

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

### **REGULAR MEETING**

**AUGUST 14, 1996**

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, August 14, 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. William P. Buchanan, County Manager; Mr. Stephen B. Plummer, County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Ms. Becky Allen-Bouska, Director, Bureau of Finance; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Ms. Allison McKenney-Brown, Assistant County Counselor; Ms. Susan Erlenwein, Director, Environmental Resources; Mr. Doug Russell, Director, Department on Aging; Ms. Deborah Donaldson, Director, Bureau of Health Services; Ms. Donna Hajjar, Administrator, Adult Detention Facility Department of Corrections; Ms. Cecile Gough, Operations Administrator, Corrections Department; Mr. Harry J. Hayes, Director, Bureau of Human Resources; Mr. Mark Borst, Deputy Director, Bureau of Public Services; Mr. Darren Muci, Director, Purchasing Department; Mr. Fred Ervin, Director, Public Relations; and Ms. Susan E. Crockett-Spoon, County Clerk.

### **GUESTS**

**Mr. Thomas Zogleman**, Senior Zookeeper, Sedgwick County Zoo

**Mr. Mark Reed**, Director, Sedgwick County Zoo

**Ms. Carrie Jones**, Executive Director, Wichita Metropolitan Family Preservation Agency

**Ms. LaDessa de la Cruz**, Executive Director, National Hispanic Council on Aging, 841 W. 21st Street, Wichita, Kansas

**Mr. Allen D. Good**, Vice Chairman, Sedgwick County Extension Service

### **INVOCATION**

The Invocation was given by Mr. Bob Bruner of the Christian Businessmen's Committee.

### **FLAG SALUTE**



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**CERTIFICATION AS TO THE AVAILABILITY OF FUNDS**

**Ms. Becky Allen-Bouska**, Director, Bureau of Finance, greeted the Commissioners and said, "You have previously received the certification of funds for today's Regular and Sewer district agendas. I am available for questions if there are any."

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

**AWARD PRESENTATION**

**A. RECOGNITION OF EMPLOYEE SUGGESTION AWARDS PROGRAM  
MONETARY AWARD WINNER THOMAS ZOGLEMAN, SENIOR  
ZOOKEEPER, FOR HIS SUGGESTION REGARDING ECONOMICAL  
HAY AND GRAIN USE IN FARM AREAS OF THE ZOO.**

**Chairman Winters** said, "Thank you. Commissioner Miller is making her way to the podium."

**Commissioner Miller** said, "Making my hasty descent down here to the podium. Good morning. How is everyone doing this morning? We have such a packed room here that I just have to address you, I can't ignore you. We have this morning, I'd like to bring up to the podium, Mr. Zogleman. I would also like to bring Mark Reed up to the podium, if you'd so please. On behalf of the Board of County Commissioners and on behalf of Sedgwick County, it is really an honor to be able to bestow this type of not only certificate, by way of the Zoological Society, but also a monetary award for such a . . . it's not novel, but it certainly is a usable concept that Mr. Zogleman came up with. I'm going to give you a little background information on it and I'm hopeful that Mr. Zogleman might just give me a little bit of help. I think he's nervous and he doesn't want to talk, but I'm hopeful that he will give me just a little bit of help so that he can give you a real feel for what it's all about."

"Instead of free choice prairie hay and full grain ration feeding, Mr. Zogleman suggested feeding the Bovids, if you don't know what a Bovid is, it is a cow or a cow-like animal, and give me an example of a cow-like animal."

**Mr. Thomas Zogleman**, Senior Zookeeper, said, "A Yak or a Water Buffalo."

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**Commissioner Miller** said, "Okay. So Mr. Zogleman suggested feeding the Bovids in accordance with well established and researched guidelines. This suggestion was adopted by the Sedgwick County Zoo, Mark Reed. The suggestion was adopted in September 1994 and has saved Sedgwick County Zoological Society approximately \$12,705 each year in direct savings. Can you believe that? I think it's awesome. This suggestion has also saved Sedgwick County Zoo budget approximately \$4,914 per year in man-hours saved. Mr. Zogleman, was accordingly recognized by the Sedgwick County Zoological Society with a Certificate of Acknowledgment at a presentation on July 17, 1996, and Mr. Zogleman began his employment with Sedgwick County, just a little bit of background information on him, on September 15, 1991, as a Zookeeper and was promoted to a Senior Zookeeper on September 14, 1992, and continues in that position. Along with the \$100 monetary award, I would also like to present you with a letter from the Employee Suggestion Awards Program Committee and likewise, a mug. We truly commend you. Is there anything that you would like to say?"

**Mr. Zogleman** said, "I don't believe so."

**Commissioner Miller** said, "You're going to stick to it aren't you?"

**Mr. Mark Reed**, Sedgwick County Zoo, said, "I know that every department in the County is blessed with fabulous employees and I just want to say that Tom Zogleman is an exemplary employee and one that we are all proud of at the zoo. I think he just exemplifies what we're all looking for and what the taxpayers are getting in their County employees."

**Commissioner Miller** said, "Thank you Mark."

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

### **CITIZEN INQUIRY**

#### **B. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING THE WEED AND SEED PROGRAM.**

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**Ms. Carrie Jones**, Executive Director, Wichita Metropolitan Family Preservation Agency, greeted the Commissioners and said, "I am the consultant and coordinator for the Wichita Sedgwick County Weed and Seed initiative. My partner, Mr. Rick Easter from the U.S. Attorney's Office, was to be with me this morning, but he couldn't be, they are choosing a jury for the trial of the guy who shot his son and he is not able to be here.

"During early 1994, under the direction of the United States Attorney's Office, Sedgwick County entered into a relationship with the City of Wichita to implement the Wichita Weed and Seed Project. Local business leaders, religious leaders, social service providers, law enforcement agencies and residents came together to assist in the development of a community driven project, which would empower citizens to take control of their lives in their community. This group of individuals was asked to work with the neighborhood initiative in identifying a target community, developing a plan of action, and formulating a set of objectives which could be used to help remove the influence of violent crime, gangs, and drugs, which were adversely affecting the life of our entire community. This action was known as 'weeding'. The group was also asked to identify and develop a plan of action for providing services and support for the growth and economic development of the target community, better known as 'seeding'.

"The community found to be most in need at the time was the northeast community. Many of you here today served on committees, attended meetings, or appointed representatives to demonstrate your support for the Weed and Seed Project. Even though Sedgwick County and the City of Wichita did not receive a grant to assist in their efforts, they continued their progress toward their goal of weeding out crime and seeding the community with services to support the growth of strong families and self-sufficiency. In late 1994, because of the exemplary efforts of Wichita and Sedgwick County, the United States Department of Justice designated and recognized Wichita as an official Weed and Seed site. Recently, while attending a Weed and Seed conference, as a representative from this City, I was presented with certificates which provide recognition to Wichita and Sedgwick County. For this reason, I have the pleasure of being here this morning to pass on to you the document of official recognition from the United States Department of Justice to Sedgwick County for its efforts in making our community a safer place to live and to let you know that the Wichita Weed and Seed initiative is still going on, it does live. Currently, we are in the process of developing a new project for the far northeast area, which will continue to provide input from the Wichita Weed and Seed Project. We hope we will continue to have your support."

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**Chairman Winters** said, "Thank you very much Miss Jones. Commissioner Miller."

**Commissioner Miller** said, "Carrie Jones, how are you this morning?"

**Ms. Jones** responded, "I'm fine, how are you?"

**Commissioner Miller** said, "Good. Could you give us an example of something that we just recently applied for that would benefit that 'safe corridor'? Can you give us an example of how weeding and seeding is going to work for us here?"

**Ms. Jones** said, "The safe corridors work in conjunction with what's called a safe haven and I'm fairly sure you're all familiar with the concept of the safe haven. The corridors are identified by areas in the community that have become problem areas since the safe haven was developed. Recently, we applied for a grant that is going to work north of 25th Street and between the area between Kansas and Grove and developing a corridor in that area where residents will feel comfortable to live there. There are a lot of homeowners that live in that area still, however, there are some public housing units there. A lot of them are boarded up and those that are not boarded up are subject to drive-by shootings, gang and drug activity on a constant basis and so we had some requests from the residents in that area for assistance and with their guidance and because we were given a house, we're going to that area to develop what is called a safe haven. You might recall that there have been several shootings, as a matter of fact, even one killing in that area in this year."

**Commissioner Miller** said, "Very good. Just thought that would be public information that may be of help."

**Ms. Jones** said, "I was here last year and mentioned that you would see me on a regular basis from here on as we begin to get into this project. I want to remind you that I will be here again probably in the next few weeks, as we are about to go into a process of applying for a grant, which is called 'Safe Kids, Safe Streets', I believe. We'll be seeking your support and approval for that project."

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

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**Chairman Winters** said, "Thank you very much. Ms. Jones, thank you very much for your work in the community. Thank you for presenting this. Madam Clerk, call the next item please."

### **PUBLIC HEARING**

#### **C. PUBLIC HEARING REGARDING THE 1997 SEDGWICK COUNTY BUDGETS.**

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, "You have before you the budgets that we have been talking about for the last several months. This is the last of the public hearings. The process today, is that we will take comment on this public hearing, close this public hearing and then go into the Sewer and Fire district public hearings on the budget and then we will return to the adoption process."

"This is the time you need to hear any final comments from the public regarding the budget."

**Chairman Winters** said, "Thank you very much. At this time, I will open the public hearing regarding the 1997 Sedgwick County Budget. Is there anyone here in the audience who would like to address the Board of County Commissioners? If there is, please come forward. Please state your name and address for the record and we try to limit our comments to five minutes if possible."

**Ms. LaDessa de la Cruz** said, "I'll attempt to be as brief as possible. Do you want my organization address or my home?"

**Chairman Winters** said, "As much as you want to give us."

**Ms. de la Cruz** said, "I'm the Executive Director for the National Hispanic Council on Aging. We're located at 841 West 21st Street, Wichita, Kansas 67208. I am here representing, and with me is a committee of our seniors, they wanted to be present and I volunteered to be their voice since I'm the Director."

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“We realize that there have been some severe budget cuts and that we’re about to feel part of that. Our lunch program is demising and will be gone the end of the month. Although we understand that the County needs to consolidate some resources and provide an open area for all the community to attend and that area has been Evergreen for some time and it is growing there. My seniors feel that our building is their home. For them, their meal there is the only nutritious meal they have all day. They come to our center, they look for activities, food, companionship. Some of them are there because they have no air conditioning. They say they don’t want to go to Evergreen. I asked them why and they say because they feel it is too institutional it doesn’t feel like a home to them. I want to help them find alternatives and seek the least restrictive means to help them be independent so that they can choose where they’ll eat to some extent. I realize that the alternatives are very meager at this point and we’re working with Doug. I met with Doug Russell, and we want to try to work around or work with another system or whatever system and if the County Commission can come up with alternatives to let me know. We’re open to anything. Our community center is open to everyone in that community, not just Hispanics, although that is the majority of our population there, we take anyone who is hungry. If they are 55, our center doors are open to them.

“There has been a misunderstanding as to what purpose that community center has and we are the National Hispanic Council on Aging, we deal with geriatric issues, one of those is nutrition. I want to reiterate from the prayer this morning, where we were asked to seek God’s guidance and direction and not just rely on our own understanding in these matters. These people are very grateful for all the help the County has given them and right now I think they feel as if they have no options, so I’m going to need the County’s help in helping them find those and work together as a coalition to find some kind of means so they will come, because I know the people and they will stay home and they will go hungry and I can’t allow that. If anyone has any questions for me, I’ll be glad to take them.”

**Chairman Winters** said, “There are. Commissioner Gwin.”

**Commissioner Gwin** said, “Ms. de la Cruz, if I am looking in the budget book, would I be looking under the Hispanic Senior Center is your center?”

**Ms. de la Cruz** said, “There’s been some confusion I think. We lease the LaFamilia multi cultural Center and I know some people in the community and within the state, refer to us as LaFamilia, so I’m not sure exactly in your budget how it might be listed.”

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**Commissioner Gwin** said, "Okay, and you are talking about cuts, I noticed that the '97 recommended is the same as the '96 budget so it doesn't appear to be that there are cuts made or recommended. I'm not quite sure . . ."

**Ms. de la Cruz** said, "Neither am I, all I know is that on the 30th, we're not going to have a program there and we understand that the Good Neighbor program is not there, that a previous administration requested that it be closed. My administration believes that was a mistake, however, we've been trying to work around that problem. To this point, those meals have been brought in and our seniors have been fed and we're very grateful for that because they need that meal, but like I said, on the 30th, we won't have that meal and that gives me two or three weeks to find a meal."

**Commissioner Gwin** said, "Okay, then I'll probably have to ask Mr. Russell then, because it doesn't appear to me that there is a cut recommended."

**Ms. de la Cruz** said, "That was my understanding, so I just wanted to go ahead and do this right away so I can take them back so they can get their meal."

**Commissioner Gwin** said, "I appreciate it. Thank you for being here."

**Ms. de la Cruz** said, "Thank you."

**Chairman Winters** said, "We have one more question. Commissioner Miller."

**Commissioner Miller** said, "Actually, it is going to follow-up on what Commissioner Gwin has started. Mr. Chairman, I'd like to call Doug Russell for comment please?"

**Chairman Winters** said, "Do you want to do this during the public hearing process or do you want to wait until later? If you want to do it now, I guess we can."

**Commissioner Miller** said, "Yes, I just have a quick question."

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

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**Commissioner Miller** said, “Could you, instead of postponing, or asking this later, could you just shine some light on what Ms. de la Cruz is saying? What is she referring to when she talked about her program no longer being there?”

**Mr. Doug Russell**, Director, Department on Aging, said, “To make a long story as short as I can because there is a lot of work to be done with the LaFamilia Center. Basically, what Miss de la Cruz is talking about is we have a federally funded Good Neighbor Nutrition Program that runs 33 sites in three counties of which the LaFamilia Center was one of those. The attendance there had waned down to under a dozen people. Basically, through fast forwarding a public hearing process, it deals with federal funding. It does not affect mill levy funding before you at all. The folks at that center, at that time, with that director, asked us to leave. They said, we don’t want the Red Cross program any more, we want ethnically appropriate meals and basically based on that public hearing, we made those decisions and needless to say, the federal funds are being cut, that’s a fact. We’ve closed down four sites so far and I hope that is all we have to do. With the mill levy budget, what we’re trying to work with the center on is basically, as you know, they had some turmoil and some management problems over the last several months. We, the Department on Aging, went in, helped staff the center, worked with their board president and provided meals, frankly, borderline in violation of what we were able to do. We cut every corner we could and delivered box meals to the center to make sure the folks could eat, until they got a good leader, which they seem to have now. What we need to do now is work on the alternatives. The bottom line is we need to find out what the center wants, but we cannot continue to have box meals delivered there under the Red Cross. We did it to kind of take a giant step to take care of the folks in the meantime. We agree that nutrition is important, but we were asked to remove our federal program from there and once you do that, that is not a simple thing to put back in place.”

**Commissioner Miller** said, “Oh, so that’s the glitch. Okay, we may be able to backtrack and bring it back . . .”

**Mr. Russell** said, “We may need to work with Red Cross, with mill levy funds, with whatever, and we told Ms. de la Cruz yesterday, forgive me, we haven’t had a lot of time to talk about it, that we’ll work with them on alternatives if they can find church relationships, if they want us to help fund, within the \$36,000 that the County provides for food or whatever, we’ll work with them on it.”

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**Commissioner Miller** said, "All right."

**Mr. Russell** said, "Matter of priorities. We'll try to work with them."

**Commissioner Gwin** said, "Thank you, I appreciate the clarification."

**Commissioner Miller** said, "Thank you Ms. de la Cruz. Is there anything else you'd like to add?"

**Ms. de la Cruz** said, "No, only that we're merely here asking the Commission and any staff you may have to help us seek options, because that door has been closed at the request of some individuals. We think maybe that plan wasn't as detailed as it needed to be when it happened. I want to ensure that these individuals have a meal for their day. Thank you."

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

**Chairman Winters** said, "Thank you very much. Is there anyone else here in the audience? Please come forward, state your name and address for the record please."

**Mr. Allen D. Good** said, "I represent the Sedgwick County Extension Service. I'm Vice Chairman of the Council. I'm sure that you have the address if you would like to get in contact with me later. I want to thank you for this opportunity to come before you today. Would like to thank the County Commissioners for their continued support of the Sedgwick County Extension Service Program. Our new facility, we're awfully proud of. I believe this is probably one of the finest facilities in the nation. I believe it is being used, and I can give you some numbers in a minute, more and more every month. But the true problem and the reason that we're here today is the fact that our budget has remained level for three years. Would like to ask for the \$38,000 that has been cut from it for salary increases to be reinstated. Would go into what the Sedgwick County Extension Service really does. The mission is to provide practical and useful information to the people of Sedgwick County. To help meet their needs, problems, and opportunities to deliver informal, out of school, non credit education programs to the citizens of Sedgwick County. We take knowledge, apply principles, and recommend practices to the people in the community for their daily lives. We strive on preventive education and I want to point that out. It is preventive education. If we can take it and work with the people before we're really seriously in trouble, we save lots and lots of money for those people as well as the County."

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“Our programs are administrated to all members of the society or citizens of Sedgwick County, from the children to the elderly, to the minority, to the businesses. Over the past year, over a quarter of a million people in this County have come in direct contact with programs put on by the Extension Council and their staff. We currently have thirteen professionals working at the Extension Center in support staff and fifteen part-time para-professionals trying to step forward and meet this challenge that is put upon them. The response is from inquiries from the community, putting the programs on that they need as well as coming down from Kansas State University on the new things that they have adopted and found to work more efficiently.

“With the completion of this new Education Center, the staff education programs have more than doubled. I would like to compare the first half of 1995 to the first half of 1996. In 1995, for the first half, the programs put on by staff out there, there were 307 of them. For the first half of 1996, there are 644. As you can see, the numbers have greatly appreciated and it is due to the availability of the service, but also the demand from the County, from their people asking for this.

“The total events held at the Educational Center, the County holds events there as well as the Extension Service, as well as some paid-for rental spaces, have gone from 372 in the first half to 828 events for the first half of ‘96. This has been done basically without adding any staff. The current staff has responded to the needs of the community and will continue to. What I would request is that we add the \$38,000 we had requested originally in the budget, back into it for salary increases. Should this not be possible, this will mean a third straight year that our budget has been held flat. During this time, we have cut a lot of fat from the programs. We have eliminated things, we’ve done everything we see possible to live within the budget and we have done so the last two years. I feel like our personnel out there have truly stepped forward. They are responsible. The increase in usage and the number of people that they are meeting shows that. All other County employees, as you all are aware, are on some type of a guaranteed salary base raise every year. For some reason, the Sedgwick County Extension Service is exempt from that, maybe at the request of the Service, I’m not really positive on how and why that comes about. Certainly, by reinstating this \$38,000 back into it, would ensure that we could give our staff and the people out there, a raise like the other County employees are getting. Any questions?”

**Chairman Winters** said, “Yes. Commissioner Gwin.”

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**Commissioner Gwin** said, "Thank you Mr. Good for being here. On the last update, I added that \$38,000 back in for consideration, but I guess I have a challenging question for you, not that I don't still favor it, but the argument goes, well if the Council has determined its salary increases are a priority, the Council has the ability to reallocate funds from within the money that the County gives them already. How would you answer that argument for not giving additional money?"

**Mr. Good** said, "I guess my answer to that is, as I stated, we feel like we have cut all the fat the previous two years. In order to do that, we are going to have to cut some program and certainly there are some programs that are better attended. Certainly we can do away, I mean that's what you have to do when the dollar figure is right here, we cut. The problem that we're seeing out there, Commissioner, is we've doubled the programs that we've given in the first half from the first half of '95 due to the demand of the citizens of the County. Where do we stop? The Extension Service is basically, as I said, there for the education of the community. There are more and more requests that quarter of a million people that we came in contact with last year, that number is going to be far surpassed by the number of events. It is one of these situations, the services being done, people are requesting it, then if we cannot allow and keep a quality staff out there, and as we all know and as everybody knows, every employee is probably a loyal employee, but at some point, without raises and coming on, they start looking elsewhere and they are going to go. At that point, we're losing quality staff that knows how things work. On the other hand, if we start cutting staff on the lower end, our paraprofessionals that actually go out in the community and work one on ten, or one on twenty, or one on five, we're going to be losing that end too. So we really feel like we're in a position that is a no win situation. Whatever we cut, we're going to be cutting services and without keeping the employees, giving them some type of merit raises or a flat raise, we're seriously possibly losing staff as well that way."

**Commissioner Gwin** said, "I appreciate that. Thank you Mr. Chairman."

**Chairman Winters** said, "Thank you. Thank you Mr. Good for being here. I'm sorry, we have one more question."

**Commissioner Hancock** said, "In 1995, you had 307 programs?"

**Mr. Good** said, "First half."

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**Commissioner Hancock** said, "Well this 644 . . ."

**Mr. Good** said, "It's the first half for '96."

**Commissioner Hancock** said, "Now I presume that when folks come in and rent space or use certain aspects of the Extension, are there fees involved?"

**Mr. Good** said, "There are fees involved. First of all, I would like to point out that this 307 and 644 are programs that are only put on by Extension staff. When we rent the facility out to some organization or something, these numbers are not included in this. They may be individuals who are having a flower show or something else and it has nothing to do with the number of programs put on by staff. If the facility is available and not being used for Extension Service, they will rent it out. But if there are programs for the Extension Service then the Extension Service has first priority.

"Secondly, the funding or the rent that comes back in from the renting of the facility is not put back into the Sedgwick County Extension Service. At the rate, I believe this year, we're looking at maybe \$20,000 for the first half and another \$20,000 for the second half in rental income. I guess you could look at it and say that maybe we would be requesting that, although I should point out that the County is paying for the custodians of that facility so certainly there are some, they're not under the Extension Service."

**Commissioner Hancock** said, "I guess my question is, any increased revenue that is derived does not come back to the Extension Service to pay expenses?"

**Mr. Good** said, "That's correct."

**Commissioner Hancock** said, "Where does it go?"

**Mr. Good** said, "That is going back to the County General Fund."

**Commissioner Hancock** said, "Okay, thank you Mr. Good."

**Chairman Winters** said, "Thank you very much Mr. Good. I see no other questions. Is there anyone else who would like to address the Board of County Commissioners regarding our 1997 Budget? This is a public hearing taking comments regarding our 1997 Budget.

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“Commissioners, I see no one else who wishes to speak so I’m going to close the public meeting and again, as clarification for those of you here and watching on television, the Board of County Commissioners also sits as the governing body of the Sewer District and the Fire District. We’re going to take public comments on those two items at this time. At this point, I will recess the Regular Meeting of the Board of County Commissioners.”

#### **D. RECESS TO THE SEWER DISTRICT MEETING, THEN THE FIRE DISTRICT #1 MEETING.**

**The Board of Sedgwick County Commissioners recessed into the Sewer District Meeting at 9:41 a.m. and returned at 9:45 a.m.**

#### **E. ADOPTION OF THE 1997 SEDGWICK COUNTY BUDGETS.**

**Chairman Winters** said, “Mr. Manager, would you continue.”

**Mr. Buchanan** said, “Yes sir, Mr. Chairman. As we’ve done in the past several years, we think it is helpful for you to see this in person as we change the budget. Let’s just go through where we are.

#### **SLIDE PRESENTATION**

“The budget before you is at \$162,000,000. We had some changes which collapsed some funds and this is what became of the issues recently put into the budget. The increased expenditures, because we’re using some of those funds at \$164,000,000, there’s no proposed tax increase of the recommended budget.

“You will see at the last up-day, the Manager’s recommended on June 26. On June 26, the budget was recommended and as you know, there was some additional debt service savings, evaluation savings, as we came to you and recommended the budget. Because of those dollars available, I also recommended to you that we add for the D.A. Prosecution \$194,000, the D.A. Juvenile Programs at \$119,000, Aging Health Screening at \$11,000, Aging Medical Services at \$4,200, and the Sheriff’s Professional Standards at \$46,000. To get to a zero mill levy, we reduced the Contingency by almost \$12,000 and presented to you a recommended budget with those programs added that would produce 28.16 mills or zero mill increase.

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“During that meeting, you wanted to consider these programs and added those to the last up-day. They included Legal Services, Aging, Derby Senior Service Center, Extension Council COLA’s, positions at 911 Emergency Communication, Sheriff’s Training at \$46,000, Inter-Governmental Relations at \$680 and increase our contract by \$34,000 for the World Trade Center. That produced, as you remember, if we did all those things today, would at that point in time, increase taxes .276 mills, or a quarter of a mill.

“As you know, the budget is a fluid process. Since the last up-day, we’ve sold a bond issue, the interest rates were incredibly competitive. They were 15 year bonds for less than 5%. We would receive a savings of \$173,000 in 1997 because of that. The voting machine lease, we figured that out and received those final numbers, was \$22,000 less than we thought we needed. Because of a program with WSU, we discovered that there was \$13,200 more there. If we used that to reduce the mill levy which you’ve added, the .26 would be one approach, we would now be faced with a mill levy increase of .16.

“So the current totals are, this is where we are, \$58,660,243 or 28.32 mills, an increase of .16 mills. The levy to produce the zero mill increase would be this number or if you did not want to raise taxes, you would need to reduce what is in it by \$323,000.

“You will see this form, and this is our lie form. This is where we can add and subtract and change the numbers. Here is the total mill levy. Here is the amount of the decrease over zero mill increase, it is the increase or decrease. If you take out \$100,000, if you would remove \$100,000 some place, that number would show up at \$232,000. Here is with the revised recommendations and changes and here is the new amount mill levy.

“We’re prepared, Mr. Chairman, to do whatever it is you want to do. At this point, it is my recommendation that the Board of County Commissioners decide how you want to proceed, whether in fact you want to get to a zero increase and how to go forward from here.”

**Chairman Winters** said, “Thank you very much. Commissioner Gwin.”

**Commissioner Gwin** said, “If you have a procedure that you want to set up, go ahead and explain that.”

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**Chairman Winters** said, "I think what I'd like to do Commissioners, and then if someone has a different plan we can talk about that. I'd like to take each one of these positions that have been added at the last meeting and see if there is a consensus among the Commissioners to either leave those in or take them out. If we have discussions about those particular items now as we walk through them, we can talk and discuss them, but work through this list. Then determine if there are other additions or corrections that Commissioners would like to talk about. Commissioner Miller."

**Commissioner Miller** said, "Yes Mr. Chairman. I would like to first of all bring to the Commission's review or consideration, reducing the original Emergency Communication positions from 11 to 5.5, which will reduce that dollar amount or impact of \$390,957 to \$195,475."

**Chairman Winters** said, "All right, before we do that, are you comfortable with the procedures lined out as starting to talk about those? I'm ready to start talking about Emergency Communications if everybody is comfortable with getting a consensus on each one of these issues as we walk through."

**Commissioner Schroeder** said, "Sure."

**Commissioner Miller** said, "I guess that's what I was attempting to do is to say that we're not, from my perspective, we're not looking at the \$390,000 any longer for the Emergency Communication positions, instead I'd like to let us look at the \$195,475. Still, the same consideration of an addendum to our recommended budget but yet a lesser dollar amount impact. That's simply what I was saying."

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

**Commissioner Gwin** said, "Thank you Mr. Chairman. You said Commissioner, I believe, that reduces it from 11 positions to 5½, is that what you're telling me?"

**Commissioner Miller** said, "That's basically what was done by the Budget Department. They split it in half."

**Commissioner Gwin** said, "Okay. Do we have any money in your recommended budget, Mr. Manager, for additional positions in Emergency Communications?"

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**Mr. Buchanan** said, "Yes. There is one position, which is five employees, in the 1997 recommended budget. That would be five new employees, one position, and that would reduce the work load of the individual dispatchers by 9 or 10%."

**Commissioner Gwin** said, "Okay. So Commissioner Miller's suggestion this morning would add a second position?"

**Mr. Buchanan** said, "Would add a second position."

**Commissioner Gwin** said, "Okay. Thank you for that. Thank you Mr. Chairman."

**Chairman Winters** said, "All right, thank you. Again, to reiterate, there is one additional position in the current Manager's recommended budget."

**Mr. Buchanan** said, "I'm not recommending the additional five positions that Commissioner Miller has suggested. We're in the process of hiring a new director and I think the new director needs to decide about the staffing levels. There are other ways to make sure that there are funds available if staffing is increased, to do that."

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

**Commissioner Miller** said, "Just a brief comment Mr. Chairman. That is, I do understand that we are in a transitional phase with the Emergency Communication Department right now, but I also recognize that it has been a long standing request and possibly an Assistant Manager would be able to assist if we have any additional questions regarding this, but a long standing recognition and request that the department is in need of additional positions, not only to reduce the current work load, but to reduce what is projected to be an add on work load once the police positions that are basically in the makings on the City side, do actually become a reality. So, I believe this position is still a viable one. I think it is something that the argument still stands that Sedgwick County, we typically do take care of business, and I think it is upon our backs to ensure that department has the employees that are needed in order to meet this projected increase."

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**Chairman Winters** said, "All right, thank you. Commissioner Miller, you've certainly made a good point and shared your opinion and I'm going to kind of put you down as a yes on that one. Commissioners, we need some other input. I think at this point I'm going to, I guess my consensus opinion is going to be that we retain the Manager's budget of adding one position, which is contained in the original budget."

**Commissioner Gwin** said, "Mr. Chairman, I'll jump in and echo that. I believe that I'll support the Manager's recommendation on the staffing in Emergency Communications at this time and after we have a new director we may see some changes, so my position at this point would be to eliminate that \$195,000."

**Chairman Winters** said, "Okay, other comments?"

**Commissioner Hancock** said, "Agree with that, nothing else to add."

**Chairman Winters** said, "Okay. Any comments?"

**Commissioner Schroeder** said, "I don't think it would do any good at this point."

**Chairman Winters** said, "You're right. We're going to eliminate that \$390,957."

**Commissioner Schroeder** said, "Mr. Chairman, if I may ask a question."

**Chairman Winters** said, "You certainly can."

**Chairman Winters** said, "I don't have the budget opened, what's in the Contingency for 1997, do you know?"

**Mr. Buchanan** said, "I think the Board of County Commissioners Contingency is \$750,000, but Brad is looking it up as we speak."

**Commissioner Schroeder** said, "Was it that much for this year?"

**Mr. Buchanan** said, "\$500,000."

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**Commissioner Schroeder** said, "All right, I'm looking for some ways to do things here if we have to use the Contingency."

**Mr. Buchanan** said, "You see, what has occurred right now is if you stop the process now, there is \$67,000 that could be added to the Contingency for that purpose or you could have a mill reduction of .03 mills."

**Commissioner Gwin** said, "Of course we're not through yet."

**Mr. Buchanan** said, "No, if you stop now. The purpose was to point out how this works."

**Commissioner Gwin** said, "That's cool, a good chart."

**Commissioner Hancock** said, "We're impressed."

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

**Commissioner Gwin** said, "Well, do you want to go on to item two. Since I presented that one, let me go on with that one?"

**Chairman Winters** said, "Yes."

**Commissioner Gwin** said, "The second item has to do with the Sheriff's Training Sergeant and I had suggested that we add this at this time. Again, at the Sheriff's request, because of his expanding department and his anticipation of future needs, particularly when the new expansion of the Adult Detention Facility opens. The way the Sheriff explains this, is that this is not a new hire, that this will be someone who will be promoted from within the organization and when the promotion is made, then someone else will be promoted and scooted into that slot, and so on and so forth. In the end, the space that will in fact be open will be a Road Patrol Deputy. So in order to start that process and to get that going, kind of need to clear the space and go back and start training the Road Patrol Deputy and make all the other deputies scoot or be promoted to their new position and have this training officer prepared to meet the challenges of training of a whole lot of new deputies for the detention facilities. On the Sheriff's behalf, I'm going to say put me down as a yes, recommending this, and we'll see what happens from there."

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

**Chairman Winters** said, "Thank you Mr. Chairman. I need to understand once again, when this impact is actually going to hit, meaning 1997, 1998. I understand that the jail will be up and running in the spring of '98?"

**Mr. Buchanan** said, "The current information that we have from the architect is that the jail will be ready for operation in the spring of 1998, March, April, or May. What that means to us is that the training of additional people could begin January 1, which would allow them to be trained and mixed into the system. There may not be a need to do any additional training in '97 because we've not budgeted for additional employees in '97."

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

**Chairman Winters** said, "Commissioners, any other comments? Commissioner Miller, did you make a recommendation to support?"

**Commissioner Miller** said, "No."

**Commissioner Hancock** said, "Yeah."

**Chairman Winters** said, "I think I'm going to support that also, so that's four yes there."

**Commissioner Gwin** said, "Next."

**Chairman Winters** said, "Move on to the next one, Extension COLAs."

**Commissioner Gwin** said, "I did this one too."

**Chairman Winters** said, "Did you make the financial . . ."

**Mr. Buchanan** said, "Since there was no removal, the numbers stay the same."

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

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**Mr. Buchanan** said, "It is still a .03, there is still \$67,000 over what you needed to get to get to zero."

**Chairman Winters** said, "Which includes all the rest of them on the list."

**Mr. Buchanan** said, "Which includes those."

**Chairman Winters** said, "Commissioner Gwin."

**Commissioner Gwin** said, "This is another one of mine, so I guess I will start by defending it. I think when Mr. Good came to speak to us and others from the Extension Service to remind us of the fact that they're being a victim of their own success. When we built that new facility, I think we expected full well that it would be utilized. I think what we didn't expect was that it would be utilized to the degree that it is. When you double the number of programs, when you almost triple the number of events that occur in just a half year comparison from one year to the next, that shows me that the people of Sedgwick County are both interested in the programs and interested in using that wonderful facility for any number of other events. So I am pleased with that, but as it has been pointed out, sometimes you do so well that you really put your staff up against the wall with it. I think in this case, we've done that. Thirty-eight thousand dollars in the whole scheme of a budget of over \$160,000,000 is not a very big dent and I believe the people who provide these programs, the Extension Service agents, are some of the very best employees and knowledgeable people about a variety of subjects. I believe that something to either a cost of living adjustment or to encourage their participation and their continued assistance is necessary. So I am going to stay on this and I'm going to be a yes on retaining this in the system."

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

**Commissioner Miller** said, "Yes, Mr. Chairman. I'm definitely supportive of including \$38,000 for the COLAs for the Extension Service or County Extension Office."

**Commissioner Schroeder** said, "I'll support it too."

**Chairman Winters** said, "Thank you. I'm a yes."

**Commissioner Hancock** said, "Agree."

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**Chairman Winters** said, "I guess we've got some yeses on that one. Next item."

**Mr. Buchanan** said, "It's the World Trade Center. This is a \$34,660 increase."

**Commissioner Hancock** said, "Mr. Chairman, this was something I put back in and I hope that in time I can claim to be supportive of business and the investment in the community, but I have some recent information that was given to me from Irene Hart and I appreciate her efforts on this. The reason that I supported the World Trade Center is because of the results of the Kansas Department of Commerce and Housing often provide us with programs. Sometimes programs are not the answers to economic development and I believe that to compliment those programs that the Department of Commerce provides to us here in Sedgwick County, there has to be a certain element of services provided to businesses. The World Trade Center has kind of filled that niche and recently the Center for Economic Development and Business Research did some research with the World Trade Center and took a look at what the results were, some of the things that they have done over the last year. It is estimated by the Center for Economic Development and Business Research, that the World Trade Center has contributed \$109,607,400 by their work in the local business economy. That is a significant amount. They also estimate, in addition, one individual project is projected to have an impact of four to eight billion dollars. The total investment in the Kansas World Trade Center in the fiscal year '96 was \$160,915. That amounts to a return for every dollar invested of \$681. That seems to me like it would be a pretty good investment. Maybe I'm not clear or don't understand this 100%, but whenever I can get that kind of return to our economy with that kind of investment, I'm willing to try it one more time next year and see what happens. I'm pretty impressed and the kind of services they provide are certainly different from many of the other services that we're able to get from WI/SE or from the State Department of Commerce and even from the United States Department of Commerce. It's very unique and they fill an important niche. So I would like to see them helped out one more year. I would also like to see them become independent eventually but that's my hope and maybe they can."

**Chairman Winters** said, "Thank you Commissioner Hancock. I take it you're a yes. Commissioner Miller."

**Commissioner Miller** said, "Thank you Mr. Chairman. I can only echo what Commissioner Hancock has stated and add to that that I am supportive of this because of the resounding returns that they are able to give."

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“If you listen to their presentations, it is absolutely awesome to listen to the turnaround that they are able to supply the County in total. I too would like to see them become self-sufficient and it just dumbfounds me that when they are raking in, and they’re not raking in those bucks, the County is, why it is that we cannot cover it in user fees. I am just trying to figure that one out, but I’m hopeful that they’ll be able to get there, but I’m supportive of this.”

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

**Commissioner Schroeder** said, “I’ll support it.”

**Chairman Winters** said, “Thank you. I’m going to support that too. I think often when we think about our export business here in Kansas, we think about our aircraft, but the numbers are really amazing, the amount of agricultural products and other manufactured goods that are exported. As the World Trade Center continues to assist those producers and manufacturers, I think it is well worth the return, so I’m also going to support that.”

**Commissioner Gwin** said, “Put me in there and make it unanimous.”

**Chairman Winters** said, “All right, it looks like we got everybody on that one. If we could move on to the next one please, which is Aging Legal Services.”

**Commissioner Miller** said, “Mr. Chairman, I added that at the last up-day and the reason being was I was listening to the presentation that was given by, I can’t remember if they were actually the attorneys or not, but I am still trying to gather what exactly that addition is going to add and I’d like for the Manager and if there is anyone else that can speak to this issue at this time, to give me their breakdown on it. Is that possible?”

**Chairman Winters** said, “Yes, let’s ask the Manager to make a brief statement and then I’ve got a suggestion.”

**Commissioner Miller** said, “Just briefly, because there’s a dollar amount that . . .”

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**Mr. Buchanan** said, “The dollar amount, what I understood from the request from the person who came to the podium, was to increase the fee from \$35.00 to \$40.00 an hour. For this particular service, we would not be adding more hours, we would just be paying them \$5.00 more an hour to provide the same service. We also have a separate contract with the same group of attorneys to provide different services for us all at \$35.00 an hour. After we involved ourselves in the examination of this request a little further, I would recommend that we think this through really carefully because we have a couple of different contracts with this group all of which is at \$35.00. If we start changing the fees, we can only expect that they will ask for increased fees. I cannot find any increase in services that we would receive for \$3,765. That’s what we’ve discovered up to this point.”

**Chairman Winters** said, “Okay, thank you. Here is a thought that I had on this issue. I clearly believe our Aging Department is one more of the most significant services that we deliver county- wide, border to border, it doesn’t matter whether you live in Wichita or whether you live in Mount Hope, Garden Plain or Derby. This is a county- wide service we provide that I think is extremely important. I was impressed with those on the Aging Council who addressed us earlier in the hearing process and thinking about the continued needs that are out there for our senior citizens. I’m hesitant about the legal services, because again, I’m not confident of what kind of new services are out there. I’d like to take this \$3,700 and add some number to it and I’m not sure what, but add an amount that the Aging Council could clearly see that the Commissioners are concerned about this county-wide service and then ask them to take that number and come back to us sometime later this year about how the Aging Council really believes it would be best to spend that number. If they come back and say we’ll pay an attorney another five bucks is the best, then we’ll listen to that. If they would come back and say they’ve got another program that if they had another \$15,000 or \$20,000 that really they believe that they could do some significant work. So I toss this out as a suggestion. Commissioner Gwin.”

**Commissioner Gwin** said, “Thank you Mr. Chairman. I think that is probably not a bad idea. I mean, when we get through, we may have some funds to work with, but I think I could support an idea that says we understand kind of like the Extension Service, that the Aging Department and Senior Services of all types are being utilized more and more throughout this County as we all get older. One of us up here is getting older quicker than the rest of you, but you’ll catch up.

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“But these services are important and they meet the needs of the most needy of our residents and so maybe it’s not for me to decide exactly where the dollars and cents go, but if there are some funds at the end of all of this, maybe we can send it back to the Aging Council. I would certainly, if seniors need more legal services and they need more assistance, I would certainly think that’s important. But if they need homemaker services, or if they need other services more, then I’d like the Council, I think, to kind of make that call and bring that plan back to me. So this one I might put on hold for a little bit if the rest of you wouldn’t mind and kind of see where we end up, because I think I’d like to add a little extra for Senior Services and the Aging Department, but I have to wait until the end to see how that shakes out.”

**Commissioner Miller** said, “Sure.”

**Chairman Winters** said, “Okay, I would kind of concur with that. Commissioner Miller.”

**Commissioner Miller** said, “Yes, and I can only say that it was my intent, when I originally included it, was to increase services and that’s why I asked for the dollar amount and where it was going. I think it makes absolute sense, Commissioner Winters and Commissioner Gwin, to be able to enhance that dollar amount and toss it back into the laps of the Aging Council and let them tell us how to earmark it. I agree with that.”

**Chairman Winters** said, “Okay, we’re going to skip this one. Intergovernmental relations, \$680, does anybody have a problem with that?”

**Commissioner Schroeder** said, “No.”

**Commissioner Gwin** said, “Keep it.”

**Chairman Winters** said, “That’s in. Aging, Derby Senior Center.”

**Commissioner Schroeder** said, “That’s mine that I added in the other day. I talked to most of you, I think, about adding a total of \$15,698. It is a growing center. They’ve got a lot of people using the center. It’s a large community and they simply need the support and help and I’ve offered to increase the amount that we fund them by \$15,698.”

**Chairman Winters** said, “Thank you. I’ll be supportive of that.”

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**Commissioner Hancock** said, "Fine."

**Commissioner Gwin** said, "Me too."

**Commissioner Miller** said, "Yes."

**Chairman Winters** said, "All right, we could change that number. Commissioners, we've gone through the list. Before we go back to Aging Services, is there any other area that Commissioners would like us to address. Commissioner Hancock."

**Commissioner Hancock** said, "The Emergency Communications and those positions, in reading the performance charts that we have, we can see that probably the amount of phone calls based upon the new staff is going to remain about the same, but I think we need to keep in mind if we don't change this back or even add more positions next year, then we should be thinking about maybe in midyear, through salary savings or through our Contingency Fund, begin to think about adding people to train and to come on. They are becoming busier and busier, but I think not only part of that and I guess what I'm trying to say is, Commissioner Miller, I'm very supportive of the new positions because it is a very stressful job down there and we need to reduce the tension through either the physical facilities, the number of people we're adding or new equipment, whatever the case may be. I know that those folks down there are just pretty well maxed out at what they have to contend with on a daily basis. The turnover, as a result, has been ongoing. So there has to be a better answer. I'm not sure more people is it, but I think that in case it is we ought to be able to react to that. So I do want to put the staff on notice that it may become necessary subsequent to hiring a new director that we may need to put more people in there. I'm not willing to put any more money in it right now, but we ought to be able to react to that situation if it comes up. I know that we hire these folks and it takes quite a while to bring them up to speed and get them in place. So I just want to make that clear. I'm not non supportive, I'm just not willing to say yes, absolutely, let's do that right now. It concerns me and I know throughout the whole country, 911's are being inundated and maybe we can change the rules. Sometimes it may be important for 911 operators to be flat rude and say no, we don't know what time the show starts over at the show, goodbye. Maybe we need to change the rules about who calls and what reasons they can call. I just wanted to make that clear that I stand ready to take some action if necessary."

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**Commissioner Miller** said, "I appreciate the insight Commissioner Hancock. I was listening when Commissioner Schroeder mentioned contingency and I think if it presents itself midstream, particularly once we do bring on that new director of the department, to figure out how and where they're going to shift things in order to make that program or that department run most efficiently and less stress on the individuals who are there. Then we can be able to react to it. I was simply attempting to be a bit proactive and put it in there early. But appreciate that. Thank you Mr. Chairman."

**Chairman Winters** said, "Thank you Commissioner Miller. Mr. Manager, did you have a comment?"

**Mr. Buchanan** said, "We'll deal with it later."

**Chairman Winters** said, "Okay, thank you. Commissioner Gwin. Are you ready to talk about Aging? Does anybody else have anything else they want to talk about before we talk about Aging or the last item? I think Commissioner Gwin is attempting to craft an idea that she might float out there and see if there is any Commissioner support."

**Commissioner Gwin** said, "Some of these ideas I craft just don't go any where. There are a couple of things that we've discussed here and I really do think warrant some consideration. One of those is that I sense that the Board feels a need to . . . we have a \$53,846 amount there plus the \$3,765 to kind of manipulate if you will. I sense that the Board would like to do something on behalf of the Aging Department and hopefully in the hopes of enhancing services to seniors. Also, however, I hear the challenge to maybe meet some unexpected, unanticipated needs midyear or something may come up that we'd like to be able to have a little bit more cushion on Contingency. So, I guess, and the number is really irrelevant, but these are the numbers that I would suggest, I would suggest that we would add to the Aging Department Budget \$15,846 and the remainder of the amount to get to a zero increase, would then go to the Contingency Fund to anticipate future needs. I don't know if that's . . ."

**Commissioner Miller** said, "When you're talking about Contingency Funds, are you talking about Board of County Commissioners Contingency Funds?"

**Commissioner Schroeder** said, "Put that amount back in. . . ."

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**Commissioner Gwin** said, "Yes, so we'd get to a zero levy increase. That way I think we accomplish what I heard us discussing, that the Commission feels and again it says Aging Legal Services, you understand that's not the place, I want the Council to determine where those additional funds can best be used to provide the service and it provides us with a cushion on the Contingency Funds to meet needs that we may not be able to anticipate at this point."

**Chairman Winters** said, "Okay, I would agree with that and I see several Aging Council members here. Doug Russell is here. I hope they all understand that the Commission I guess is questioning whether Legal Services is the best place, but we're confident that you can help us find the best place and if you would then come back with a recommendation which I assume that Commissioner Gwin, that's what you would like to see, is having them come back and tell us exactly where that would go."

**Commissioner Gwin** said, "Certainly, with the exception Mr. Chairman, I think of the Derby Senior Center, and I think Commissioner Schroeder is pretty adamant that that money needs to stay there."

**Chairman Winters** said, "I think we all agree with that."

**Commissioner Gwin** said, "Okay, so that gets us to a zero change and I thought that would be a nice method to do that."

**Commissioner Miller** said, "I can agree."

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

**Commissioner Schroeder** said, "That's mine."

**Chairman Winters** said, "Okay. Commissioners, unless I hear someone else say something in the next few moments, I think we've about arrived at a budget number showing a zero mill increase for 1997. Mr. Manager."

**Mr. Buchanan** said, "Mr. Chairman, you have in front of you a proposed Resolution with blanks, if this is what you want to do, then it would read, I move to adopt the Budget of \$164,260,050. That's the figure right there, at \$58,337,130 in taxes at 28.16 mills."

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**Chairman Winters** said, "Commissioners, unless someone else has a comment I think we're ready for a Motion."

**MOTION**

Commissioner Schroeder moved to adopt the total 1997 Sedgwick County Budget of \$164,260,050 with \$58,337,130 in budgeted Ad Valorem taxes or approximately 28.16 mills. This Motion is subject to review and technical adjustment.

Commissioner Gwin seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul 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 have completed with the Regular Budget for 1997. At this time, we're going to go back to the other meetings and complete the Budget for the Sewer District and the Fire District. At this point in time, I will recess the Regular Meeting of the Board of County Commissioners."

**The Board of Sedgwick County Commissioners recessed into the Sewer and Fire District Meeting at 10:26 a.m. and returned at 10:49 a.m.**

**F. ADOPTION OF THE 1996-2000 CAPITAL IMPROVEMENT PROGRAM (CIP) AND 1997 CAPITAL BUDGET, EXCLUSIVE OF THE ROAD AND BRIDGE PROGRAM.**

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**Mr. Buchanan** said, "The Clerk read the title absolutely perfectly, but that's not what we're going to propose to do. We're going to do the Capital Improvement Program including all aspects of our Capital Improvement Program, which will include Buildings and Grounds and Roads and Bridges.

"You were handed a sheet that looks like this and I want to make sure we understand what this is about. It breaks down the County facility and I want you to pay particular attention to 1997. County facilities are 2,300,000, Parks and Recreation are about 4,000,000 for a total of 6,400,000 for those projects. Public Services projects equal \$21,358,886. That would be a 6,000,000 program for roads, intersections and bridges will be bonded, and a Sewer District project of 2,300,000. The total for 1997 is \$30,080,460. Those dollar figures were included in the implementation that were included in the Budget and paid for in the Budget you just adopted. This is the continuation of that program. You will also notice that the totals clear in the right-hand column are for the five year totals. For the five year totals, it is \$204,501,610 Capital Improvement Program for five years. We have discussed this in detail. These projects are listed for you in the books that have been previously presented to you and I would recommend you adopt this Capital Improvement Program."

**Chairman Winters** said, "Commissioner Gwin."

**Commissioner Gwin** said, "Just for clarification. Mr. Borst, does this Public Service Projects, the roads, intersections and bridges, does this presentation meet the request of the Bureau of Public Services?"

**Mr. Mark Borst**, Deputy Engineer, Bureau of Public Services, said, "It does meet our request although we do have some downsizing adjustments to make to our CIP. We had not made any of these subject to what happened today, but any of the adjustments we make will decrease the amount that will be in the CIP."

**Commissioner Gwin** said, "Okay, but what my question is, the '96 for roadways, for instance, shows a 16 million dollar amount and the '97 for roadways shows only a 10,000,000 amount. Is that as requested by the Bureau of Public Services?"

**Mr. Borst** said, "That's as requested."

**Commissioner Gwin** said, "Okay, that's all I need to know."

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**Mr. Buchanan** said, "Commissioner Gwin, those numbers came from the Bureau of Public Services."

**Commissioner Gwin** said, "I just want to make sure. Thank you."

**Chairman Winters** said, "All right. Mr. Manager, any other comments concerning the Capital Improvement Program?"

**Mr. Buchanan** said, "No sir."

**Chairman Winters** said, "Thank you. Commissioners, any discussion or comments, or what's the will of the Board?"

**MOTION**

Commissioner Gwin moved to adopt the 1996-2000 CIP and 1997 Capital Budget.

Commissioner Miller seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul 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."

**G. RECESS TO ITEM D OF THE SEWER DISTRICT MEETING, THEN TO ITEM C OF THE FIRE DISTRICT #1 MEETING.**

## Regular Meeting, August 14, 1996

### NEW BUSINESS

#### **H. SOLID WASTE PLAN DISCUSSION.**

**Mr. Buchanan** said, "We've asked some people to assist in this presentation. We were thinking about this and added this to the agenda some time last week. We talked to you, we thought it would be helpful to discuss what the solid waste plan means and how it affects us and what impact that we might have upon those decisions. In talking about this issue a little bit, I was reminded that these environmental movements started with Earth Day many years ago, with a 'teach-in'. I think that is what is going to happen today is that we hopefully are prepared to answer any questions you have to educate each other about what the process is and then to perhaps come to some solutions and conclusions.

"I have asked two people, Allison McKenney-Brown, who is with the Legal Department to do some analysis of what the law means and those relationships between the law and with our actions. I've asked Susan Erlenwein to discuss what it is, the planning function, what's occurred so far and catch us up to date and then what I would hope to do is to kind of tie all that together and wrap that up. We can then begin some policy discussion issues of what we've heard and what we know and what our options might be. So, if it would please you, Mr. Chairman, Allison McKenney-Brown."

**Chairman Winters** said, "Commissioner Schroeder."

**Commissioner Schroeder** said, "If you please, just a point of clarification. Would they also at the top of this explain the difference between the plan and assuming the landfill, etc. That is one question that I've been asked. If you assume the plan, do you assume the landfill etc.?"

**Mr. Buchanan** said, "We can discuss that right now and the answer is no, there doesn't need to be a connection, there doesn't have to be a connection. That was never our intent to do that. The Commission cannot receive gifts, the City Council couldn't hand us the landfill without you taking affirmative action to accept it. There is no intent to do that. What this discussion is about, is the plan. When I've tried to explain it to people and whether this has made sense to them or not, I try to talk about what are we going to do and how are we going to do it, but not necessarily who is going to do it. We're not concerning ourselves about that.

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“The City has been in the business of providing a disposal place for years and years. There is no intent to interfere or intervene and what is happening at Brooks with that, it is a discussion of what is going to happen in the future. That’s what our role is and that’s what we want to talk about. Now we also know that this is one of the joys of which you and I do, is that we get to move pretty quickly from time to time and because of some news releases and some visits by the City Council to you, this has changed the discussion considerably and so we’re still gathering information and we’re still trying to figure out the impacts of what we’ve learned in this mornings’ paper.”

**Commissioner Schroeder** said, “Thank you. Sorry Mr. Chairman, sorry to interrupt.”

**Chairman Winters** said, “That’s quite all right. Thank you.”

**Commissioner Miller** said, “Mr. Chairman, I do have a comment if you would allow and it does follow-up with what our Manager has just stated. I need to really be clear on this because I just asked that same question to our Counselor, Steve Plummer, and I received a different answer. So Mr. Plummer, could you clarify for me. Does this mean, because the media is portraying it as though we are taking . . . this is it, the big takeover, Sedgwick County is taking over the trash per se, so does this mean, if we indeed assume the responsibility of having the responsibility of planning for this, then does that mean that in essence we are taking over how solid waste is managed?”

**Mr. Steve Plummer**, County Counselor, said, “I guess I misunderstood the question. All we are doing is taking over the planning function, it doesn’t mean we’re getting into the solid waste business necessarily. So I echo the Manager’s answer, I apparently misunderstood what you were asking. Sorry for that.”

**Chairman Winters** said, “I appreciate the question, but Allison I think has a presentation. Let’s listen to her. She’s been reviewing it, maybe she can enlighten us on what the plan actually is.”

**Ms. Allison McKenney-Brown**, Assistant County Counselor, said, “I’ve handed out a packet, it has the arrows on the front and I’ll go over the bullets that I put on the front of that after I finish my presentation. I’ve also attached some of the laws that I’ve cited. For reference purposes you’ll have those.”

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“I want to start with the little graph I did on the front showing there are two types of laws impacting solid waste disposal in Sedgwick County. The first types of law are environmental laws. That would include the Solid Waste and Hazardous Waste Planning Act. The second body of law is local government law. That would include the rights of municipalities to create solid waste disposal methods. I’m going to start by discussing some local government laws so that everybody is clear that solid waste planning and solid waste disposal are two very separate issues.

“Some local government laws start out with K.S.A.12-2123 in combination with 12-520a create in cities the authority and the right to develop waste disposal site at their own discretion. 12-2123 requires a two-step approach to acquiring a landfill. The Council must find by Resolution that a landfill is necessary and the city may then acquire the site in any manner including condemnation for use as a landfill. These statutes cite 26-5342, which is part of the solid waste planning, part of the environmental body of laws. The cite to that act which is, in my interpretation, means that the two bodies of law are meant to work together. One does not supersede the other. K.S.A.12-520a allows the governing body of the city to annex land by ordinance, if one of several conditions exists, including the land is owned or held in trust for the city or any agency thereof. Usually, what happens if the city wants to annex, they are required to go through a public hearing and the BOCC must be notified by certified mail of such public hearing. However, 12-520a(f) states that no notice of public hearing is required if the land is owned by or held in trust for the city or any agency thereof or all the owners of that land petition for it or consent in writing. That would be consensual purchase. What that means is that any city has the right to go out and annex some land, buy it and annex it, without involving the Board of County Commissioners and use that land for waste disposal. Statutes give the cities the right. The statutes also give counties that right and that is at 19-2650a. County Commission is authorized to acquire land to build a landfill. The other thing is that a Commission may, in lieu of creating their own landfill, work with any city and let the city create the landfill and just contract for use. Currently that’s what we’ve done. Sedgwick County is currently on that track.

“Both 19-2658 and 65-3402, are laws governing how counties act and laws governing solid waste disposal, which is both local government law and environmental law, both of those laws allow counties to give away the responsibilities for developing and operating a landfill to cities if they so desire. Okay, so that’s local government law which gives municipalities the right to develop and the responsibility to develop solid waste disposal sites.

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“Solid waste planning statutes, the environmental law is the planning statute. Its intent is to vest authority for solid waste planning into County Commissions through the creation of a solid waste plan that considers the needs of everyone in the county. It is almost as if, well, I believe it was made as a balance to the previous statutes we talked about. Statute requires the plan to be adopted by the governing body prior to its going into effect with solid waste planning authority in each county. That means the governing body with the solid waste planning authority has the ability to adopt this plan. This statute also requires that representatives of all segments of the county be included in the planning process by dictating the membership of the solid waste planning committee. I believe Susan will go more into what we currently are doing in the Solid Waste Planning Committee.

“Permits to construct, alter, or operate solid waste processing facilities and solid waste disposal areas require a permit from KDHE. This is a big issue. Prior to KDHE approving a permit or an application for creating any type of solid waste disposal site, they go to the planning authority within the county. Now in every other county in the State, that’s the County Commission. Sedgwick County is different in that we have designated the City of Wichita to be the planning authority. So at this time, if any government body, including the County Commission or if a city or if a private body wanted to develop a waste disposal site, they would have to go to the City of Wichita and get the City of Wichita’s agreement that it was consistent with the solid waste plan as they perceived it. Once that local government received from the City of Wichita the okay on that application, then the application would be submitted to KDHE. At that time, KDHE would look to make sure the planning authority had approved the application. I have been told by Steve Forrester, who is the Director of Planning, Policy and Grants at KDHE, that to this time, if KDHE does not see that the planning authority has approved such application, they have not looked at it. So that’s where the power of the plan comes in.

“The Secretary of KDHE may, there is a portion of the Solid Waste Planning Act that allows the Secretary to determine if the planning authority is behaving unreasonably and if the secretary determines that they are behaving very unreasonably or not in consistence with their own plan, then the Secretary, at that point, may continue to look at the process. That does not require the Secretary to go over the head of the planning authority at all. Let me remind you, at this time, that’s never happened. The planning authority has never been superseded.

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“When the official plan does not provide for management of the solid waste to be processed or disposed then the State is not required to use it in making a decision about the permitting of a landfill. This is important.”

**Chairman Winters** said, “Say that again.”

**Ms. McKenney-Brown** said, “When the official plan does not provide for management of the solid waste to be processed or disposed, then the State is not required to use it in making a decision about the permitting of a new landfill. What that means is, if you’ve all looked at the Sedgwick County, Kansas, Solid Waste Plan, January 1996, it is four pages, that’s its title, it’s four pages long. If you’ve looked at that and read that, you’ll notice that there is no discussion about how many management of solid waste will occur. So although this particular plan was rejected by KDHE, if it had been adopted, then KDHE would be able to resort to this regulation, which would mean the plan would have no effect on the regulation of any type of waste disposal site in the county. So at this point, and I know this has been rejected, but it is a good illustration. At this point, if this plan had been adopted, this plan would have very little bite in Sedgwick County.

“Okay, that’s the high points of the plan and the differences between the plan and local government law. There are a couple of other pertinent legal documents that I should quickly go over. One is the Interlocal Agreement creating the Wichita/Sedgwick County Solid Waste Management Committee, investing the authority for solid waste management planning with the City. That is dated August 23, 1993. Two pertinent sections of that, I know you’ve all read it, and I have copies if anyone has questions, but the most pertinent aspects of that to discuss today are either party, either Wichita or Sedgwick County may terminate that agreement, withdraw from that agreement, with thirty days notice. Withdrawing from such agreement shall not effect the current term of appointment of any member appointed to the Sedgwick County/Wichita Solid Waste Management Committee. So anyone who is currently on that committee remains on that committee. That is the end of my portion of this presentation. I would like to reiterate that the solid waste planning statute, and this is part of the bullet that I put on the front, the solid waste planning statute is intended to be the state’s method of implementing the federal EPA law that requires solid waste planning occur in every state. So the state has taken federal law and sent it down to county level and the way the state has set it up is it is intended in the solid waste planning statute that these plans would be regional if possible. That means more than one county. Most counties in the state have gone to a regional plan.

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“I was told that there are only 20 counties at this time who are not part of a regional group. This solid waste statute gives KDHE the authority to provide technical and financial assistance in the solid waste planning process but no authority to mediate local disputes. That has been reiterated to me by KDHE several times. The final important thing is that solid waste planning authority is required to certify to KDHE that any solid waste disposal permit application made by any applicant or any entity in Sedgwick County be consistent with the solid waste plan. That means that although any city or the county or private companies, although they may have an interest in creating a landfill, although the local government law gives them the right to create a landfill, at this point the planning authority, which is the City of Wichita, is the balancing act and the City of Wichita will have to approve any request.”

**Chairman Winters** said, “Thank you Allison. Commissioner Gwin has a question.”

**Commissioner Gwin** said, “I need to begin to try to get the separation. With your arrows you have shown us that there is an environmental law under which the planning statute is and there is local government law that shows the right of municipalities. So when the first bullet says that the planning statute is on the environmental side, does not place the responsibility of the actual disposal of solid waste upon counties or planning agencies. So that means that planning can be done over here and solid waste disposal can be done over here underneath that local government law, is that it?”

**Ms. McKenney-Brown** said, “That’s exactly how it will be done. When any municipality or even private company decides that they want to create a waste disposal site, they’ll do so pursuant to the local government laws. At which point the environmental laws via the plan kicks in and has an impact, in that their decisions must be in accordance with the plan if the plan speaks to that type of decision.”

**Commissioner Gwin** said, “Okay, I think that’s all for right now.”

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

**Commissioner Hancock** said, “I want to go a little bit further and clear that up. In other words, if one unit of the government, such as a county, develops the solid waste plan, and a municipality, such as the City of Wichita, would then go about the business of providing a solid waste method for disposal, it has to be consistent with that plan?”

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**Ms. McKenney-Brown** said, "Yes."

**Commissioner Hancock** said, "Okay. Thank you Allison."

**Chairman Winters** said, "Allison, one question here. You indicated that the plan was four pages long and I've heard this now from several places. No, the plan is not four pages long, it is this long, this thick. Can you clarify with us, is the addendum four pages long, is the 1991 Plan four inches thick? Where is this confusion about how detailed the plan was?"

**Ms. McKenney-Brown** said, "Susan Erlenwein will be addressing that, however, I have a document in my hand, called Sedgwick County Kansas Solid Waste Plan, January 1996. It was created by the City of Wichita. It is four pages long. There is an addendum which names all the members of the solid waste committee and goes into an attachment about the increase in height out at Brooks Landfill. However, the plan itself is four pages long. I don't know what came out in 1991, but Susan is ready to address that."

**Chairman Winters** said, "Okay, maybe Susan can help shed some light on that. Susan, go ahead and do your regular presentation and then if we need to come back to that question we will."

**Ms. Susan Erlenwein**, Director, Environmental Resources, said, "I've been asked to discuss the solid waste committee. Back in 1993, the City of Wichita and Sedgwick County entered into an interlocal agreement which designated the City as the Solid Waste Planning Authority. Under this authority included the development of a solid waste management committee. The committee consists of 19 members. The Chair is appointed jointly by the City and the County. The County has seven appointees and the City has seven appointees. There are also representatives from second class cities. There are three of those and one representative from the third class city. So that is nineteen total. The committee covers a broad spectrum of our community. There are representatives from the recycling industry, from the general public, environmentalists, from the waste management companies, both large and small, and the unincorporated section of the County. It is a quite diverse group, representing the entire community.

"The purpose of the group is to develop the solid waste plan for the County and they also act as an advisory board for the City Council. Now the committee started meeting back in May of 1994.

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“Initially, they were meeting once a month and then after about a year, they started meeting twice a month. When the committee first started, they were interested in the operation of Brooks Landfill, how waste is handled in our area, and they were working on a very large plan for our community and tackling issues and writing issue papers, such as yard waste disposal, white good disposal, recycling, composting, volume base trash rates. So they were going along in this process until about the summer of 1995, when the City made it clear that they were not going to expand on to the Kingsbury tract, which is the land adjacent to Brooks Landfill. At that point, the committee kind of changed direction. They could no longer go to that area to dispose of waste, so they started looking at short term options, which included the vertical extension of Brooks Landfill, to make it higher, and also long term strategy for waste disposal in our area.

“Business has also talked to the group about the fact that if there is not an adopted plan from our area, any local businesses cannot receive grant money from the Kansas Department of Health and Environment. That is through the tipping fees at landfills. Approximately \$1,000,000 every six months is given out by the Kansas Department of Health and Environment throughout the state, to businesses who want to address the waste reduction. So all businesses kind of want a piece of that pie. That kind of spurred the community into developing a solid waste plan and turning it into the state. Just turning it in isn’t enough, it has to be adopted by the state before the grant money is available for these companies.

“In January of 1996, the committee came up with the plan Allison mentioned and this is the 1996 Plan. It is four pages long. As Allison mentioned, in it is the addendum, which is the committee member’s names and addresses and some information about waste generation over the past decade, and information on the vertical extension, which the committee recommended for the landfill. Also attached to the plan is what you were just referring to, and it is the report done by Camp, Dresser and McKee and the data is back from 1991.

“Now, this report was just attached to the plan. One of the reasons the state turned the plan down in July is the fact that the data in this is five years old, so any of the trash numbers or the demographics, all that material, was too old for what the state wanted. Another reason the state turned the plan down is because they wanted a ten-year plan and the committee had a five-year plan. One of the reasons for the five-year plan is the vertical extension requirement could only be for five years, so that is where the five years came in.

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“The state also wanted some more information, more detailed information than they had received in the four page plan and they did not feel that the information in this was enough to give them what they wanted. So since the state turned down the plan in July, the committee has met and knows that they need to do more work. At the present time, the committee has planned an all day meeting August 26 to address the concerns of the state and see if they can try and develop a new plan. The state also has developed guidelines that the committee can use and look at to help in developing the plan. Those guidelines have been available for some time. I would be happy to answer any questions.”

**Chairman Winters** said, “Okay, does anybody have questions of clarification for Susan or Allison? Commissioner Gwin.”

**Commissioner Gwin** said, “Susan, in the plan, even though it wasn’t accepted, in the plan, what did the committee recommend be done with solid waste in the community?”

**Ms. Erlenwein** said, “Nothing specific. They did not say it needs to be a landfill, they did not say it needs to have a transfer station. They mentioned they would be looking at options on how to address it in the future. They felt that might be enough that they were going to address it and work on it, but it wasn’t.”

**Commissioner Gwin** said, “Okay, all right. Thank you. Thank you Mr. Chairman.”

**Chairman Winters** said, “Thank you. Mr. Manager.”

**Mr. Buchanan** said, “The reason this agenda is before you is we’ve had some discussions. Once discovering that the plan was rejected, that there is not a plan that was going to be acceptable, there were discussions up and down in this building, around this community, we had heard them before when we went to the public hearings, about who had a say in this matter. Whose voice could be heard? Who had legal standings to determine the solution to solid waste? What we discovered together, hearing those comments by the public, was that there was a group of folks, 25% of the residents of Sedgwick County who do not live in the City of Wichita, who said that we have no legal standing and we have no one to hold accountable, that we don’t have a position, the only reason we are allowed to speak was because of the good graces of Mayor Knight. We do thank him for that, because he did go out of his way to make sure we were heard. So we began to study this issue internally, as to what it is, how we could affect that.

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“It seems to me that there are several approaches and solutions. One of the solutions is to place the City on notice that we are going to give them thirty days notice and disengage from the interlocal agreement. At the end of thirty days, there are a number of things that could happen, one of which would be that we would assume the responsibility and authority for doing the planning for solid waste, handling and disposal in Sedgwick County. We could negotiate a new interlocal agreement, which would share power, which would put us both at the table at the same time, having veto power over each other about the plan. We could do nothing and continue to assume that the City will in effect do the right thing, make sure folks in this community are heard. That it is a process that is inclusive and deliberative and that we can influence the decision at some other time through either the state or some other means. Now the attorneys tell us that is not the legal standing that they would like us to take. In fact, if we’re going to interject ourselves in the system, that we need to take some affirmative action now rather than at some point later.

“There is great concern in this community about whether the landfill, the current Brooks Landfill, or a new landfill or a new transfer station, about the financing of that. How that will occur? What’s the County’s influence on that? We do know that the City has, at the end of this year, will have \$2,200,000 in a landfill fund and some \$6,100,000 in the trust fund that is to be used to close Brooks, to be used for environmental purposes. Neither one of those dollar amounts are significant in terms of what is going to be needed to do any of those tasks, but they are real dollars. Again, the County’s intervention in the planning process does not affect those dollars, it does not affect their ability to collect dollars if they’re going to continue in the business of running a transfer station, if that’s the solution, or a landfill, if that’s a solution. So, those dollar issues are for our purposes, certainly a concern to the City, but I would suggest not a concern to us.

“You may wonder why it is necessary to think about this issue now and why can’t we wait for a while to do this. Some have suggested it is because some of the staff is impatient and we want to get on with it. Others would suggest that in fact this is the time, if we’re going to take action, this would be the time to do it. There is no plan. There is no approved plan. This is the time to make the case that we would be the body that would vote on that plan to affirm the method by which garbage would be disposed of in this community. That by delaying, by waiting, we’re only putting off perhaps the decision and our ability to affect the decision, because we have not been invited to the table. We’re not considered partners, and that to delay the action may limit our options in the future. This is what we were going to say before we heard all the news most recently.

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“The most recent news, regarding the options that the City has obtained for a landfill in northeast Sedgwick County, only affirms what we have suggested, that the best solution for this community may well be a landfill in northeast Sedgwick County. It may be the best location, the groundwater may be perfect, the roads are suitable, the soil is superb and the cost effectiveness would be just wonderful. We don’t know that, and we have no formal ability to register our objection to that and to change that decision. I wish this were an easy one, I wish I could come to you and say that the staff recommendation is to proceed with all due haste. I understand that there are risks involved in that and we have debated, Chairman Winters and I have discussed this over the past several days, have pretty much agreed that we don’t agree on much of the solution, so it is one that is fraught with difficulty. I think what is necessary for you is for you to hear from each other and not from the staff at this point. We are here to answer any question you might have and be glad to try to answer those questions. Susan and Allison are the experts and it is pleasure to have them on the staff to work with. Good quality people who know so much about a subject and they do it in such a short period of time.”

**Chairman Winters** said, “All right. Thank you very much Mr. Manager. I think we probably are going to witness a public discussion here that may go off in several different directions. You are going to see a work in process group here, because I think a number of us had plans in mind before yesterday’s announcement. Now we’re trying to recapture what significance that really has.

“I’m of the opinion that there are clearly two ways that we can solve problems. We visited about this early on in the landfill solid waste disposal process. One choice is to have a deliberative public discussion, continued communication with your citizens. You share ideas, you share your values, you share your opinions, you look for solutions that will provide a benefit to the entire community and County and perhaps even the region. You utilize WSU, you utilize the Metropolitan Area Planning Department, you utilize town hall meetings, and you do a deliberative process. The other method is you buy and you jam it down somebody’s throat. I was clearly working under the impression that the Mayor and I were working on a plan of a deliberative process, of communication, of discussion, or keeping us all informed. The Mayor has, I think, done a terrific job up to this point. He is the one that caused the WSU assembly to take place, which was an exceptional meeting with representatives from sixteen regional counties, over 200 people participated.

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“He was the instigator of the decision about the town hall meetings and was supportive and insistent that the County be involved in that process, and we were. There have been discussions at the Metropolitan Area Planning Department and there have been, up until now, good communicative processes. I felt like I was at the table. I felt like the County was at the table. What I want to do is to come back to the table.

“I share the frustration that Commissioner Gwin is going to visit with us about here in just a moment, but I’m trying to figure out how we can get back and pull together the brightest minds in the community. The brightest minds of the City and the County and work together toward a solution that we can all buy off on. That’s why I’m not here today to talk about taking it over, but I want to take back part of the decision making process. This decision is going to reach to the boundaries of the County, from Butler County to Kingman County, from north to south. I think there is plenty of room at the table for us all to talk about it and we hear, well, we’ve got a traditional turf issue battle going on here. I want to work for what’s the best public policy for Sedgwick County and all of its citizens, whether they live in the City of Wichita, the unincorporated area, or Viola. I think we’ve got to work together. I had kind of a four-page little talk that I was going to give, talking about the plan a little bit and how we could get involved in that. I think we do have some serious concerns.

“I know that there are those at the City who say just because the Kansas Department of Health and Environment rejected, that wasn’t quite what they meant, they didn’t quite understand, but when a letter says a plan has deficiencies that are significant, there’s only one way to interpret that. The plan has deficiencies that are significant. Then to rush ahead with a quick decision on another option that the plan doesn’t address. Quick decisions are how we get into the problems that we’re in today. A quick decision is evidently what got us Brooks Landfill, which is absolutely a terrible place to be. Now, I attended the public hearings Monday about the cleanup process at Brooks Landfill. I’ve got no intentions with wanting to be involved in the process of cleaning up another landfill. To make this a rush deal, I’m upset and yet I don’t know how to react to the time frame sequence. This came about so quickly, out of left field yesterday, that I don’t know if they’re talking about thirty days, sixty days, ninety days, next week, but I have continually told my constituents that there was going to be a deliberative process. I heard Mayor Knight say, Tom, I’ll go with you into your district and talk to those people and explain to them what we want to do. Now I’m having difficulty determining how we got moved away from the table. So I guess I’m looking for suggestions, comments, on how we can pull back together to try to come into some coordinated effort, where we can be a participant in the decision making process.

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“Now, I don’t have a good answer to that and I’d like for us to at least consider that discussion today. I know there are a couple of others of you who would like to talk about other directions and I encourage you to do that. Let’s talk about all the issues and express our frustrations if you feel this is the time to do it and I totally support that, but I want us to come back and as a Commission, talk about what we can do in a positive way to be back in the loop. Commissioner Gwin.”

**Commissioner Gwin** said, “Thank you Mr. Chairman. I do appreciate your sentiment. I think that there is probably not a Commissioner up here who wouldn’t agree that we need to be a part of the planning process. You’re absolutely right, Mayor Knight has been very helpful to us. He was an attendee at all the town hall meetings and listened very sincerely to what the people said. Unlike yesterday, what I will try to accomplish today, is to avoid anger and not to start a fight. The editorial this morning said something and it was about winning, and I guess winning has nothing to do with this and yet it has everything to do with it. Winning doesn’t have to do with besting the City of Wichita or telling them we know better or that the committee is full of beans or whatever. That’s not the winning part. The winning part has to do with the winning solution to a very difficult problem. I’ve heard the Chairman say that the answer, the solution, the plan, has to be a win-win, win-win situation. So the City of Wichita and Sedgwick County and the citizens and the environment and all of us, when we come up with a plan, win. That’s not easy. That’s the truth, that’s not easy.

“I attended two of the town hall meetings and one of the parts that was so interesting to me was we spent a great deal of time listening to the values that people in this County held dear. I didn’t write them all down, but obviously, one of them was a clean environment. One of the values was our children and their future. Certainly one of our values was cost, and that always is a concern when we talk about any major project like this. Another one, I remember people kept saying, we all have to remember that we all are each other’s neighbors, no matter where we live. And another one that has really stayed with me was accountability, because so many people who attended those meetings lived outside of the City of Wichita and their concern was, as Allison has pointed out, that this decision is going to be made by someone who isn’t accountable to me. I really do think for me, that’s the issue. The issue is accountability. This is a County wide problem. Any time there is a County wide problem or a County wide service, I believe it needs a County wide solution. I believe that the County Commission, therefore, could be held accountable for that decision. You know it doesn’t take make courage to make a decision which affects citizens who can’t respond to that decision. You don’t have to be very courageous to do that to people.

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“Courage, I think, is demonstrated when an elected official acknowledges his or her responsibility and then works in the best interest of the citizen. If the committee still comes up with the idea that the best solution for Sedgwick County is another landfill and after I’ve been given all of the information, if I honestly believe that too, because of costs, because of values and everything else, and I proceed with that, then I’m accountable, all of us are accountable to every citizen in this County for that decision. That takes a lot of courage, because sometimes it’s not going to be very popular, whatever the answer is, because none of the answers are very good. I mean they’re all difficult. But I believe the County should acknowledge its responsibility and I believe it should acknowledge it today.

“Solid waste management, the planning of that, is a County wide problem. By taking back the planning, we allow every citizen in this County, whether they live in Wichita or Clearwater, or Mount Hope, or even surprising the unincorporated area near Furley, to express their approval or disapproval of our answer and they can express that approval or disapproval of what we do at the polls and we have to have the courage to be willing to hear that answer.

“I had a call from a citizen yesterday before I went across the street to City Hall, who told me first that this was happening, that options were being bought. Her question to me was, what are you going to do about it? Well I guess I could take the easy way out and sit idly by and say well, you know the County has given that responsibility to the City, State law allows the cities to put landfills, they can go out and buy the land and they can do those things and so I guess I could sidestep it and say well, it’s not my problem. You see, I’ve given them the authority. Again, I don’t think that is doing my job. I mean, an empty chair could give you that answer. A vacant office could give you that answer. I think it is my responsibility to all of my constituents, as I believe it is to all of yours, to take back the responsibility that is rightfully ours, that every other County Commission in this state acknowledges, is their responsibility. Therefore, we will acknowledge it is a County wide problem. We are the ones who should see to the solution and to the planning of that solution. So I will not accept, no plan is acceptable to me unless the Board of County Commissioners has a vote on that plan and I don’t know how we get there.

“I’m prepared today, to make a motion that put the City on notice and we send them a letter advising them they have thirty days and that we’re cancelling the agreement. Now I don’t know whether my colleagues are prepared to do that at this time.

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“I appreciate Commissioner Winters wanting to keep everybody in the boat together, but I don’t believe that causes a fight. I believe what it says, is no, it’s our responsibility and we’re ready to take it back. Thank you Mr. Chairman.”

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

**Commissioner Hancock** said, “Thank you Mr. Chairman. I know we’ve heard this a number of times, but I really want to reiterate this. The legislature, a couple of years ago, required that counties take on the responsibility or were primarily responsible for solid waste planning throughout the State of Kansas. I want to make sure folks understand, that because the City of Wichita provided solid waste management for so many years, as matter of fact, going back to when I was a kid, the City of Wichita always provided that service. Even when I was a kid out in the County, we didn’t have our trash picked up, we simply burned it, but we have it picked up now. Because of their experience and because of the investment they’ve made over the years, the agreement that we made with them two years ago, made sense. I know there has been some condemnation about the County giving away that responsibility, but I think if you’d understand that we weren’t in that business, they were, we had the authority to make that agreement. I think we would have almost been fools to say folks, we’re better at this than you are. So it made sense for us to enter in the interlocal agreement with the City of Wichita and allow them the solid waste planning responsibility.

“I think the eventual decision that they are about to make is going to affect the whole of Sedgwick County. As a result, it is my view that the County Commission should be heard and listened to on the subject of solid waste. My constituency, as a County Commissioner, encompasses the whole of Sedgwick County, and the whole of Sedgwick County will be directly affected by the future of solid waste disposal and the associated cost of that disposal. I have, in the past, supported the concept of solid waste transfer stations and I still support that concept. Other counties do it. Other cities do it. Businesses throughout the country, the state, and even in this county, stand ready to provide us with options that are available to us, and they will take part in those solutions and apparently, with other counties doing it and other cities doing the same thing, it is affordable.

“My view all along, is the City of Wichita and Sedgwick County is not unique in this problem. Those decisions that we’re going to make here in the future, probably have already been made some place else. I think is our responsibility to go out and find what those answers are, adapt them to our unique situation, and get on with the project.

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“This is not anything that we have never done before, or no one has ever done before. The answers are there. It is simply a matter of us going out, finding out what they are, bringing them home, and implementing them. There are 105 counties in this state and I’m not sure I know how many had their plans accepted, even on a regional basis with other counties. I hear that only twenty counties are out there alone, obviously somebody is doing this thing and pretty happy with it. I know at our County Commission meetings, this has been a topic of concern for many years. But as time goes along, it becomes less of a concern because plans have been accepted, they’ve been implemented, and they’re going forward.

“It’s been suggested, to me at least, that transfer stations will be three to four times more costly than the local landfill. Well I have yet to be convinced of that. The evidence that I have says that it won’t be. Yes, transfer stations, and I want to be honest, will be more costly than the current landfill costs and fees that we’re paying right now, but that’s not what I’m about here today. What I’m about here today is this, I am open minded and I’ll listen to what the City and the planners and the planning committee have to say and I support Betsy Gwin in that if it proves to me, beyond a shadow of a doubt, that local landfill is a much better deal and should be a part of our waste disposal process, I’ll stand up and support one. I’ll help them locate that site and I’ll support it and no matter what the cost is, if it is the right thing to do, then it’s the right thing to do. If I have the courage to make that decision, and if I’m willing to stand up and be supportive of what the planning committee and what the City Council thinks is the best process, if I am thoroughly convinced of that process, then it’s not too much for the City Council to invite us in and have us help them make this decision and ask for our support. If they’re doing the right thing, I know we’ll support them.

“I’m not going to take back the planning process at this time. I can’t support Commissioner Gwin in that process. But I want the City Council to know that you haven’t asked for our help, you haven’t asked for our support, but the process belongs to all of us, because all of us are affected. We won’t stand idly by and let this process go by when we feel the wrong decisions are being made. Thank you Mr. Chairman.”

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

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**Commissioner Miller** said, “Thank you Mr. Chairman. I would like to begin by saying, and it probably won’t make any impact or difference, but the fact is, as a Board of County Commissioners we’ve had this conversation prior to the sensational headlines that hit this morning, that hit yesterday. We’ve had this conversation. We’ve discussed whose responsibility is it when it comes to solid waste planning and solid waste disposal and management. During those discussions, there were varied comments from different Commissioners. There was no consensus at the moment and I’m not sure we will hear a consensus this morning. I will first of all say that I am in support of Commissioner Gwin’s, I believe you have put it in a Motion.”

**Chairman Winters** said, “There is no Motion on the table.”

**Commissioner Gwin** said, “I said I was prepared to make one.”

**Commissioner Miller** said, “If you are prepared, Commissioner Gwin, I am supportive. My reason for it is that going back to the handouts that were given, and the presentation that was given by Allison McKenney-Brown and by Susan Erlenwein, when you look at the section that talks about solid waste planning statute provides counties or regions with a method for balancing, I think the key word is balancing, the needs of cities against the needs of an entire area included within the plan. I think that clearly says or restates what we’ve heard recently from Commissioner Gwin. This is a County challenge. I prefer to use the phrase challenge rather than problem. Let’s not forget that when we, as Commissioners, we were elected to represent you, our constituents, we were not only elected by the 25% that reside within the unincorporated areas of the smaller cities or the County. We were also elected by the 70% that live and reside within the City of Wichita. So let’s not forget that. In other words, what I’m saying is with it being up under our auspice, and I’m saying planning, being up under the auspice of Sedgwick County makes perfect sense. It makes perfect sense that we would be the Board that would direct that. Then on the next page, up under environmental law, where it states that it creates planning areas out of each county, and allows the counties to join together to create regional plans. The solid waste planning statute also allows the planning authority, be it the county or a designated city or regional group, to challenge the solid waste disposal decision of local governments or private companies with their planning authority areas if those decisions are not consistent within the solid waste plan. Once again, it makes to me, the most feasible method to deal with this issue from a County perspective which incorporates not only the largest city, which is the City of Wichita, but also the smaller cities that reside within Sedgwick County.

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“So I am supportive of it and Chairman Winters, I do respect your posture, your stance, that you want us to come back to the table. I can understand that and I’d like to see that happen, but my question is, were we ever really at the table. The reason I say that is because it is similar to a family, you invite guests and we were invited, but we weren’t a member of the family. We were not making those decisions and I just firmly believe that in order for us to have a foothold, a stake hold, within the decision making process, that the County needs to be at the helm. Thank you.”

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

**Commissioner Schroeder** said, “Four down, one to go, thanks a lot. First of all, I think I basically agree with everything that’s been said today. I will say that I am supportive of taking some action, but I don’t know when. I know Betsy, you’d like us to do that immediately, possibly, you said you’re willing to make a Motion. I think in the light of how this has been publicized, maybe some diplomacy would be helpful and I think maybe the Chairman has his hands full in the next week or two getting together with the Mayor of the City of Wichita and try to come up with some solutions or alternatives or at least a basic discussion as to why and how this happened. I will say, my own personal feeling is, I don’t think this was sudden. I think for some time now they’ve had this idea that they needed a second alternative, a solid alternative, a cheaper alternative, and everybody says the land filling alternative is the cheaper one.

“I’m in a position, somewhat like Betsy, not as extreme right now, but Betsy and I both have areas targeted in our districts that were considered for landfills. It’s not an easy task to deal with, but I think we need to give it a couple of weeks. I would like to see the Chairman meet face to face with the Mayor and find out what it is their plans are, how serious they are about these options, or whether this is a fail safe in case the transfer station does not make it. I will say, as related to the transfer station, if we publicize numbers that are not correct or in fact proved to be correct, I think that may scare us and the public away from doing something other than landfill. I want to caution our committee, our solid waste committee, and City staff, not to start publicizing numbers that they cannot accurately defend. I’ve been hearing that these options of transfer stations are higher than landfills. There may be some truth to that, but how much higher I’m not sure. I know they want to publicize those numbers and I hope they do not do that until they are sure of those numbers, because that in itself can have an effect on the decisions that will be made in this process.

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“Tom, you have a tough task ahead of you and I will help you in any way possible. Betsy, you have a tough task ahead of you and I’m going to do everything I can to help. I would like for us for at least a couple of weeks, to give diplomacy a chance and to go to the table, go knock on their door, if they do not wish to knock on our door and ask them if we can participate fully again in this process. I don’t know what else to say. I think that we’re all a little bit stunned by the announcement, but I think it’s time the County stand up and say look, we’re going to represent all 400,000 people in this County and the only people that can do that is this body. If we cannot get the help from the City to do that, then by golly, I think it’s time we take the helm in this role and in this issue. So Tom, good luck to you. If there’s anything I can do to help you, please let me know. I hope that you come back with some good information, but I am definitely concerned Betsy, about what you are going to be dealing with and I hope maybe in a couple of weeks we can find solutions to this. If that does not work, bring it back to the Commission and I will be willing to consider your concern.”

**Chairman Winters** said, “Okay, as we start around the Commission bench again, I make a comment here. I think what I would like to do, is I would like to take two weeks and I would like to go visit with the Mayor. He is the political head of the City of Wichita. He is the leader of their community. He was elected by all the citizens. I’d like to go back and look to him for leadership upon this issue. I want to ask the Mayor, is Sedgwick County going to be at the table or are we not going to be at the table. My hesitancy about, Commissioner Gwin, acting on your plan today, is that I’m not exactly sure what my next step would be if we did that, but I can tell you in two weeks, I’ll have a clearer understanding. I’ll have an understanding about what some of the difficulties are that the solid waste committee has bumped into, why we’re not moving ahead with a yard waste ban, why we’re not moving with construction demolition debris bans, why we’re not moving forward with an open discussion about mandatory recycling, which I have heard all the people talk about at the town hall meetings. I’m not sure that I have a clear answer in my mind to those. I know there are significant ways that we can reduce the volume going into any landfill, no matter where it is. I am concerned about what kind of revenue problems that will cause. I need to know if revenue dollars are actually driving a big portion or this decision. I don’t have a clear answer to that, but I need to understand what dollars are driving this. So I want to go back to the Mayor, ask him if we’re in the loop, if we’re out of the loop, come back in two weeks, and visit with you. Commissioner Gwin.”

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**Commissioner Gwin** said, "I can count, I learned that early on, so there really isn't much of a purpose in forming a Motion. I appreciate the sentiments that everyone has expressed, because again, as you can tell, this is not something that we've taken lightly. This is a serious issue and this is an issue that we believe needs to be solved as cooperatively as possible. I appreciate that you want to visit with the Mayor. I'd like to visit with the Mayor or anybody else across the street who would like to talk to me. I have concerns that we certainly don't want to rush to make another bad decision.

"The people in my district, who have already been harmed by what was supposed to be a fail proof, high tech, state of the art, won't ever leak, won't ever give you any problem facility, know only too well that there is no guarantee. When I'm told that the ground is geologically and hydrology wise is perfect, then I wonder why the Furley hazardous waste site is closed and leaking. So obviously, on the environmental side, I question how could one ever select that site knowing what's happened previously. I believe it is adding insult to injury to those people who are nearby. Now don't get me wrong, Sedgwick County is a very difficult County in which to site a landfill. Johnson County is building a huge landfill in an old abandoned rock quarry. Now we don't happen to have any of those sitting around here. Our topography is really not rolling, so you can't hide it, so you end up building a trash mountain and we have sandy soil in a lot of this County which isn't appropriate. Strangely enough, even where you have clay soil it turns out not to be right either. So there is no sense in making a Motion because I clearly hear that it wouldn't pass, but I will not go quietly on this matter. I still believe that the only plan that I'm willing to accept, is a plan upon which I may vote. I don't know how we get there. In that way, I feel like I'm doing the job I was elected to do. Until it gets to that point, I will not be satisfied. As I said, I will not go quietly. I have to be able to have a vote. I have to be able to represent all of the citizens of Sedgwick County in this plan. So I will go quietly for the moment, but I'm still here."

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

**Commissioner Hancock** said, "I have a suggestion on this. I'd like first of all to know from the planners, at this point, at some point, what is the preferred future. Sometimes, our preferred future is not possible, so what is the possible preferred future that we can have from our planners at the City Council. I know a lot of that is revenue driven and I understand that, that's a fact of life. Sometimes there is the ideal and sometimes there is the real ideal, this is the only one possible. I'd like to understand that. I'd like to listen and listen very carefully and I promise to make an honest decision. I also suggest this.

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“Usually on cases where we deal with the City Council and we have County wide subjects that we deal on, mainly on budget, we have an agreement with them, and each of us have a veto power, and that is it requires a majority vote on both sides. I would like to propose to the City Council that any decisions they make on solid waste eventually be given to us and we have a vote in the majority to approve it and if they have the courage to do that, we’ll have the courage to help them site a landfill site if it proves to be the most feasible thing to do. That’s a pretty good deal, I think. I would like to request that we suggest that to the City Council and they can either reject it or accept it, but then we would be at the table and we would have a vote. I don’t know if we can legally do that or not.”

**Commissioner Gwin** said, “I don’t either.”

**Commissioner Schroeder** said, “It’s something Tom could talk to the Mayor about.”

**Commissioner Hancock** said, “It’s just a suggestion.”

**Chairman Winters** said, “Okay, Commissioners. Any other discussion on this issue? Commissioner Gwin.”

**Commissioner Gwin** said, “I just want to thank all of you who have come here today to listen and observe. I know it has taken a big chunk out of your busy day and I appreciate your presence. I also appreciate the stack of phone messages on my desk that I have not been able to return as of yet. Again, thank you for your interest and your concern. We know you wouldn’t be here if you didn’t care so deeply, so thank you for being here.”

**Chairman Winters** said, “All right, if there is no other discussion on this item, then we’ll just receive and file the discussion. Commissioner Schroeder.”

**Commissioner Schroeder** said, “Somebody, I guess it was Bill, brought up the idea of having a meeting with the City on this issue or at least our approval and just happened to think, during the budget process, we normally have an omnibus with the City of Wichita regarding joint budgets, are we doing that this year? We didn’t do it last year because Mr. Cherches was in Greece or somewhere.”

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**Mr. Buchanan** said, "We didn't do it last year and we didn't do it this year. There were no disputes, there was no controversy, there was no disagreement about the three joint departments, Planning, Health, and Flood Control."

**Commissioner Schroeder** said, "So is that going to be a way of doing business from now on?"

**Mr. Buchanan** said, "I don't know. There was no need to have a meeting this year."

**Chairman Winters** said, "All right, thank you. Anything else Commissioner?"

**Commissioner Schroeder** said, "No, I just happened to think of it and I wanted to bring it up. Okay, thanks."

**Chairman Winters** said, "As a bit of housekeeping, we've got several other items. I'd like to propose that we take about a ten minute break and then come back and just work our way right through this until we get done. Is that acceptable? We're going to be in recess for ten or fifteen minutes."

**The Board of County Commissioners recessed for a ten minute break at 12:06 a.m. and reconvened at 12:25 a.m.**

**Chairman Winters** said, "Let the record show we are back in session after recess. Madam Clerk, would you call the next item?"

### **I. CORRECTIONS DEPARTMENT**

#### **1. MODIFICATION TO THE CONTRACT WITH EVENTEMP HEATING AND AIR CONDITIONING FOR ENLARGEMENT OF AIR CONDITIONING AT JUDGE RIDDEL BOYS RANCH DORMITORIES, PB-302.**

**Ms. Cecile Gough**, Operations Administrator, Correction Department, greeted the Commissioner and said, "We are requesting approval of a change order for the current contract for the CIP, PB-302, the air conditioning of the dormitories or the Judge Riddel Boys Ranch."

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“This change order will correct an oversight by including the dorm restrooms in this project. In addition, we are asking that we be allowed to purchase the ten-year warranty for parts and labor for these four units. If this change order of \$5,000 is approved, it will result in a new contract total of \$39,159 for this project.”

**Chairman Winters** said, “Thank you very much. Commissioners, you’ve heard the report. Commissioner Schroeder.”

**Commissioner Schroeder** said, “I have one question. The \$5,000 is for the ten-year warranty?”

**Ms. Gough** said, “No. The ten-year warranty is \$1,500. The inclusion of the restrooms is a total of \$3,500. So the change order involves actually three components, one being the increase in the amount of tonnage in the units themselves, plus the duct work, plus we have so many other parts including the restrooms.”

**Commissioner Schroeder** said, “My next question is related to the warranty. Is that ten-year warranty, is that with the maker or with the installer?”

**Ms. Gough** said, “I believe it is with the installer, is what Eventemp has provided as an agreement for that. I believe the units are Carrier, so I believe it is based on their extended warranty through the provider.”

**Commissioner Schroeder** said, “Okay, thank you.”

**Chairman Winters** said, “Thank you Commissioners. What’s the will of the Board?”

#### **MOTION**

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

Commissioner Hancock seconded the Motion.

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

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**VOTE**

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

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

**2. REQUEST TO KANSAS DEPARTMENT OF CORRECTIONS (KDOC) FOR FISCAL YEAR (FY) 1996 UNEXPENDED STATE FUNDS.**

**Ms. Donna Hajjar**, Administrator, Adult Detention Facility, Department of Corrections, greeted the Commissioners and said, "What you have before you is the request for unexpended funds for the Community Corrections portion of the Department of Corrections. As you know the Community Correction portion is funded through the Department of Corrections on a fiscal year basis and at the end of every fiscal year, the amount of funds that we do not use are sent back to the Department of Corrections. That is all put into a pool of funds to where the Community Correction Departments are able to go back and request certain funds for individual items that are needed for the department. You have in front of you, five items that we are requesting and an explanation, what each one of these items are and why they are needed for the department. We need a signature from Chairman Winters for this."

**Chairman Winters** said, "Commissioners, you've heard the report, what's the will of the Board?"

**MOTION**

Commissioner Hancock moved to approve submittal of the request for FY 1996 unexpended state funds.

Commissioner Schroeder seconded the Motion.

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

**VOTE**

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

**3. ADULT FACILITY'S RESIDENTIAL CENTER BUDGET REQUEST FOR FY 1998, TO BE SUBMITTED TO KDOC.**

**Ms. Hajjar** said, "The budget request for the residential facilities are submitted at a different time than the intensive supervision program and they are submitted in a different format because different funds are used. There is an attachment showing the type of budget that we are submitting, why we have to submit it the way we do, and an explanation and history of each of the budget line items, and it starts with our actual expenditures for FY 1996, what we expect to spend in FY 1997 and what our projected needs are for FY 1998 are. It is in three different budget formats, A, B, and C, depending upon what level they are able to fund those at."

**Chairman Winters** said, "Thank you. Commissioners, any questions? What's the will of the Board?"

**MOTION**

Commissioner Miller moved to approve the FY 1998 budget request and authorize submission to KDOC.

Commissioner Hancock seconded the Motion.

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

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**VOTE**

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

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

**J. CHECK REGISTER OF AUGUST 2, 1996.**

**Ms. Becky Allen-Bouska**, Director, Bureau of Finance, greeted the Commissioner and said, "County Resolution 256-1990, allows that the Commission formally approve the check register of August 2, 1996, after the fact and with this Motion, I'm requesting that you approve the check register in lieu of the meeting from last week."

**Commissioner Schroeder** said, "Becky, a question. In reading that item, and I've noticed this before, it says 'We, the Board of County Commissioners of Sedgwick County have examined the check register.' I haven't seen it."

**Commissioner Miller** said, "I did."

**Ms. Allen-Bouska** said, "The County Resolution clearly states that it may be approved by a Commissioner."

**Commissioner Schroeder** said, "Okay, when do we approve a check register?"

**Ms. Allen-Bouska** said, "This is your formal approval of the check register."

**Commissioner Schroeder** said, "Okay. We have one on this week's agenda under consent."

**Ms. Allen-Bouska** said, "And that's the traditional one we have for the normal meeting."

**Commissioner Schroeder** said, "Has that come through our office?"

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**Ms. Allen-Bouska** said, "I cannot tell you that."

**Commissioner Schroeder** said, "That's the thing, in here it says we have examined. I think we need to change this verbiage or else make sure those check registers get down to the third floor where we can run them down the hallway, because I have not seen a check register in a long time."

**Ms. Allen-Bouska** said, "I will get you that answer. Thank you sir."

**Commissioner Schroeder** said, "Melody may have reviewed this one, which is okay. I'm talking about future, when we do have a regular meeting and it is on the agenda, I think we need to be careful and take a look at that. See if we can examine that process and make sure we're doing it right."

**Ms. Allen-Bouska** said, "Yes sir."

**Commissioner Schroeder** said, "Okay, thanks. Thank you Mr. Chairman."

**Chairman Winters** said, "All right, are we going to approve the check register that Melody already signed?"

**Commissioner Schroeder** said, "Yes."

**MOTION**

Commissioner Gwin moved to approve the Check Register and authorize the Chairman to sign.

Commissioner Schroeder seconded the Motion.

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

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**VOTE**

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

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

**K. ESTIMATE FROM KGE TO PROVIDE ELECTRIC SERVICE TO LIGHTS IN THE TUNNEL CONSTRUCTED IN CONNECTION WITH SEDGWICK COUNTY PROJECT NUMBER 618-33; CENTRAL RELOCATION. CIP #R-76. DISTRICT #1.**

**Mr. Mark Borst**, Deputy Director, Bureau of Public Services, greeted the Commissioner and said, "The Clerk stole most of my thunder there, but this customer change order is a firm cost of \$10,791 to install the electrical supply line for lighting in the tunnel that Raytheon constructed in connection with our Central relocation project. The line is necessary for the proper lighting in the tunnel during all hours of the day. KG&E is prepared to begin work tomorrow subject to your approval of this customer change order. I recommend that you approve the change order."

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

**Commissioner Gwin** said, "Just a question. Have we determined whether or not KG&E is going to maintain the lights, or are we still discussing that?"

**Mr. Borst** said, "I think subject to some agreement work that is being done. There is private lighting put in by Raytheon on the private structure."

**Commissioner Gwin** said, "So Raytheon and KG&E are working on that?"

**Mr. Borst** said, "Yes, and I think it is going to be Raytheon in the end."

**Commissioner Gwin** said, "All right, thank you."

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**Chairman Winters** said, "Thank you. Commissioners, you've heard Mark's report."

**MOTION**

Commissioner Gwin moved to approve the estimate.

Commissioner Miller seconded the Motion.

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

**VOTE**

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

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

**L. EMPLOYEES CLUB COMMITTEE MEMBERS.**

- **DARREL BOGER, CODE ENFORCEMENT**
- **SHERDEILL BREATHETT, SR., ANIMAL CONTROL**
- **CRAIG BRENNEIS, FIRE**
- **LORI DAVIS-LAMER, APPRAISER**
- **HAROLD JONES, CENTRAL SERVICES**
- **TERRI KEENER, COMCARE**
- **DIANA KRASE, COMCARE**
- **JACK LANCASTER, CENTRAL SERVICES**
- **ED LAVERENTZ, FIRE**
- **ANITA NANCE, AGING**
- **VINCENT ROBERSON, SHERIFF DETENTION**
- **CINDY ROEDER, ACCOUNTING**
- **LACY SATER, INFORMATION SERVICES**
- **KATHY STEIN, COMCARE**

**Regular Meeting, August 14, 1996**

**Mr. Harry J. Hayes**, Director, Bureau of Human Resources, greeted the Commissioner and said, "You've got the names, are there any questions?"

**MOTION**

Commissioner Schroeder moved to approve the Committee members.

Commissioner Miller seconded the Motion.

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

**VOTE**

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

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

**M. PURCHASING DEPARTMENT.**

**1. RECONSIDERATION OF ITEM 4 OF THE BOARD OF BIDS AND CONTRACTS' JULY 25, 1996 MEETING: DISPOSITION OF PROPERTY-6151 SOUTH BROADWAY-CAPITAL PROJECTS.**

**Mr. Darren Muci**, Director, Purchasing Department, greeted the Commissioner and said, "Recommendation on that particular item was to accept the high responsible bid of Alan R. Kissack for \$65,601."

**Chairman Winters** said, "Commissioner Hancock."

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**Commissioner Hancock** said, “There were some difficulties involved with the prior two bids that we had. The last one I know was okay, but there has been some information that it wasn’t a level playing field. I have talked to the individuals involved and I think we’d just like to rebid the thing.

**MOTION**

Commissioner Hancock moved to rebid item M-1, sending notices to those bidders who have already submitted bids and advertising.

Commissioner Gwin seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul 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. REPORT OF THE BOARD OF BIDS AND CONTRACTS' AUGUST 1 AND AUGUST 8, 1996 REGULAR MEETINGS.**

**Mr. Muci** said, “There are four items for consideration today.

**ITEMS REQUIRING BOCC ACTION**

**(1) ROAD IMPROVEMENTS - MERIDIAN - BUREAU OF PUBLIC SERVICES  
FUNDING: GENERAL OBLIGATION BONDS**

**Regular Meeting, August 14, 1996**

“Item one, road improvements for Meridian, for the Bureau of Public Services. It is recommended to accept the low bid of Wildcat Construction, in the amount of \$6,589,856.86.

**(2) ATHLETIC INDOOR TURF - KANSAS COLISEUM  
FUNDING: KANSAS COLISEUM**

“Item two, athletic indoor turf for the Kansas Coliseum. It was recommended to accept the low bid meeting specifications of Sports System, the Alternate Bid, in the amount of \$61,750.

**(3) 8000 LB. FORKLIFT - MOTOR POOL  
FUNDING: MOTOR POOL**

“Item three is an 8000-pound forklift for Central Motor Pool, and that will be used by the Kansas Coliseum. It was recommended to accept the low bid meeting specifications of Sellers Tractor Company, Inc., which includes a trade-in, of \$25,079.

**(4) TRAVEL AGENCY SERVICES - PURCHASING DEPARTMENT  
FUNDING: VARIOUS DEPARTMENTS**

“Item four, travel agency services for the Purchasing Department, and of course various other departments. It was moved to extend the current contract with Nova Travel for one (1) year, effective immediately. That’s an estimated expenditure of \$95,000.

“If there are no questions on the August 1, Board of Bids and Contracts, I would recommend you approve the recommendations as submitted.”

**Chairman Winters** said, “Commissioners, you’ve heard the report, any questions?”

**Commissioner Schroeder** said, “Are we going to take these one at a time? It has them both in the same action.”

**Regular Meeting, August 14, 1996**

**MOTION**

Commissioner Schroeder moved to approve the recommendations of the August 1, Board of Bids and Contracts.

Commissioner Gwin seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Darren, would you please review August 8."

**Mr. Muci** said, "August 8, there was just one item for consideration.

**ITEMS REQUIRING BOCC ACTION**

**(1) MAINFRAME COMPUTER - INFORMATION SERVICES  
FUNDING: INFORMATION SERVICES**

"Mainframe computer for Information Services. It was moved to accept the alternate proposal of IBM, in the amount of \$760,268.

**ITEMS NOT REQUIRING BOCC ACTION**

**(2) LAN AUTOMATED BACKUP SYSTEM - INFORMATION SERVICES  
FUNDING: INFORMATION SERVICES**

**Regular Meeting, August 14, 1996**

“There is another item that does not require action at this time. It is a Lan Automated Backup System, also for Information Services. It was recommended to table the responses received indefinitely for review.”

**MOTION**

Commissioner Gwin moved to approve the recommendations of the August 8, Board of Bids and Contracts.

Commissioner Miller seconded the Motion.

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

**VOTE**

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

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

**Mr. Buchanan** said, “Commissioners, you have the Consent Agenda before you and I would recommend you approve it. I would point out that there are two leases on that agenda that normally will show up on the regular agenda and they will in the future.”

**Commissioner Hancock** said, “Mr. Chairman, there are a couple of right-of-way positions that we’ll be talking about probably in Executive Session. We might want to wait.”

**Chairman Winters** said, “Okay, we’ll defer this until after Executive Session. I’d like to take up an off-agenda item.”

**Regular Meeting, August 14, 1996**

**MOTION**

Chairman Winters moved to take an off agenda item concerning satellite fees at the Treasurer's Office.

Commissioner Miller seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Thank you very much. This has come about rather hastily this week, some concern about the appropriateness of the satellite fees at the satellite stations. Commissioners, I think perhaps Steve Plummer has a couple of comments that he'd like to make. I think we can move swiftly on this and that would be my intention to get this resolved as quickly as possible. So Steve, would you say a couple of words and then we'll decide what we need to do."

**Mr. Steve Plummer**, County Counselor, said, "Within the last week, we received a copy of an Attorney General's opinion, suggesting that perhaps our collection of a two-dollar fee for motor vehicle registration was not something that was authorized by state statutes. So the question has arisen whether we can continue to charge that fee or if we need to back up and try something else. What I want to do is to explore the options today.

"First of all, I'm not convinced that collection of that fee is unlawful. There may be some better ways we want to do that, I want to suggest a couple of those today. First of all, if we don't continue collecting that fee, we stand to lose a significant amount of revenue and the result may be that you have no choice but to close down the satellite tag offices.

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“If you chose not to do that, the other option would be to fund that with general funds money, which we’ve not budgeted for 1997, which would be a significant negative budget impact for the Treasurer’s Office.

“What I’m suggesting that we do, I prepared a Resolution, which establishes a user’s fee for those people who choose to use our satellite offices to register their motor vehicles. The advantages of this are that first of all, only those people pay who tend to benefit from this and if you don’t register a motor vehicle at a satellite office, you don’t pay that. It is not paid out of general fund revenue. A second advantage is that under state law, if we pass this Resolution, it is subject to a protest petition and referendum, so if the voters say they don’t like this fee and they would rather have us pay it out of ad valorem tax revenue, then they can tell us that by way of referendum. They would have sixty days from the day that this is published in the County newspaper, to call for a referendum and then Marilyn Chapman, our Election Commissioner, would put that on a ballot for that purpose.

“In the meantime, I have advised Mr. McCoy to continue collecting that two-dollar fee until we get this matter resolved. I would recommend that either today or next week, we adopt this user fee subject to that protest petition and referendum provision, reinstate that two-dollar fee for every vehicle registration and avoid having to shut down the satellite tag offices or fund that from the general tax revenue.

“My recommendation today is, I have the Resolution ready if you choose to adopt it today. If you want to defer that for a week, we can do that too. I do think this is the best way to proceed.”

**Chairman Winters** said, “Thank you. One question for clarification. If somebody chooses not to pay, doesn’t want to pay the two-dollar use fee, they have the option of coming to the downtown station and purchasing their registration without that two-dollar satellite fee.”

**Mr. Plummer** responded, “Absolutely.”

**Chairman Winters** said, “So everyone has the option.”

**Commissioner Schroeder** said, “Or they can do it by mail and it is fifty cents extra.”

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**Mr. Plummer** said, "The only thing this two-dollar fee does is, it is basically a fee for using satellite stations that we would not otherwise have open. I mean we wouldn't pay the rent on those buildings except as a convenience to the public. So I am suggesting this user fee for those that want to take advantage of that service out in the community."

**Chairman Winters** said, "Commissioner Schroeder."

**Commissioner Schroeder** said, "This isn't the first time we've talked about user fees, but we have user fees related to many things that we do in the County. Do we need state approval to do those user fees? Why is it we need State approval for this, according to those individuals?"

**Mr. Plummer** said, "We don't need State approval, what we need is a Resolution establishing a user fee."

**Commissioner Schroeder** said, "Okay. What I heard was that State statute didn't allow it even if we had a Resolution."

**Mr. Plummer** said, "That's the Attorney General's opinion, that there is no statute that says we can charge this fee and so therefore she says that we can't do it."

**Commissioner Schroeder** said, "No where is there any other statute about most of our fees, so that would make them all illegal according to her. I think she needs to go back and do a little more studying."

**Mr. Plummer** said, "There are several ways to look at this. She is saying there is no statute that allows it. I say there is not a statute that prohibits it and therefore we can do it."

**Commissioner Schroeder** said, "That's what I'm saying."

**Commissioner Hancock** said, "That's operating under Dillon rule, the old way. We don't operate under Dillon rule anymore, it's home rule."

**Commissioner Schroeder** said, "Yeah. We charge fifty cents by mail, is that illegal too? I do it because it's the most convenient way to do it."

### **Regular Meeting, August 14, 1996**

**Mr. Plummer** said, "I think that's provided by State law. What she's saying is, gee, if there isn't, again, I'm not picking a fight with our esteemed Attorney General, nor do I want to be subject to editorials saying I'm bashing her, but that is her opinion, that we can't charge that fee. My opinion is that we can if we do it by way of a user fee."

**Commissioner Schroeder** said, "I don't have a problem with that, but I don't want to see us shut down the tag offices, the satellite offices, and I don't want to see us lose revenue, so I don't have any problem approving it today unless somebody wants to further consider the Resolution."

**Mr. Plummer** said, "You also mentioned other user fees we have. I think we may need to look at those and see if we need to do those with the same kind of Resolution, but that's a separate issue."

**Commissioner Hancock** said, "We've always done user fees by Resolution."

**Mr. Plummer** said, "Right, and that's the way they should be done."

**Chairman Winters** said, "Commissioner Hancock."

**Commissioner Hancock** said, "That was pretty much my question. The State statute doesn't allow us to charge this but it doesn't prohibit it."

**Mr. Plummer** said, "It doesn't prohibit it. There is a specific statute that deals with user fees, and my contention is that unless they're prohibited, we ought to be able to charge for a building that we would not otherwise rent except as a convenience to the public. If you want to use that building as a convenience, those people should pay that cost, not the general taxpayers. Let me make one other comment too, and this is mainly for the benefit of your constituents. Once you pass the Resolution, which I think you should, it has to be published twice, and then there is a two-day waiting period before it takes effect."

**Commissioner Schroeder** said, "The sooner the better then."

### **Regular Meeting, August 14, 1996**

**Mr. Plummer** said, "So the sooner we do this the better, to avoid losing tax revenue. It has to be by a two-thirds vote, which means four of you would have to approve that and if the taxpayers don't like it, they can protest. So there are all kinds of safe guards built into this, that's why I favor this approach."

**Commissioner Schroeder** said, "I tell you what, and I'm sorry if you're not done Bill, go ahead."

**Commissioner Hancock** said, "Forgot what I was going to say."

**Commissioner Schroeder** said, "I'm sorry."

**Commissioner Hancock** said, "Well, I wanted to make the point that since '73, we've had this home rule and my knowledge of it was if it was not specifically excluded by State statute or required by a State statute and it is applicable state wide, then we have the authority to do this. So I agree with you. I'm no lawyer, but as someone who has gone to all kinds of politician schools, that's what they teach us."

**Mr. Plummer** said, "It's another issue, arguments can be made pro and con. I tend to believe we can do this via a user fee. Certainly, people can argue with me. This Commission has always used our home rule power to the maximum extent we can and that's what the State law says we should do. So I have absolutely no heartburn proceeding this way with a user fee subject to this protest petition."

**Commissioner Hancock** said, "The only way we'll know for sure is if we do it."

**Mr. Plummer** said, "There you go."

**Commissioner Schroeder** said, "Well I'll tell you, if I lived down in Derby and had my choice whether to go to that tag office or to drive into Wichita and take probably an hour or hour and a half out of my time, to me it would be worth the two dollars. Just because some legislature gets his neck out of joint doesn't mean we've got to start reinventing the wheel and I think we need to do what we need to do. I'm sorry, we need to provide the service we think our community deserves and that's what we were trying to do."

**Mr. Plummer** said, "That's all we're doing."

**Regular Meeting, August 14, 1996**

**Commissioner Schroeder** said, "Okay. I'm sorry."

**Chairman Winters** said, "Are you guys done?"

**Commissioner Hancock** said, "Yes sir."

**Chairman Winters** said, "Commissioner Gwin."

**MOTION**

Commissioner Gwin moved to adopt the Resolution.

Commissioner Miller seconded the Motion.

**Chairman Winters** said, "Well you didn't give me any time to talk. Well, I'm clearly in favor of the Resolution. To me, it is clearly people have their options. If they don't want to spend the two dollars to take the convenience of going to their neighborhood, they can always come to the downtown station and not do that. I just want to be very cautious about off agenda items. I think we need to make sure. I would rather be cautious and make sure that no one indicates that we're doing something on a speed track like our neighbors do. So that's my only question. If the other Commissioners are confident we need to proceed on today, I personally don't think a week is going to make that much of a difference."

**Mr. Plummer** said, "I studied this in some detail in the time I had available. If we come back in a week, I don't think my opinion will change. The only way I know to do this is a user fee. A week is not going to change that."

**Chairman Winters** said, "The only thing that I would feel comfortable about is if we had it on a published agenda and if anybody did have serious concerns or questions they'd be calling us next Monday or Tuesday after they had seen the agenda and I would like to give them the opportunity to do that. If we have to eat another week's worth of two dollar fees, than I'm prepared to do that."

**Commissioner Schroeder** said, "Why don't we reaffirm it next week somehow. Put it on the agenda. If we find out people don't want us to do it, we'll vote on it again."

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**Mr. Plummer** said, "I think you'd have to defer it a week. I don't know how you could reaffirm it. I don't think you can accept it one week and reject the next week."

**Commissioner Schroeder** said, "I think we can do anything we want."

**Mr. Plummer** said, "Well I do too, Commissioner."

#### **SUBSTITUTE MOTION**

Chairman Winters moved to defer the off agenda item for one week and add it to next week's agenda.

Commissioner Hancock seconded the Motion.

**Chairman Winters** said, "I think this discussion was good. We want the citizens to know that we're not dragging this on. We've got a plan and we're going to work a plan and get the question answered."

**Commissioner Miller** said, "Mr. Chairman, I have just one question. Mr. Plummer, in essence we're doing this already. In essence, we're charging two dollars, right?"

**Mr. Plummer** said, "Yes, except I told Mr. McCoy to suspend that fee."

**Commissioner Miller** said, "Right, but prior to, we've been charging two dollars forever."

**Mr. Plummer** said, "Yes."

**Commissioner Miller** said, "So now we're just going to call it a user fee, correct?"

**Commissioner Schroeder** said, "What did we call it before?"

**Commissioner Miller** said, "A two-dollar fee."

**Commissioner Schroeder** said, "Oh, we've got to add user to it, okay. Gee, that makes it okay."

**Regular Meeting, August 14, 1996**

**Commissioner Miller** said, “In other words, what I’m saying Mr. Chairman, what’s the question from the public? The public has paid it before, they’re going to pay it again? It’s just called a user fee.”

**Chairman Winters** said, “Yes, but the public sometimes doesn’t like to pay two dollars.”

**Commissioner Gwin** said, “But they’re paying it already.”

**Commissioner Schroeder** said, “If that’s your concern, I think maybe . . .”

**Commissioner Hancock** said, “If they don’t like to pay two dollars at a satellite station then we have a decision to make, whether to quite them or to fund them out of the general fund. So that’s our decision and we have to understand whether that’s their wish or not.”

**Commissioner Gwin** said, “Do they still not have the right to have a protest?”

**Mr. Plummer** said, “Oh sure. It will still be published twice in the County newspaper.”

**Chairman Winters** said, “Commissioners, we have a Substitute Motion to defer for one week. Other discussion? Madam Clerk, call the vote on the Substitute Motion to defer for one week.”

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

**Chairman Winters** said, “Motion fails. We have a Motion on the table to pass this Resolution. Any other discussion? I’m probably going to vote no, but it is not because I don’t support the Motion. I do support the Resolution. I’d prefer we wait, but that’s the only reason I’ll be voting no.”

**Mr. Plummer** said, “Keep in mind it takes four votes to pass it.”

**Regular Meeting, August 14, 1996**

**VOTE**

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

**Chairman Winters** said, "I do hope that media, if they report on this, if this is an issue to be published, need to make it clear that citizens can continue to avoid paying the two dollars by coming to the downtown station. We have a location for them."

**Commissioner Hancock** said, "Or through the mail, there is a statutory authorized fifty cent fee."

**Commissioner Schroeder** said, "Can I withdraw the comment about the neck out of joint thing?"

**Mr. Plummer** said, "Nope, it's out there."

**Commissioner Gwin** said, "Maybe you can get it stricken from the minutes?"

**Commissioner Schroeder** said, "I'm dead meat."

**Chairman Winters** said, "Okay, Commissioners, we need to have an Executive Session."

**MOTION**

Commissioner Miller moved that the Board of County Commissioners recess into Executive Session for twenty minutes to consider preliminary discussions related to the acquisition of real property for public purposes and that the Board returns from Executive Session no sooner than 1:15 p.m.

Commissioner Gwin seconded the Motion.

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

**Regular Meeting, August 14, 1996**

**VOTE**

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

**Chairman Winters** said, "Thank you. We are in recess.

**The Board of County Commissioners recessed into Executive Session at 1:00 and returned at 1:15 p.m.**

**Chairman Winters** said, "Let the record show we are back in session and no binding action was taken in Executive Session. Clerk, call Item N."

**CONSENT AGENDA**

**N. CONSENT AGENDA.**

**1. Right-of-Way Instruments.**

- a. One Easement for Right-of-Way for Sedgwick County Project Number 809-T; Tyler Road Relocation. CIP #R-227. District #2.
- b. One Easement for Right-of-Way for Sedgwick County Project No. 817-G through N 1/2 J; Meridian from the north city limits of Wichita to 77th Street North. CIP #R-169. District #4.

**Regular Meeting, August 14, 1996**

**2. Section 8 Housing Assistance Payment Contracts.**

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
C96068	\$325.00	2	Barbara Weber
V96069	\$243.00	5	Cottage Grove
V96067	\$208.00	5	Shotwell-Covey Prop.
V96063	\$259.00	5	William Favreau
V96066	\$316.00	5	Helms Rental Properties
V96065	\$78.00		James or Betty Tighe

**3. 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>
C95120	\$306.00	\$303.00
V95103	\$54.00	\$44.00
V861005	\$215.00	\$219.00
V95109	\$179.00	\$199.00
V94101	\$194.00	\$189.00
V93092	\$133.00	\$89.00
V93118	\$290.00	\$134.00
V95096	\$344.00	\$474.00
V95145	\$490.00	\$442.00

**4. Lease Agreement with EATCO Commercial Properties for temporary use during expansion of the Sedgwick County Adult Local Detention Facility (SCALDF) of approximately 90 parking spaces located on the southwest corner of Murdock and Waco Streets.**

**Regular Meeting, August 14, 1996**

5. **Lease Agreement with The American Legion Thomas Hopkins, Post 4 for temporary use during expansion of the SCALDF of approximately 22 parking spaces located north of the building at 816 North Water Street.**
6. **Order dated August 7, 1996 to correct tax roll for change of assessment.**
7. **Consideration of the Check Register of August 9, 1996.**
8. **Budget Adjustment Requests.**

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
960447	Appraisal	Transfer
960474	District Attorney	Transfer
960475	Sheriff	Transfer
960476	Corrections	Supplemental Appropriation
960477	COMCARE-ACCESS	Transfer
960478	Risk Management	Transfer
960479	Aging	Transfer
960480	Road and Bridge	
	Sales Tax	Transfer
960481	Road and Bridge	
	Sales Tax	Transfer
960482	Road and Bridge	
	Sales Tax	Transfer
960483	Road and Bridge	
	Sales Tax	Transfer
960484	Woodland Place	Supplemental Appropriation
960485	1996 Road Project	Supplemental Appropriation

**Mr. Jarold Harrison**, County Manager's Office, greeted the Commissioner and said, "You've received the Consent Agenda and we would recommend your approval as presented."

**Regular Meeting, August 14, 1996**

**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 Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "Is there any other business to come before this meeting? Seeing none, we are adjourned."

**O. OTHER**

**P. ADJOURNMENT**

**Regular Meeting, August 14, 1996**

There being no other business to come before the Board, the Meeting was adjourned at 1:16 p.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