and neighborhoods

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where you establish yourselves, you bring your kids up, you become connected to a neighborhood and to the people who live there and you have desires and needs and wants of that neighborhood and you obviously have a feeling who you think can fill that the best for you, whether it is this city, that community or another city or the county.

"That has been expressed very well today and I've been doing just kind of a numbers count. It's almost two to one today to support the City of Wichita over Park City. I do want to thank Mayor Biggs and Mayor Parker and Council Members and Jack Woodson for being here.

"Your input proposal to us today has been very important to us and I appreciate the insight that you've given us, some of which I didn't have prior to today and I appreciate that. Over the last week or two I guess, I've probably had 40-50 contacts on this issue and haven't had that many on any issue in years and it has been very interesting because they've all been basically aimed in the same direction but for a variety of reasons which I stated before. And out of those, I've had three contacts and I got those here at work by mail and phone and some at home, phone calls this weekend.

"Only three are supportive of not going with the City of Wichita, out of the 40 or 50 contacts that I've had. So it is very obvious to have shown what is their interest. The majority of the residents have decided which way they want to see their community go. How they want to see their lives directed and I will probably have to support the residents in the action and I appreciate again all of you being here today and in taking time from your jobs or personal lives to come and be with us this morning. Thank you Mr. Chairman."

Chairman Winters said, "Thank you Commissioner Schroeder. Commissioner Hancock."

Commissioner Hancock said, "Thank you Chairman Winters. As I said earlier, I asked myself a couple of questions before this hearing and then listened to you folks to get some of the answers. I kind of drew a little symbol that says one side Park City and the other side City of Wichita, and unfortunately, I left Sedgwick County out of that, I wish that was an option where we could stay where we are.

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But some of the points that were made is that the services that are available to the area are closer and that they are readily available and that they can be installed very quickly if the area was served by Park City. The Mayor seemed to think that overall the cost of living in this area if served by Park City would be lower in spite of the higher mill levy. They also made the point in favor of Park City if the area influence is there, that this really should be a part of Park City.

“In the planning parts that we go through occasionally, this area was designated as an area of influence or interest to Park City. On the other hand, Wichita is claiming, and I haven't heard from the City of Wichita today.

“They claim that the area is within their area of influence and interest and that from the information that I have attached to the abundance of information that we have the City of Wichita has clearly stated that they are willing and quite capable, and I'm sure they are, of providing the area with adequate and quality services. So, when I look at all this stuff and listen to what everybody has said and what I've been able to read, they've made their cases and their cases are very good. I kind of hear that there is some what of an animosity left over from the sewer plant hearings. Keeping this in mind, I ask why in the world would any city want to take in an area, I've never quite been able to grasp and get my arms around the annexation process.

“Those that talked to me about annexation in the past, I'm not sure that it's the desire on benevolent City Councils that they want to go out and help folks, generally, they want to not be caught in a situation where their growth, their possible expansion of their city is inhibited in any way or two, they need a tax base.

“It sounds bad, but it isn't bad for a city or county to want a tax base it lowers the cost for everyone concerned as far as taxes are concerned. It is not bad, but those are sometimes the desires and so I haven't heard that addressed today. In asking for a larger map of the area, I was just curious, I was trying to organize it in my own mind. Would this be a situation where the city would be inhibited from growth? I wasn't sure of the immediate situation. I look at it in terms of what this is going to look like 30 years from now. I believe, if Wichita would do this, this would be the first city that is in direct contact of border to border or city limit to city limit, outside of Eastborough, that's an unusual situation.

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"That's brand new, that's a new experience we haven't gone through before and it will be interesting to see how all that plays out in the future. But folks, I think that you're being here today and the majority of the community clearly stated to us that we want a choice and we ask that you join us in that choice, I think that is the primarily the determining factor. It is awful hard sometimes to be logical about these things and project the results 30 years from now.

"I am probably now qualified to do that, but as near as I can tell, this probably won't hurt the growth of Valley Center, probably won't hurt the growth of Park City and it will probably will not inhibit the growth of the City of Wichita when each of those entities need to expand. So I concur, I support the views of I believe the majority of the Commission and will support the Motion."

Chairman Winters said, "Okay, thank you very much. I would just make one quick comment. I want to respond to all of the smaller communities in the western part of Sedgwick County who have contacted me on this issue and I want to assure them that I do agree with Commissioner Gwin when she said earlier this morning that the Board of County Commissioners will continue to examine each one of these kinds of issues on a case by case basis. I am going to be supportive of Commissioner Miller's motion but in my mind, this is not setting any kind of precedent about island annexation and one city leaping out into the County to annex areas close to other communities. I do not see this as any kind of a land grab by the City of Wichita. I really see it as Wichita responding to a neighborhood's request. Commissioner Gwin?"

Commissioner Gwin said, "Thank you Mr. Chairman. I don't know if we need to make an amendment to the motion or clarification. Mr. Plummer, do you need a listing of the findings of those different areas? Must we read those or recap those into the record?"

Mr. Plummer said, "It would be my strong recommendation, for several reasons, that you make detailed findings today. One, so that the people that are here know precisely the basis for your ruling. Secondly, so that if someone chooses to challenge this in court that we have an unassailable record so that the decision, whatever it is, doesn't get set aside by the court. My recommendation is that for those two reasons and probably a lot more, that you make a list of detailed

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findings."

Commissioner Gwin said, "I am prepared to do that and then secondly, do we need to, assuming from what I'm hearing, obviously this is going to pass, do we need to instruct your department to prepare a Resolution to this?"

Mr. Plummer said, "Yes, I can have that done by the end of the day."

Commissioner Gwin said, "Alright, thank you. Mr. Chairman, to itemize some of the findings, I'd take a few minutes."

Chairman Winters said, "Go ahead."

Commissioner Gwin said, "First of all, I'm going to support this motion because of the response of strong citizen interest to become part of the City of Wichita. It seems to be the overwhelming percentage of the people of this area do not see themselves as a part of Park City and they in fact initiated this request. Number two, annexation of the City of Wichita would not interfere with Park City's orderly development. Park City does have some small capacity water lines in the area but there are only a few people on those water lines and Park City's growth can certainly prosper to the north, east, and south.

"The flood control ditch and the ATSF Railroad tracks I think makes some sort of logical municipal boundary, because of physical separation that they create. As I said earlier, I think Park City has laid out a very large area to its north and northeast for future growth and I've even seen plans of some development north of 85th Street so I know they are planning on going north. Wichita appears to be in the best position to give full service to the area and obviously a quality of service that the residents indicate that they want.

"Sewer service may also be provided through the extension of Wichita sewer mains from the south. As to public safety, there is a County Fire Station at 53rd and Broadway and that station is not going anywhere without enhanced first responder agreement, that station will still probably be the first station to serve this

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area whether this area is a part of the City of Wichita or not, that's the way we work together. Police patrols would obviously have to be based out of the farther west side. If the City continues to grow north, I would expect the City be prepared to add more stations and certainly by adding a hundred additional officers to their force, I think public safety issue is a mute point.

"Further, I believe the annexation will eventually result in the upgrading to higher standards of some of the housing and Health and Environmental codes and I think that would be a positive and may make some positive improvements in the neighborhood. Finally, I believe the properties are eligible for annexation under K.S.A. 12-520-C. Is that enough Mr. Counselor?"

Mr. Plummer said, "Another thirty minutes ought to do it. For my purposes, your findings are certainly more than adequate, thank you."

Commissioner Gwin said, "Okay, thank you."

Chairman Winters said, "Thank you. Any other discussion?"

Commissioner Miller said, "Just for a quick note. For those that are in the audience, what Commissioner Gwin was basically recounting was what the City Council has already found, to be able to reference back to it."

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

Commissioner Schroeder said, "Just one last issue. Yesterday, I had a call from the Mayor of Derby and I forgot to mention this earlier, expressing his support of Park City and I wanted to let you folks know that. He did make that call to me. Thank you Mr. Chairman."

Chairman Winters said, "Okay, thank you. Any other discussion? We've heard the Motion and the supporting statement which in effect will allow the City of Wichita to move forward with their annexation process. Any other discussion? Madame Clerk, please call the vote."

VOTE

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Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Thank you very much. I'd like to take a five minute recess, but I want to come back here in five minutes. Our next item is the corrective action plan for population management at the juvenile detention facility and we've got about 20 minutes of TV time and I want us to talk about that on TV. We're adjourned for five minutes.

The Board of County Commissioners returned from recess at 11:45 a.m.

Chairman Winters said, "We're back in session. Madam Clerk, next item, please."

NEW BUSINESS

G. CORRECTIVE ACTION PLAN FOR POPULATION MANAGEMENT AT THE JUVENILE DETENTION FACILITY.

Mr. Kenneth Hales, Director, Department of Corrections, said, "The Kansas Department of Health and Environment is the regulator authority that sets standards and licenses the operation of juvenile detention facilities. In September of 1995, the Department of Health and Environment audited the facility and a number of deficiencies were found. Particular to population were three.

"One, that the number of juveniles detained exceeded the licensed capacity of the

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facility. Secondly, that we were housing in the facility more than one child in one room. That is the number of kids held per sleeping quarter was in excess of what the size of that sleeping quarter could accommodate. Third, that we did not have enough activity space for the number of detainees in a particular activity area. A corrective action plan was submitted to bring into compliance all the physical plant and procedure issues.

"However, the provisions related to population management were not found satisfactory by the Department of Health and Environment. The Department of Health and Environment requires a corrective action plan that promptly reduces the population to an acceptable level and identifies how we will maintain that and maintain compliance with all regulatory standards at the same time. Submitted for your approval is our plan to do that.

"The goal of the plan is to reduce the number of juveniles housed in detention to an operating capacity of 45. This will be done by controlling admissions as strictly as reasonable without jeopardizing public safety. It will be done by expediting placements with the Kansas Department of Social and Rehabilitative Services. It will involve prioritizing offenders held in secure detention, and it will involve holding, via contract, detainees at alternative sites. There are a number of components to pursue this objective.

"One is the development of a detention utilization committee. In order for the plan to work, it involves the participation and the support of all the key stakeholders involved in the juvenile justice process. These individuals will make up the juvenile detention utilization committee.

"This committee will be the forum in which procedures will be discussed and agreements can be forged that are acceptable to all parties. Another component involves limiting, as much as possible, how long detainees remain in the facility after they have been placed by the court. A third component involves re-examining the intake screening tool to ensure that we are only holding the detainees who require secure detention and that we are as rigorous as possible in exercising that criteria without jeopardizing public safety. An additional element involves creating

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a mechanism so that when we go over the operating capacity we can come back within it. Specifically, we are shooting for an operating capacity of 45. And if at any time we exceed 45, a mechanism and procedures will be undertaken to promptly return us to 45 within 72 hours.

"A final component of the plan does involve securing additional juvenile detention services. We understand and aggressively pursue those procedural elements we can do to control the population but we realize that in addition to that, we're also going to require, we need to have in place, alternative housing and this component will address that, specifically the Sedgwick County Department of Corrections shall pursue and negotiate and provide to the BOCC for their consideration contracts with private and public providers for juvenile detention services.

"In addition to the short term elements of the plan, those things that will bring us within suitable operating capacity and maintain that, the Department of Health and Environment requires our best thinking on what we're going to do to manage this over the long term, over the next ten years and plus. So, other elements of the plan are identified. One of those would be to examine alternative construction. We will examine what things can we do, other than traditional juvenile detention construction, that may be of assistance to us.

"Perhaps of more significance in the long term is to engage in the detention needs analysis through a grant from the Office of Juvenile Justice Delinquency Prevention, department staff and the detention utilization committee who will work with the Kansas Sentencing Commission and the National Council on Crime and Delinquency to do a population analysis for detention services in this community.

"When this is all completed, we'll have a good idea of what the demand for detention is going to be, what are priorities for utilizing detention services and, what factors we will put into the mix that would either raise the population trend or decrease the population trend. Therefore, we could come back to the Commission with our best, thinking, 'these are the demands, this is the population demand we envision being asked to deal with over the next decade' and formulate our plan then for the long term detention needs and ensure long term compliance with regulatory requirements.

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"The key element in your attachments; there are a number of population targets and outcome time lines. We believe these to be the most critical elements for this to be seen as successful and acceptable by the Department of Health and Environment. All of the other things that I have mentioned are steps to achieve this. In particular, we are committing that by March 20, our population will not exceed 55, by April 12 the population will not exceed 50, and by May 1, the population will not exceed 45. One caveat is that we started pursuing the provision where if it goes over 45, we have the 72 hours and the plans to bring it back under, but the idea is as of May 1, our operating capacity will be 45 and we will maintain that capacity until such time as we have the long term plan underway. It is staff recommendation that the Board of County Commissioners approve this plan and authorize submission to the Department of Health and Environment."

Chairman Winters said, "Okay, thank you. Mr. Schroeder."

Commissioner Schroeder said, "Mr. Chairman, if you please, Ken, key players in this are the State of Kansas, SRS, KDHE, how do you feel about their participation in this process and whether we are going to get positive results from that cooperative spirit we've tried to begin?"

Mr. Hales said, "We've had two meetings, one facilitated by the past Chairman and current Chairman seeking the support and participation of these key stakeholders. I am very encouraged with the level of support that they have articulated. They have reviewed the plan in front of you. They have had input on this plan and they have indicated to me their desire and willingness and commitment to make this plan work."

"Obviously, I need them to come together and put the specifics to the plan and make agreements, but I am very hopeful. I feel we have an excellent opportunity with the players involved now to pursue this in the most aggressive manner we can with consensus."

Commissioner Schroeder said, "I appreciate that and I am glad that cooperative spirit is there, because obviously we know that whatever we do hinges on whether those departments and individuals agree with our system and our plan. Another key part to this are the judges themselves and my understanding is that they are

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willing to look at this plan and make it part of the system too, is that correct?"

Mr. Hales said, "That is correct sir."

Commissioner Schroeder said, "Okay, very good. Thank you Mr. Chairman."

Chairman Winters said, "Okay. Ken, since a part of our answer here does require at least a partial privatization of some of the beds that we will be using, have arrangements been made with the company at Forbes Field or others who have beds available?"

Mr. Hales said, "So far, the staff have already negotiated a tentative price with them that we would formulate with the regard to extending our contract of services. There are a couple of options there that we will present to the Commission at a later time for your consideration. Staff has also spoken with the other juvenile detention facility directors across the state and have received positive feedback from them on their willingness to entertain contracts too."

"I am very hopeful that we could have before the commission an expanded contract with the Forbes Detention Facility very soon and within perhaps two months, additional contracts with other detention facilities to provide us space as available. There are some facilities that currently have space available."

Chairman Winters said, "As we are presenting our plan to Secretary O'Connell, even later today, I would think that would be important for him to know what we're actively pursuing. We've said we're going to do something, if we don't have it quite in place yet, I think we need to somehow emphasize that is going to take place. Secondly, the way I interpret this plan is that on March 20, 1996, there will not be more than 55 individuals in our detention center. Who is the person that is going to be absolutely responsible when number 56 shows up to the door that they don't come through the door."

Mr. Hales said, "The way the plan is anticipated is when the 56th person comes to the door, we will admit that person, but that will take us over our threshold and then we will engage that mechanism that would bring together perhaps a detention review committee or other things to bring the population back down. I fashion that

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provision off of the population control plans from a number of juvenile detention facilities and jail facilities which require that when someone is duly processed then maybe someone, an individual, where the seriousness requires detainment, then they come in. But then you have to immediately look at the population and decide who gets out and that is what we hope to bring to bear here."

Chairman Winters said, "And then the other option too, would be to move, if there is no one to be let out, then somebody needs to put into motion the mechanism to be transferred to another facility."

Mr. Hales said, "Exactly true, and that's one of the things that the judges and the others felt most comfortable in jumping on the band wagon here because we plan to have more tools for them to use. I mentioned to them that when we have the population review if we're over the limit the residential facilities at their disposal, home base arrest is at their disposal, a contracted facility is at their proposal.

"We'll have a host of options as well as just picking some detainees that we may send home. A host of other options that they can use to make this happen. That has significantly increased comfort to know that."

Chairman Winters said, "In the proposal that we're making later today, is asking that 45 individuals be the new limit, is that part of our request today? Are we formally requesting that the Kansas Department of Health and Environment reconsider our limit of 33 and increase that to 45?"

Mr. Hales said, "The way I understand from our prior discussions is we'll submit a plan and our plan specifies that we will maintain an operating capacity of 45. We would still be of violation of our license capacity unless we were to expand or do other things. However, they would not impose penalty as long as we are implementing our plan.

Chairman Winters said, "Will our plan include information that would allow Kansas Department of Health and Environment to see that 45 is a workable and controllable number for our facility?"

Mr. Hales said, "I believe so. That's the big question we'll submit and we'll hear

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back from them. My confidence is very high that 45 is a very good number that will be acceptable to them. It is a huge improvement from what we've experienced over the past three years and my personal feeling is if we get the population down to 45 and manage it there, we've been successful. I do know from the input from staff that if we can operate at 45, the job is much easier for them."

Chairman Winters said, "This Commission will be taking up what I feel is a pretty good size step today in setting these numbers and then holding somebody accountable to these numbers and then again providing space for the situation when we're over those numbers. We've not done that in the past and in my conversations with Secretary O'Connell, he very definitely needed to see this and we've needed to make a response to that. Will you be in telephone conversation with him today, talking about our actions today, or how do you plan on notifying them?"

Mr. Hales said, "I hadn't thought about calling him specifically. I did speak to one of his assistants yesterday in preparation of them receiving it. I will call their office today, we'll fax them a copy today and a hard copy will be mailed overnight delivery."

Chairman Winters said, "Okay, thank you. Commissioner Miller."

Commissioner Miller said, "Ken, two questions. One has to do with that number 45. Is there anything magical about it or is it just an arbitrary number?"

Mr. Hales said, "It is somewhat arbitrary, in so far as if it is 45 or 47 or 43 that is not particularly significant. There were a couple of things that we specifically wanted to shoot for with the number. When I approached staff what is the number in which things really start to fall apart, and they say 50. The other thing I might add that is of paramount importance to population management, is that we don't have any kids sleeping on the day room floors, that they all have rooms. And even though we have 33 rooms, you'd think 66, there are many kids that can't have roommates. So 45 is the number we feel that would allow us to make that happen."

Commissioner Miller said, "Okay, the second one is, when you said when we go over number 45 to the 46th one then we need to kick it back to a 'review'

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committee, is that an actual committee? Did we come to some consensus on that?"

Mr. Hales said, "We have had a committee as one suggestion, I had on the procedures to bring you back to within the limits, the judges requested that. We considered that, but we also consider other mechanisms that may be used, perhaps certain protocols where staff would prioritize kits in detention and take them to the judge for review. Whichever way it works, to devise a way that would bring it back down. It's unrealistic in my belief to expect us never to go over the 45 and we are talking weekends where we could sometimes have a dozen, two dozen kids admitted. We're going to have to take action quickly to bring that back down and that is the emergency relief valve mechanism."

Commissioner Miller said, "Yeah, but what I'm hearing though is that we don't know that there is not an in pat system that we'll follow, that it's open ended."

Mr. Hales said, "It is open right now and in my plan..."

Commissioner Miller said, "And it seems as though it's at the direction of the judges, that they want that viability to try different things as opposed to a stiff that everyone is familiar with."

Commissioner Miller said, "That's true. I need to keep in mind when I discuss this with the judges that our authority not to hold somebody is at their discretion. If a police officer brings the offender to us, we're compelled to hold the offender and we're setting up guidelines under the color of the court that would say okay, this person is lawfully presented (coughing-inaudible) to keep this particular offender. We do have in the plan though, our target dates on when those elements would be identified, as to when we would have a utilization of a detention review committee or when we would have those other procedures that we would put into operation to make that happen."

Commissioner Miller said, "So they are spoken to in the plan."

Mr. Hales said, "Correct. For example, establish emergency detention population review protocols. Those will be initiated the 15th, that is we hope to have the

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protocols outlined by the 15th and have them in place and utilized by the 30th of March."

Commissioner Miller said, "Fifteenth of February or 15th of March?"

Mr. Hales said, "The proposals on the protocol would be drafted on the 15th of February and we would have them implemented, it will take time to train staff and train the other people involved, the 30th of March."

Commissioner Miller said, "The protocols will be in place, will be identified and in place by the end of March."

Mr. Hales said, "Right."

Commissioner Miller said, "Very good, that's what I needed to hear. Thank you."

Mr. Hales said, "And if I could add one comment concerning the juvenile judges. It is imperative, I believe, for us to pursue these procedures in a way where everybody is in consensus and agreement and that we're in a win-win relationship. In discussion with the judges previously I felt that our ability to be successful has been hampered by not pursuing it in that way. That's why I have particular deference to these elements of the plan. I believe I have greater optimism in that we'll be able to make these elements successful by giving them the opportunity to work on these parts of it."

Commissioner Miller said, "Okay. Thank you. Thank you Mr. Chairman."

Chairman Winters said, "Commissioner Hancock did you have anything to say? Mr. Manager? We've heard the discussion, Commissioners, what's the will of the Board?"

MOTION

Commissioner Schroeder moved to approve the Plan and authorize submission to the Secretary, Kansas Department of Health and Environment.

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Commissioner Hancock seconded the Motion.

Chairman Winters said, "The only other comment I would make is Ken, in your conversations with Kansas Department of Health and Environment, I would hope that you would express this Commission's sincere desire to correct this situation and it is a priority and we intend on continuing to work on it. Any other discussion? Madam Clerk, call the vote?"

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "What I would like to discuss here for a moment is I indicated to staff that we would resume in approximately an hour at 1:15. We do need to have an executive session and I've not been informed that some Commissioners have an afternoon meeting. Mr. Plummer is it possible for us to recess into executive session and just reconvene here at 1:15 and convene in executive session at 1:00?"

Mr. Plummer said, "You mean recess into executive session right now?"

Chairman Winters said, "Well, I was listening to the City Council yesterday and they went into executive session and went and got lunch and then set a time to come back after that and I'm just trying to see if we can get executive session done before 1:15, but we're not going to start back in regular meeting until 1:15."

Mr. Plummer said, "The only implication is that you can't discuss any business. We can discuss the business within the notice of executive session but nothing else."

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Chairman Winters said, "In order to shorten this time period that I've lengthened out, I'm trying to shorten back our recess for lunch and get part of that executive session done over our lunch period, but if that's not possible, we'll just come back at 1:15 and proceed."

Mr. Plummer said, "All we can discuss is the item on the notice, other than that, that's fine."

Commissioner Gwin said, "So do we need to make a motion to convene at 1:00?"

Chairman Winters said, "I would say that we recess right now into executive session and then we'll grab lunch and be there at 1:00 and we'll discuss whatever the motion entails."

Mr. Plummer said, "Are we recessing into executive session now? Then the motion has to be to recess into executive session and then come back at a specific time?"

Chairman Winters said, "At 1:15, but can't we go get our lunch in that process?"

Mr. Plummer said, "Yes. That's executive session material."

Commissioner Miller said, "Can I make a motion?"

Mr. Plummer said, "You can make the same executive session motion."

Commissioner Gwin said, "Except that we return at 1:15."

Mr. Buchanan, said, "If I may muddy this water a little, you could recess now, but during the process of recessing indicate that you are going into executive session at 1:00 and will return at 1:15. That really means that you are free to do whatever you want to do between now and 1:00."

Chairman Winters said, "I am just trying to save 15 minutes."

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Commissioner Gwin said, "Can we do that? Can we make a motion that we are going to recess now and at 1:00 we're going to go into executive session and be here at 1:15."

Commissioner Schroeder said, "Well, it's 12:00 now so what do we do?"

Commissioner Gwin said, "Well it's 12:30."

MOTION

Commissioner Miller moved that the Board of County Commissioners recess into an executive session and reconvene at 1:00 and we will discuss consultation with legal council on matters privileged in the attorney client relationship relating to pending claims and litigation. And the regular meeting will reconvene no sooner than 1:15.

Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

The Board of County Commissioners returned from Executive Session at 1:15 p.m.

Chairman Winters said, "We're back in session. Let the record show that no binding action was taken in our executive session. Mr. Plummer?"

Mr. Steve Plummer, County Counselor, said, "Commissioners, you have, in front

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of you, a workmen's comp. claim by James B. Peters in the Sheriff's Office. It's for an injury to his left knee. I recommend that you settle that claim in the amount of \$9,570.00."

MOTION

Commissioner Schroeder moved to approve the Workmen's Compensation Claim by James B. Peters in the amount of \$9,570.00.

Commissioner Hancock seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

H. 1996 NATIONAL ASSOCIATION OF COUNTIES ACHIEVEMENT AWARD APPLICATIONS.

- 1. APPRAISER'S OFFICE: INFORMATION AND ASSISTANCE DIVISION**
- 2. FIRE DEPARTMENT: ENHANCED FIRST RESPONDER**

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AGREEMENT

- 3. INFORMATION SERVICES DEPARTMENT: ON-LINE PURCHASING/ACCOUNTS PAYABLE APPLICATION**
- 4. SHERIFF'S DEPARTMENT: LAW CAMP**
- 5. PUBLIC RELATIONS: "DON'T HANG UP"**

Mr. William P. Buchanan, County Manager, said, "Commissioners, you have before you those applications and what we will do now, if you approve us submitting them, we will do so and we will be recipients of those awards in about five or six months."

Commissioner Gwin said, "Does everyone want to get up and talk about them or not?"

Mr. Buchanan said, "No, we're going to talk about them on television later."

Commissioner Gwin said, "Okay."

Chairman Winters said, "The one that I see is the Fire Departments Enhanced First Responder Agreement. If you want to save that until a later time, I'll be glad to hear about that at a later time, if that is your desire, but that seems to peak my interest."

Mr. Buchanan said, "That is a good one and Gary, if you would come forward, we can talk about it a little bit, because that will be of interest to the City of Wichita. The City of Wichita is in the process of reexamining whether that's in their best interest to participate. So this will be a topic for discussion between you and the City Council at some time in the near future. So it might be helpful to spend a few minutes now hearing about it. Why Gary Curmode thinks we need to receive an award."

Commissioner Miller said, "So, I just want to be clear, are we going to entertain the others?"

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Chairman Winters said, "I'd say if someone has a question about one of the others, it looks like the folks are here so we can talk about it. The Chief is at the microphone, let's go ahead and talk about this and if anybody wants to call up one of the others we'll talk about it."

Mr. Gary Curmode, Fire Chief, Sedgwick County Fire Department, said, "The achievement award application we're applying for is the Enhanced First Responder Agreement. A few years ago, Bill Buchanan, our County Manager, had vision and discussed this with the City's Manager, his counter-part to discuss ways to eliminate duplication, increase efficiency between departments, try to seek more effective fire service delivery. They put this on the previous County Fire Chief, Chief Nichols and Chief Garcia. I worked on it when I was on the City and at that time, when I came over, I had to address it as my first issue major policy decision and we signed off on it and then shortly began implementation phase.

"Basically, prior to implementing this agreement, either jurisdiction could handle one major fire alarm or emergency incident fire with no real problems. But two entities in the same jurisdiction we're taxing and we thought what a waste, without getting more fire stations, more fire fighters, why not make an agreement to utilize the resources in Wichita-Sedgwick County to more efficiently. And this is how the agreement came about. We came up with fourteen recommendations that were done with little or no cost to either department and so what we've got out of this, we started it November 15.

"We've made some minor adjustments with dispatching. They've been instrumental in making this effective also. We meet on a weekly basis with dispatch. The department heads meet, again, to fine tune it if you will. What we have done now is to increase emergency response times regardless of jurisdiction.

"The winner is the citizen. We recently had a situation in Indian Hills out near Webb Road and Central, or Forrest Hills, excuse me, that a person was in a code blue status. The EMS arrived first, we arrived second even though it was in the City. We brought this person back to what we call a field save.

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"That means we started the pulse again, started the breathing, they made it into the hospital and went into intensive care. I don't have the status of that person at this time, but it shows the system does work and when someone needs care they don't care what's on your shirt or what's on the side of your fire apparatus, they want you now. And that is what I think this is doing, so with the support from the Manager and the Commissioners signing off on it, it's been very workable. We're evaluating on a daily basis. We're compiling stats. We find it interesting, since the last fine tune occurred, since January 1, 1996 to midnight last night, we have answered into the City 50 times and the City has come into the County 56 times.

"So it is pretty close. Again, that's through some fine tuning efforts of dispatching along with both the Chiefs. Just the success of the program itself is an award and we feel very happy about it and that's why we submitted the award application."

Commissioner Gwin said, "Question. Is there some concern on behalf of our counter-parts across the street that the City taxpayers are paying for a service that is going to people who don't pay for that service? Do we have a problem here? Mr. Manager do we have some sort of problem with this?"

Mr. Buchanan said, "We're hearing that there is a problem and we're going to track that down and do some analysis of those calls and hopefully be in a position to offer to you and the City Council information so informed decisions can be made, not decisions because the City fire truck was three or four or five miles into the County.

"That was the issue that we had heard about that caused the difficulty. It was the distance into the County that the truck was going. But both parties need to be comfortable and assured that each of us are being served well and that's why we continue to gather the statistics that we have."

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Commissioner Gwin said, "Obviously, I'm going to support the application for an award, but as a taxpayer it does concern me to think that when someone's life and well being ought to be the primary importance, that there are people who would say 'well you can't go there, because they don't pay for that service or you can't go over here, because they don't pay for that service'. That seems very small and narrow minded to me."

Mr. Buchanan said, "You see, that's why we need to gather that information, because if that's the issue then, what are the dollars involved and how much would it cost to continue. At the end of the year, they've served us more than we've served them, what would the dollar figure be and does that make sense to start talking about that or is the issue really turf."

Commissioner Gwin said, "Well, I appreciate that. I suppose as the Chief has said however, that when the public, no matter where they live, calls 911 and needs some emergency assistance, I don't think they care what color truck, what color uniform, who's paid for it or not, if the service is available and can get to them the quickest, that's what they want. And anything short of that is certainly not providing very good service."

Mr. Buchanan said, "And that's what has driven us to try to provide service in this way."

Commissioner Gwin said, "Thanks Chief."

Chairman Winters said, "Commissioner Schroeder."

Commissioner Schroeder said, "Mr. Chairman if you please. I heard that discussion too and I think it was Council Member Ferris, if I'm not mistaken, that brought that up. But this isn't a perfect situation where each entity is going to extend the same exact amount of money. I mean it is much like the Sheriff Department and the Police Department. There is give and take. Sometimes it costs you more to go in to assist on a problem or in a crime than it does them and visa versa."

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"I think that's what is going to happen here. You just said they've made 56 calls into the County and we've made 50 into the City. That is darn near a 50-50 proposition and I think when they took this on, that the County covered well over a 1,000 miles, and yes it could require a little bit further to travel from time to time. At the same time, the purpose is to protect the citizens, which everybody has said here, and I sure hope that we don't get into some kind of convoluted agreement where we have to start paying them back X amount of dollars for extra miles driven, et cetera. It just makes the first responder agreement ridiculous when you have to do those kinds of things. So I would hope that you and the staff and the Manager's Office would do your best to work with the City and tell them this is a cooperative agreement, this is give and take, there are no magic numbers. But if we can help, let us know. Of course we can muddy it up from time to time. But if we can help let us know. Thank you Mr. Chairman."

Chairman Winters said, "Thank you. Commissioners, would you like to visit about any of the other applications?"

Commissioner Gwin said, "Yes, I'd like Sheriff Hill to talk to us a little bit about how his presentation is going to be in regards to the law camp."

Sheriff Mike Hill, Sedgwick County Sheriff's Department, said, "You have the first string team in here this morning, but they had other meetings so you got the secondary team here this afternoon to talk about this. I have shared with you before about the law camp and I am being repetitious. As you all know, the rate of gang related violence and crime has steadily increased over the past several years and violent juvenile crime came to the forefront a week ago Monday. That trend that the violator is getting younger continues. Law camp is a program designed to create a partnership between the law enforcement community and our youth. Law camp provides a positive experience by using law enforcement personnel as role models and mentors to build self esteem, confidence and trust among our young. The age group to be used and were selected, were between the ages of 13 and 15. The reason we picked that particular age group, is that it is where effective programs are really lacking today.

"The first law camp was held at Lake Afton in August of 1995 last year. Law camp

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personnel from other agencies, the Kansas Army National Guard, McConnell Air Force Base, Kansas Wildlife and Parks and a couple of other departments joined with the Sheriff Department personnel to provide 150 youth from diverse backgrounds a sense of teamwork and belonging. They were taught that there were many activities that do not involve drugs, violence, or gangs. The fun activities included fishing, running, volley ball, demonstration by the Sheriff's Mounted Patrol, emergency service vehicles, military equipment and campfire talks. It also included educational and career possibilities, building self esteem, information on gang awareness, violence prevention, and drug abuse was also presented. Support was found from all levels of government and the private sector in our community. Over 40 organizations linked together to make law camp possible and successful. By the end of the three night, four day camp, positive results were apparent. There was unmistakable bonding between the youth and the law camp mentors and many of the young people have stayed in contact with these mentors since.

"This program was the first in Sedgwick County and plans are presently underway for Law Camp 1996. We hope to continue to address the gap in existing programs for this age group, to enhance the level of participation by private sector organizations and to continue to promote the intergovernmental cooperation and coordination. Such a program as Law Camp would be difficult for any one organization to sponsor. On behalf of the Sheriff's Department, I thank you, and I thank all who supported and we look forward to the continued support and we strongly and we are honored to put an application in for the NACo Achievement Award."

Commissioner Gwin said, "Thank you Sheriff. I fully expected not only will you be a recipient, but when that does happen, we'll have the cameras here and other media. Thank you."

Chairman Winters said, "Thank you, it was a good program. Any other, Commissioners, that you would like to visit about?"

Commissioner Miller said, "I would like to hear from the Appraiser's Office on the Information and Assistance Division."

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Chairman Winters said, "Alright, is there someone from the Appraiser's Office?"

Ms. Dorsha Kirksey, Director, Information and Assistance Division, Appraiser's Office, said, "This is a newly formed division that began as a division of Mr. Frantz, our County Appraiser. It is our answer to the changing needs and demands of the public and private sectors here in Sedgwick County and indeed the world over, for increased customer service. We have several goals for this division, as stated in our mission, but our main objective, simply stated, is to just create an environment where it is obvious, at first glance, that we are there to serve the public. They are our ultimate employers and we want them to know from the moment that they step into our office, that their presence is not an interruption to our jobs, it is our jobs, and we take that very seriously.

"The I & A Division consists of a bank of telephone operators, two customer service assistants and a public resource center that is equipped with computers, tables, value and sales books, maps, informational materials, where they can do research or access information on their own. Now our customer service assistants are there to lend them a hand if they get stuck or need help in any way, but we do encourage them to feel free to go ahead and use whatever materials that we have available for them. Each of the staff members in the Information and Assistance Division are required to successfully complete courses on Kansas Property Tax Laws and the basic appraisal processes.

"However, there are numerous other in-house courses that we have developed that are available to them. They are encouraged to take advantage of those opportunities. All members of the I & A team are trained to be generalists and can provide assistance in a number of areas ranging from real estate questions or real property questions to personal property and of course the laws that govern us in our duties.

"Basically, the Information and Assistance Division is the Appraisal Office's method of creating an opportunity for one stop shopping and we've made a commitment to continuously strive to provide quality public service. So for that reason, we are very proud to submit our application for the NACo Achievement Award."

Commissioner Miller said, "Excellent. I love it when I hear teaming concepts,

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because to me that means that you are interfacing and knowledge that one person has is going to obviously be recruited to knowledge that another person has and that is going to do nothing but benefit the presence to the public and I also heard training, that individuals that are going to be dealing with public that comes in and utilizes these services that we are offering will know what they are talking about and to walk them through that. So I just thought, I like that."

Commissioner Gwin said, "It's real comforting to be able, there is a young man standing downstairs this morning looking at the Board and trying to figure out where he was supposed to be going and I asked him if I might help and he said he had a couple of questions he needed answered, and it was really comfortable for me to be able to, instead of saying well, first you have to go here and then you have to go there, to be able to say go up to two to the Information and Assistance Division of the Appraiser's Office, I think they can answer those questions. It is a great service and I compliment you as a team leader or division head. It is a good program."

Chairman Winters said, "Okay, thank you very much. Alright, who wants to talk about On-Line Purchasing/Accounts Payable Applications?"

Mr. Ken Williams, Assistant Purchasing Director, Purchasing Department, said, "This is an example of team work, because we even debated quite a bit about when it was going to be up and who could present it, and Darren was originally going to write it and then he passed it back just a few minutes before it was due so we got real busy and we're trying to finish this up. We really are proud of the application that we, in Information Services, were able to write for them and I think it has touched every department out there and there is just a number of things that are unique about it.

"I think it is probably important to let Darren talk about those because he's my customer, he's my client, and he, through our application, touches every other department out there."

Mr. Darren Muci, Director, Purchasing Department, said, "Thank you, Ken. I can give you the written version or the condensed version?"

Commissioner Gwin said, "Condensed."

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Mr. Muci said, "Okay. Ken hit on a couple of really important issues there. This application has put us in the middle of the arena for electronic data transfer. We are moving forward. This application has the potential to be completely paperless from start to finish. That means when the using department begins the requisitioning process all the way up to the check that is issued to the vendor. That's the only thing that has to be on paper."

Commissioner Gwin said, "You can get those automatic bank transfers."

Mr. Muci said, "And we can move forward in that direction as well. It is very important to also note that our two departments, Purchasing and Information Services worked very well together in developing this application. I've worked with and been a part of two other canned applications as well as some in house versions and this one works extremely well. We have had discussions with the City of Wichita's Purchasing Department. They are using a canned package which is not working perhaps the best for them and they are interested in coming over and taking a look at this and we are really interested in having them see that."

"There are some definite benefits and this is the condensed version. I would really like to thank Ken and his staff for all the extra work because we've continued to upgrade the application as we see adjustments that need to be made. It is out there for us and we can make them."

Chairman Winters said, "Any questions of Darren? Thank you very much Darren, good job. Ken, good job. Fred, would you like to visit with us about the public relations "Don't Hang Up".

Mr. Fred Ervin, Director, Public Relations, said, "Commissioners, let me say up front, this is definitely a team project. I am going to say that and since you like that, I'm definitely going to say it. One of the questions in writing this up, it was worthiness of the award, and I remember putting in that we didn't submit this for an award, we submitted it to share with other Emergency Communications Departments, who might be facing the kinds of problems that we have experienced here and we're trying to correct and that is the high volume of calls that the dispatchers receive, hundreds, literally hundreds."

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"A lot of those calls are abandoned calls and that is where we came into the process. They called our office and said this is what we're getting and I said abandoned call, what do you mean? So we shortened it to 'Don't Hang Up', they were hang ups. Abandoned calls, they were hang ups. So I said why don't we call these 'Don't Hang Up', then I've added two words to it, 'Don't Hang Up, Hang On.' Because a lot of times in crisis situations when you call 911, you expect a dispatcher to pick up immediately, your crisis is immediate. Dispatchers are busy and a lot of times it may be the third ring before they pick up. But if you hang up that call is still in the system as a abandoned call, which further exasperates the problem, so we're just trying to correct that and that's how we came up with this concept.

"We created a PSA. And this is one of those where I think it warrants getting more mileage out of the message if you budget to target it into particular area. For example, rescue 911, ER, Chicago Hope, NYPD Blue, where you put that message into strategic places at a cost, but I think it is a cost that can be justified and also place it on All My Children and that sort of stuff. It was fun working with them.

"Jackie Stewart was a talent on that one, it was fun doing that. It did get a lot of air play, but it was late. We're going to do this one again, because it is a good message and Diane did you have anything? I didn't mean to hog it."

Ms. Diane Gage, Assistant Director, Emergency Communications, said, "It also addresses the other part of it. When you call 911, it is not as instantaneous as when you make a personal call at home if you are calling a residence and dial any other number it rings in about half a second.

"The 911 calls take about three seconds before you hear a ring on the phone, so people don't think they are getting through. This helps to take care of that part of it because when they are hearing two or three seconds of dead air time, they don't think it works so they hang up and try again when it did work and we've locked in on that call. So then I have a dispatcher calling them back saying what's going on and getting a busy signal when that person is calling us for the second time, so it helps prevent some of those calls."

Commissioner Gwin said, "So we could see this PSA? I haven't seen it."

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Mr. Ervin said "Well that's because it's a PSA and it is ran, but it's run..."

Commissioner Schroeder said, "Do you have a copy of it?"

Chairman Winters said, "It runs when nobody watches."

Mr. Ervin said "Yes, you'll get to see a copy of it."

Commissioner Gwin said, "Thanks. Good answer Fred. Thank you."

Commissioner Miller said, "Thank you."

Chairman Winters said, "Any other questions of Fred?"

Commissioner Schroeder said, "I've got a question? Is all this going to be put down in the minutes?"

Mr. Buchanan said, "You wanted verbatim."

Chairman Winters said, "One of the things that we did mention and I am hoping that we are recipients of awards on these and I hope that we will have time to talk about them in detail as we are at a meeting when we're still on television, but we still do have media here and I think these are five issues that really speak to some good programs that show good employees at work, coming up with new projects, how to do things better and smarter and more efficient.

"I couldn't think of five programs that speak to that issue any more than these five that we are submitting for awards. Again, thank you all, good job."

MOTION

Commissioner Gwin moved to approve the Applications and authorize the Chairman to sign.

Commissioner Miller seconded the Motion.

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

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VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item please."

I. BUREAU OF COMPREHENSIVE COMMUNITY CARE.

1. CONTRACT WITH CITIES IN SCHOOLS, INC. TO PROVIDE COORDINATION OF COMMUNITY RESOURCES THROUGH THE SCHOOLS FOR A TARGETED GROUP OF CHILDREN.

Mr. John DuVall, Director, Admissions, Bureau of Comprehensive Community Care, said, "This particular contract is a continuation of an agreement that we have with an agency called Cities in Schools, Inc. This particular agency provides a coordination of community services to a targeted group of about 50 children and families. They provide such services as volunteer tutoring, after school programs and mentoring.

"Currently, they are targeting in the Oaklawn area. The effort here is to provide both academic and social successes for this particular targeted group. Recommend your approval of this contract."

MOTION

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

Commissioner Hancock seconded the Motion.

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

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VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item please."

2. CONTRACT WITH EAP PLUS TO PROVIDE EMPLOYEE ASSISTANCE SERVICES TO SEDGWICK COUNTY EMPLOYEES AND THEIR FAMILIES.

Mr. DuVall said, "Again, this is a continuation contract. We originally set up the contract for two months to see how it would work. It turns out it is working very well. We are recommending, at this point, that we continue with EAP Plus to provide employee assistance services for Sedgwick County employees. It includes counseling, consultation with supervisors, follow up and referral to outside sources and supervisory training in the area of employee assistance. I would recommend your approval."

MOTION

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

Commissioner Hancock seconded the Motion.

Chairman Winters said, "We have a Motion and second, is there any discussion on the Motion?"

Commissioner Miller said, "Yes there is Chairman. Mr. DuVall, with the extension of the contract it seems as though, is it an extension of the EAP contract or a..."

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Mr. DuVall said, "It is actually a continuation."

Commissioner Miller said, "A continuation."

Mr. DuVall said, "It's actually a new contract for a one year period now."

Commissioner Miller said, "When I was discussing this with Deborah Donaldson it sounded as though we're actually going to get more services for less money in this contract. Is that true?"

Mr. DuVall said, "In the strictest sense of the word, yes that's correct. Harold Casey is the primary force behind the company called EAP Plus and I think in the agreement, in his effort to go ahead and provide service, he will provide us more for actually less money."

Commissioner Miller said, "Which is positive, that's a good thing."

Mr. DuVall said, "A lot of it is the strength of the individual himself, Harold, and it is difficult to set up a rapport with supervisors who are reluctant to get involved in an employee assistance program and he's done an excellent job with it."

Commissioner Miller said, "I'd like to give him my thanks for that."

Mr. DuVall said, "Thank you."

Chairman Winters said, "Okay, thank you. We have a motion. Any other discussion? Madam Clerk call the vote."

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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Chairman Winters said, "Next item please."

- 3. CONTRACT WITH FAMILY CONSULTATION SERVICES TO PROVIDE IN-HOME FAMILY THERAPY SERVICES FOR SEVERELY EMOTIONALLY DISTURBED CHILDREN, YOUTH AND FAMILIES.**

Mr. DuVall concluded, "This particular contract continues the in-home family therapy services that we had last year with Family Consultation Services. It provides services primarily to SED children, or severely emotionally disturbed children, and their family. We have found that by bringing services to the home we've been able to keep children in the home and create a much better chance of success. Recommend your approval."

MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

- J. PERSONNEL DEPARTMENT.**

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1. CONTRACTED IN-HOUSE EDUCATION OPPORTUNITIES FOR THE 1996 CAREER DEVELOPMENT PROGRAM.

Ms. Mary Ann Mamoth, Director, Personnel Department, said, "Good afternoon, Commissioners. This is the expanded version, I apologize I didn't get the condensed version to you yesterday. I am here to present the 1996 Career Development Program for Sedgwick County Employees. It reflects a commitment of this organization's goal to educate and recognize employees for hard work, creativity and innovation in delivering quality public services. People are our most important resource; a resource that must not only be managed, but must also be educated, led and developed.

"The 1996 Program offers new opportunities for all employees including a new partnership with the City of Wichita, three certificate programs, and an expanded schedule with over 64 courses and 260 offerings to choose from.

"In 1995, the Training Director, Jane Warner, from the City of Wichita and the Career Development Officer, Jo Templin, from Sedgwick County Personnel, embarked on an educational partnership that has greatly impacted the 1996 program for both organizations. Resources are combined to enhance the educational opportunities for all of our employees.

"Over 65 joint classes will be offered with some held at City locations and others at County locations, but open to all employees. An underlying goal of this educational partnership is that the City and County can only prosper together and discover new ways to work with each other toward that end.

"Three Certificate Programs have been defined and which have developed an "educational road map" for all employees. Employees will be recognized in a Board of County Commissioner's meeting every quarter for successfully completing any of the Certificate Programs. The Professional Development Certificate is open to all employees with seven required courses and a minimum of four electives for completion. The Supervisory/ Management Development Certificate requires ten courses and three electives for completion. The Executive Development Institute is open to City of Wichita Division and Department Directors and Sedgwick County

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Elected Officials, Bureau Directors, and Department Heads. This program offers an extensive curriculum with 18 sessions in 1996. Curriculum includes Community and Government Relations, Public Finance, Communication Realities, Productivity Improvement Efforts, and Decision Making. This program will be open on a first come basis to 25 participants.

"I am here to request your approval of the contracted training opportunities that are going to be included in this program along with all of our in-house personnel that provide training on a yearly basis. These contracts are in the amount of \$39,495, and I wish you to know that the City of Wichita is contributing an equal amount. We want to thank you as the Board of County Commissioners for being supportive of this program. It's going to mean a tremendous amount to the employees. We would request your approval."

Chairman Winters said, "Thank you. Any questions? Commissioner Miller."

Commissioner Miller said, "No questions, just some comments. First of all, in the fill of our mission statement, I believe a part of it speaks to partnering and I'm just not tickled to death, but I'm excited that we are partnering with the City of Wichita in a mutually benefiting mode and that is training and I think it's a wonderful thing to do. My commendations go to Jane Warner and I believe Jo Templin."

Ms. Mamoth said, "Kind of hands across the street and I think it is wonderful too. It's a real plus, I think, and it shows a real commitment on both our parts. I am very excited."

Chairman Winters said, "Thank you, Commissioner. Mary Ann, if one of these classes doesn't have sufficient participants is it cancelled without charge to the County and the City or are we obligated in some way."

Ms. Mamoth said, "I think that there is probably an out clause. We've committed to a certain number of participants for each of those classes and I dare say that we probably won't have any problems filling them, at least we hope not."

Chairman Winters said, "Good. Commissioners, you've heard Mary Ann's presentation, what's the will of the Board?"

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MOTION

Commissioner Miller moved to approve the in-house education classes.

Commissioner Schroeder seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Commissioner Schroeder said, "One question, and you may have covered it and I may have missed it. Commissioners are elected, are they able to attend some of these career development classes?"

Ms. Mamoth said, "Yes, most certainly. There is one certificate program that is open only to elected officials, senior management and department heads. We really encourage you to look at that one. The career development catalogue comes out hopefully the 19th of January, Friday. They will be distributed to all employees."

Commissioner Schroeder said, "Very good, thank you. Thank you Mr. Chairman."

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

- 2. REVISIONS TO SEDGWICK COUNTY POLICY AND PROCEDURE
4.502 - EMPLOYEE CONDUCT AND RELATIONS STANDARDS -
GRIEVANCE.**

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Ms. Mammoth said, "My next item is a proposed minor revisions to Sedgwick County Policy and Procedure 4.502, Employee Conduct and Relations Standards, and it deals with our grievance process. Down through the years, we've dealt with grievances, as you well know, in the personnel department and Brenda Stocklin, our new hearing officer, has had some difficulties in dealing with the time frames and et cetera and has had to go to the Manager to ask for extensions and the Legal Department and we thought it was time to look at that whole process and come to the Board and ask you to allow us to make some minor revisions.

"It makes the grievance process procedure more confidential. The investigative summary will go directly to the Legal Department and we've cut out some of the steps in there and the people that view that, subject to no discovery confidentiality. It defines the filing days more specifically. We were having problems with weekends and holidays as being addressed as just days rather than calendar days or working days so we clarified those. We request your approval."

Chairman Winters said, "Alright, thank you. Commissioners, any questions?"

MOTION

Commissioner Hancock moved to approve the revisions.

Commissioner Miller seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item please."

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3. RECLASSIFICATIONS.

- **CORRECTION TECHNICIAN, RANGE 15, AND YOUTH CARE WORKER, RANGE 16, CONSOLIDATED INTO ONE CLASSIFICATION TITLED CORRECTION WORKER, RANGE 16**
- **ADVANCED REGISTERED NURSE PRACTITIONER, RANGE 25, TO RANGE 27**

Ms. Mammoth said, "These reclassifications have been reviewed by the committee and I believe the Commission has also had an opportunity to look at these. The first one is a request from the Director of the Corrections Department, who asked us to look at the positions of Corrections Technicians (range 15) and Youth Care Workers (range 16) and considering the consolidation of the job tasks of Corrections Technician and Youth Care Worker into one job classification and one common salary range.

"We have evaluated these classifications using the Sedgwick County Position Management Plan and would recommend that the classification of Youth Care and Corrections Technician be consolidated into one classification to be titled Correction Worker, range 16. This change would require that seventeen (17) Correction Technicians be reallocated from a range 15 to a range 16 in the Sedgwick County Compensation Plan. The budget impact for 1996 would be \$13,376.

"The second request was made by the Executive Director of Mental Health who requested a reclassification study of the classification of Advanced Registered Nurse Practitioner (ARNP), range 25. We have evaluated this position using the Sedgwick County Position Management Plan and would recommend that the classification of Advanced Registered Nurse Practitioner be reallocated to a range 27 in the Sedgwick County Compensation Plan. This would cause a budget impact in 1996 of \$13,556.

"We would recommend your approval of these reclassifications."

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Chairman Winters said, "Thank you Mary Ann. Commissioners, what's the will of the Board?"

MOTION

Commissioner Gwin moved to approve the reclassifications.

Commissioner Miller seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

K. ANNUAL REPORT OF SEDGWICK COUNTY FOREIGN-TRADE ZONE, AND SUBZONE #161A, TO BE SUBMITTED TO THE FOREIGN-TRADE ZONES BOARD, U.S. DEPARTMENT OF COMMERCE, WASHINGTON, D.C.

Ms. Louanna Honeycutt Burress, Administrative Officer, Department of Housing and Economic Development, said, "The original rights for Foreign-Trade Zone #161 were granted to the Board of Sedgwick County Commissioners on September 8, 1989. A year earlier, in September 1988, the Board of Sedgwick County Commissioners applied for the grant of authority to establish, operate and maintain the foreign-trade zone to facilitate economic development in the region. The application was supported by public servants, both elected and appointed, as well as representatives of businesses in the private sector.

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"During fiscal year 1994, Subzone 161A activated in McPherson, Kansas. This subzone, located at the Sanofi Winthrop Pharmaceutical Company, is the first subzone sponsored by Sedgwick County. Activity undertaken in Subzone #161A, includes manufacturing of pharmaceutical products, quality control, process development, warehousing of products, packaging and shipping of products. Subzone status will enable Sanofi Winthrop to continue to make significant economic contributions to McPherson and the State of Kansas, to increase its international trading activities and to ultimately expand its industrial and commercial development within the community of McPherson. Subzone status should also contribute to increased production to additional benefits to existing suppliers, to the need for additional new suppliers and to increased U.S. exports.

"During fiscal year 1995, Sedgwick County, as Grantee of FTZ #161 has undertaken to sponsor an additional Subzone Application on behalf of the Texaco Refinery in El Dorado, Kansas. It is expected that the application for Subzone status for the Texaco Refinery will be submitted in January, 1996.

"One other project is being considered and that is an application to enlarge the actual Sedgwick County Foreign-Trade Zone Project itself. Currently, the Salina Airport Authority is conducting a feasibility study relative to contracting with Sedgwick County to extend its Foreign-Trade Zone operations to Saline County. This could bring with it a possible fourth special purpose subzone that is located adjacent to the Airport Authority in Salina. It is possible that even if the airport site is not included in the Sedgwick County Foreign-Trade Zone Project, the manufacturer may want to be included as a Special Purpose Subzone within the Sedgwick County Project. If this is pursued, the Salina Airport Authority will participate significantly in preparing an application document. This should also be undertaken during fiscal year 1996."

Chairman Winters said, "Thank you, Louanna."

MOTION

Commissioner Miller moved to approve the Report and authorize the Chairman to sign a transmittal letter.

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Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Thank you. At this time I would move that we take an off-agenda item."

OFF AGENDA: RESOLUTION FOR USE OF FOREIGN TRADE ZONE BY TEXACO

MOTION

Chairman Winters moved to take up an off-agenda item.

Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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Ms. Burress concluded, "This item is regarding a request by Texaco for approval of a resolution authorizing the submission of the application to the Foreign-Trade Zones Board on behalf of Texaco, Inc. The application is to request that a Foreign-Trade Subzone be established at the Texaco Reginery in El Dorado, Kansas.

"I recommend that you adopt the resolution and if you have any questions, I'd be happy to try and answer them."

MOTION

Commissioner Schroeder moved to approve the Resolution for the use of the Foreign Trade Zone by Texaco

Commissioner Miller secondeded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

L. DONATION BY OFFICE AUTOMATION, INC. OF SCANNING AND INDEXING SERVICES FOR AN EXPERIMENTAL PROJECT TO PUBLISH ON CD-ROM THE 1990-1995 MINUTES OF THE BOARD OF COUNTY COMMISSIONERS.

Mr. Doug King, Records Manager, County Clerk's Office, said, "Recent BOCC minutes are used for reference purposes by many County offices, and by other

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jurisdictions within the County. Attorneys, representatives of business and individual citizens consult them regularly. Potentially, WSU Urban Affairs could use them to research the development of issues and decisions. Yet, only one set of complete minutes with all supporting documents exists, contained in bulky binders on shelves in the Clerk's Office, to support all these users. Publishing more recent BOCC minutes in electronic format could greatly facilitate access for all users, reduce staff requirement to assist users, and potentially reduce active office space for storing these records.

"Official BOCC minutes represent vital records for documenting the County's legal rights and position, but are vulnerable to loss due to fire, water damage and other risks. Creating one or more use copies for reference and research purposes would enable storing the originals off-site at a secure location. The long-established alternative medium for making long-term copies and reducing space requirements is microfilm.

"However, in a public records environment depending upon microfilm requires having at least one costly reader/printers. In addition, many users find microfilm cumbersome, difficult to use, inefficient and offputting. Increasingly, various forms of digital image technology are being used to expand access to records and safeguard originals. CD-ROM represents the mass market form of digital image media, and for publishing information offers the benefits of the mainstream--CD-ROM drives are frequently bundled into both business and home PC systems, and large portion of the public is familiar and comfortable with it.

"A vendor, Office Automation, Inc., has offered to contribute services to scan and index BOCC minutes for the period 1990-95, and supporting materials to create four sets of the resulting digitized minutes on CD-ROM. The project would enable the County to experiment with basic digital image technology as a means of publishing for expanded public access and for baking up vital records. It is anticipated that 1995 minutes would be complete during February, enabling the project to begin.

"We would ask that you approve the project, accept the donation and authorize the

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Chairman to sign a letter of appreciation.

Chairman Winters said, "Thank you Doug. Commissioners, what's the will of the Board?"

MOTION

Commissioner Hancock moved to approve the project, accept the donation and authorize the Chairman to sign a letter of appreciation.

Commissioner Schroeder seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Absent at Vote
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Thank you, Doug. Next item please."

M. CAPITAL PROJECTS DEPARTMENT MONTHLY REPORT AND 1995 PROJECT SUMMARY.

Mr. Ken Arnold, Director, Capital Projects Department, said, "In your back up on pages 190 through 205 is the monthly report for December, as well as the 1995 yearly summary of projects. In 1995 we completed 80 projects for various departments. The Capital Projects Department provides one stop shopping and we work with departments to get what they are needing done in a timely manner. Most of the projects I have already went over with you, so I will be happy to answer

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any questions you may have.

MOTION

Commissioner Schroeder moved to receive and file.

Commissioner Hancock seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Absent at Vote
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Thank you, Ken. Next item please."

N. KANSAS COLISEUM MONTHLY REPORT.

Mr. J. David Rush, Acting Director, Kansas Coliseum, greeted the Commissioners and said, **(TAPE BECOMES INAUDIBLE AT THIS POINT AND MR. RUSH'S COMMENTS ON THE MONTHLY REPORT FOR THE KANSAS COLISEUM ARE NOT AVAILABLE).**

MOTION

Commissioner Gwin moved to receive and file.

Commissioner Hancock seconded the Motion.

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

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VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Absent at Vote
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Thanks, David. Next item please."

O. BUREAU OF PUBLIC SERVICES.

1. RESOLUTION DESIGNATING AND CLASSIFYING CERTAIN STREETS TO THE GYPSUM TOWNSHIP SYSTEM.

Mr. David Spears, Director, Bureau of Public Services, said, "The streets of Calais Road and Calais Court are an unplatted subdivision and have been constructed to the Bureau of Public Services standards.

"It has been determined that these streets are neither secondary nor county minor collector roads. The Gypsum Township Board was informed that this resolution would be on the County Commission agenda, by letter, dated December 5, 1995. They were asked to contact the Bureau prior to January 5, 1996, with any comments or concerns. We have received no comments. Therefore, we would recommend you adopt the resolution."

MOTION

Commissioner Hancock moved to adopt the Resolution.

Commissioner Schroeder seconded the Motion.

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

VOTE

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Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioners Melody C. Miller	Absent at Vote
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

2. RESOLUTION DESIGNATING AND CLASSIFYING CERTAIN STREETS TO THE OHIO TOWNSHIP SYSTEM.

Mr. Spears said, "The street is in an unplatted subdivision located on 51st West in Ohio Township and has been constructed to the Bureau of Public Services standards. The Ohio Township Board was informed that this resolution would be on the County Commission agenda, by letter, dated November 29, 1995. They were asked to contact the Bureau prior to January 5, 1996 with any comments or concerns. We have received no comments, therefore, it is recommended that the Board approve this resolution."

MOTION

Commissioner Hancock moved to adopt the Resolution.

Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Absent at Vote
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

P. REPORT OF THE BOARD OF BIDS AND CONTRACTS' JANUARY 11, 1996 REGULAR MEETING.

Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, "You have before you the minutes from the January 11 meeting of the Board of Bids and Contracts. We have eight items on the agenda this morning for your consideration.

**(1) SANITARY SEWER IMPROVEMENTS - PINEHURST ADDITION - BUREAU/ PUBLIC SERVICES
FUNDING: DEBT FINANCING**

"Item one, sanitary sewer improvements in the Pinehurst Addition. It was recommended to accept the low bid of Nowak Construction for the amount of \$62,573.

**(2) SANITARY SEWER IMPROVEMENTS - SMITHMOOR 4TH ADDITION - BUREAU/PUBLIC SERVICES
FUNDING: DEBT FINANCING**

"Item two, sanitary sewer improvements for the Smithmoor 4th Addition. It was recommended to accept the low bid of W. B. Carter for the amount of \$33,726.

**(3) STATIONERY STORES CONTRACT RENEWAL - BUREAU/CENTRAL SERVICES
FUNDING: BUREAU/CENTRAL SERVICES**

"Item three is the renewal of Stationery Stores Contract for the 1996 fiscal year. It was recommended to accept the extension of the contract with Single Source, to provide Stationery Store supplies, for the 1996 fiscal year. Estimated purchases are \$169,517.53.

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(4) PEST CONTROL CONTRACT RENEWAL - BUREAU/CENTRAL SERVICES
FUNDING: BUREAU/CENTRAL SERVICES & VARIOUS DEPARTMENTS

"Item four is pest control contract renewal. It was recommended to accept the extension of the contract with Signature Pest Control to provide pest eradication for the 1996 fiscal year. Estimated purchases are \$14,776.

(5) SOFTWARE MAINTENANCE CONTRACT - INFORMATION SERVICES
FUNDING: INFORMATION SERVICES

"Item five is software maintenance contracts for Information Services. It was recommended to accept the sole source bids of Candle for \$15,600, Computer Associates for \$24,608, and Compuware for \$11,550, for the various software maintenance contracts for the 1996 fiscal year.

(6) HARDWARE & SOFTWARE MAINTENANCE CONTRACT - EMERGENCY COMMUNICATIONS
FUNDING: EMERGENCY TELEPHONE SERVICES

"Item six is a hardware and software maintenance contract for Emergency Communications. It was recommended to accept the sole source bid of P R C, for the amount of \$63,197.82.

(7) SOUTHWESTERN BELL CIRCUIT CONTRACT - INFORMATION SERVICES
FUNDING: INFORMATION SERVICES

"Item seven is a Southwestern Bell circuit contract for Information Services. It was recommended to accept the sole source purchase of Southwestern Bell Telephone for an amount of \$90,600 for the 1996 fiscal year.

(8) DRAYAGE OF VOTING MACHINES - ELECTION COMMISSIONER

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FUNDING: ELECTION COMMISSIONER

"Item eight is for drayage of voting machines for the Election Commissioner. It was recommended to accept the renewal of the contract with Coleman American Moving Services, for \$16.00 per stop.

"I would recommend that you approve the recommendations as presented by the Board of Bids and Contracts."

Chairman Winters said, "Thank you, Darren. Commissioners, what's the will of the Board?"

MOTION

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

Commissioner Hancock seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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Chairman Winters said, "Next item please."

CONSENT AGENDA

Q. CONSENT AGENDA.

1. Utility and Highway Permit Agreements.

- a. KG&E, A Western Resources Co. is submitting application requesting permission to install one 40-foot pole and make an overhead crossing of West Street approximately 400 feet North of 55th Street South. Waco Township. Utility Permit No. 001-96. Road No. 815-V. District #2.

- b. KG&E, A Western Resources Co. is submitting application requesting permission to install poles and overhead conductor along the east side of 199th Street West north of Pawnee and on the north side of Pawnee east of 199th Street West. Illinois Township. Utility Permit No. 092-95. Road Nos. 795-R and 624-14. District #3.

2. Right-of-Way Agreements.

The following tracts of land have been granted by Easement for Right-of-Way at no cost to the County. These Easements were requested by the Director, Bureau of Public Services, prior to the approval of platting exemptions.

- a. Road Number 612-12, Owners: Ricky Stump, Deandra Stump and Don Moser, dba Ultimate Homes, Inc., located in the Northeast Quarter of Section 1, Township 27 South, Range 3

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West, more specifically located on the south side of 29th Street North and west of 215th Street West. Garden Plain Township. District #3.

- b. Road Number 817-Z, Owner: Curtis Hampton, dba Hampton and Sons Construction, located in the Northeast Quarter of Section 12, Township 29 South, Range 1 West, more specifically located on the west side of Meridian and south of 79th Street South. Ohio Township. District #2.

3. Section 8 Housing Assistance Payment Contracts.

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V96000	\$296.00	5	Cottage Grove
V96001	\$267.00		Don Grunder
C95148	\$400.00	5	Deborah M. Thomas

Section 8 Housing Assistance Payment Contracts.

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V95152	\$335.00	5	Steven and Deborah Beals
V95151	\$286.00	5	Robert R. Tauer

- 4. **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>
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V94011	\$204.00	\$306.00
C901028	\$275.00	\$275.00
V95023	\$247.00	\$255.00
V95022	\$425.00	\$425.00
V95067	\$432.00	\$463.00
C94004	\$326.00	\$340.00

5. Application for License to Retail Cereal Malt Beverages.

<u>Applicant Name</u>	<u>d/b/a</u>
Bill Hall	81 Speedway

6. Order dated January 10, 1996 to correct tax roll for change of assessment.

7. Consideration of the Check Register of January 12, 1996.

8. Budget Adjustment Requests.

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
960013	Purchasing	Transfer
960014	District Court Judges	Transfer
960015	Mental Health	Transfer
960016	Mental Health	Transfer
960017	Court Trustee Oprts	Transfer
960018	CIP Fund	Supp. Appropriation
960019	Various-Streets	Supp. Appropriation
960020	Sedgwick County Youth Project	Supp. Appropriation
960021	Prosecuting Attorneys Special Trust Fund	Supp. Appropriation
960022	Prosecutors Trng. Fund	Supp. Appropriation
960023	Corrections-Drug Grant	Supp. Appropriation

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960024	Community Corrections	Supp. Appropriation
960025	Home-Based Supervision-Corrections	Supp. Appropriation
960026	Community Policing Grant	Supp. Appropriation
960027	Heartland Reintegration Grant	Supp. Appropriation
960028	Mental Health ADAS Grant	Supp. Appropriation
960029	Mental Health-State Aid	Supp. Appropriation
960030	Hunter Health Clinic Grant	Supp. Appropriation
960031	ACCESS Grant	Supp. Appropriation
960032	Mental Health Children's Federal Grant	Supp. Appropriation
960033	Mental Health Consolidated Grant	Supp. Appropriation
960034	Mental Health Reform	Supp. Appropriation
960039	Equipment Reserve Fund	Supp. Appropriation

9. Supplemental Budget Adjustment Requests. Available 1/16

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "Commissioners, you have the consent agenda before you and I recommend you approve it as presented."

MOTION

Commissioner Schroeder moved to approve the Consent Agenda as presented.

Commissioner Miller seconded the Motion.

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

VOTE

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Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

OFF AGENDA: RESIGNATIONS AND APPOINTMENTS

MOTION

Commissioner Hancock moved to take up an off agenda.

Commissioner Schroeder seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Mr. Steve Plummer, County Counselor, said, "You have, before you, the resignation of Mike Allenbaugh, Clerk of Salem Township. I recommend that you accept that resignation."

MOTION

Commissioner Hancock moved to accept the resignation.

Commissioner Schroeder seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Mr. Plummer continued, "You also have the resignation of Charlene Cahail, Clerk of Riverside Township. I recommend that you accept that resignation."

MOTION

Commissioner Hancock moved to accept the resignation of Charlene Cahail of Riverside Township.

Commissioner Schroeder seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Mr. Plummer said, "You have the resignation of Leonard Myers, Trustee of

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Riverside Township and I recommend that you accept that resignation.”

MOTION

Commissioner Hancock moved to accpet the resignation.

Commissioner Schroeder secondeded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Mr. Plummer continued, “You have a resolution appointing Kelly Walton as Clerk of the Riverside Township. I recommend that you accept that resolution and make that appointment.”

MOTION

Commissioner Hancock moved to adopt the Resoltuion.

Commissioner Schroeder seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye

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Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Mr. Plummer concluded, "Last, but not least, is a resolution appointing Charles Hawthorn as Trustee of Riverside Township and I recommend that you accept that resolution and make that appointment."

MOTION

Commissioner Hancock moved to adopt the Resolution.

Commissioner Schroeder seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Thank you, Mr. Plummer. Is there any other business to come before this Board? If not, we're adjourned."

R. OTHER

S. ADJOURNMENT

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There being no other business to come before the Board, the Meeting was adjourned at 2:35 p.m.

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

THOMAS G. WINTERS, Chairman
Third District

MELODY C. MILLER, Chairman Pro Tem
Fourth District

BETSY GWIN, Commissioner
First District

PAUL W. HANCOCK, Commissioner
Second District

MARK F. SCHROEDER, Commissioner
Fifth District

ATTEST:

Susan E. Crockett-Spoon, County Clerk

APPROVED:

_____, 1996