

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

APRIL 10, 1996

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, April 10, 1996, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chair Pro Tem Melody C. Miller; Commissioner Betsy Gwin; Commissioner Paul W. Hancock; Commissioner Mark F. Schroeder; Mr. Michael D. Hill, Sheriff; Mr. William P. Buchanan, County Manager; Mr. Stephen Plummer, County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Ms. Mary Ann Mammoth, Personnel Director; Mr. Ken Arnold, Director, Capital Projects; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Ms. Irene Hart, Director, Bureau of Community Development; Mr. Sherdeill Breathett, Director, Animal Control; Ms. Marilyn K. Chapman, Election Commissioner; Mr. Michael S. Knecht, Director, Old Cowtown Museum; Mr. Darren Muci, Director, Purchasing Department; Mr. David Spears, Director, Bureau of Public Services; Mr. Fred Ervin, Director, Public Relations; and Ms. Susan E. Crockett-Spoon, County Clerk.

GUESTS

Mr. Dennis Rader, Sedgwick County Board of Zoning Appeals

Mr. James L. Reeves

Mr. Boyd Powers, Ambulance Mechanic, Central Motor Pool

Ms. Rita Rogers, Real Property Appraiser I, County Appraiser's Office

Dr. Gene Hughes, President, Wichita State University

Ms. Debbie Gerstner, 6911 Aberdeen, Wichita, Kansas

Mr. Robert Shoak, 1501 N. Ford, Hutchinson, Kansas

Mr. Lee Parker, Associate, Hugo Wall School for Urban & Public Affairs, Wichita State University

INVOCATION

The Invocation was given by Mr. Chuck McCoy of the Christian Businessmen's Committee.

FLAG SALUTE

Regular Meeting, April 10, 1996

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, February 21 and February 28, 1996.

The Clerk reported that all Commissioners were present at the Regular Meetings of February 21 and February 28, 1996.

Chairman Winters said, "Commissioners, you have seen those minutes, what's the will of the Board?"

MOTION

Commissioner Hancock moved to approve the Minutes of February 21 and February 28, 1996 as presented.

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

CONSIDERATION OF MINUTES: Regular Meeting, March 6, 1996.

The Clerk reported that all Commissioners, except Commissioner Gwin, were present at the meeting of March 6, 1996.

Regular Meeting, April 10, 1996

Chairman Winters said, "Commissioners, you've seen the minutes of March 6, 1996. What's the will of the Board?"

MOTION

Commissioner Hancock moved to approve the Minutes of March 6, 1996.

Commissioner Miller seconded the Motion.

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

VOTE

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

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

CERTIFICATION AS TO THE AVAILABILITY OF FUNDS

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

Chairman Winters said, "Alright, I see no questions. Thank you very much Becky. Next item."

APPOINTMENTS.

- 1. RESIGNATION OF SUSAN L. SMITH FROM THE SEDGWICK COUNTY ANIMAL CARE ADVISORY BOARD.**

Regular Meeting, April 10, 1996

Mr. Stephen Plummer, County Counselor, greeted the Commissioners and said, "The first item you have in front of you is a letter of resignation from Susan L. Smith from the Sedgwick County Animal Care Advisory Board. I recommend you accept her resignation."

MOTION

Commissioner Gwin moved to accept the resignation.

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, "Okay, thank you."

2. RESOLUTION APPOINTING DENNIS RADER (COMMISSIONER GWIN'S APPOINTMENT) TO THE SEDGWICK COUNTY ANIMAL CONTROL ADVISORY BOARD.

Mr. Plummer said, "Next you have a Resolution appointing Dennis Rader to the Sedgwick County Animal Control Advisory Board. That's Commissioner Gwin's appointment. I recommend you adopt that Resolution and make that appointment."

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Hancock seconded the Motion.

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

Regular Meeting, April 10, 1996

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."

3. RESOLUTIONS (2) APPOINTING BOB SCOTT (COMMISSIONER MILLER'S APPOINTMENT) AND PAM BAUER (COMMISSIONER SCHROEDER'S APPOINTMENT) TO THE SEDGWICK COUNTY BOARD OF ZONING APPEALS.

Mr. Plummer said, "You have two Resolutions appointing Bob Scott, that is Commissioner Miller's appointment, and the second one, appointing Pam Bauer, that is Commissioner Schroeder's appointment, to the Sedgwick County Board of Zoning Appeals. I recommend you adopt those Resolutions and make those appointments."

MOTION

Commissioner Schroeder moved to adopt the Resolutions.

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

Regular Meeting, April 10, 1996

Chairman Winters said, "Is Dennis Rader, Bob Scott or Pam Bauer here this morning? Dennis Rader? Come right on up to the podium please. Sedgwick County Clerk, Susan Crockett-Spoon will swear you in to this position."

Ms. Susan Crockett-Spoon, County Clerk, said, "Dennis, I am going to read the affirmation and if you will say, so help me God, afterwards. Raise your right hand please.

'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 duties of the Office of Animal Control Advisory Board, so help me God.'

Mr. Dennis Rader responded, "So help me God."

Ms. Crockett-Spoon said, "This is your certificate and we appreciate your service. Thank you very much."

Chairman Winters said, "Yes, Mr. Rader, thanks very much. We do appreciate, a great deal, the input of citizens on advisory boards and committees and we appreciate your willingness to work in this capacity."

Mr. Rader said, "Thank you very much Commissioners."

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

AWARD PRESENTATIONS

B. PRESENTATION OF SILVER MEDAL OF VALOR TO JAMES L. REEVES

Sheriff Michael Hill, greeted the Commissioners and said, "I am really humbled and honored to be here today with Mr. Reeves. He is a very special person and a very special citizen.

Regular Meeting, April 10, 1996

"Let me give you a little background on why we are here today. As we all know, we had a catastrophe that happened to our community the first part of the year and the individual standing beside me was very instrumental that particular morning. In fact, James assisted in the capture of the individual we believe was responsible for the murder of Deputy Easter and the accomplices on January 8.

"To give you a little bit of background. A lot of this is repetitious, but I think it's important that we go through it. As we all know, in the early morning hours of January 8, about 12:40, Deputy Kevin Easter observed a suspicious vehicle in the area of 31st and Hillside. Now what was suspicious about that vehicle, we'll never know, it's just a gut feeling people get after they've been on the street awhile. He attempted to pull this vehicle over. The Deputy advised Emergency Communications that it appeared that the individuals were trying to allude him. When they got in the area of Pawnee and Hillside, the car turned west into the neighborhood on Range Street. At Southfork and Range, the vehicle lost control. That night, there was a little bit of ice, a little bit of moisture on the pavement. It went over the curb and went into a chain link fence and we've all seen the pictures where the car ended up.

"All five individuals exited the vehicle. Four of the passengers went in one direction and the driver in another. Kevin Easter pursued the driver. James, he heard the sirens, he heard the crash, it awakened him and he went outside to see what was going on. He saw four individuals fleeing the car and he ordered them to return to the car. Mr. Reeves was not armed and he had no knowledge that the suspects were armed. At the order of Mr. Reeves, all four suspects did return to the car and remained there until the arrival of law enforcement officials arriving on the scene.

"When the first Wichita Police Officer arrived at the scene, Mr. Reeves told him what he had seen and directed them to the area where he thought another individual might be and where Deputy Easter might be. When the officers got there, they found Deputy Easter with the fatal gun shot wounds. The Police Officer then confronted the suspect, who was armed with two weapons, his own weapon and Deputy Easter's weapon and the suspect then tried to flee the Wichita Police Officer. In fact, the individual did flee, he went around the house and out of sight.

Regular Meeting, April 10, 1996

"Mr. Reeves saw what was going on and when the individual ran around the house, Mr. Reeves shouted at him to stop and get to the ground and the suspect did do that and the Police Officer then came up and made the arrest. From the time he was ordered to the ground and the Wichita Police Officer arrived, there was also a final shot fired from the weapon.

"It is my opinion, the opinion of everybody who knows the case, that James put his life in jeopardy. We always hear that citizens don't get involved. Well, citizens do get involved, and James is one of those individuals that is a good example of assisting law enforcement. So, it is my honor today to present to James L. Reeves, the highest award that the Sedgwick County Sheriff's Department can bestow on a citizen and that is the Silver Medal of Valor.

"James is here today with his wife in the back and I invited them up and he said no, she was just here to observe, and also his daughter Kimber and one of Kimber's little friends that they look out for during the day. Again, Jim it is with great honor, and I think upon you as a very outstanding citizen, we present to you the Silver Medal of Valor for your actions on January 8.

"Jim says he is honored to be before you, but he doesn't want to say anything."

Chairman Winters said, "Well, thank you very much Jim and we share with Sheriff Hill. The Board of Sedgwick County Commissioners and all the citizens of Sedgwick County are very appreciative, and again, we just really commend you for your actions that evening and Sheriff Hill has made an excellent recommendation in presenting you with that medal. Thanks for being here this morning. Thank you. Alright. Next item please."

C. RECOGNITION OF EMPLOYEE SUGGESTION AWARDS PROGRAM MONETARY AWARD RECIPIENTS

- 1. MONETARY AWARD OF \$1,480 TO BOYD POWERS, AMBULANCE MECHANIC, CENTRAL MOTOR POOL, FOR SUGGESTION REGARDING AMBULANCE REAR BRAKE MODIFICATION.**

Chairman Winters said, "I think Commissioner Miller is on her way to the podium. Commissioner Miller."

Regular Meeting, April 10, 1996

Commissioner Miller said, "Thank you Mr. Chairman. On behalf of the Board of County Commissioners and particularly on behalf of the Employee Suggestion Awards Program members, I have two individuals who have spent some time deciding how it is that they can make things work better for the County, that I'd like to present, not only a symbolic award, which is a mug, but also a sizeable monetary award to each of them. The first is Mr. Boyd Powers. It is always easier, I think, for the individual who has come up with this wonderful suggestion that makes things work better for us to be able to explain to the public and to those that are present here at the meeting today exactly what it is. I only know that it works. Boyd, do you want to tell us a little bit about it?"

Mr. Boyd Powers, Ambulance Mechanic, Central Pool, said, "First of all, I am the ambulance mechanic for Sedgwick County. I maintain all 21 of our Sedgwick County units. I came up with approximately an hour fix to do to each one of these chassis that makes the brakes last 75% longer and that times 21 and it adds up pretty fast."

Commissioner Miller said, "To the tune of approximately, if I recall, \$14,000 on an annual basis. Thank you Boyd."

2. MONETARY AWARD OF \$200 TO RITA ROGERS, REAL PROPERTY APPRAISER I, COUNTY APPRAISER'S OFFICE, FOR SUGGESTION REGARDING RETURN MAIL AND UPDATING CLERK'S RECORDS.

Commissioner Miller said, "The next recipient is Rita Rogers from the Appraiser's Office. Do you want to come on up please. Once again, I'll let Rita tell you a little bit about what it is she's done for the County."

Ms. Rita Rogers said, "Okay. Return mail is very costly to the County and my suggestion helps eliminate some of this. The suggestion is an insert after the parcel is processed for the second mailing and the insert would state the reason for delay and increase the public awareness concentrating on the functions of the different departments within the County. We implemented this Thursday, and we've had response already. We will be submitting personal property inserts also and hope to have this same response."

Commissioner Miller said, "Thank you Rita."

Regular Meeting, April 10, 1996

Chairman Winters said, "Thank you Rita and Boyd. Thanks to both of you. We appreciate it a great deal when employees come up with creative ideas and I think probably a lot of us do that very often and are not recognized and we're glad we can have a system to recognize part of you when that is found. Keep up the good work. Next item please."

RETIREMENT PRESENTATION

D. PRESENTATION OF RETIREMENT CLOCK TO DONNIE COOK, UTILITY WORKER, BUREAU OF PUBLIC SERVICES

Ms. Mary Ann Mammoth, Personnel Director, greeted the Commissioners and said, "It is my privilege this morning to present a retirement certificate to Donnie Cook who is a Utility Worker with our Public Services Department. He will retire May 1, 1996, after 12 years of service."

"Donnie tells us that he plans to spend time traveling to Germany, England and all across the United States. Donnie has worked in Public Services and says he has enjoyed working with many different people while employed with Sedgwick County. We want to wish him well in his retirement. Donnie, congratulations."

Chairman Winters said, "Donnie, on behalf of the Board of County Commissioners and on behalf of the citizens of Sedgwick County, we appreciate the work and service you have done for our County and in recognition of that, we'd like to give you this retirement clock."

Mr. Donnie Cook said, "Thank you very much."

Chairman Winters said, "Commissioners, at this time, I would like to take up an off agenda Proclamation."

Regular Meeting, April 10, 1996

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, "Thank you very much. It is with special pleasure and pride that I read this Proclamation into the record.

PROCLAMATION

WHEREAS, the 1995-1996 Academic Year is the Centennial Year of Wichita State University; and

WHEREAS, Fairmount College was founded in Sedgwick County in 1887 by Reverend Joseph Homer Parker of Plymouth Congregation Church and committed community leaders on Fairmount Hill, overlooking the City and the Arkansas River valley; and

WHEREAS, in 1926, the public, recognizing the need for higher education in the community, voted to transform the college into the Municipal University of Wichita and in 1964 the institution became part of the State system of higher education as Wichita State University; and

WHEREAS, in 1987, the governing bodies of Sedgwick County and the City of Wichita voted to extend the local tax support County-wide to solidify the communities support of an institution of higher education; and

Regular Meeting, April 10, 1996

WHEREAS, Wichita State University is now a Metropolitan Institution in the Kansas system offering a broad range of programs and degrees ranging from Associate to Doctoral level;

NOW THEREFORE BE IT RESOLVED, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim the week of April 8, through 15, 1996, as

"Wichita State University Centennial Week"

in recognition of the service Wichita State University provides to the citizens of Wichita and Sedgwick County and to encourage the faculty staff to continue to their rich tradition of success into the second century.

"Do I hear a Motion for this Proclamation?"

MOTION

Commissioner Schroeder moved to adopt the Proclamation.

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 very much. We're privileged to have Dr. Gene Hughes and Dr. George Platt here to accept this Proclamation. If they would come forward at this time. Dr. Hughes, on behalf of Sedgwick County, we take great pride in recognizing the University in the Centennial Year."

Regular Meeting, April 10, 1996

Dr. Gene Hughes said, "Thank you very much Tom."

Chairman Winters said, "Would you like to say a couple of words?"

Dr. Hughes said, "Certainly. Mr. Chairman and members of the Commission, as you know, it is not many people who get to serve as President of an institution celebrating a Centennial and it is with deep honor that I do that this particular year. As Chairman Winters has identified, there has been a rich tradition of support for Wichita State from the City and the County. That isn't true in all instances throughout the country and I think that the special relationship that exists here is a stronger relationship than most of the institutions I know. So, on behalf of the students, the faculty, the staff, the alumni, I want to thank you for this recognition and assure you that the next 100 years will be as good as the past 100. Thank you very much."

Chairman Winters said, "Madam Clerk, call the next item."

CITIZEN INQUIRY

E. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING THE COURT'S ROLE IN EFFORTS TO COLLECT COURT-ORDERED CHILD SUPPORT

Chairman Winters said, "Yes, if you would just come on forward please. I would take this opportunity to remind citizens that we do offer the public opportunity to address the Board of County Commissioners and they can make that request by either notifying Manager Bill Buchanan's office or one of the Commissioners. Remember that your time at this slot is limited to 5 minutes. So if you will give your name and address and begin."

Ms. Debbie Gerstner said, "My address is 6911 Aberdeen. Honorable Chair and Council Members, thank you for giving me the time to share some of the concerns regarding the problems I've experience with the Sedgwick County court system, more specifically, the Domestic Court. I have had the unfortunate experience to be required to repeatedly appear in court over the course of five years to obtain first, my divorce, and then collection of my child support and spousal support."

Regular Meeting, April 10, 1996

“Because of these problems, my children and many others like them are being robbed of their basic needs, due to the fact that parents are under orders to support ex-spouses and their children fail to do just that. I have four issues regarding the system from my perspective which I would like to address and make recommendations to the Council.

"Number one, people in the system are not advised of the services available through the Court Trustee in dealing with child support issues. I was not informed of my options by the Court, but rather by an acquaintance. Mind you, I've been in court on my divorce and enforcement proceedings a number of 77 times before I found out the Court Trustee and its ability to help me enforce the court order and collect my child support and spousal support.

"Number two, this system as I have viewed it over the last five years was not working. Individuals who choose to ignore their responsibilities and not comply with the Court's order, generally know that not much will happen to them if they appear before the court and make not even a half-hearted effort in paying their obligation. The message soon gets out to those that do not pay or comply with court orders that they may go to court and get their hand slapped and maybe a stern lecture, but they will get through the system relatively unscathed.

"Number three, now it appears that the courts have a system in place to actually find an individual in contempt of court with the threat of possible incarceration if they do not comply with the terms of their probation, which namely is paying their child support. There still is a glitch in the system, in that the County does not have available probation officers to monitor such cases. The Family Law Division is left with only the option of private companies to supervise people on probation. This causes a dilemma because the interest of the court to collect child support is in direct competition with the private probation officer wanting to make a profit on probation supervision. In other words, less money is available to the children and that's who needs it.

"Finally, the issue of incarceration rears its ugly head. As in my case, there is currently a motion pending to revoke my ex-husbands probation for he stopped paying as ordered and a warrant is currently out for his arrest. When he ultimately is brought before the court, there is a strong likelihood that he won't see any jail time because of the over-crowding of the jails.

Regular Meeting, April 10, 1996

“This sends the same message to those who shirk their responsibilities. There aren't going to be many, if any, consequences for their actions or inactions.

"My story goes, my husband and I were divorced December of 1992 after a year and a half of a heavily litigated case. We were both represented by private counsel and both agreed on financial settlements. Almost immediately after our divorce, my attorney had to file a contempt action to compel my ex-husband to pay. This went on for a year and I had gotten to the point that I could not afford to pursue these issues. At that point, I had spent in excess of \$10,000 in legal fees and had received less than half of what my children were owed. If I hadn't been made aware of the Court Trustee system at that time, I would have been forced to give up.

"The Court Trustee system has served as a vehicle to continually provide enforcement. I did not discover the Court Trustee's Office until May of '94, after 77 court appearances and 17 months of paying legal fees. Initially the Court Trustee's Office made a big difference. The court imposed a six month sentence and my husband was ordered to jail over the weekend. He was subsequently placed on probation with supervision under a private probation service which was the only option the court had in monitoring my ex-husband. But with time and even more court appearances, he realized that there would be no consequences for non-payment.

"My case has been on the court docket a total of 117 times and the arrears are currently nearly \$32,000. The most remarkable part of this is that my ex-husband was at the majority of those appearances. This entire time, while being on probation, he has never been current with payment. In addition he has tested positive for alcohol or drugs three times, refused or ignored other court ordered testings. He has been ordered to alcohol and drug evaluation and has refused to comply. This is where the probation office could play a pivotal role in turning things around but nothing has been done. If it were through the County, there would most likely be more accountability of the probation officer to the court.

"So what are the answers? The Court Trustee system should be publicized by the courts to give parents an option, however the courts must instill more backbone in their enforcement of their orders and make available the necessary tools to get the job done such as having probation officers to monitor probation cases, having space available in the jail, or even work release options for those who obtain a job.

Regular Meeting, April 10, 1996

"You may be asking how can the chronic offender pay if they are in jail. I can respond with the facts. My present child support arrangement has been in effect for 40 months and 15 of those months I received nothing. In 23 of those months, I received only a fraction of the court ordered amount. The only time I ever saw a real attempt made by my ex-husband was after he spent those three days in jail. Recently, he knows that he is under threat of incarceration due to the bench warrant and motion to revoke his probation and has paid another lump sum amount. However, the fact remains that the issues raised here need to be addressed by the County for the County has the interest of seeing to the welfare of the public, especially the children. Thank you for your time. I hope you take into consideration my recommendations and act upon them, for these are current problems prevailing our system that need to be resolved.

Thank you."

Chairman Winters said, "Thank you very much for being here. I might make one quick comment and then ask our Manager, Bill Buchanan. We know that the Court Trustees are having some unique situations and I think we're even in the process of perhaps addressing that system. Do you have any response or comment? I know that this is a problem that goes on practically all over the nation. Is there anything that we can say that here in Sedgwick County we're trying to work on these kinds of issues more than we have in the past? The Court Trustees do not work for the County Commission, so could you just briefly say a couple of things about that?"

Mr. William Buchanan, County Manager, said, "I'd be glad to. Commissioners, Debbie Gerstner articulated in a very special way, the dilemma of the system not only here but across the nation. This is not a unique problem to Sedgwick County. After having said that, let's recognize that she and others like her, may not be served by the system and how are we going to assist her, what is it we can do?"

"Let's understand first that the Court Trustee system in Kansas is appointed and operated and managed by the District Court and they are a separately, independently elected judiciary and set up their own procedures and rules. We have been very fortunate in this County to have Judge Rogg as the Administrative Judge who recognizes the problem, is starting to address it, and has asked for some assistance from us in terms of ideas and how would we go about beginning to solve the problem. We have begun those discussions.

Regular Meeting, April 10, 1996

"We have entered some specific approaches the Judge has to improve the system and this is going to be a long process, but that does not mean that there aren't actions that will be taken shortly and soon and that we can now proceed to help the situation. How in fact we go about that, Judge Rogg and I are in the process of discussing that and trying to figure out ways to institute some changes immediately.

"I had a discussion this morning about the use of halfway houses and how can we use those situations. Commissioner Miller is in the middle of trying to address that problem and how it affects neighbors, but how could it be used in this situation. Although it appears as though government is moving slowly and methodically, in fact, this is being addressed and looked at and examined on a number of different fronts and we would hope, it would be my expectation, to have some more conversations with Judge Rogg and that we could come to you together with some report relatively soon about how the system is improved and different."

Chairman Winters said, "So you and Judge Rogg are presently having some discussions on how this Court Trustee system functions and how it could function better."

Mr. Buchanan said, "Judge Rogg is leading those discussions and I'm not trying to pass the buck, but he has taken the responsibility for them, has asked for some assistance, and we will be happy to provide others. It is one that there are several different players in the system, none of whom report to each other."

Chairman Winters said, "Okay, thank you very much, I appreciate that. At this time I would like to take up a quick off agenda item regarding a plat for a new EMS station."

MOTION

Commissioner Schroeder moved to take an off agenda item concerning a plat for an EMS Station.

Commissioner Gwin seconded the Motion.

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

Regular Meeting, April 10, 1996

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. Ken."

Mr. Ken Arnold, Director, Capital Projects, said, "Appreciate you allowing us to present this off agenda. We've been working this issue and briefed each of the Commissioners with the work of the Legal Department. We're asking your approval of this plat for EMS Post #12, which is on the North Hillside site at the land donated by Koch Industries to the County for that purpose. The filing of this plat today will allow us to have the contractor to start construction of the actual building. He is only able to do the pad at this time without this thing filed. He has bid that work in 180 calendar days and we'd like to get him started right away. So we'd be happy to answer any questions you have."

MOTION

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

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

Regular Meeting, April 10, 1996

Chairman Winters said, "Thank you Ken. Glad we could take care of that and get you on your way. Next item please."

PLANNING COMMISSION

F. METROPOLITAN AREA PLANNING DEPARTMENT (MAPD)

- 1. CASE NUMBER SCZ-0709 - ZONE CHANGE FROM "R-1" SUBURBAN RESIDENTIAL TO "AA" ONE FAMILY DWELLING DISTRICT, LOCATED ON THE SOUTH SIDE OF CENTRAL IN AN AREA WEST OF 159TH STREET EAST.**

Mr. Marvin Krout, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, "This first item, the outlined area, is 5.3 acres. This is in the Four Mile Creek area. You can see that it is south of Central and it is east of the turnpike and east of 143rd Street. It is really wrapped around by the Belle Terre Addition, which is under development and the proposal is to go from the County's R-1 district, which is now the SF20 district, the suburban district, to the urban district, which would permit the smaller lot sizes that can accommodate the water and sewer that can be provided to this site. As I said, sewer and water are both available. This is consistent with the Comprehensive Plan, more intense development where the services are available in the Four Mile Creek area. There is a plat that has already been filed and is in process for about 14 lots on this site. The lots are consistent, 8,000 to 10,000 square feet, consistent with the lot sizes of the Belle Terre Addition that wraps around to the east and the south.

"This case went to the Metropolitan Area Planning Commission and they had a public hearing and the staff recommended approval. There were no neighbors in opposition and the Planning Commission recommended approval by a unanimous vote subject to the platting being completed. There were no written protests that were filed after this case either, so it just requires a simple majority of the Commission to approve.

SLIDE PRESENTATION

"This is the aerial photograph. There is an existing house that is along Central on the west portion and that would become one of the lots in the proposed plat.

Regular Meeting, April 10, 1996

“You can see Belle Terre houses already developed and this area is developing very rapidly and we have slides showing you the area. This is Belle Terre in the background to the east and south. We're looking across and the right hand side is the lot in question. This is looking to the west down Central and looking to the north across the street, there is some undeveloped land but there is a church site and some homes and a new subdivision that is wrapping around. These are the homes in that subdivision on the north side. Another shot. Again, that is on north and that is the church to the north and west across Central. Back to the aerial photograph. That's the church we were just looking at and that is Brookhaven Estates, the new development. Back to the zoning map. Be glad to answer any questions you may have on this case.”

Chairman Winters said, "Okay, thank you. I see no questions at this time Marvin. Is there anyone here in the audience who would like to speak to this case, zoning change in an area west of 159th Street East? Is there anyone here in the audience who would like to speak to this case? Seeing no one, we'll limit comment to bench and staff. Commissioners, do you have questions or what's the will of the Board?"

MOTION

Commissioner Gwin moved to adopt the findings of fact of the Metropolitan Area Planning Commission (MAPC) and approve the zone change subject to the condition of platting; adopt a Resolution and authorize the Chairman to sign; and instruct MAPD to withhold publication until the plat has been recorded with the Register of Deeds.

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

Regular Meeting, April 10, 1996

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

2. CASE NUMBER CU-391 - CONDITIONAL USE PERMIT FOR A PRIVATE RECREATION AREA FOR A PAINTBALL FIELD, LOCATED IN AN AREA SOUTH OF HIGHWAY K-96 AND EAST OF TYLER.

Mr. Krout said, "The outlined area on this map is 15 acres, 15 undeveloped acres on the south side of K-96 Highway. This is Tyler Road here and this is Ridge Road, so we're a half mile in between them on the south side of the highway. This is south and east of Maize and it is in Maize's area of zoning authority, so the Maize Planning Commission did review this case.

"The tract is zoned R-1, now SF20, Suburban Residential District. The surrounding area is all zoned R-1 and R is undeveloped and then agricultural and undeveloped uses, except for homes that have an area at least 1/2 mile in any direction to the east or the west or the south. So it is a pretty remote site considering its location. It is also buffered by the highway.

"This is a request for an outdoor recreation use. The game that is proposed to be played on this site is paintball. It involves specially manufactured guns that are equipped with paint pellets and the game that is played is a game of teams and it is basically a capture the flag game involving the elimination of team players by use of these guns with paint pellets. They have a very limited range in terms of distance, nothing like a real gun and they also have very limited noise. This is an isolated site, along K-96 and seems like an ideal location for this. The staff recommended approval subject to a number of conditions that are in the staff report and have been recommended by the Planning Commission. The original recommendations were also reviewed and refined by the Maize Planning Commission at their meeting. It clarifies that this is not a shooting range, requires the County Engineer's approval for exactly where the access point will be on Tyler Road, so that there is good visibility. There is an approach up to the K-96 bridge and there is some problem if it was too close to the road there. It is also subject to meeting requirements of the Fire Department and of the Health Department in terms of any on site water and sewer that may be required.

Regular Meeting, April 10, 1996

"The condition recommended by the Maize Planning Commission and accepted by the MAPC is that the operators must inform the players that there is no shooting towards K-96. In addition, there is a 50 foot setback along K-96, where the playing field will be roped off and the area will not be used. There is a pretty heavy brush area in that setback area and so there is an anticipation that there wouldn't be any interference with automobile traffic on K-96. In other examples where we have these uses in operation, that hasn't been reported as a problem to us in the past. As I said, the Maize Planning Commission reviewed the request and recommended approval. That approval is unanimous. There was one owner, I think it was the owner to the east who runs some cattle on this property and had some initial concerns but he was not in opposition by the end of the Maize Planning Commission meeting and I think that the owner of that property and these applicants have met and discussed how the property was going to be used.

"The Metropolitan Area Planning Commission with no one appearing in opposition, recommended approval. That vote was 11 to 1. The one descending vote had concerns that a more intense use of this land for recreation purposes might be inappropriate because this was flood plain land and the soils were somewhat sensitive but I think you would typically find recreation use of flood plain land like this and so it was not a problem with the staff.

SLIDE PRESENTATION

"There were no protests filed after the Planning Commission hearing and so it takes a simple majority of the County Commission to approve this request. This is the aerial photograph and you can see where the site is located and this is Tyler Road, Ridge Road, K-96. The site in question is wooded. The nearest home is to the east, to the west and to the south on the other side."

Chairman Winters said, "Marvin, where is the access to that property?"

Mr. Krout said, "Well, it will be off Tyler Road and a sufficient distance south that it won't be a visibility problem in terms of the grades, as this Tyler bridge goes up over K-96. There will be a road cut through that field, which is part of the same ownership that is being leased by these applicants. You won't see much on these photographs. On the left hand side would be K-96 and we're looking toward the field, the wooded area in the background and now we're a little bit closer up to it. This is the area we are basically talking about and that is a signage for Ridge Road up about 1/2 mile further down K-96. This is looking south.

Regular Meeting, April 10, 1996

"The field would be over on our left hand side and this is somewhat of a telephoto lens of those homes, really probably a mile away from where we shot this photograph. This is the site itself and you can see K-96 in the background and in the western edge of the proposed playing field is the wooded area part of the nature of the recreation. Looking now at Ridge Road which is 1/2 mile to the east and the homes that are nearest probably to this site and then looking south on Ridge Road, but this is quite some distance. Back to the aerial photograph and the zoning map. Do you have any questions?"

Chairman Winters said, "Commissioner Schroeder."

Commissioner Schroeder said, "What's the range of these weapons or guns, do you have any idea?"

Mr. Krout said, "It was reported in the staff report. The applicants have all the details on this. I think it was something on the order of 200, 250 feet, maybe it varies with the kind of projectiles and guns that they use, but that's the order of range."

Commissioner Schroeder said, "Seventy-five yards. The reason why I ask, if you've got a 50 foot setback from the highway, they would go clean over the highway, but I'm wondering if we shouldn't have a greater setback from the highway because I tell you the first time you get a complaint about a stray paint ball, and I'm going to support this, but a stray shot that hits a car and you hit somebody with a \$50,000 car, I don't know who is going to get the complaint, but my guess is that it will come here first. I'm just wondering if we shouldn't have a greater setback from the highway."

Mr. Krout said, "Well, it's possible and you could talk to the applicants about it. I think that the considerations were that there is an additional distance on the highway to get to the paved area itself, it is about 100 feet maybe between the right-of-way line and the paved area of K-96, guessing. Dave, maybe 75 to 100 feet right-of-way?"

Mr. Spears said, "We'd have to look at that."

Mr. Krout said, "But that still is less than the 225 feet, but I guess our feeling was that there was heavy brush in that setback area and the only way to make that maximum distance is if you shoot straight. If you shoot up you're not going to probably be able to..."

Regular Meeting, April 10, 1996

Commissioner Schroeder said, "I know, and I'm sure the owners don't want that to happen, but you can't control everybody who goes out there. Obviously, in any situation, with any zoning issue. But 50 feet is also close to the right-of-way on the highway and I was just thinking that if we were to double that, it would give us a little bit more of a buffer. If we do have a violation, who is responsible for seeing in any of these cases, whether it is a sand pit violation, this, or whatever. Who is responsible for enforcing the restrictions, et cetera of the property? I mean is there anything that will pertain to this kind of use in the agreement? Is that just given with the zoning?"

Mr. Krout said, "The conditions of approval and the conditional use, and we have a number of them here, are all enforced by County Code Enforcement. If there is a violation of the conditions, then it is up to the County to enforce those and the enforcement could include the County holding a hearing and deciding to terminate the use."

Commissioner Schroeder said, "I guess I would just caution that maybe we need to look at that buffer zone of 50 and maybe increase that."

Mr. Krout said, "I think the applicant is probably open to that."

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

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

Commissioner Miller said, "Commissioner Schroeder, you make a good point. In driving by there, if I recall, and if you're on Ridge Road and you're looking to the west, if I recall, that's the direction that you would be looking toward, the field is just set back. Actually, there is a clearing before you get to the brush where more than likely they will be doing their game playing. I guess it is in between the road and that pink line."

Mr. Krout said, "That won't be part of the playing field."

Commissioner Miller said, "That's what I'm saying, it's just clear, a total clearance right there, and then you get to the actual brush area or wooded area. Are you saying that that is included with the 50 foot setback. Where is the 50 foot setback beginning?"

Mr. Krout said, "The 50 foot setback would be along K-96."

Regular Meeting, April 10, 1996

Commissioner Miller said, "So it would be part of that clearance then, is that correct?"

Mr. Krout said, "If you're talking about the cleared area between Ridge Road and the site."

Commissioner Miller said, "No, before you get to the actual treed area of the paintball field."

Mr. Krout said, "And I think that's not part of their site, that's not part of the area they intend to use."

Commissioner Miller said, "Okay. I was trying to make sure that indeed there is enough clearance from the road and the actual site of where they are going to be doing the games. That's what I'm attempting to do."

Mr. Krout said, "I think that's the same issue about the setback."

Commissioner Miller said, "Then, there are just a couple more points that I would like to make. First of all, this is a lease contract, is that correct? They're leasing the property or leasing the right to use this property and maybe I need to talk to the actual owners or applicants here. Would you like to step to the podium?"

Chairman Winters said, "We'll give them a chance. If anybody has a question for Marvin, we'll finish with Marvin and then we'll go to them."

Commissioner Miller said, "Okay, I don't."

Chairman Winters said, "Marvin, a question about Maize again. What was the discussion at Maize, was there any serious reservations on their part or what was that vote again at the Maize Planning Commission?"

Mr. Krout said, "The vote was unanimous and I would say there was no serious opposition that the Maize Planning Commission had in this case."

Chairman Winters said, "It is clearly in Maize's zoning influence?"

Mr. Krout said, "That's right."

Regular Meeting, April 10, 1996

Chairman Winters said, "Okay, thank you. At this time I'll ask if there is anyone here who would like to speak in favor of this and this would be a good time for the applicant or their representative to come forward. Please state your name and address for the record and make any comments you have and I think a couple of Commissioners have a couple of questions they would like to visit with you about."

Mr. Robert Shook said, "I live at 1501 N. Ford, Hutchinson, Kansas. As far as the setback, I'll go ahead and explain a little bit on that. There is a State highway and on that State highway, there has been a State fence that's been put up where you've got your right-of-way, right off the shoulder there is quite an area of distance of grass that isn't part of the highway and then there's a State built fence before it reaches our property line and what we intended to do was go from that State run fence back 50 feet or so, which it is quite a distance. Plus, you get brush in there and then we also intend, depending on whether it gets going, to put up any kind of safety nets. Mind you, that these games are watched by referees just like any other sport. We've got a majority of pretty big referees and stuff that might be out there helping control the circumstances, making sure and watching everybody and then we plan to put up a netting that goes along and I don't know whether I can use any of the projection slides or not."

"Okay, on the north part of where this property is going to be used, we're going to have five different sections of playing fields a little bit smaller than a football field. In this area right through here, all the fields will be run east and west, so that way, none of the action or presumed shots, will be heading north or south toward the highway. So any of the shots fired in this area here, would be going east and west and then, like I said, we plan to put up a net around most of the whole area, just because it looks good and it is an extra safety feature. We're real big on safety. This sport right now has a safety...you know golf has more injuries than this sport does right now. By having all of these safety measures, we hope to stay healthier than the golfers out there. Just joking about that."

"Just to let you know, there is a grass area right here that has a State fence and then we plan to go 50 feet beyond that and set up the playing fields east and west, so not to impose any shots toward the highway. I'm a real strict guy on rules and the way I look at it, if any of these violate our conditional use permit, I could be out a big sum of money, a business, my future. I'm still young so I hope this is my future in this sport. To me, that customer isn't worth all that and so they're out the door. They're hiking back towards Tyler Road because I don't put up with rule infractions and that is the way we plan to keep it from happening."

Regular Meeting, April 10, 1996

If I get any shots on K-96, I did run a paintball field in Hutchinson, Kansas, that was along Highway 50 and never had an infraction happen the way we set up the fields and designed the playing area. Never had one complaint. Any other questions?"

Chairman Winters said, "Yes there is Robert. Commissioner Miller, I'll just start with you because I think you indicated you have some questions."

Commissioner Miller said, "Thank you. So what you're saying, basically Robert is that there is a fence that is already intact, that is already setback from the street."

Mr. Shook said, "Yeah, it's a State fence."

Commissioner Miller said, "I couldn't see it."

Mr. Shook said, "There is a lot of brush down there that is covering it up."

Commissioner Miller said, "I know that there definitely is, I don't know how much footage of just clearance before you get to the fence."

Mr. Shook said, "I walked that certain area. It is 335 yards, that area right there. When I walked it, it was quite a distance. You know, I would say it is at least 25 to 30 yards maybe, so it was quite a distance."

Commissioner Miller said, "Okay, and then it is 50 feet beyond that."

Mr. Shook said, "And then mind you, our fields have boundaries on them all the way around them so that players stay in a certain field and the field, the plans that we have, there is going to be one field in that area and it runs east and west so they wouldn't have any shots, I don't want to be too repetitious on that, but so we can control where the paint flies, you might put it that way."

Commissioner Miller said, "Alright, second question would be, how often do you think you'll be playing the games or doing the tournaments."

Regular Meeting, April 10, 1996

Mr. Shook said, "Well, usually just on a weekend basis, but you know as any business person would say, I wish I could be open seven days a week. It just depends on how Wichita accepts it."

Commissioner Miller said, "Is that your goal?"

Mr. Shook said, "Well, not seven days a week, that would be too much. You know maybe your Thursday, Friday, Saturday and Sunday type deal. Generally, usually the game is only played on Saturday and Sunday."

Commissioner Miller said, "And do you, I can't remember it was within some reading or maybe some conversations, do you plan to host tournaments that would bring people here for that?"

Mr. Shook said, "Yeah, that's one of the deals that I look at. I travel nationally to a whole bunch of different events and have had people ask me to put on some national events here because it is the Air Capital City of the World, you know. In Ulysses, where I had a field called Fields of Fury, when we had events there, I mean the whole town profited from it. I mean, you're talking about, you know if 100 people come or 200 people come, that's our maximum limit, 200 people, most of these people come from out of State or out of County, or from a distance. They stay in hotels. I usually put on a players party for them, which is usually at a bowling alley or a dance club or something like that, or a special restaurant. So, the whole community benefits whenever we hold these national events."

Commissioner Miller said, "Okay, thank you. I have no further questions."

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

Commissioner Gwin said, "Thank you Mr. Chairman. Mr. Shook, you indicated that you operated a facility similar to this, or a paintball field in Hutchinson. How many years experience? How long did you do that?"

Mr. Shook said, "Well, I've been in the paintball industry since 1989 and I've been a field operator since 1993. The deal in Hutchinson, that was a trial. We did a 6 month probationary trial period there."

Regular Meeting, April 10, 1996

“There already was a field there in Hutchinson, so we didn't know what the population of players were in the area and we didn't feel it profitable to stay in that location. We had a lot of customers coming up from Wichita, Kansas, and that was our choice, to move down here to better suit our customers, because they asked us if there was any way we could possibly put a field into Wichita. We looked at that for several months and now we're trying to go through zoning and get it here.”

Commissioner Gwin said, "I am assuming that this is a day time activity, no nights, no lights."

Mr. Shook said, "Yeah, that's part of our conditional use."

Commissioner Gwin said, "Thank you."

Mr. Shook said, "Yes ma'am."

Chairman Winters said, "Mr. Shook, the only question I would have and I used to ask this question every time and then kind of stopped. I'm going to start asking it again. There are a number of conditions that have been placed on this application, and you are in support of all of those, you can live with all of those, you accept all of those, you think it will work with all of those?"

Mr. Shook said, "Yeah, I do. In fact, I'm glad they put a couple of them in there, like no alcoholic beverages on the site, because that's always hard for me when players show up and we always tell them we don't want alcohol here and some get a little disappointed. That's one thing I can put in there, is hey, the City says it can't be out here, we don't want it out here. All those codes to me, we worked with Kevin Kokes on that and I found them all acceptable."

Chairman Winters said, "Okay, very good, because I certainly agree with Commissioner Schroeder, when he talks about who is going to enforce these and I just want to be on record, if you agree to these conditions and six months from now we see you've got 500 people out there instead of 200, then I think we'd come back and say we've got a real problem here. I think people that ask for these kinds of uses need to realize that if they agree to the conditions, they need to be ready to adhere to the conditions."

Regular Meeting, April 10, 1996

Mr. Shook said, "Yeah, well I'm in support of all of them."

Chairman Winters said, "Very good. Thank you."

Mr. Shook said, "Yes sir."

Chairman Winters said, "Are there any other questions of Mr. Shook. Okay, seeing none, thank you very much. Is there anyone else here today that would like to speak to this item? Is there anyone else here in the audience who would like to speak to our Planning Commission Item F-2 for the private recreational use area?"

MOTION

Commissioner Miller moved to adopt the findings of fact of the MAPC and approve the conditional use permit subject to the recommended conditions; adopt a Resolution and authorize the Chairman to sign and instruct MAPD to withhold publication until the appropriate conditions have met compliance.

Commissioner Gwin seconded the Motion.

Chairman Winters said, "We have a Motion and a second. Is there any other discussion? Commissioner Hancock."

Commissioner Hancock said, "Marvin, I'm going to vote for this, but just a question, and I support the concept of no alcoholic beverages on this particular site. But this does bring up a concept that I'd like to ask you about. Do golf courses require conditional use permits?"

Mr. Krout said, "No."

Commissioner Hancock said, "It's an outdoor recreational facility."

Mr. Krout said, "Yes, but it is specifically listed as a use that is permitted in all the residential districts because it is so common and we all know what they are."

Commissioner Hancock said, "Everybody wants a golf course."

Regular Meeting, April 10, 1996

Mr. Krout said, "But, the range of outdoor, this fits into a miscellaneous use of outdoor recreational uses and ten years ago, we probably wouldn't have thought about paintball and I'm sure there are other things we haven't thought about, some may be more desirable or need special conditions that we just couldn't anticipate and put into a zoning code and that is why we bumped most outdoor recreational uses into the conditional uses category."

Commissioner Hancock said, "Well what I'm getting to here is the condition upon this is no alcoholic beverages on the property and I guess what I was comparing it to is a golf course. They sell beer at the pro shop usually or restaurants associated with the golf course. Is it normal for all outdoor recreational facilities that require conditional uses not to allow alcoholic beverages on the property?"

Mr. Krout said, "I wouldn't say normal. I think we have looked at these on a case by case basis."

Commissioner Hancock said, "My view is it should be optional to the owner in any case, in this particular case, we're associating this with paramilitary activity I think in our minds and I had a call in regard to that and I certainly share that view or I can emphasize with the view. I guess it depends upon the attitude that would go in with these sort of things whether this is going to be fun or serious. But I was just curious about this because there are outdoor recreational facilities that sell beer and people go into the shop, like golf courses. My view is, if you can do it at a golf course, you ought to be able to do it any place else. Golf course should be sacrosanct as far as I'm concerned by any means."

Mr. Krout said, "We just didn't have a lot of experience with this use so if we erred, we erred on the side of caution. It is certainly optional on the County Commission's part on this or any other conditional use."

Commissioner Hancock said, "The owner apparently has no problems with it and I don't have any problem with it, in this case, because of it, but it was just something that kind of peaked my attention. Why would we do this with one outdoor recreational activity and not another? If you've ever been binked by a golf ball, you can understand that they are pretty dangerous sometimes."

Commissioner Schroeder said, "That's why I wear a helmet."

Regular Meeting, April 10, 1996

Mr. Krout said, "I suppose a golf ball might get out on the street accidentally, too. But we were concerned that even though the playing field is run east-west, people get disoriented after they've been drinking sometimes, so it just seemed that a little levity on the playing field seemed to be a good idea."

Commissioner Hancock said, "Thank you Marvin."

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

Commissioner Schroeder said, "Well Commissioners, I'll go along with this with one caveat that, you know the City of Wichita doesn't play softball very well."

Commissioner Gwin said, "No they don't, they're pretty bad."

Commissioner Schroeder said, "We let them win one game and they stole a run from us in another, so they tied, so otherwise we'd have won all three, so I'm suggesting that if they're not very good at that, maybe we could play paintball. But there would be one extra caveat that we tie their hands behind their backs and we'd have the guns and I wouldn't mind playing them that way. We'd give them a head start."

Mr. Krout said, "Its a conditional use. You can set whatever conditions."

Commissioner Schroeder said, "Sounds good to me."

Chairman Winters said, "Alright, thank you."

Commissioner Gwin said, "Is that a challenge you are laying out already?"

Commissioner Schroeder said, "Oh you bet it is."

Chairman Winters said, "I don't hear it that way at all."

Commissioner Schroeder said, "A challenge."

Commissioner Gwin said, "I think its a challenge Mr. Chairman."

Regular Meeting, April 10, 1996

Chairman Winters said, "Commissioners, you've heard the Motion to approve the finding of fact of the Metropolitan Area Planning Commission. Is there any other discussion on this Motion?"

Commissioner Hancock said, "All I can is that the City Council are the only ones that played with us."

Commissioner Gwin said, "That's right and this will stop that if we challenge them to this."

Chairman Winters said, "Seeing no other questions, Madam Clerk would you 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, "And thank you very much and good luck on your new recreational adventure. Next item please."

3. CASE NUMBER V-1947 - REQUEST TO VACATE A BUILDING SETBACK LOCATED NORTH OF CENTRAL AND EAST OF 143RD STREET EAST.

SLIDE PRESENTATION

Mr. Krout said, "This is an advertised public hearing for a vacation case. This is not far away from where we saw the zoning case. It was probably right here. This is in the adjacent subdivision, Orchard and Shadybrook, also in the Four Mile Creek area, a larger lot subdivision. In this case, the applicant is asking for construction of his house to reduce the platted setback that was initially established on this lot. It is a corner lot along a cul-de-sac and the lot as originally platted with 30 foot building setbacks and this is the plan that the applicant has for his property."

Regular Meeting, April 10, 1996

"There would be a slight encroachment of five feet along this cul-de-sac and there would be a ten foot encroachment along Sandpiper Circle, which is more of a collective street. This could be considered a side yard and typically a side yard setback would only 15 feet and typically, single family zoning would only require 25 foot of front yard setbacks also, so this appeared to be responsible. You see there is something called drip line here and there are mature trees in this area. The owner is trying to get the house away from the trees and that is part of the reason for the reduction in setback. It is an irregular shaped lot because of the cul-de-sac."

Commissioner Schroeder said, "Marvin, did you say a side yard would only be 15 feet?"

Mr. Krout said, "That's the typical. If we called that a side yard, we could, it would have typically been platted only 15 feet. We did notify the surrounding property owners as we always do in a vacation case like this and no one appeared at the Planning Commission in opposition and the Planning Commission voted with 1 descending vote to recommend approval. The one descending vote indicated that he was voting no because somewhere on this subdivision there was a portion of this on the flood plain and he generally..."

Commissioner Schroeder said, "Somewhere on the subdivision?"

Mr. Krout said, "Somewhere else on the subdivision, not on this lot, there was flood plain land. That's all I have. If you have any questions, I'd be happy to answer. This is an advertised hearing."

Chairman Winters said, "Commissioner Hancock."

Commissioner Hancock said, "Is this house constructed already?"

Mr. Krout said, "No, I don't believe so."

Commissioner Hancock said, "It isn't. Okay."

Mr. Krout said, "I'm not aware that it is."

Regular Meeting, April 10, 1996

Chairman Winters said, "Okay, thank you. Any other question of Marvin? At this time, we'll open the public hearing and receive comment from the public. Is there anyone here today who would like to speak to this case number V-1947 request to vacate building setback. Seeing no one, discussion will be limited to bench and staff. Commissioners, what's the will of the Board?"

MOTION

Commissioner Gwin moved to approve the Vacation Order and authorize the Chairman to sign.

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 very much. Thank you Marvin. Next item."

DEFERRED ITEM

G. ADJUSTMENT OF THE COMCARE STAFFING TABLE TO DELETE ONE ASSISTANT CASE MANAGER POSITION, RANGE 13, AND ADD ONE PATIENT BILLING REPRESENTATIVE, RANGE

Mr. William Buchanan, County Manager, said, "I'm filling in today for Debbie Donaldson and her staff. It is one of those wonderful days where they are all out of town or busy negotiating contracts to get more money for Sedgwick County to deliver services to our clients and we hope that they are successful."

Regular Meeting, April 10, 1996

"This position is the one item that was deferred last week. The request is to simply eliminate one position and create a new position with a different range and in this fashion we keep the staffing table at the level it was before we started the process. Therefore, I would recommend you approve the elimination of Case Manager position, range 13, and add one Patient Billing Representative, range 16."

MOTION

Commissioner Schroeder moved to approve the adjustment to the Comcare Staffing Table.

Chairman Winters 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 very much. Next item."

NEW BUSINESS

H. SEDGWICK COUNTY AND LAKE AFTON PARKS

- 1. AGREEMENT WITH KANSAS ORGANIZATION FOR SPACE MODELING FOR USE OF LAKE AFTON PARK JUNE 22-23, 1996 TO HOLD A KANSAS ROCKET AEROMODELERS' OPEN MEET AND APRIL 14, MAY 5, JULY 7, OCTOBER 6 AND NOVEMBER 3, 1996, TO HOLD FUN FLY LAUNCHES.**

Regular Meeting, April 10, 1996

Mr. Jarold Harrison, Assistant County Manager, said, "After that brief description, do you have any questions? This group has been active in the park since 1988. This is the kind of model rocket activities that they carry on. These dates have been coordinated with the Park Superintendent. They have provided a certificate of insurance and we would recommend your approval of this agreement."

MOTION

Commissioner Schroeder moved to approve the Agreement 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. Next item."

2. AGREEMENT WITH METROPOLITAN BAPTIST CHURCH FOR USE OF SEDGWICK COUNTY PARK APRIL 13, 1996 TO HOLD A RIVER OF LIFE RUN.

Mr. Harrison said, "The Baptist Church is wanting to hold a 10k, 5k, and 1 mile run in Sedgwick County Park on April 13. This is consistent with the type of activities we've done in the park. We have also received a certificate of insurance for this organization and have coordinated this date with the Park Superintendent. We would recommend your approval."

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

Regular Meeting, April 10, 1996

MOTION

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

Chairman Winters 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 very much. Thank you Jerry. Next item please."

I. BUREAU OF COMMUNITY DEVELOPMENT

1. RESOLUTION REGARDING EXOTIC ANIMALS.

Ms. Irene Hart, Director, Bureau of Community Development, said, "In 1995, your Animal Care Advisory Board, considering public safety and animal welfare developed a proposed Resolution for your consideration regarding inherently dangerous carnivores and reptiles. You approved the Resolution earlier this year to regulate carnivores such as lions, tigers, bears and wolf hybrids, also including various poisonous and aggressive constrictor snakes. We have learned that there is a desire by the Commission to revisit and fine tune the Resolution and we've prepared for you a Resolution for your consideration which removed the Burmese Python from the list of reptiles regulated by Sedgwick County. Sherdeill Breathett, our Animal Care Coordinator is here to answer technical questions and I'd be happy to answer any questions you might have."

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

Regular Meeting, April 10, 1996

Commissioner Gwin said, "Irene, I appreciate that, and I appreciate the Commission being willing to discuss this item again. As I understand it, the Resolution regarding inherently dangerous animals was a long multi-month discussion among and between members of the Animal Control Advisory Board and business people who do in fact sell some of these creatures to their customers. Part of that discussion, throughout it, were a number of give and takes and a lot of cooperative spirit that in fact came to the Resolution that we had been asked to consider.

"Some compromise, and as we all know, compromises leave most everyone unhappy, but they're willing to live with it. Compromise verbiage had been agreed upon as I understand it, with the Burmese Python being excluded and then at one of our staff meetings, members of our zoo asked us if we would reinstate the Burmese Python because of its size and at the time, that seemed like a reasonable request to me. What I was not aware, was that by acting upon their request, we had gotten in the middle of a compromise that at least one side felt he had given up a number of things in order to keep the Burmese off the list. So I explained to this gentleman that I certainly didn't mean to do that and I would be happy to come back and discuss it. I appreciate the Burmese Pythons are huge reptiles and I have no intention of buying one, but I also understand that, I've not read much in the papers in this County or this State, about attacks by Burmese Pythons on neighbors. One of the things that brought this to our most recent attention was the lion that a gentleman was confronted by in his garage early one morning and the lion had been sitting in the bed of his pickup truck and leaped out of the pickup truck and to the man's surprise and, of course subsequently, the man shot the lion and I'm sure most of us would have done the same thing if we had the presence of mind to do so. I find it hard to picture a Burmese Python leaping out of the back of a pickup truck and confronting someone in that regard, so I have no problem with including it.

"I do have a couple of areas and I will call them technical changes Irene, that I would like to present for consideration. On page 9 of the Resolution under Section 5-229, the licensing inspection required of inherently dangerous reptiles. There is section A-3 and it is just to correct a typo. It says that 'people who own these have to submit to an initial inspection of the premises for the inherently dangerous reptile is proposed to be harbored prior to the license being issued and to additional inspections,' it is typed announced or announced. I think it should be corrected to announced or unannounced and the gentleman did point that out to me, that obviously we want to be able to check on that.

Regular Meeting, April 10, 1996

"Another issue has to do with the enclosures for snakes. I had a long conversation with Ted Pites, and I hope I'm pronouncing that right, who owns Neodesha Plastics and who has a sub-company called Bush Herpetology Supplies and in Neodesha, Kansas, Bush Herpetology Supplies makes reptile enclosures and supplies something like 70% of those that are used throughout the country. These products are used in the Sedgwick County Zoo to house our reptiles and others. I had a long discussion with him, a very nice gentleman, but he said that part of the language would make his supplies not usable in Sedgwick County because the verbiage says, when it talks about enclosures, that the cases...have to be a minimum of one quarter inch thick molded plastic. He said that is fine, because that is what he starts with, but as through the process of molding and curving these enclosures, that plastic becomes less than one quarter inch as he stretches it around the molds he uses. If we would correct or amend that language to indicate that those enclosures could be made of molded plastic with an initial thickness of one quarter inch, that it would permit his cases to still be legal in Sedgwick County.

"That goes way beyond just including the Burmese but there are a couple of items obviously that are of concern here and quite frankly, I think they are technical changes, things we didn't realize about how enclosures for reptiles are built. I learned more about that than I thought I'd ever want to know, but I would respectfully suggest that we amend or make those amendments to the Resolution at the same time that we are considering removing the Burmese. Thank you Mr. Chairman."

Chairman Winters said, "Thank you. I see no other questions. Does any other Commissioner have a question, or if not, Commissioner Gwin if you'd like to form a Motion, we could see where it goes."

Commissioner Gwin said, "I move to adopt the Resolution that we have in front of us today that excludes Burmese Python, but also to make the technical correction in section 5-229, item A-3, changing the words 'and to additional inspections, announced or unannounced' and change the verbiage in section 5-234, A-2 and in A-3 that currently reads 'from a minimum of one quarter inch thick molded plastic', to 'molded plastic with an initial thickness of one quarter inch.'"

Regular Meeting, April 10, 1996

MOTION

Commissioner Gwin moved to adopt the Resolution with the amendments.

Commissioner Hancock seconded the Motion.

Chairman Winters said, "We have a Motion and a second, is there any other discussion? Commissioner Miller."

Commissioner Miller said, "The discussion is in support of the Motion, and I simply wanted to be able to state publicly that it is apparent that this is a Commission that is able to go back and review the decision making process that we have already gone through and to listen to comments, listen to background information, researched information and personal information from individuals who we happen to believe obviously hold some credence and some viability in what it is that they are attempting to tell us. So I just felt that it was very important that I, as a Commissioner, to be able commend the Commission on being able to look back, rethink how it is we came to an original decision and come up with what we feel is an even better and more encompassing policy. I just wanted to thank the Commission for that."

Chairman Winters said, "Thank you. Any other discussion? Commissioners, you've heard the Motion, if there is no other discussion, we'll call the vote please."

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	No
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Thank you very much."

Regular Meeting, April 10, 1996

Ms. Hart said, "If I could provide some additional information. We noticed that the National Association of Counties' monthly newspaper, The County News, that goes out to the counties all over the country, has highlighted in their April edition, this Resolution. Their research department reports that it is unique enough that they did an article on it in the April 1st edition. Secondly, the Resolution itself goes into effect May 1. There are printed materials available to the public through County pet shops, veterinarians, through the Animal Control Department and other places where people would normally get information about these kinds of animals. Mr. Breathett will be having a news conference later on to give additional details and information to the public."

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

Commissioner Miller said, "There is only one other comment that I would like to make and actually, Mr. Breathett, could you come to the podium please? Irene, so that we could address both. I know that originally when we came to the decision to make the change in the policy we talked about how when you build policy obviously it is going to be, in order to be able to monitor the new Resolution that we've put in place, that there might be some question of the ability of the current staff to do that appropriately and I think the answer at the time was that at this moment we could probably do that. In the future, as we get moving with this and actually monitoring how it is that this particular Resolution is put into actual tact and in place, Mr. Breathett, do you think we would possibly need some assistance in your department to adequately monitor this or are we okay with that."

Mr. Sherdeill Breathett, Director, Animal Control, said, "To be very brief and specific, we would need some additional help and assistance to do it in an effective way. As far as our deadline of May 1, we will have all our ducks in our row, if you don't mind me saying, to govern this issue, but we would require some additional help in the near future."

Commissioner Miller said, "Okay, just needed to make sure that we were ready to go with this. Thank you. Thank you Irene."

Chairman Winters said, "Another question?"

Commissioner Miller said, "No, thank you Mr. Chairman."

Regular Meeting, April 10, 1996

Chairman Winters said, "Okay, thank you. Any other questions? Thank you Irene. Next item please."

2. 1996 SEDGWICK COUNTY SMALL CITIES GRANTS.

Ms. Hart said, "Now for something completely different; 1995 was the first year the Sedgwick County Commission set aside \$25,000 to be used by small cities in Sedgwick County through a competitive process. The purpose of the funding is to promote community planning or improvement. Last year, funding was awarded to six different communities to fund development of comprehensive plans, to improve handicap accessibility at public facilities and to do a historic preservation project. This year, 20 requests, totaling nearly \$140,000 were received for the \$25,000 available. According to your approved procedure, your Capital Improvement Committee met, reviewed the applications and has developed the following recommendations for your consideration.

"First, they recommend funding the request from the City of Andale in the amount of \$7,200 to prepare a new comprehensive plan and for zoning regulations. Their current plan was developed in 1969 and the regulations nearly 20 years ago. Because of current and anticipated new development and annexations, they'd like to be prepared for orderly growth.

"The second recommendation was for the City of Bentley in the amount of \$5,400. Bentley recently completed a new City Hall and Community Building. Almost all the interior work was performed by community volunteers with the City purchasing the materials. Although they had funds to install sidewalks and wheelchair ramps, they did not have sufficient funds to provide paved handicap parking areas close to the building.

"The third recommendation is for the City of Eastborough at \$5,200. Eastborough budgeted funds in 1996 for beautification of the City pond, located at Kellogg and Woodlawn. Fish kills and resulting professional advise, recommended a study to survey and document the quantity and quality of the drainage run off within the City pond watershed and analyze its impact upon the pond. The City desires to take a pro-active approach to ensure appropriate overflow given the pending improvements to Kellogg.

Regular Meeting, April 10, 1996

"The fourth request was from the City of Derby in the amount of \$7,000 and the committee recommends \$7,200. Derby submitted a well documented application for funds to replace deteriorated or failed concrete walls on approximately 1,300 linear feet of the Trail Creek channel through Hand Park. The total project is estimated at \$60,000 to \$70,000 and the City will be picking up the remainder of that cost. The applicant cites the need for improvement as the channel is an attraction to nearby elementary school children and park visitors and that the falling walls have reduced the flood carrying capacity of the channel.

"So the Committee recommends funding those four applications and the amount total \$25,000. I would be happy to answer any questions you might have."

Chairman Winters said, "Thank you very much, Irene. It sounds like you and the CIP Committee has done a good job on this matter of Small Cities Grants. Commissioners, do you have any questions? If not, I would look for a Motion of approval."

MOTION

Commissioner Schroeder moved to approve the Grants as recommended by the CIP Committee.

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 very much. Thank you Irene, and thanks to that Committee. Next item please."

Regular Meeting, April 10, 1996

J. ELECTION COMMISSIONER'S OFFICE

- 1. USE OF VOTING MACHINES BY WICHITA STATE UNIVERSITY STUDENT GOVERNMENT ASSOCIATION APRIL 15-17, 1996, FOR CONDUCTING STUDENT GOVERNMENT ELECTIONS ON CAMPUS; AND USE OF VOTING MACHINES BY VIA CHRISTI REGIONAL MEDICAL CENTER APRIL 20, 1996, FOR THE VIA CHRISTI CHILDREN'S HEALTH & SAFETY FAIR.**

Ms. Marilyn Chapman, Election Commissioner, greeted the Commissioners and said, "I am here once again to ask your authorization to allow these groups to use our voting machines. Wichita State has not used them for several years because their Student Government elections very often are at the same time that we are using them for regular elections, but this year, we happen to be able to allow them to use them if they'd like to and they have chosen to do that. Via Christi has used them at the Zoo for their Health Fair for several years now. One of the things that they put on the voting machine are for the children to vote for their favorite exhibits and consistently, the voting machines have come out either one or two. I think one year we did fall to number three, but we did move the voting machines to the top of the list, so now we come in one all the time. I would like to ask your approval of the use of these voting machines."

Chairman Winters said, "Okay. Thank you very much. Commissioners, any questions?"

MOTION

Commissioner Gwin moved to approve the use of the voting machines.

Commissioner Hancock seconded the Motion.

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

Regular Meeting, April 10, 1996

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 very much. Next item."

2. RESOLUTION AUTHORIZING THE ELECTION COMMISSIONER TO LOAN VOTING MACHINES TO SEDGWICK COUNTY ORGANIZATIONS.

Ms. Chapman said, "Because of the size, we kind of rent voting machines out whenever someone is willing to pay the transportation charges and put up with them. With the new portable voting machines, we feel that we're going to have many more requests for them and also we feel that they are possibly a little bit more vulnerable so I spoke to Mr. Plummer and he thought that it would be very wise if we came up with a much more formal agreement for lending voting machines than we have had in the past. So his department has drawn up a Resolution for you, which puts formally, more responsibility on the person or persons who are going to be using the voting machine, including monetary considerations and also requires that they provide a certificate of insurance in the event that there might be damage to the voting machine. I would ask that you adopt this Resolution so that future groups who want to use the voting machines, we will have a formal contract and in fact, the two groups that we have just talked about have signed that contract and provided us with everything that we have asked for."

Chairman Winters said, "Okay, Marilyn I guess the first question I would have, does this address specifically if a machine is lost, stolen, or damaged, clearly who is responsible for that then? Is that the purpose of this Resolution?"

Ms. Chapman said, "Well, I think part of it is that purpose, yes, and also, as I said, we had no real agreement about how much we would charge and there are some costs, because we have to set up the machine and it takes company time to set up the machines and that sort of thing, so we have hopefully addressed all these issues."

Regular Meeting, April 10, 1996

Chairman Winters said, "I guess I notice in some of the backup comments, it would be your opinion that anything that gets voting machines out in the public gets the public more familiar with the machine and how to use it."

Ms. Chapman said, "You bet. We are always anxious to get any sort of educational opportunity that we have and with the young people, especially, and this is where many of our requests come from, the University and the Children's Fair. The more those young people have the opportunity to see the machines and have a hands on experience with them, I feel the more likely they are to vote when they have a real opportunity to do so."

Chairman Winters said, "Alright, sounds like a good project. Commissioners, any questions of Marilyn?"

MOTION

Commissioner Schroeder moved to adopt the Resolution.

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 Marilyn. Next item."

Regular Meeting, April 10, 1996

K. OVERVIEW OF OLD COWTOWN MUSEUM'S STRATEGIC PLAN AND REQUEST FOR ADVANCED DISTRIBUTION OF COWTOWN DEVELOPMENT FUNDS.

Mr. Michael Knecht, Director, Old Cowtown Museum, greeted the Commissioners and said, "I'm here today along with Elizabeth Kennedy, the Museum's Associate Director, to give you a progress report on where we are on Old Cowtown Museum and to request support for the Museum's new strategic plan.

"Many changes have taken place at Old Cowtown Museum over the last six months. One of these changes has been the creation of a new quarterly magazine called Sagacity, the magazine of Wichita and Sedgwick County History, which Liz is distributing copies of our second issue that just came off the press. This quarterly publication has been very good for the Museum to come up with. First of all, it has helped us expand our membership base with a really good return on the first issue that came out earlier in the year. The issue also is being used as a promotional piece. We're distributing it to schools and libraries throughout the County. It is also being placed in doctor's offices, dentist's offices, chiropractor's offices, and other businesses. It really has increased our visibility and we feel that it is a really good vehicle to take history out of the Museum and place it throughout Sedgwick County.

"A second change that has been going forward, has been the development of the J.P. Allen Drugstore. This is a project that was conceived back in 1988 and due to a variety of delays, it was not moved forward. We started moving this project forward last fall and a new two story structure will open May 11 of this year. We hope to see all of you out for that opening.

"A third change has been the revitalization of the Board of Trustees. We have eight new Board Members who have gone on the Board this year. All of them have committed to the strategic plan that was passed and we've also set up some new standing committees to help move the plan forward.

"Finally, and probably most importantly, the initiative to create a new strategic plan has been the most critical part of what we're doing. This plan was developed over a period of four months and we utilized a team of 12 people to help develop the plan. The team was comprised of four trustees, four of our volunteers, and four staff. They did receive quite a bit of input from our stakeholders. The plan that was developed was then put forward to four focus groups, made up of trustees, volunteers, and staff, as well.

Regular Meeting, April 10, 1996

“It was also presented at a joint meeting of the City Council and County Commission for input. The plan which you have before you, is the approved Old Cowtown Museum Strategic Plan for the year 1996 to 2000. This was approved by the Board of Trustees at its February 14 meeting this year.

"There are several key components to the plan that I'd like to address briefly here this morning. Those are that we are looking at both a physical development of the Cowtown Museum, as well as an operational and physical development of the museum. The map which you have before you shows the Old Cowtown Museum site, which is a 17 acre site, running along Sim Park Drive. The first component that we're looking at creating is a new visitor center along the east end of the site. Back in 1988, the museum proposed constructing a 33,000 square foot visitor center, but in our strategic plan, we realized that we didn't need such a large facility. We needed something that we could get people into, orient them to our region's local history, and get them out on the site where they can see the interpreters and interact with the exhibits. That's what the people are coming to Cowtown to see. So the visitor center we're looking at creating is a 15,000 square foot facility, not a 33,000 square foot facility like was originally planned.

"On the west edge of the site, we have what we call our second anchor and that is going to be the creation of a 10 acre, 1870 Sedgwick County farm. This farm will include a farm house, a barn, and will look very typical to illustrations such as this. We'll have pens for animals. We are anticipating having more cows, horses, probably some pigs and sheep out there, but then we'll also be installing some apple and peach orchards and some crops and this is really going to enhance the education opportunities we have at Old Cowtown.

"The third component is going to be taking our current maintenance barn, which was a barn originally, and turning it into a Wichita Wagon Works. Right now, we do quite a bit of wagon restoration at the Museum, both for the museum and last year we restored a wagon for the Sedgwick County Zoo and we're going to basically merge our blacksmith operation with a wagon production operation to take care of our own needs and there is potential that down the road this could become a profit center where we could make some wagons and sell them at some of the farm sales around the area.

Regular Meeting, April 10, 1996

"Right across from the Wagon Works on the site, we are going to be developing a Planing Mill. Several years ago, the Museum purchased about 15 pieces of equipment that are line shaft, belt driven machines, to create doors, windows, sash, trim and those kinds of things. This, once again, will have a dual purpose for us. We'll be able to create a lot of our own woodwork for the exhibits we develop at Old Cowtown Museum, but there are also quite a few homes that are undergoing restoration and we feel there could be a pretty good market for some milled lumber specific to our 1865 to 1880 time period.

"Then the final component of the interpreter side of the plan that we're going to be developing is a dress maker and millinery shop up on the town's northern street. This will deal with typical types of occupations that women had during our time period and really help to enhance the education experience.

"In addition to the physical development of the site, we are looking at a lot of operational needs of the site. As I mentioned before, we have created Sagacity. One of the main goals for creating the magazine was to take our membership for its current 500 member level up to 4,000 members in the next 5 years. Secondly, we are looking at increasing our marketing so that we can improve our visitation by 15% each year over the next 5 years. We also have increased our interpretive levels. In previous years, when you came out to Cowtown, you would typically see 3 or 4 paid interpreters on the grounds. When you have 33 buildings on the grounds and you only have 3 or 4 people giving tours of buildings, it seems like the town is pretty vacant. This year, when you come out, you'll see a minimum of 7 to 9 paid interpreters and when we augment that with our volunteer forces, it will help to bring the town to life. As we move forward with some of our other projects, we are looking at hiring additional interpreter staff on our private side, so that we can truly become a living history museum.

"Finally, the Strategic Plan calls for a capital campaign. We realize that in order to undertake these physical initiatives as well as operational initiatives, we need to raise support to build the buildings as well as to equip them, staff them, and properly run this kind of facility. We will be launching a campaign later this year to raise those funds and anticipate that the fund driver will be concluded within the next two years.

Regular Meeting, April 10, 1996

"Now, the plan that you have, is an ambitious plan, but it is a feasible plan. When we started the process, we realized that over the last 12 years, Cowtown had developed quite a number of strategic plans and for one reason or another, many of these plans were shelved and we realized that we had to develop a plan that was realistic and could be undertaken. At this time, we would like to request that the County Commission support the new Strategic Plan as it has been developed by Old Cowtown Museum and that the \$825,000 commitment that the Commission made back in 1988, towards the creation of a new visitor center be basically used for the implementation of this plan. Specifically, today, we are requesting that a sum of \$163,546 of the \$825,000 be advanced for start up costs for the capital campaign for the implementation of the Strategic Plan and with that, I'd like to thank you for your interest and your time and I'd be glad to answer any questions that you might have."

Chairman Winters said, "Okay Michael, I do think we have some questions. Commissioner Schroeder."

Commissioner Schroeder said, "Mr. Chairman, if you please. Mike, appreciate your presentation today and I'm glad to see we're moving forward. Contribution wise, you just told us what you're requesting from us today. I notice that the Society and the City of Wichita are listed as contributors. Where is the City of Wichita standing? Have they contributed or shown you that the full amount is there when and if you need it?"

Mr. Knecht said, "Where we are with the City right now, their \$825,000 does show up in the CIP Plan for 1997. We are in the same process as we are here today, in making arrangements to get into the Council and make the same presentation. At the joint meeting and after the joint meeting, in talking to some of the Council members, there seems to be significant interest in what we're doing. One of the comments that I've heard consistently is, people didn't understand why Cowtown originally was trying to build such a large facility and that the plan that we have developed here does look realistic and it looks like it would really enhance the education at Cowtown."

Commissioner Schroeder said, "Okay, our contributions are coming in the form of cash, I assume that's what we set aside since 1988, is the City contributing cash?"

Mr. Knecht said, "That's what we are asking for is cash."

Regular Meeting, April 10, 1996

Commissioner Schroeder said, "I noticed your expansion over there to the west, that is parking lot, is that what that is now?"

Mr. Knecht said, "No it's not. The area over there is a grassy area and also is a maintenance drive back in to Cowtown and we are looking at putting a parking area in that space."

Commissioner Schroeder said, "And to the other side, which is where the Water Department has its maintenance facility, is that right? Is any of that something that you're going to be needing in the future?"

Mr. Knecht said, "We are going to approach the City and the Water Department. As a matter of fact, the Mayor and the City Council do have a request to utilize some of the land to the west of those buildings, between the water department building and the Old Cowtown Museum for use as a buffer area and potentially for parking. Basically, the plan that we have developed maximizes the current land that we have. If we aren't able to get that land, we can still move forward with this plan and make it work."

Commissioner Schroeder said, "Okay, well I would hope you'll be able to work something out with the City. One last thing, I had an opportunity to watch the movie that partially was made at the Cowtown Museum, I believe it was called 'Skylark' and when my wife originally checked it out at our local Dillons Store, I thought what is this, and I had forgotten about the topic, but it was a very well done movie, it was a good movie, it is a family movie, but what was even more interesting where the shot's taken in and around the museum. It was wonderful, it was great. I began to understand what it was when I started watching it and realized that this was the movie that was made on location at Cowtown and I was very impressed with it. The Cowtown Museum is very nice."

Mr. Knecht said, "That movie did quite a bit for us. It does attract a lot of tourists to Cowtown because they've seen the movie and they want to come out and see where the movie was shot. I'd like to point out that for the last three evenings on the Discovery Channel, there has been a program called 'Outlaws and Lawmen,' which also features Cowtown. It was shot in the fall of '94 and the spring of '95. That will be on this Saturday and we're currently negotiating with CBS to do another 1868 film called 'Stolen Women' out at Cowtown as well and they're planning on filming in three weeks. So it really is a good location for that."

Regular Meeting, April 10, 1996

Commissioner Schroeder said, "It looked great. I was really impressed. It was kind of exciting to see our Cowtown in that movie. It was good. It was great. Thank you Mr. Chairman."

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

Commissioner Gwin said, "Thank you Mr. Chairman. Michael, I am very pleased with the work that you and the others have worked on coming up with the Strategic Plan for the Museum. It is, as you said, aggressive and yet it is realistic and I believe it is attainable, certainly with the efforts of the good people who support the Cowtown Museum. Like Commissioner Schroeder, I'm always pleased when I see the Museum in movies or TV and in 'The Outlaws and the Lawmen' the other evening on the Discovery Channel and sure like seeing that credit rolling where we do in fact get credit for what we're doing. Also, I want to complement you on the Sagacity magazine. It is, not only a wonderful promotional tool, but a source of information that even those of us who have lived here for a long, long time are learning more about Wichita and Sedgwick County and it is well done, it's well written, and you should be very proud of it. I will support your request today. I look forward to the expansions. The farm is an exciting feature, I think, and knowing where that old farm house came from is nice too, because I remember seeing it sit out there for years and years and I look forward to the visitors center. I think that is going to be a very nice introduction to a very fine facility and you all should be complemented. It looks good and I'm real excited about the improvements that you hope to make and we'll support you."

Mr. Knecht said, "Thank you."

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

Chairman Winters said, "Thank you. Just a couple of comments and a question. I too, am going to be supportive of this action that is recommended today. In some conversations, just within the past few days, I think Cowtown is going to take even on a new role in the community. It certainly has a very important role now, but with the City of Wichita's success in the new Hyatt Regency Hotel and the new development of the Broadview Hotel, hopefully, possibly, something with the Old Plaza Holiday Inn, I think convention and tourism is going to become maybe another real opportunity for Wichita/Sedgwick County. One of the things that convention and tourism people need is that destination for people who are here touring and conventions and then in the community."

Regular Meeting, April 10, 1996

“Sedgwick County is involved in two great opportunities to have that evening destination, one is Cowtown and the other is the Sedgwick County Zoo. I think we're going to have a real important role to play in the development of tourism and how hotels, Convention and Tourism Bureau, can sell that evening at Cowtown, evening at the Zoo, and really have a quality product for conventioners to see and either have a meal or a party of whatever they need to have. So, I think we've got some real opportunities and I think a facility like Cowtown is going to be very key in following through with the rest of the convention hotel story. So again, Michael, I am supportive of this. I think it is going to be a good project.

"I would ask Mr. Buchanan, just on the technical side of what we're doing today, these funds were approved in 1989 and we're making a distribution of part of that, is that correct?"

Mr. Buchanan said, "Yes sir."

Chairman Winters said, "This is not something that is unexpected. The County Commission in 1988 and '89 planned for this event that someday we would distribute this amount of money to Cowtown?"

Mr. Buchanan said, "This is one of the times that I can tell you that the cash is in the bank."

Chairman Winters said, "Okay, and it was designated back in 1989."

Mr. Buchanan said, "A long time ago and it is sitting there, waiting for this."

Chairman Winters said, "Okay, very good. Commissioner Hancock."

Commissioner Hancock said, "Thank you Mr. Chairman. Michael and Elizabeth, thank you very much for your work on this and thank the Board for us, we appreciate them really sitting down and taking a fresh look at the Museum and taking some actions that are positive and we really appreciate that. I know that you worked with Jarold Harrison on this and I want to thank Jerry for working on it. I know he is a task master so forgive him, but we sent him and he probably drove you crazy for a while, but he did a good job on it. Thank you for working on this and I hope this gets you going and it won't be long before we can distribute the rest of it and get some projects completed out there."

Regular Meeting, April 10, 1996

Mr. Knecht said, "Thank you for your kind words. We do have a really good staff, Board, volunteers and support here from Sedgwick County and we are really appreciative of that. It is going to be an exciting five years at our Old Cowtown Museum."

Commissioner Hancock said, "I'm sure it will."

Commissioner Miller said, "I'll just bring up the rear Mr. Chairman. There is nothing else that I can add to the complements that each of the other Commissioners have given with the exception of being able to publicly and personally say how truly genuine I know your interest and your abilities are and I am speaking to you, Liz, first. Then I know, when you came on board, Michael, it was just a breath of fresh air to see the enthusiasm and the ability to get in there, roll up your sleeves and get busy so quickly. So, I just simply wanted to say that personally. Thank you."

Mr. Knecht said, "Thank you."

Chairman Winters said, "Okay, thank you Commissioners. You've heard the report, what's the will of the Board?"

MOTION

Commissioner Schroeder moved to approve the advanced distribution of funds.

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 very much, Michael; thank you Liz. Next item."

Regular Meeting, April 10, 1996

L. ADDITION OF ONE DIRECTOR, RANGE 26, ONE ASSISTANT DIRECTOR, RANGE 22, AND TWO ASSESSMENT WORKERS, RANGE 17, TO THE INTAKE AND ASSESSMENT STAFFING TABLE FOR THE JUVENILE INTAKE PROGRAM

Mr. Lee Parker, Wichita State University, Consultant with Juvenile Intake and Assessment, said, "I was before you toward the end of last year on a grant application, asking for funds to partially support juvenile intake and assessment. As I explained before, the grant would not totally fund all of the juvenile intake and assessment activities, there would have to be community support. The grant would fund certain positions within the juvenile intake and assessment center which include these four positions. We did ask for \$155,000 for the first six months of this year. There is a like grant that we understand that we will be receiving for the remaining six months of the year to go on ahead and fund intake and assessment. In the first six months, we had specifically these four positions at these funding levels and indeed, this is asking that they be placed in the manning tables within the Juvenile Intake and Assessment Center, totally funded by the grant, not funded by any County funding, but since we need to have a personnel system to administer the positions, we've asked that County Personnel do that and so that's why it is brought before you today."

Chairman Winters said, "Thank you Lee. Commissioners, are there any questions?"

MOTION

Commissioner Miller moved to approve the additions to the Intake and Assessment Staffing Table.

Commissioner Gwin seconded the Motion.

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

Regular Meeting, April 10, 1996

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 very much. Next item."

**M. REPORT OF THE BOARD OF BIDS AND CONTRACTS' APRIL 4, 1996
REGULAR MEETING**

Mr. Darren Muci, Director of Purchasing, greeted the Commissioners and said, "You have before you the minutes from the April 4 meeting of the Board of Bids and Contracts. There are eight items for consideration this morning."

**(1) 1996 IBM MAINTENANCE CONTRACT - INFORMATION SERVICES
FUNDING: INFORMATION SERVICES**

"Item one, 1996 maintenance for IBM mainframe and PC. The PC is for Information Services. This is a sole source bid of IBM for \$332,004.04 for the 1996 fiscal year."

**(2) CHEMICALS - BUREAU/PUBLIC SERVICES
FUNDING: NOXIOUS WEEDS**

"Item two, chemicals for the Bureau of Public Services, Department of Noxious Weeds. On page 3 is the final recommendation to accept the low alternate bid of Pueblo Chemical for a grand total of \$66,391.32."

**(3) AB-3 ROCK - BUREAU/PUBLIC SERVICES
FUNDING: BUREAU/PUBLIC SERVICES**

"Item three, is AB-3 Rock for Bureau of Public Services. It is recommended to accept the low bid of George M. Myers for the 30 tons of rock and delivery for a grand total of \$147,920."

Regular Meeting, April 10, 1996

**(4) ELECTRICAL MODIFICATIONS - 12TH FLOOR
FUNDING: 1995 CAPITAL PROJECT FUND**

"Item four, electrical modifications for the 12th floor for Capital Projects. It is recommended to accept the low bid of Haworth Electric for \$15,799.

**(5) COPY MACHINE - JUVENILE DETENTION FACILITY
FUNDING: JUVENILE DETENTION FACILITY**

"Item five is a copy machine for the Juvenile Detention Facility. It is recommended to accept the low bid meeting specifications, which include the trade-in, of Office Automation for \$15,000.

**(6) PERSONAL COMPUTERS - PERSONNEL
FUNDING: PERSONNEL**

"Item six, personal computers for the Personnel Department, Bureau of Human Resources. It is recommended to accept the low responsible bid of Business Computer Center for the 4 each IBM PC300 for \$9,654.84 and the individual low bids for Entex for the software for \$3,273.

**(7) LAPTOP COMPUTERS - COUNTY MANAGER/BUREAU OF FINANCE
FUNDING: BUREAU OF FINANCE**

"Item seven, laptop computers for the County Manager and the Bureau of Finance. It is recommended to accept the low total bid with software installed of Business Computer Center for \$12,617.04 and that is the Compaq LTE 5200.

**(8) ANNUAL PHYSICALS CONTRACT - COUNTY FIRE
FUNDING: FIRE DEPARTMENT**

"Item eight, an annual contract for medical physicals for the County Fire Department for the Hazardous Materials Team. It is recommended to accept the bid of Industrial Medical Associates for \$14,211.25 and that is for the 1996 fiscal year.

ITEMS NOT REQUIRING BOCC ACTION

Regular Meeting, April 10, 1996

(9) SEWER IMPROVEMENTS - GILDER'S GARDENS ADDITION /PUBLIC SERVICES
FUNDING: SPECIAL ASSESSMENTS

(10) AUTOMATED TAPE CARTRIDGE SYSTEM
FUNDING: INFORMATION SERVICES

"There are two items that do not require action at this particular time. Item nine is Sewer Improvements for the Gilder's Gardens Addition for the Bureau of Public Services. That item was tabled indefinitely for review. And item ten, an automated tape cartridge system for Information Services. We solicited requests for proposal and those are being reviewed as we speak. I would recommend that you accept the recommendations as presented by the Board of Bids and Contracts."

Chairman Winters said, "Okay, thank you Darren. We've got lots of questions today. Commissioner Schroeder."

Commissioner Schroeder said, "Mr. Chairman, if you please. Darren, item number one, IBM Corporation that \$332,000 bid, it says quotation received from one vendor. How many vendors were solicited?"

Mr. Muci said, "Clarification on that sir. Actually, we did not solicit quotations on that. IBM provides the maintenance on the mainframe computer and the personal computer equipment."

Commissioner Schroeder said, "Okay, another question. As I remember the other day, we bought PCs for the Finance Department that amounted to a little over \$80,000 or \$90,000, somewhere in there and in that was included a laptop, is that correct?"

Mr. Muci said, "I believe we did that for the District Court."

Commissioner Schroeder said, "Okay, I just remember \$80,000 being spent on a laptop and PCs for Bureau of Finance and one was for the Manager's laptop and now I see two more laptops."

Regular Meeting, April 10, 1996

Mr. Buchanan said, "It's all the same one. Commissioner, these laptops were in part of that plan and it was part of the financing plan. We moved money into an account so that these could be purchased. We didn't purchase them at that time. The Manager's Office and the Finance Department are getting similar laptops that can run the light show and do the kind of presentations that we have and that is the only two that there is going to be. We're only buying two, one for each department."

Commissioner Schroeder said, "Okay. That is to do what? To run this?"

Mr. Buchanan said, "To run the light show, it also provides the capability to run the programs that we have now, Word Perfect, because it has an internal mouse and two, or number three is that it connects quickly with the phone system outside the County so that you can call if you're out of town and we share this laptop with others and you're out of town, you can call from anywhere you can dial a phone from."

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

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

Commissioner Gwin said, "Just a question on item eight, Darren, for the annual physicals contract for the County Fire. You indicated that was for the Hazardous Materials Team, do we have then another contract for the rest of the Fire Department, or is it just the Hazardous Materials Team that we do this?"

Mr. Muci said, "Ma'am, I'm not sure that I have the answer for you. I'll have to do some research on this particular one."

Commissioner Gwin said, "Okay, just curious."

Mr. Muci said, "We have used this vendor for the past several years providing the specialized physicals. I will get with Chief Curmode and get a complete breakdown on that."

Commissioner Gwin said, "That's fine, thank you."

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

Regular Meeting, April 10, 1996

Commissioner Miller said, "I just have kind of a clarification. What is a responsible bid? When you say responsible, what..."

Mr. Muci said, "In this particular case, and generally, a responsible bid is one that does not meet the conditions that are set forth as a part of the bid. Be it returning it on time, being able to provide the services. In this particular case, the vendor provided us a quotation but with a note that says that we are not going to be able to get these, but here's the price."

Commissioner Miller said, "I understand, okay. Thank you. Then, with item number nine, and I know that we're not acting on that today, that it's gone back. Don't remember if you said exactly why, but I was just noticing that the Engineer's estimate is quite a bit lower, is it regarding that?"

Mr. Muci said, "The price did exceed the Engineer's estimate and I believe Mr. Spears could assist us."

Commissioner Miller said, "Mr. Spears, is there anything else you'd like to add?"

Mr. David Spears, Director of Bureau of Public Services, said, "Only that the estimate was based upon the original petition in which there is an amount stated in that and there is an inflation rate that you can add per month to that original amount and we did that and that is approximately the maximum amount that we can pay for the project."

Commissioner Miller said, "Does that jive with this number, or is it higher, when you add in the..."

Mr. Spears said, "That is pretty close to the Engineer's estimate. There are a few things we can do differently to help this. For example, we had figured in there inspection by consultant. Now, if we can free up a person to do the inspection ourselves, there is a possibility we could lower that price and therefore add some to the Engineer's estimate for the actual construction. So there are a lot of things we are looking at right now to try to get this project done."

Commissioner Miller said, "I know this is an important one. Are we going to just stay at the \$1.4 million? Is that what we're saying?"

Regular Meeting, April 10, 1996

Mr. Spears said, "Pretty close to that. There are a few little things that we can tweak and move it a little bit, but it is going to be close to that figure. We're working with the low bidder now and trying to see what we can do to get down to that. There are a lot of other areas, like paving, that we're looking at."

Commissioner Miller said, "Okay, so we're working with them and we're trying to do some things in order to get there."

Mr. Spears said, "Yes ma'am."

Commissioner Miller said, "Thank you."

Chairman Winters said, "Thank you Commissioner Miller. Other questions? Seeing none, what's the will of the Board?"

MOTION

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

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, "Thank you very much. Next item."

Regular Meeting, April 10, 1996

N. CONSENT AGENDA

1. Utility and Highway Permit Agreements.

- a. Tree Top Nursery is submitting this application requesting permission to construct a paved entrance on 37th Street North between Oliver and Woodlawn. Kechi Township. Highway Permit No. 008-96. Road No. 610-30. District #1.
- b. Peoples Natural Gas is submitting this application requesting permission to cut 101st Street North and install a gas pipeline along the east side of 295th Street West from the south side of 101st Street North to approximately 2,680 feet north of 101st Street North. Greeley Township. Utility Permit No. 026-96. Road Nos. 594-8 and 783-C, D. District #3.
- c. Southwestern Bell Telephone Co. is submitting this application requesting permission to bury cable along the north side of 61st Street North and the west side of 135th Street West for approximately 2,682 feet. Union Township. Utility Permit No. 027-96. Road Nos. 604-17 and 803-H. District #3.
- d. Southwestern Bell Telephone Co. is submitting this application requesting permission to bury cable on 78th Street South for 400 feet east of Laura Street. Salem Township. Utility Permit No. 028-96. Road No. 637 3/4-27. District #5.
- e. Clifford Nies Construction is submitting this application requesting permission to connect into existing sewer lines at Belle Terre connecting into Woodland Place Addition. Minneha Township. Utility Permit No. 029-96. Road No. 839-P. District #1.

Regular Meeting, April 10, 1996

- f. Southwestern Bell Telephone Co. is submitting this application requesting permission to bury cable along Greenwich Road from the south side of Kellogg to 300 feet north of Central to service Balthrop Addition. Minneha Township. Utility Permit No. 030-96. Road No. 835-O, P. District #1.

2. Right-of-Way Easements.

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, as a condition of receiving a platting exemption on an unplatted tract.

- a. Road Number 799-S, Owners: Larry J. Fasbender and Amy D. Fasbender, located in the Northwest Quarter of Section 3, Township 28 South, Range 2 West, more specifically located on the east side of 167th Street West and south of 23rd Street South (Pawnee). Illinois Township. District #3.
- b. Road Number 799-H, Owners: Brent Foust and Polly Foust, located in the Northwest Quarter of Section 10, Township 26 South, Range 2 West, more specifically located on the east side of 167th Street West and south of 69th Street North. Union Township. District #3.

3. Right-of-Way Instruments.

- a. One Easement for Right-of-Way for Sedgwick County Project No. 646-2-4780; Bridge on 111th Street South between 375th and 391st Streets West. CIP #B-242. District #3.
- b. One Temporary Construction Easement and one Easement for Right-of-Way for Sedgwick County Project No. 632-6-793; Bridge on 343rd Street South between 311th and 327th Streets West. CIP #B-245. District #3.

Regular Meeting, April 10, 1996

- 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>
C862026	\$133.00	\$203.00
C93036	\$315.00	\$315.00
V861011	\$212.00	\$208.00
C871020	\$195.00	\$195.00
C901030	\$203.00	\$194.00
V94034	\$214.00	\$214.00
C62004	\$129.00	\$33.00
V95057	\$275.00	\$274.00
C87102	\$299.00	\$39.00
V95066	\$410.00	\$410.00
V95061	\$394.00	\$319.00
V93087	\$337.00	\$364.00
V861001	\$286.00	\$214.00
C95105	\$225.00	\$84.00
V95104	\$416.00	\$471.00
V94091	\$325.00	\$324.00
V95051	\$335.00	\$150.00

- 5. Plats.**

Approved by the Bureau of Public Services. The County Treasurer has certified that taxes for the year 1995 and prior years are paid for the following plats:

Meyer's Addition
Cookson Addition

- 6. Orders dated March 27, 1996 and April 3, 1996 to correct tax roll for change of assessment.**

Regular Meeting, April 10, 1996

7. **Consideration of the Check Register of April 5, 1996.**
8. **Budget Adjustment Requests.**

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
960198	District Court Judges	Transfer
960199	Election Commission	Transfer
960200	Election Commission	Transfer
960201	Sheriff	Supplemental Appropriation
960202	Corrections	Transfer
960203	CDBG Housing Rehab	Supplemental Appropriation
960204	Capital Projects	Transfer
960205	1996 Bridge Projects	Supplemental Appropriation

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

MOTION

Commissioner Schroeder moved to approve the consent agenda as presented.

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

Regular Meeting, April 10, 1996

The Board of Sedgwick County Commissioners recessed into the Sewer Agenda at 11:11 a.m. and returned at 11:16 a.m.

O. OTHER

EXECUTIVE SESSION

Commissioner Gwin said, "Mr. Chairman, I move that the Board of County Commissioners recess into Executive Session for one hour and 45 minutes to consider pending claims and litigation and personnel matters of non-elected personnel and that we will return no sooner than 1:00 p.m.

MOTION

Commissioner Gwin moved that the Board of County Commissioners recess into Executive Session for one hour, 45 minutes to consider pending claims and litigation and personnel matters of non-elected personnel and to return no earlier than 1:00 p.m.

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, "Thank you very much. We are in recess for Executive Session."

The Board of Sedgwick County Commissioners returned from Executive Session at 1:05 p.m.

Regular Meeting, April 10, 1996

Chairman Winters said, "We'll reconvene the regular meeting of the Sedgwick County Commissioners. Let the record show there was no binding action taken in the Executive Session meeting. Is there any other business to come before this Board? Seeing none, this meeting is adjourned."

P. ADJOURNMENT

Regular Meeting, April 10, 1996

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

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

THOMAS G. WINTERS, Chairman
Third District

MELODY C. MILLER, Chair 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