

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

MARCH 19, 1997

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, March 19, 1997, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chair Pro Tem Paul W. Hancock; Commissioner Betsy Gwin; Commissioner Melody C. Miller; Commissioner Mark F. Schroeder; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, 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. Susan Erlenwein, Director, Environmental Management; Mr. Doug Russell, Director, Department on Aging; Mr. Brad Sherard, Hearing Coordinator, Appraiser's ; Mr. John Nath, Director, Kansas Coliseum; Mr. Jim Weber, Director, Sewer Operations and Maintenance; Ms. Deborah Donaldson, Director, Bureau of Health Services; Mr. David C. Spears, Director, Bureau of Public Services; Mr. Ken Williams, Assistant Director, Purchasing Department; Mr. Fred Ervin, Director, Public Relations; and Ms A. Karen Casto, Deputy County Clerk.

GUESTS

Mr. Patrick O'Connor, 2401 W. 27th N., Wichita, Kansas
Mr. Daw Carney, 201 Lynwood, Wichita, Kansas
Mr. E. G. Larkin, 6818 E. Zimmerly, Wichita, Kansas
Ms. Cathy Feemster, 5729 Rockwood, Wichita, Kansas
Mr. Duane Sanders, Rt. 1, Box 210, Valley Center, Kansas
Mr. David Robbins, 2412 Gary, Park City, Kansas
Ms. Dani Morris (Coleman Middle School), 13220 E. 41st S., Derby, Kansas
Ms. Erin Lewis (Coleman Middle School), 7515 Plaza Lane, Wichita, Kansas
Ms. Margalee Wright, 1805 Lisa Lane, Wichita, Kansas
Ms. Vivian Smith, 10810 E. 3rd, Valley Center, Kansas
Mr. Bruce Bodecker, 1945 Butler Road, Benton, Kansas
Ms. Linda White, 404 Courtleigh, Wichita, Kansas
Mr. Paul Carey, 2129 E. 85th St. N., Valley Center, Kansas
Mr. Richard E. Brown, 1821 Greenwood, Wichita, Kansas
Mr. George Schiller, 2101 S. Elizabeth, #602, Wichita, Kansas
Mr. R. S. Delamater, 2425 Porter, Wichita, Kansas

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INVOCATION

The Invocation was given by Mr. Pete Morris of the Christian Businessmen's Committee.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, February 26, 1997

The Clerk reported that all Commissioners were present at the Regular Meeting of February 26, 1997.

Chairman Winters said, "Commissioners, you've had an opportunity to review the minutes, what's the will of the Board?"

MOTION

Commissioner Hancock moved to approve the minutes of February 26, 1997, as presented.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

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CERTIFICATION AS TO THE AVAILABILITY OF FUNDS

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

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

PROCLAMATION

A. PROCLAMATION DECLARING MARCH 22, 1997 AS "BLUES TRADITION DAY."

Chairman Winters said, "Thank you. Commissioners, I have a Proclamation that I'd like to read for your consideration."

PROCLAMATION

WHEREAS, the First National Black Historical Society of Kansas, 601 N. Water, will host The Tradition of Blues in Wichita: African-Americans Tell Their Stories, on Saturday, March 22, 7:00 - 10:00 p.m.; and

WHEREAS, this program is presented and funded in part by the Wichita Community Foundation, the Kansas Humanities Council (an affiliate of the National Endowment for the Humanities), the Kansas Arts Commission, and the National Endowment for the Arts; and

WHEREAS, the exhibit opening will include black and white photographs and interviews; and

WHEREAS, participating blues musicians will perform their music;

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NOW THEREFORE BE IT RESOLVED, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim Saturday, March 22, 1997 as

“BLUES TRADITION DAY”

in Sedgwick County, and encourage citizens to attend the Tradition of Blues in Wichita.

Commissioners, that’s the Proclamation.”

MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, “I believe we have here accepting, Patrick O’Connor. Please come forward to the podium. If you’d like to make a few comments, we’d certainly appreciate hearing from you.”

Mr. Patrick O’Connor said, “Well, I want to thank the Commissioners indeed for all that you’ve done for the Black Historical Society. There is a lot more to do and we appreciate your good intentions. We would invite all of you to show up next Saturday. You certainly have a full agenda this morning, you don’t need to hear any more from me, but thank you indeed.”

Chairman Winters said, “All right, thank you. Commissioner Miller.”

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Commissioner Miller said, "Thank you Mr. Chairman. Mr. O'Connor, I just needed to say publicly, that I think that this is probably, well, not totally what is going to turn the tide, but it certainly is kind of like a precursor of what is to come. I wanted to be able to thank you for being able to put this together. Thank you for the personal invite because I know that you called and invited each of the Commissioners to come. Hopefully, I will be able to be there. It sounds like it is not only going to be a good time, but it is going to be a learning time, too. I just wanted to say that publicly. Thank you Mr. Chairman."

Chairman Winters said, "Thank you Commissioner. Best of luck. I hope you have a successful day. It does sound very exciting."

Mr. O'Connor said, "Well, it will be after three months, so if you can't make it then, come by."

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

APPOINTMENTS

B. APPOINTMENTS.

- 1. RESOLUTIONS (THREE) APPOINTING DAN CARNEY, CATHY FEEMSTER AND E. G. LARKIN (CHAIRMAN WINTERS' APPOINTMENTS) TO THE SEDGWICK COUNTY PHYSICAL AND DEVELOPMENTAL DISABILITY ADVISORY BOARD.**

Mr. Richard A. Euson, County Counselor, greeted the Commissioners and said, "These are Resolutions which appoint one person to a vacancy and two persons for reappointments to this particular board, which is a fifteen member board. These are all appointments of Commissioner Winters. They are four year terms. They will expire on February 28, 2001. We recommend them for your approval."

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MOTION

Commissioner Hancock moved to adopt the Resolutions.

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, "If Mr. Carney, Ms. Feemster, or Mr. Larkin, if they are here, would they please come forward? Yes, if you'd please come forward and the Clerk's representative will swear you in."

Mr. Mitch Farrow, Deputy County Clerk, said, "If you would raise your right hand and repeat after me."

"I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Kansas and faithfully fulfill the duties of the Office of Sedgwick County Physical and Developmental Disability Advisory Board, so help me God."

Mr. Dan Carney, Ms. Cathy Feemster, and Mr. E. G. Larkin repeated the oath.

Chairman Winters said, "Alright, we will need to have each of you sign those certificates, but I certainly want to tell you how much I appreciate and all of the Board of County Commissioners appreciate citizens agreeing to serve on advisory boards. These advisory boards are very important to us as Commissioners and they are very important to the staff as they go about their responsibilities of providing services to the citizens. So, the Board of County Commissioners certainly want to thank each one of you for being willing to volunteer your time to serve on this board. Thank you very much. Next item."

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2. RESOLUTION APPOINTING MARK F. SCHROEDER (BOARD OF COUNTY COMMISSIONERS' APPOINTMENT) TO THE WICHITA/SEDGWICK COUNTY BOARD OF COMMUNITY HOUSING SERVICES.

Mr. Euson said, "Commissioners, we have prepared a Resolution to appoint Commissioner Schroeder to this Board for a term of one year to expire on March 20, 1998. We recommend this for your approval."

MOTION

Commissioner Miller moved to adopt the Resolution.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, "Thank you very much. We appreciate your willingness to serve on that Board. Next item."

RETIREMENT

C. PRESENTATION OF RETIREMENT CLOCK TO ELEK GRUENWALD, SENIOR MAINTENANCE WORKER, YOUTH SERVICES.

Ms. Mary Anne Nichols, Personnel Director, greeted the Commissioners and said, "It is my privilege this morning to present a retirement certificate to Elek Gruenwald. Elek is a Senior Maintenance Worker with Youth Services and will retire April 1, 1997 after 10 ½ years of service."

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“Elek was hired on April 28, 1986 as a Maintenance Worker and was promoted to Senior Maintenance Worker on January 1, 1989. Elek has told us that he plans to spend time with his children and grandchildren and will devote time to fishing and working around the house. Elek has always worked in Maintenance at JRBR. He describes his period of employment with Sedgwick County as ‘I like the job and the people I worked with.’ I have had the privilege of knowing Elek personally and anyone I think who has worked with Elek is a better person for having him pass their way. I want to congratulate him on his retirement.”

Mr. Elek Gruenwald said, “Thank you very much.”

Chairman Winters said, “Congratulations Elek. We’ve got a certificate that Mary Anne has that we would like to give you in recognition of your retirement. We also have this clock that we would like to give you.

“On behalf of the Board of County Commissioners we want to thank you for the service that you have provided to the citizens of Sedgwick County through the work that you do by working for the County. We certainly wish you the best in your retirement and it was certainly good to have you with us.”

Mr. Gruenwald said, “It was a pleasure to work for Sedgwick County. Can I say a couple of words?”

Chairman Winters said, “Yes, you can. Just step right up there.”

Mr. Gruenwald said, “In all my years in Sedgwick County, I have worked with a bunch of wonderful people and I want to thank some of them that aren’t present. The first is Kenneth Hales, the Director of Youth Service, Mark Masterson, R.J. Brasfield, Cecile Gott, Cathy Tipton, Tom Clanding, Larry Thomas, Gary Sulton, Brad Dirt, Mary Anne Mammoth, Joyce Timonte, Joe Tanglin and Cindy Roeder. I have one small special thanks for one special person. This person, I wouldn’t be here today without him. His name is Mr. Larry Lane. He is the person who hired me for this position and I tell you I make it short this kind of funny story. I put the application in for Sedgwick County a long time ago and I had a lot worse accent than I have today. Well, I come from other country. I put in the application for this position that I’m holding today. One day the phone ring and Mr. Lane was calling. He said Elek, can you come down to my office, I’ve got a job interview for you. I said okay, what time do you want me there? He said oh, as soon as you can because I going to a meeting. I showed up in the office and we talked. A lot of questions back and forth.

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“I told him my whole life story, but funny thing, every time I said something he said what did you say? Well, when the interview was over, I went home. My wife asked me how it went. I said oh honey, you don’t believe it, that guy don’t understand a darn thing that I say. Every time he say, what I say? By three o’clock in the afternoon, ring. Elek, it is Larry. I got news for you, you got the job. I thought I get over with him, I ask him, what did you say? He said, never mind, come to work tomorrow at eight o’clock in the morning. Well, that’s a special person. Thank you very much Larry, for having faith in me and giving me the opportunity to work with such good people. Thank you very much.”

Chairman Winters said, “Call the next item.”

PUBLIC HEARING

D. PUBLIC HEARING REGARDING A DRAFT SOLID WASTE PLAN FOR SEDGWICK COUNTY, KANSAS.

Ms. Susan Erlenwein, Director, Environmental Management, greeted the Commissioners and said, “Two weeks ago, you received a copy of the draft Solid Waste Management Plan. Last week, you had a public hearing and received comments on this plan. I recommend that you now open this meeting to receive additional comments from the public on the Solid Waste Management Plan. Thank you.”

Chairman Winters said, “Thank you Susan. We are going to open the public hearing and take public comments from citizens who would like to address us on this issue. Could I have just a quick show of hands of how many people are here today who would like to address the Commission? All right, very good. At this time, I will open the public hearing and we will begin the discussion. If the first speaker would please come forward, the first brave soul to go first.”

Mr. Duane Sanders, Route 1, Box 210, Valley Center, Kansas, said, “I still live way up there in the far northeast corner of Sedgwick County and I’ve come up here this morning to share with you the view from Gobbler’s Knob. A little bit different from what I normally present, but I couldn’t help be impressed with the man of the cloth who asked divine guidance in this meeting. He specifically mentioned honesty and honor. I had an opportunity to look at the Solid Waste Management Plan. Not as much as I would have liked to have because I’ve been busy in other areas.

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“Anyway, I am so pleased with the study this committee has made, I think they have done a wonderful job. I am aware that there are areas that they would like to look at closer and I can fully understand that because time only allows so much. As I read that report, it would seem to me that the trash business problem in Sedgwick County is gaining credibility. Credibility has been gained because of a display of accountability and accountability earns respectability. I think we are on terra firma. I believe that this program can go on and really amount to something and I commend the County Commission for the actions that you’ve taken. You’ve had to do some things that I’m sure weren’t the most comfortable things and I appreciate that. I’ve been in positions like that. Not to the degree you’ve had, but I’ve had the pressure put on and I know that there are sometimes that you’d rather not do something but you have to.

“I grew up with an adage that says what you do is who you are and who you are is what you do. I think that we all need to think about this seriously whenever we have a quiet time. It says an awful lot and the more you think about it the more it tells you. Again, I say, I’m proud of what you are doing. Now, you might not do things in the future that will be agreeable with my point of view. Rest assured, I will visit with you about it, but that’s what makes this country what it is today. As I look at the trash situation, I can’t help but go back to the three Rs. I was educated in a little country, one room, school house. They stressed the three Rs, reading, writing and arithmetic. When it comes to trash, we’ve still got the three Rs and from my point of view, up on Gobler’s Knob, it should be reduce, reuse and recycle.

“Now I’ve got some people behind me, living in my community, that would probably like to konk me on the head for making a statement that I am opposed to a transfer station. I can’t see a great lot of difference in bringing Wichita’s trash to my community than taking Sedgwick County’s trash to another county. In my way of thinking, it is a stop gap measure, it’s an emergency thing and once you get a transfer station established, we’re on the road to sorting and recycling. As I read the report, if we could ban yard waste, and that is a sore spot with me. I made my living digging in the dirt. I’m a farmer, I was. I grew up with them and I live with them.”

Chairman Winters said, “Dewey, how much longer do you need?”

Mr. Sanders said, “Just a little bit here. We did not haul all the humus off of our land. We did everything we could to put humus back into the land. Let’s don’t take yard waste to the landfill, put it right there on the yard where it belongs. That’s where it needs to be.

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“If we take that out and we pull out all paper products that are easily recyclable, you have reduced your flow of trash by 50% and if you start pulling other things out as you can, we’re going to cut way down. Thanks a lot.”

Chairman Winters said, “Thank you Dewey. Let me make a quick comment. I did forget to mention before hand that you need to state your name and address for the record so we’ll know who you are and that you’ve been here and we can accurately have that in the minutes of the record. I’d like to certainly ask all of you to think about the comments that you are going to make and try to really hone in on your points as quickly as possible. I know the intensity with which a lot of you speak, but what we really are interested in hearing is your ideas and thoughts. Please, we’re going to try to limit discussion to five minutes so you will hear the timer go off and when you hear the timer go off, you’ll know that your time is about to come to an end. So get your thoughts in your mind and then be prepared to just hit those points. Now, if the next speaker will come forward please.”

Mr. David Robbins, 2412 Gary, Park City, Kansas, said, “My wife and I own a house at 927 Silverdale in Wichita. My question for you is why would Bob Knight and Bill Cather do this to the citizens of Sedgwick County? It was their vote that created this mess. Number one, Wichita already owned the Kingsbury site. It is fenced so that the trash cannot get out. The trees to screen it from view have been planted and growing. The roads to it are in place. It is ready to go. Everyone around there expected it to be a landfill for the next fifty years, so what is going on?”

“Number two, where is the money coming from to buy all this land around Furley for this mega-dump? Have you seen how much land Wichita has purchased? Is the reason Wichita doesn’t have any money for railroad overpasses is that Bob and Bill have spent it at the Furley site?”

“Number three, with the double liner as proposed by the committee, the Kingsbury site has Furley beat hands down. A double liner is like putting two diapers on a baby. Now, the most important piece of information for everyone in Sedgwick County is to know that a Title D landfill is engaged in inter-state commerce and you cannot restrict anyone from dumping there. So that when Sheldon Kamen says he wants cheap tipping fees, he is creating a trash magnet for the whole midwest. Maybe Tulsa will ship their trash here if we get it low enough.

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“The citizens of Sedgwick County all use the trash dump and since we all got a huge increase in our trash bill, which I call a Wichita tax increase, since all of the Sedgwick County citizens use the dump, I would prefer that the County take over the operation of it, do a five year audit of all revenues and expenses for the dump and give a report back to the citizens. I feel the County will do a better job of protecting the revenue to cover the closing costs and any excess revenues could be used for jail operations or any other County operations. Thank you.”

Chairman Winters said, “Thank you Mr. Robbins. Next speaker, please. Someone please come forward. Young lady, go ahead. Remember to give your name and address. We have two, a team approach. Give your name and address please.”

Ms. Dani Morris, greeted the Commissioners and said, “Ladies and gentlemen of the Sedgwick County Commission, my name is Dani Morris, I live at 13220 East 41st Street, Derby, Kansas.”

Ms. Erin Lewis said, “I live at 7515 Plaza Lane in Wichita, Kansas.”

Ms. Morris said, “We are both seventh grade students at Coleman Middle School. Thank you for the opportunity to speak to you today about our solid waste management problem. We know that Brooks Landfill is closing soon and that none of the options that we have to choose from are very appealing. A new landfill, a transfer station, an incineration plant, new technology, recycling, all require money and effort. We know it is difficult to decide how to handle this crisis situation and we appreciate that you are listening to the people and taking their options. We just want you to know that we believe that recycling must be part of the solution. In school, we learned that the recycling action of the earth provide our basic needs; land, food, water, and air. Recycling is everywhere, we should learn a lesson.

“At our school, we decided that we should not wait for the City or County to save us. That we should start programs of our own to educate people and make recycling a reasonable option. We came up with a plan we call “Dump Up Sack” and geared up to recycle and do right. However, as we researched and prepared to carry out our plan, we found that many things were beyond our control. We were told that even after people went to the effort of sorting and recycling, there was no market for the material and it ended up in the landfill anyway, and much of the publicity we heard about recycling was hype and advertising strategy. In other words, with no markets for recycled raw materials, there is no point in recycling.

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“We know that a better strategy even than recycling is reducing waste in the first place, which means that Wichitans must be conscientious about what they are trashing and what can be actually put to some use such as composting. Also, people must be educated about our different options for the future and how they can help. On our team at school, we have the knowledge that many do not about the situation. We strongly believe that we can help in the education process of the community. We are willing to do whatever it takes to get this situation under control. If people really knew how important this situation is, maybe they would come to the same conclusion that we did. We have to do something now, not tomorrow, now. We have to stop buying over packaged products and to start buying recycled products so there is a market. We have to compost and recycle. Without these basic steps, it will end up back here. Do you really want to live in a pile of trash?”

Chairman Winters said, “Thank you very much. Ladies, are you from Coleman Middle School? Well, thank you very much. There is a group of students from Coleman Middle School here with us today and it sounds to me like your group has a very good grasp of some of the very difficult problems with recycling. I think we share a lot of those same values. I think we are all really pleased to hear you talk about just some major issues. I really thank you and your teachers and staff for getting into that issue in an in-depth way, because I think you hit on some of the real problems that your City and your County are going to be working with. Thank you very much for coming today. Next speaker please.”

Mr. George W. Schilder, 2101 S. Elizabeth, Wichita, Kansas said, “Fourth generation Kansan, now living in Wichita at Prairie Homestead Retirement Center. My comments today, I have not had the opportunity to read the report and recommendations from the committee so my comments are what I hope is in there and would like to see recommended.

“Six months or more ago I heard a lot of conversation about the problem of trash in Wichita and Sedgwick County. About all I was hearing was either a new landfill or a transfer station. Very little was talked about in recycling. Today, this meeting, I am hearing a lot about recycling and I congratulate those who have made that kind of a decision to consider this. How far they go, I don’t really know, but I have some comments to make that I hope you will consider. The key to recycling is to prevent the co-mingling of trash. Keep it separate in the beginning and that can be done. It is being done elsewhere. I suggest that this is the place to start. I would also suggest that you visit other cities that have successful recycling programs. Kansas City is one and there are others. I would hope that the City and the County can be a little more cooperative in this project because it involves both the City and the County.

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“I would suggest that you offer, as best you can, your best cooperative effort to the City and hope that they would reciprocate. This involves funding, which I’m sure has to come from somewhere. I would suggest that you talk to the City about disposing of that 4.2 million dollars that they spent for landfill. Offer that and you match that for seeding funds for entrepreneurs to become recyclers in the trash business. I think if you will get this thing going, you will have a successful program that in the future could well become self sufficient, but it is going to take some funding to get it started. I would suggest that in this particular area that you aim towards a financial independent recycling program and I think it can be done. Yes, there is little or no market for some of these things today but in the future, I’m sure there will be. I’ll tell you in a moment why. I am a chemist, I spent 40 years as a chemist of cereal grains. This involved the production of grains from our lands around Sedgwick County and Kansas. We farmed these areas for 150 years.

“The soil in Kansas that we are using to raise these crops was laid down over millions of years of decomposition of organic products to produce what is known as humus. The soil in the County and around Kansas is composed basically of two elements, one of them humus and the other one is sand, inorganic material. Now when each year we lose a certain amount of top soil, the humus in particular, and the remaining sand collects along the rivers and so forth and a good example of that is around Wichita. It contains little or no humus. Humus does two things for the crops, furnishes nutrients, decomposition of the plants, there is all kinds of organic material that will decompose into the basic elements, carbon, hydrogen and oxygen. When the humus is gone, the sand is left. Humus furnishes nutrients. It also holds the moisture so that the plants can survive. Now where does humus come from. A good example is the decomposition of the products that are organic, the trees, the grass, the paper, all of those things can become humus.

“This gentleman back here mentioned the fact that he put humus back in the soil. Today we really don’t need it, we’re using commercial fertilizer, but commercial fertilizer only furnishes the nutrients. It doesn’t hold the water, humus does. There is an experiment going on out at the Kansas Experiment Extension Service out there to determine the value of humus versus commercial fertilizer. I think down the road that humus is going to become a very valuable product. The farmers are going to be using that instead of commercial fertilizer when the price is right. So I think down the road there is a tremendous market for organic material to produce humus. We have a decomposition plan going but it needs to be enlarged.

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“I think down the road if you’ll look a little further than just a few years, fifty or a hundred years from now, the organic humus material is going to be very valuable to the farm community. I would suggest that you consider these things. I thank you for the opportunity of talking.”

Chairman Winters said, “All right, thank you sir. We appreciate your being here. Next speaker please.”

Ms. Margalee Wright, 1805 Lisa Lane, Wichita, Kansas, greeted the Commissioners and said, “I am currently the coordinator of the Neighborhood Initiative. The Initiative is a process of people connecting with other people in order to identify and solve problems. It is believing in each persons ability and responsibility to contribute to the whole. It comes from a philosophy that we are our brothers and sisters keeper and that what happens to others makes a difference. So out of that philosophy and out of that process, as a representative, I thank you, the Sedgwick County Commission and your excellent staff for the work that they have done on this very creative and visionary process of citizen discussion on the topic of solid waste. It was a very significant opportunity for citizens and it was very much appreciated.

“As one of many facilitators, I noted several general themes. Citizens want leadership on this issue. Citizens want common sense policies that are environmentally sound. Citizens want less packaging and more recycling. Citizens want to be responsible. They want to be part of the solution and they want to work together to make it happen.

“For at least twenty years in our community, we have had a core of citizens who have held the vision of a progressive public policy for recycling and solid waste management. Our thanks go to that group of people. The recent process that we have undertaken here raises our hopes for sensible solutions. So through this fine plan and through this opportunity, we hope that truly visionary leadership will take us to the point of having the sensible solutions that citizens are asking. So I thank you for the opportunity to participate in this and best wishes as the process continues.”

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

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Mr. Bruce Bodecker, 1945 Butler Road, said, "I live at Rural Route, Benton, Kansas. I live in Butler County but I have farming interests and own property in Sedgwick County, farm ground. I have read the draft report, not every page, but kind of get the gist of it. I have a few things that I thought were deficient and maybe should be added and I know the committee is looking at some of these issues, but they didn't put it in the draft report so I was kind of concerned about that.

"I am not in favor of landfills at all. I drive by Brooks occasionally and it always looks like a mess. The winds cause some problems out there. However, that doesn't mean that you can't put a defense up for the possibility that a landfill may exist. There is nothing in the draft report that talks about compensation for decrease of property owners in the neighborhood of a landfill. I think it is only fair that if someone in the City of Wichita or the surrounding communities saves \$100 a month or \$100 a year in disposal of their trash, that someone that lives near the disposal site isn't compensated if their property value decreases by ten, twenty or fifty percent. I think that has to be addressed. There has to be a mechanism to set up compensation. Even someone that doesn't just want to live by that thing should be bought out and compensated because they are there first. They purchased and invested in a rural agricultural community and then something comes in and changes that setting. I think we only owe them the right to bail out at not a financial loss.

"Crop destruction by birds. We know birds are going to destroy crops around a landfill. There needs to be a mechanism to make that quick and easy payment back to the farmer if he has a loss. He shouldn't have to go to court, he shouldn't have to wait, it should just be a routine process. If you're going to build a landfill anywhere, you are going to have crop losses by birds and that has to be addressed. It is part of the cost of disposal of that waste.

"There was no mention in the draft about how it is going to be financed and planned. I would suggest that a utility be created so that this utility would be a sums zero in terms of profit or loss so there would not be a profit incentive for either the City or the County in handling trash. It would be basically a monopoly. There are going to be incentives to put a little money in either the City or County's pocket. Part of the problem of why we are here today is because the City was able to do that and I don't think that is right at all. It causes a lot of problems.

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“Page 239, there is a remark about a triple liner system. I interpret that to be a triple liner. Some man talked about a double liner. In the existing Furley hazardous waste site, disposal cell number two, through the efforts of USCPA neighbors in the community, has a triple liner system. No leak has been collected in the second liner and the third liner sitting there and the difficulty we had with EPA, the EPA did not define failure in the third liner and that item was mentioned on page 239. I think in a landfill of this nature, you want to define failure at the third liner instead of when the contamination shows up in the water supply. There are several things that you can do engineeringly that you can flush the liners if the second or third liners do show leakage, you can flush the third liner and accumulate that leakage. Obviously, it is some kind of material that is eating through nine millimeters of plastic so that if you wash it out routinely before it gets to the water supply, it provides a lot safer mechanism to protect the environment.

“New technologies in the draft were addressed. They were kind of put off on the back shelf by the remarks made in there. I’m not an expert on those things. I have talked to some people. Those processes are being used in Japan and California and in Canada. I don’t know how successful they are but I don’t think we should be completely afraid of them just because they are new. Obviously, we need to be cautious. They may be a long term solutions that we could work toward in conjunction with whatever we do with the present day material. I hope my time is doing pretty good. I did read the technical paper on the proposal to expand Kingsbury from Brooks and in that proposal there was a discussion of birds. I’m not a bird expert.”

Chairman Winters said, “Can you wrap it up with a conclusion?”

Mr. Bodecker said, “Yes. The question I was asked, if there are no landfills in Sedgwick County would there not be the noxious birds in the City of Wichita? It seemed like in that report that they travel out and feed in the winter time and they come back to Wichita and roost. If there wasn’t a landfill, there wasn’t the food source during the winter, they may just go south or not have a place to live. I would like to see that the committee address that question. I could go on, but I won’t. Thank you very much, sir.”

Chairman Winters said, “Alright, thank you very much for coming today. We appreciate your comments. Next speaker please. If we could please remain silent. Thank you.”

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Ms. Vivian Smith , 10810 East 3rd, Valley Center, greeted the Commissioners and said, “Now this is a little misleading, because I live about 2 ½ miles north of 3rd Street in Valley Center. I live in Furley. I want to thank the Commission for allowing me the opportunity to come here to speak today. I also want to thank you publicly for taking over the control of the situation. I also wanted to comment on your speeches that you gave on that day. It made me really realize that you are all concerned with what this is going to do to our children and our grandchildren. It really makes me renew my faith in politicians. When my son was in high school, he was in debate and also in college and for two years during this time, their topic of discussion or debating, was global pollution. If you all could have set in on some of their debates, you would have seen how concerned these kids are with the pollution of the world and the universe. I think it is our responsibility to start now to take care of the environment so that it will not fall on these children that are in the audience and our children and grandchildren because of our extravagance and carelessness.

“I favor recycling and transfer stations. As for now, I think it is the only viable, responsible solution while we study plasma torch and other options. I am not in favor of a landfill anywhere. We all know that landfills leak and in the long run it will cost us more for cleanup. Right now, there is the thirty year plan for cleanup and monitoring at Brooks. It seems to me like people think well when it gets thirty years and one day, it is going to quite polluting. This isn't true. It will pollute forever. As I don't favor landfills, I also do not favor the sites like Dewey said, for our materials to be transferred to. I feel as long as they are in Kansas and we are Kansans, that we should utilize them. After all, other states are using them. I feel that we should have priority, being Kansans. Since transfer stations do have sorted trash, that they have a little bit of control of what goes into them. Transfer stations may cost a little bit more to begin with but they also will provide several jobs. If we would have several, maybe three, scattered throughout the County that it could cut down on the costs of it and it would cut down on the traffic. As a native Kansan, I get upset with what I call the Dorothy or Wizard of Oz syndrome. What I mean by that is people making fun of Kansas and Kansans. Since we are rated number five in the acceptance of out of state trash, I feel like these other states are just kind of pointing a finger at us and saying look at them, they're taking our trash. I feel that we should be taking advantage of these trash sites ourselves, transfer sites.

“As for recycling, I think it should be more accessible and maybe some incentives could be set up to encourage entrepreneurs to find uses for the recyclables. I, as well as the SWC, do not favor mandatory recycling. I know some kids that are in the service over in Germany, where they do have recycling. They say it is a mess.

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“Everybody has bags that they have to put their recyclables in. They have to sort them out separately and each bag is coded so they know exactly where the trash comes from. If they dispose of it improperly, they know exactly where to go, who did it, and then they can cite them for this.”

Chairman Winters said, “Do you have much more? Can you bring it to a conclusion?”

Ms. Smith said, “I’ll try. On page 181 of the SWC thing, they also have in there where they feel that people after June 1, 1998, that they should not allow people to bury and burn on their property and I think in that rural area, we have a lot more limbs and stuffs that need to be disposed of and about the only way we can do it is to burn it or something. I was kind of outraged when I read in this paper where a man was cited and fined \$50 for disposing at an unlicensed landfill, which was probably in his back yard. I have lots of other things but I’ll just close in saying, beings as this is St. Patrick’s week, I’d like to leave you with an old Irish saying. That being, may the Lord keep you in His Hands and may He never close His fist too tightly on you. Change it a little and I would like to say, may the Commissioners keep us in their hands and may they never close their fists too tightly on us.”

Chairman Winters said, “Thank you very much. We appreciate your being here today. Next speaker.”

Mr. Paul Carey, 2129 East 85th Street North, Valley Center, greeted the Commissioners and said, “I would like to point out a letter which I think you have, Appendix B, it is a letter from the Department of Air Force from the Commander of the 22nd Air Refueling Wing. He regards bird strikes as a major problem. These bird strikes, the majority occur below 3,000 feet. The area of the proposed landfill is an area where the vectoring altitude for McConnell traffic is 3,000 feet. This is 1,500 feet above the ground. All traffic going into the three airports, Jabara, Cessna, and Beech, fly at a level 500 feet below the vectoring altitude of McConnell traffic which puts them considerably closer to the ground and in more danger of bird strikes. With the increase of birds in the area of a landfill, I think this is a consideration you should make. You might want to talk to the Wichita approach control. They were the ones that gave me the information, and their concern is for the light plane traffic that will be going in and out of the three airports, Jabara, Cessna, and Beech.

“Also, I wanted to thank the Commissioners for their support of the bill presented by Susan Wagle. I think it is well that you do support this. I do have one question that I would like to ask that came out in yesterday’s paper.

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“The impression that is given by the article written by Sheldon Kamen is that there will be 15% more residue than there is tonnage taken into an incinerator. I am sure that means that there will be 95% less coming out or 85% less coming out than going in, but that’s not the way it is written. I think this is something that is very misleading. I’ve had several people ask me how can you have 15% more after you burn something than you do before you started? I thank you for your time and I would strongly encourage you to look into the possibility of some other area where you can get away from aviation traffic and all, because birds are a problem to airplanes.”

Chairman Winters said, “Thank you very much Mr. Carey, we appreciate you being here. Next speaker please.”

Ms. Linda White, 404 Courtleigh, Wichita, Kansas, greeted the Commissioners and said, “I’m currently building a house at 8000 North Webb Road. I spoke to you last week about our problems digging a lagoon. The looks on your faces at that point were incredulous, so I brought a copy of all the engineering reports that we paid lots of money for. I only made one copy because I wanted to cut down on the amount of paper that is generated, so you can share this. It is a fairly lengthy report. I want to read a little bit from a letter that we received from Sedgwick County. The person that I am quoting, is Karla Appling, which is the water quality supervisor. Sedgwick County code, chapter 14, requires a minimum of ten feet from ground surface to ground water. This site does not meet code requirements for use of any on site sewage disposal. As we explained to you on January 9, January 23, and January 30, you should pursue one of several options, one of which is putting a lagoon above ground level, which I have included in this the cost associated with putting the lagoon above ground level.

“The reason that she said it, she’d made the point several times, is because we have been trying to work with the County on trying to figure out how to do this without spending as much money as we’re actually going to have to incur. This is straight from the County. All of your people are already there in place, they’re working. We could have gone around this issue and waited until August to dig our bore holes, because in August, the ground water level is not as high as it is right now. In the spring, the rains come and fills up all the cracks in the clay and there is a lot of ground water. In August, three years ago, we dug ponds on our land in anticipation of building a house. We didn’t hit ground water at five feet then, so we know that if we wait until August, we would not have this problem.

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“We could put an in ground lagoon on our land. But, we feel very responsible for being good stewards of our land and we feel that if this is going to be a problem, if the three of us in our family would cause pollution of the ground water in our area, we owe it to ourselves and our community to not do that. So we are going to the extra expense of putting our lagoons above the ground. I could go on and on and on. I’ve got lists of things, but the numbers speak for themselves. With the groundwater that is there and it is not good stewardship of the land to do anything that could possibly pollute any more.”

Chairman Winters said, “Thank you Ms. White. We’ll be glad to look at that report. How far away from the part of the land purchased by the City are you?”

Ms. White said, “One half mile.”

Chairman Winters said, “Which direction?”

Ms. White said, “We’re directly west.”

Chairman Winters said, “One half mile west. All right, thank you very much.”

Ms. White said, “That there is a map of where we are, included in that packet of material.”

Chairman Winters said, “Thank you very much. We appreciate your coming back. Next speaker please.”

Mr. Steve Lackey, Director, City of Wichita Public Works, greeted the Commissioners and said, “I want to thank the County Commissioners for the opportunity for me to present comments on behalf of the City of Wichita on the Solid Waste Plan. The Solid Waste Planning Committee has done a commendable job in the development of the Solid Waste Management Plan. This plan presents a clear picture of where we are today in solid waste management. A large quantity of very good information is provided. In particular, the City of Wichita supports the following recommendations of the plan. Using source reduction, reuse, recycling to conserve resources, and to reduce the magnitude of the waste stream that must be addressed by any disposal system. Expanding the household hazardous waste program to increase its use by citizens to reduce the toxicity of the waste stream. Expanding the household hazardous waste program to include exempt small quantity generators of hazardous waste to give these companies an economically viable environmentally sound way to manage their hazardous waste.

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“Increasing the amount of public education to increase the level awareness of those who generate waste on the best way to manage their waste stream. Working with business to reduce and better manage the waste produced in the work place. Involving schools throughout the County to instill sound waste management practices in today’s students who are tomorrow’s consumers and decision makers and including environmental, quality, health, safety, reliability, and full cost accounting in selection of a final disposal system. Many potential improvements to the local management of solid waste will be studied in the coming months and years. The City fully supports the careful consideration and evaluation of these possible changes. The City would caution, however, that it is inappropriate for the plan to speak to technical standards of possible disposal solutions, specifically requirement of the plan that any new landfill incorporate a double bottom liner system. This is a determination properly made by federal and state regulators. This recommendation has no counter part in the plan for any transfer station or incineration project that might be contemplated.

“As the plan explains, there are many hard decisions that our community must make in the next few months. In this regard, the City has a concern that the process of how these decisions will be reached be clearly understood. The City wishes to request that appropriate City and County staff meet to discuss how the process will work. In particular, the City seeks clarification on how those who wish to make specific proposals will be accommodated in the decision making process. The challenges that improved solid waste management presents, gives us the opportunity to work together in the best interest of all of our citizens. We can and should continue to make major improvements towards environmentally sound and economically responsible management of solid waste. Thank you again for the opportunity to present these remarks. I’d be happy to respond to any questions you may have.”

Chairman Winters said, “Thank you very much, Steve. I think this is a very helpful piece to have in front of us. This might be a good time to have a discussion about continued communication. As you know, we’ve met twice with the City Council in a semi-formal kind of setting, where we’ve talked about solid waste and at the last one we talked about a recap of our community deliberation process and what we heard. That was done right here at lunch time in this room. I would certainly like to encourage that we do something similar to that again or we do something different than that, that we have some very informal discussion if need be between staff or between staff and Commissioners and/or Council people, the Mayor. I couldn’t agree more that we need to have a working relationship of communication. We have been in a sense on the fast track with developing a plan.

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“Our committee has worked hard, staff has worked hard, we haven’t had this document for months and months, but clearly if you or your staff, the Manager, or the Mayor has suggestions about how we can get together to talk about the next stage, we’re wanting to do that. I know that we tried to set up some meetings here just in the last couple of weeks and time schedules have played a detriment in getting that accomplished. I certainly would like and I feel like the rest of the Commissioners would agree with this, that if you would carry the message that let’s talk as soon as possible, we’re wanting to do that.”

Mr. Lackey said, “I’d be glad to.”

Chairman Winters said, “Alright, I think this is a workable piece. You do mention the liner situation and I think we’re going to have a discussion about that later on as we really get into the discussion. Commissioners, any other questions of Steve? Steve, thanks very much. We appreciate your coming. Next speaker please.”

Mr. Richard Brown, 1821 Greenwood, Wichita, Kansas, greeted the Commissioners and said, “I’d like to thank the County Commission for taking the lead in this project and I would like to applaud the words of Mr. Lackey. I’m mildly curious about why we didn’t hear those words when the City had responsibility for the project. I would like to put in a word for Bill Compton and the Institute for Resource Recovery. I have known Bill since 1959, when we worked together as engineers at Boeing. I consider him to be competent, dedicated, resolute, some people replace the word resolute with hard headed. He has a passion for solving a pressing community problem. He is not in a position to profit from that solution and I believe he deserves encouragement, recognition, and whatever support we can find for his project. There has been some opposition to Bill and his project and I think most of it is through misunderstanding. The very word pyrolysis, I think it intimidates some people and I’ve heard some people call it paralysis. Not appropriate, but a little humorous misunderstanding. It is a very simple process. Incineration is an oxidation process, heating the biomass in the presence of oxygen. Pyrolysis is very simply the process of heating a biomass in the absence of oxygen. So, on the one hand, you have an oxidation process and on the other hand, you have what is called a reduction process. The chemical elements are simply disassociated as opposed to being incinerated. As a result, you get marketable products. Billy’s plan is not a single solution. He has never presented pyrolysis as the only answer. His overall plan, if you’ve looked at it, includes very aggressive sorting and recycling element and volumes that are suitable for marketing to the major markets in Dallas or Houston or wherever, not just to the local salvage dealers.

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“If his analysis is accurate, it should reduce the cost to the consumer, the homeowner, because of the marketable products that he does recover. He has also proposed a state solid waste management authority, patterned after the Kansas Turnpike Authority. The intent being to prevent our becoming hostage to any single contractor or any single entity in the problem of solid waste management. I understand that because of the time restrictions whatever solution we come up with is almost inevitably going to involve either a landfill or a transfer station or maybe a little bit of both. I would like to suggest that in this solid waste management plan you budget financially for some person with technical background to track other developments in solid waste management. That would include incineration, cogeneration, plasma arch technology, and pyrolysis and whatever else comes up. The reason I mention this is that Europe is ahead of the United States in many respects. Not necessarily because they are smarter than we are, but because their population density is at least ten times what ours is and that population density means that their crisis developed much sooner than ours. Last fall, at one of the meetings down south, I asked the City’s consultant if he was aware of the references to pyrolysis on the Internet. Totally unaware of any references to pyrolysis on the Internet. There were over 4,800 references to pyrolysis on the Internet. It is not an emerging technology, it is a very highly developed technology but in most cases it is used in a very special application.

“However, one of the most interesting projects on the Internet was one by Seiman’s Corporation in Bavaria, Germany. They were building a fifty ton per day pilot plant for pyrolytic treatment of municipal solid waste. I don’t think there is anybody here who would accuse Semans of not knowing what they are doing. It is a multinational corporation, over a hundred years old with vast technological background. I would also suggest that in your plan, you budget space. Wherever this site is located, you budget space for including future technology. In other words, set aside ten acres or whatever, so that if and when this other technology comes into play, we would have room for it, so we don’t box ourselves into a corner. I would also suggest that you not hesitate to call on the wealth of technical expertise that Wichita has in its retirees. There are literally hundreds of engineers and technicians, technical people, chemists, whoever, all over Wichita who have expertise and would be very happy to review plans or review projects from other municipalities or the Seiman’s project and offer their experience.

“Related situation. KG&E has been a public monopoly and as such they’ve been guaranteed a reasonable profit. The fact that they have enough excess capital to pursue a 4.5 billion hostile takeover of another company indicates to me that maybe some of those profits have been hidden.

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“That would seem to give grounds for reviewing the structure of the so called public monopolies. If you generate electricity now, you have the right to inject that back into the electricity grid, but I understand that there is virtually no way you can make it profitable because of the agreements with the, so called, public monopolies. If those structures were reviewed and revised, then a cogeneration incinerator at our public cite might be economically feasible or cost effective. Thank you.”

Chairman Winters said, “Thank you Mr. Brown, some very logical ideas concerning new technology. Next speaker. Mr. Delamater, come ahead.”

Mr. R. S. Delamater, 2425 Porter, Wichita, said, “I’m a retired consulting engineering and I’m interested in this subject for two or three reasons. First, I probably built the first public landfill ever built in Sedgwick County in 1953. I had Dave’s job, but I didn’t make as much as he does. They raised the pay while I was there and I got \$125 a month. I don’t think he’d do it for that. Anyway, I’m a part of the same group as Mr. Johnston, who was here yesterday. This is a group of retired engineers and technicians who have spent a lot of time studying the solid waste business and I think you will be interested to know, well I’ve already given you a write up of what I have to say, but I’d like to review it anyway. We came up with three very specific points. Number one is the Furley site, forget it. The economic costs alone. Well, if you landfill at the Furley site, you need some four million dollars in addition to what has already been spent before you dump the first load of trash. My first recommendation is to forget the Furley site and make it clear that it won’t be used.

“Secondly, if we do have an alternate site, the Kingsbury site has been given a very exhausting engineering study. The conclusion of that study is very simple. Number one, that site, in fact, contrary to what things have been said, is in fact an almost perfect location for a landfill. It meets every one of the seven criteria set up by the EPA and particularly note that because of the geology, building a landfill at Kingsbury would almost prohibit any groundwater contamination. You don’t need to worry about contamination from that point, in addition to the fact that Kingsbury already has all the facilities in place for a landfill and the access routes are such that they would not reflect unfavorably.

“The third point concerns the future and final disposal of solid waste. At this point, it has been mentioned here previously that we’ve talked a lot about recycling. We have only talked about half of it. The most recycling we’ve been talking about is 50 to 60 percent. Our recommendation is that you go to a complete recycling that is 100% which can be done by using the process of pyrolysis that Mr. Brown mentioned to you here.

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“Pyrolysis is a very well established principle from way back and by using pyrolysis, we can reduce solid waste to very simple elements of carbon, oil, and gas, which are sellable. The only thing we need is to get this process established and to do that, our recommendation is that the County will finance a pilot plant which is standard practice in any new development which would probably cost a million and a half, which is a third of what the City has already, I want to say fluffed off, some ground which can’t even be used. If you will spend a million and a half to establish a pilot plant, we think you can establish the basic criteria for the construction of a plant which will totally reduce Sedgwick County’s solid waste. I hope the little girl here will sometime find out that the trash they throw out will come back to them in sellable materials and there will be no landfills.

“In fact, in our opinion, landfills are totally obsolete right now. So our recommendation then is that you embark on a process of total recycling including pyrolysis and take care of the trash business from here on out. Well, basically number one, forget Furley. Number two, use Kingsbury if you need it. Number three, let’s adopt a process of total recycling including pyrolysis and get rid of our solid waste problem from here on out. Thank you.”

Chairman Winters said, “Thank you Mr. Delamater for being here today. We appreciate hearing from you. Next speaker, please. Is there anyone else here in the audience who would like to address the Board of County Commissioners on this issue? Anyone else? We’re about to close the public hearing and after we do that, we’ll limit discussion to the Commissioners and the staff. Any final comments? All right, at this time, we will close the public hearing portion of the meeting. Madam Clerk, would you call Item E please?”

E. RESOLUTION ADOPTING A SOLID WASTE PLAN FOR SEDGWICK COUNTY, KANSAS PURSUANT TO K.S.A. 65-3405.

Ms. Erlenwein said, “You have now heard from the public at two different meetings on their concerns on the Solid Waste Management Plan. You have had time to review the plan and its recommendations. Additional to that, I and others have reviewed the plan. We have noted just a handful of small typographical type errors that will be corrected prior to the final adoption of the plan. The Solid Waste Committee met the other day and they wish to add a sentence at the beginning of the plan stating the importance of health and safety for the citizens of our community. They think health and safety is a very important factor in developing whatever we do. I am now here to help answer any questions you may have along with other staff and our consultant as we go over any recommendations and questions you have prior to the final adoption. Thank you.”

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Chairman Winters said, "All right, thank you Susan. Commissioner Gwin."

Commissioner Gwin said, "Susan, a couple of things. On page 178, there is a listing of the past and present landfill and dump sites in Sedgwick County and I am assuming that is all in the municipal solid waste or those kinds of things. Is the Furley site, the hazardous waste site mentioned anywhere in this plan?"

Ms. Erlenwein said, "No, that site is a hazardous waste site and this plan deals with municipal solid waste."

Commissioner Gwin said, "So the committee didn't deem that it was necessary to start listing those special waste sites?"

Ms. Erlenwein said, "That's correct."

Commissioner Gwin said, "Okay. Do you have a copy of that sentence, or can you read that sentence that the committee wants to add to the front of the plan?"

Ms. Erlenwein said, "Yes, I do somewhere. That the health and safety of the citizens is of primary importance."

Chairman Winters said, "Could I interrupt you for a second and talk about procedure here for a second. I think it is our intention to come out of here today having adopted a plan. Commissioners, as we come up with issues like this and need to obtain a consensus on, do we need to take a vote on each one of these kinds of items now or do you want to take them individually as they come up? Does anyone have a suggestion? On this item, I personally have no problem with this being added."

Commissioner Miller said, "I'd like to do a running tally and if, indeed, there is some dissention on some, then we vote on those."

Chairman Winters said, "Okay, would one of the staff just keep a list of what we anticipate could be a change and this could be the first one. Excuse me, Commissioner, just proceed on."

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Commissioner Gwin said, "That's okay. Thank you Mr. Chairman. I've asked to speak first and I hope we can get through this in time. I need to leave for Topeka by 11:00 this morning because I'm testifying on a bill of personal interest having to do with breast cancer and reconstructive surgery. Obviously, it is important to me and other women who suffer from the disease. I appreciate you letting me get my two cents in first before I have to run away."

"There are a couple of things, I think, that come quickly to the attention of the reader of this plan and certainly the public brings it to us too, having to do with the recycling programs and the importance of those kinds of things and also the importance of composting and minimizing what goes into whatever final disposal option we decide on. I think, however, I would like to do what they are doing, kind of refocus our attention on to the front end of that, if you will, and have us really concentrate over the next several months on what we can do as a community to recycle and to compost, how quickly that can be accomplished and knowing what we can divert helps us answer what the disposal option is going to be, I think."

Ms. Erlenwein said, "That's correct, and that's part of the recommendation in the plan, to first reduce the amount of waste and then determine what we can do with the remainder."

Commissioner Gwin said, "Right, and in the City's letter, I appreciate their concern about certain requirements. I was disappointed however to see that they had not felt compelled to support any banning of any materials going into the current landfill. Obviously, that is something on which we're going to have to work. Susan, do you believe that to ban grass and leaves from any disposal site in this County effective January 98, can we have programs up and running and ready to handle that by that time, do you think?"

Ms. Erlenwein said, "There is the facility currently located on 21st Street that accepts grass and leaves. The waste haulers have said that if they have a six month notice that they can get the appropriate trucks and bins necessary to implement the program. They need at least six months to put the program in effect. There are other companies who want to start composting facilities who are looking at grants from the State."

Commissioner Gwin said, "Okay. I don't know how everybody else feels, but I'm prepared to support that one. It was mentioned about the ban on burning of household trash and ban on burial of household trash. The ban on burning, you and I both talked about that, and I wonder if we couldn't modify that by adding a minimum lot size of twenty acres."

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“I think some of the concern that we hear from people in the rural areas, those people who live in smaller subdivisions or on smaller lots feel they are affected by their neighbor in the next acre or next five acres burning.”

Ms. Erlenwein said, “That’s true. I’ve talked to the Fire Department about fires caused by burning of household trash. They said as long as it is properly done, and the correct barrel with a screen and the distance from a structure, they really don’t see a problem with fires. The problems comes in from the Health Department receiving complaints of the smoke and some people’s concern about some of the materials that might be burned putting toxic material in the air. As you have stated, it is neighbors close to one another. An acreage amendment could be appropriate.”

Commissioner Gwin said, “Acreage amendment and then maybe some date in the future when we might be able to ban that altogether, because I believe we’ll come up with a solution that hopefully, will be better.”

Ms. Erlenwein said, “As stated before, education is very important and anytime you put a ban in place, you need a lead in time so people can be aware of their alternatives.”

Commissioner Gwin said, “Also, on the ban of burial of household waste and household trash in rural areas, I, like some of the speakers have a real problem with landfills in this County and if I have a problem with a municipal landfill, I’m still going to have a problem with an individual landfill. I don’t see any difference. I could support that one, because I think it is a learning process for all of us and so I would be hard pressed to push us not to have a landfill site in this county and yet to allow individuals to continue to dig and bury.”

Ms. Erlenwein said, “I think it is important to point out on both of those bans, burning and burial, it is just for household trash. It does not affect agricultural waste or rubbish or branches that people might have on their land. It is just household trash.”

Commissioner Gwin said, “Even at that, if we really work hard on the front end on composting and those kinds of things, they may have better options than burial. There may be an easier way for them to dispose of it.”

Ms. Erlenwein said, “We have been told by the waste haulers that they could pick up waste from anyone in the County. They are willing to go to the residence to pick it up. Plus, there is the option of self hauling too, to the disposal facility.”

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Commissioner Gwin said, “Also, I notice that we did comment, and I think the City pointed out that the committee made comments about exceeding EPA standards on subtitle D landfills. I certainly have no problem in the future when we have criteria or the committee has criteria established for transfer stations and incinerations or anything else if they have some hard line criteria for those kinds of things in the County, I have no problem with adding that to the plan either.”

Ms. Erlenwein said, “In fact, that’s what we’ll be looking at between now and August, is the different options and criteria and financing for those options.”

Commissioner Gwin said, “Well, first of all let me say that, and I don’t know Mr. Chairman if you want to go back and talk about these things at all, but I think on the item having to do with banning grass and leaves from disposal at any municipal solid waste facility in Sedgwick County effective January, 1998, I think that gives us plenty of time to talk to the City of Wichita on how that would affect their current usage of Brooks and certainly it seems to me gives time to the haulers to get organized and get going on that too. That’s one that I’m prepared to support as it reads in the recommendations.”

Chairman Winters said, “Okay, I think there might be some other comments about that.”

Commissioner Gwin said, “Okay. Then the burial, I think I’m ready to support and except with the amendment on burning and other than that I think I will wait for other comments.”

Chairman Winters said, “All right, thank you. Commissioner Schroeder.

Commissioner Schroeder said, “Susan, you and I briefly talked yesterday and before I get into those issues, I first want to thank the Solid Waste Committee for their hard work in this process. Milt, you folks have done a fine job. And the public for being involved in this process. Given the opportunity, I knew you would be there and you have been and I appreciate all of you being here today and last week and being involved in some of the public comments of public facilitating earlier in the year. Thank you Steve, for coming over today to present some of the City’s concerns and questions. If I had it my way, we’d probably sit down every day and talk about these issues, because I know a lot of what you do in your budget process depends upon some of what we’re talking about here today and it does have an impact on you folks and we understand that. This draft today that we vote on Susan, we can and will be able to amend that at a later date, is that not right?”

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Ms. Erlenwein said, "That's correct. The State law requires that you review the Solid Waste Plan annually and every five years have a public hearing on it. So we will be reviewing it annually and especially this form, we have a time line in the back that says that we will be adjusting this between now and August to look at the final disposal system."

Commissioner Schroeder said, "Okay, so if we hear information, which I know all of the Commissioners are going to get more input through this process, a lot of input, especially after today, that at a later date we can come back and make changes or make amendments to the plan before we finalize it."

Ms. Erlenwein said, "That's correct."

Commissioner Schroeder said, "Okay. There are two issues that have been brought to my attention just the last couple of days. One is I've had a lady that called me yesterday and she knows others in her position, she is a single person, she does not need weekly trash service. She wants to recycle. She does recycle. If she recycles, she has literally a five gallon bucket full of trash at the end of any given week. The question is, why should I pay for a full quarter of service when I have less than a wheelbarrow full of trash a month, if that much. I couldn't answer all of her questions that she had, but is that something that we're going to look at? I know the City of Wichita and some of the other surrounding cities probably have reasons to do this because of health issues that you have to have a weekly trash service at your residence."

Ms. Erlenwein said, "The law is that you need a weekly trash service. Something that has been looked at in the past is maybe changing that to every other week as one form of volume trash based . . ."

Commissioner Schroeder said, "Would that be an option for the resident, weekly or every other week?"

Ms. Erlenwein said, "You have to change the state law to do that every other week, but that is something that has been mentioned in the past to look at. There are other options that the committee will be studying in the very near future."

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Commissioner Schroeder said, "I had not given that a lot of thought, but that does make sense. We do have a lot of residences here that are single person occupancies and they don't have the volume that a family of three, four, or five might. The other is and I have had numerous questions asked of me in the last couple of weeks, what about recycle drop boxes. What are the partnerships? What are we doing? Where are we headed with that process? One is, and I can't seem to find anywhere, the numbers on what it actually costs to maintain those drop boxes. Nobody has been able to give those to me and I can't seem to get them out of anybody."

Ms. Erlenwein said, "The Chairman had appointed a task force of staff to look at the drop off boxes. We have met with BFI and tried to determine a solution for continuing those boxes after April 1. We are looking at partnerships with businesses to help donate money. The current situation is that BFI picks up materials from the boxes, delivers it to Weirhouser and does not receive compensation for that material, so the cost is then the actual labor in servicing the boxes and delivering the material. It is estimated to be \$8,000 a month."

Commissioner Schroeder said, "And that is for how many boxes?"

Ms. Erlenwein said, "Eighteen boxes."

Commissioner Schroeder said, "Eighteen boxes, \$8,000 a month. And that covers the boxes not only in Wichita but in other communities?"

Ms. Erlenwein said, "There are boxes in other communities in our county, plus there are boxes in Rose Hill, Andover, and Newton."

Commissioner Schroeder said, "Okay."

Chairman Winters said, "Could I interrupt for just a second. The manager can speak to this I think. The manager has that information. If he needs to be making it more available, then let's ask him to make it more available, I think. Do you have that information?"

Mr. William Buchanan, County Manager, said, "The task force was appointed and we met the other day, had a conversation with BFI. We're in the process of gathering information. There will be a report to the Commission this week of where we are and what our plan of attack might look like."

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Commissioner Schroeder said, "That's fine. I wanted to find out what the cost was because people were asking and I didn't know. So it is \$8,000 a month for these 18 boxes. That's the present cost right now for BFI to do it?"

Mr. Buchanan said, "That's pretty close."

Commissioner Schroeder said, "Okay. The other issue is, and the person I talked to the other day has said that the conversation has been that the city and the county are going to simply do this. Are we trying to include the private sector in this process too as a partnership?"

Mr. Buchanan said, "I'll have a report to you this week."

Commissioner Schroeder said, "But those are some of the options that we're looking at?"

Mr. Buchanan said, "Yes, that will be in the report to you this week."

Commissioner Schroeder said, "Well, I don't think it is a secret or anything, I just want to know so I could . . ."

Ms. Erlenwein said, "And representatives of private companies are on the Solid Waste Committee and have had input."

Commissioner Schroeder said, "Okay, very good. All right, thank you."

Chairman Winters said, "I have a couple of questions. Susan, I was interested in the gentleman who says the plan doesn't address any kind of compensation for surrounding property owners that may be adversely affected. Did the committee talk about this? What's the logic here?"

Ms. Erlenwein said, "The committee did bring this up in one of our meetings as should we have something in the plan for compensation. It was felt that it was a legal issue, one step beyond the purpose of this plan. Also, the County Appraiser has reduced property values in that area, as you know. So it was addressed but felt it was beyond the realm of this plan at this point."

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Chairman Winters said, "Okay and so then it wasn't specifically addressed as part of any place in here. I don't remember seeing it."

Ms. Erlenwein said, "No, it is not in the plan but it came up in a committee meeting and there is an attorney on the committee that said that was a legal issue beyond the realm of this plan."

Chairman Winters said, "Okay. I notice there have been several articles about that in the paper and I certainly hope that everyone realizes that for appraisal purposes and taxation purposes, we are never going to value properties for some kind of political reason, either trying to push an agenda this way or that way. I think as long as this Board of County Commissioners is here, we're just not going to allow that to happen. We're going to ask the appraiser to do his market research and use his best knowledge and ability and use his professionalism as an appraiser to make these evaluations. Probably, as far as value for these properties are concerned now, it is probably at the worst point because with the unknowingness of what is going to happen in this Furley area, it is having a very negative impact on property prices and property transactions have stopped in the Furley area of this site. The appraiser's job is to value property as of January 1, 1997. That's his task.

"So January 1, 2000, it could be an entirely different situation, but he has to work on what is happening today and his records indicate that transactions have basically stopped and that's why he has valued the way that he has and I certainly hope that no one believes that this Commission is trying to set valuations with some kind of ulterior political kind of motives. A comment on the new technologies and then I think there were some good points made about that. Susan, I know the committee addressed new technologies. Would it be appropriate to say that in this idea of trying to develop a system that reduces the amount of trash that we have, that some day new technologies may be a very important part? I know they examined some specifically, but if you forecast into the future, was there anything that came out that appeared to be preferred?"

Ms. Erlenwein said, "At this point, as has been mentioned earlier, there are pilot projects out there on different technologies. Also, some communities have been working on projects, but if you look at the tonnages that those communities in the pilot projects use, it is very small, twenty tons a day or maybe a hundred tons a day, and we're looking at a solution to replace Brooks within the next five years for a community producing 1,500 tons of trash a day."

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Chairman Winters said, "But I would think that as the technologies develop that there could very well be an answer that we might use, but that is not our exact goal at this instant."

Ms. Erlenwein said, "That's correct."

Chairman Winters said, "I would like to visit about the liner for just a second. I think when I first looked at it and thought about a double liner I thought that was the proper thing to do, particularly based on shallow ground water. I want to make sure that we don't do anything in this plan that is perceived to be unreasonable and the EPA has set standards on Subtitle D landfills and probably most people that you would talk to if you ask them if they thought the EPA set easy standards to meet, probably most people would say no. The federal government sets some pretty tough requirements. For us to make a requirement that would just blanketly make it almost twice, I mean a double liner would make it twice that bottom construction of the landfill. I am a little uneasy with that. I know that I've visited a little bit with you and with Irene about that. Do you have a comment about that?"

Ms. Erlenwein said, "The reason the committee put that requirement in the plan is they were concerned about the shallow groundwater in our county. A majority of the groundwater is less than forty feet in depth. We already have extensive groundwater contamination in some areas of the county and they were trying to look at ways to eliminate additional contamination. Some engineers have reported that liners will leak no matter what. Others may argue with that so you have conflicting reports out in the community. They were looking at maybe ways to determine if the landfill is leaking prior to just finding it in the groundwater. So they felt a double liner would be one way of finding what leaks through the first liner and catching it before it leaks through the second. That is why it also said a detection system for determining if there is a leakage. That was the reasoning behind putting that in as a protection of the health and environment. There was a committee member who says that there are other landfills in the country who have double liners and his company has built some."

Chairman Winters said, "Well, in visiting with this and working with some others, I came up with some possible suggested working that I would just like to read about a three line sentence here to see what folks think of this. And, in place of that blanket double liner provision, say something to the effect that the committee will investigate landfill design standards which protect the groundwater from possible contamination. Investigation should include larger buffer areas, more monitoring wells, a second liner, a leak detection system to determine failure, and other methods."

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“I would envision that if we have an area where groundwater is very shallow, that maybe a double liner is something that should be considered. If we have a place where it is 150 feet deep and we can prove that, geologically, we know what we are dealing with, then I think we’ve got a different situation.”

Ms. Erlenwein said, “It is a good point that, site specific may require different requirements than another site. General wording like that does include larger buffer zones so that you can collect pollution prior to going off site. Also the additional monitoring wells could help, so there are many ways of addressing the situation.”

Chairman Winters said, “Well, I think that’s going to be one of the suggestions that I make is that we change that language concerning the liners, more than what has been proposed here. Let me see if I had something else here. No, I guess the only other thing I would say is that I certainly would support adding the sentence at the beginning about health and safety and I would support expanding the definition of acreage on a burn area to twenty acres so that is a larger area and I think I could support those and this liner change. Commissioner Miller.”

Commissioner Miller said, “Thank you Mr. Chairman. I need to begin by first of all saying Susan, that the document that you and your staff has produced, is to me, a shining example of a credo of Sedgwick County which says to be the best that we can be. I think that the public will agree with that. I’m getting nothing but positive comments. I am also in support of any of the amended changes or as the plan has been presented thus far. Still processing the changing of the wording where it is regarding the possibility of having a double liner. Still processing that Tom. I need to question though, for clarification, why we are using words, or the context how we are using words like investigate and explore. Let me just go up to an example under waste minimization. The waste minimization subcommittee plans to investigate development of business incentive programs. Another example would be, trying to kind of scan through here and find it. The waste minimization subcommittee will investigate methods to remove the disincentive for recycling. Volume based collection service will be investigated and mandatory and voluntary recycling programs will be investigated. Help us with that.”

Ms. Erlenwein said, “This is kind of step one of our planning process that we wanted to get the plan into the state so that businesses will be eligible for grants this June.

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“The next step is, as you are saying, investigation. We will be meeting with the committee on a regular basis to determine the next step, which as you say, is investigate recycling and composting to reduce the amount of waste as much as we can. That includes reduction from businesses and what businesses and citizens can do to help reduce waste prior to recycling. So there is not enough time to get it finished for this step of the plan, but we know that we want to do it by mid-August when we finish the second step of the plan. We need to investigate how can we recycle, how can we reduce the material, what would be best for our community.”

Commissioner Miller said, “So it will be firmed up in that formal plan that we actually render.”

Ms. Erlenwein said, “Yes. That is correct.”

Commissioner Miller said, “Along with the financial obligations or . . .”

Ms. Erlenwein said, “The financial aspect is a very important factor in this plan that we need in the final plan; how we are going to finance these recommendations, including the final disposal options.”

Commissioner Miller said, “Okay. Under Item 6, and I’m not sure, I’m reading off of a draft plan. It speaks to the issue of any future solid waste facility. It must include aesthetics as consideration in the design and then ** Item 6, 7, 8, 9, and 12 were deleted because the committee felt that a stronger statement of principle should be made rather than specific requirements?”

Ms. Erlenwein said, “The committee dealt with discussion on, if a new facility is built, no matter what it is, an incinerator, transfer station, landfill, if you are a neighbor, what would you like to see if it is across the street? So aesthetics were very important. The committee had debated should we have specifics, such as a certain number of trees or a certain type of trees, and we felt that it was too early in this stage to go into that much detail when you don’t even know the site of the facility or what it would be. So that is why the general statement of aesthetics was important. As you develop a system and a final disposal site, then the details will become important.”

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Commissioner Miller said, “So how will we, I’m trying to think, how will we ensure that there will be a consistent aesthetic program, or whatever you want to call it, that we’ll actually have to adhere to?”

Ms. Erlenwein said, “The committee will help develop this. In fact, the committee did go into a debate of, my aesthetics might be different from aesthetics. That is why it is so hard to pinpoint it down, but as we pick a final solution, I think that we’ll get into many discussions on what is aesthetics.”

Commissioner Miller said, “One of the reasons why . . .”

Commissioner Gwin said, “I would think when we get to requests for proposals, we want individuals or companies or other governments to respond to, that we will pretty well have that lined out, telling them we want . . . here’s a landscaping plan and we want to see what that looks like.”

Ms. Erlenwein said, “Right, and the State has some minimum requirements for odor and nuisance control. They were looking above and beyond that.”

Commissioner Miller said, “The reason why, was because I was passing by Brooks yesterday and I was appalled, is a good comment. One more, and it has to do with a couple of comments that individuals have spoken in front of us today. It has to do with the high tech or new tech types of ways of dealing with solid waste. Even though I understand that it is not a focus necessarily of Sedgwick County to monetarily fund this type of a exploration, I guess we could call it, I still feel that as a progressive county I’d have to agree with the gentleman who said can we look at putting aside monies that would possibly track this type of technology so that we would definitely be on the cutting edge and continue to know exactly what is going on, let’s say in the field of pyrolysis or cogeneration. We know that it is happening, we know that it can be done, we just don’t know whether or not Sedgwick County wants to be economically or monetarily committed to that at this point. I think it is a viable thing for us to discuss. Will the committee continue to look at how Sedgwick County should be involved in this type of an alternative?”

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Ms. Erlenwein said, “Well the current focus is on the recycling and composting and then the final disposal option, which from what we have heard, they will be looking at landfills, transfer stations, and incinerators. When you look at that final disposal option, depending on what you pick, you may leave the door open for tracking new technology so that when things become better, pilot programs prove that it does work on a scale that we could use for our community, then it could be incorporated in a future system. There are other ways of just closing the door on that and that would be unfortunate.”

Commissioner Miller said, “I agree. Thank you. Thank you Mr. Chairman.”

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

Commissioner Hancock said, “Thank you, Mr. Chairman. Everybody has covered about everything that I had an interest in. I want to thank everybody for being here today. I have heard a number of comments over the past few months and these were some of the best comments that I have heard. They were spoken with clarity and understanding, an unusually deep understanding of some of the problems that we are confronted with and I appreciate your being here. I made lots of notes of lots of things that I was going to talk about but other Commissioners have pretty much covered it. Susan, you know this book so well, Chapter 9, the next to last page or the bullets that we covered there on page 239. Is it possible to add bullets to that today?”

Ms. Erlenwein said, “Before you adopt the plan? Yes, it is.”

Commissioner Hancock said, “Before we adopt the plan? Okay. Well, I would like to add something that Commissioner Miller spoke my thoughts in new technologies. I know that expense covered this and I put a note and it says R & D, research and development. I don’t know if municipalities like cities or counties are in that line of work or if they are expending funds from their tipping fees or others in taxes do research and development and new technologies. Probably, things like pyrolysis is outside of our realm, somebody else is going to have to do that, but we could certainly support it. Ways of taking large tonnages of trash and converting them to humus and then putting them back into the farmers property, we’re doing that with solid waste right now. The water treatment plant does that. These are things that I don’t know anything about and are asked to make decisions on at some time. These kinds of technologies, but if it isn’t going on in the country, is it possible to put a bullet here that we support research and development at a local level? Would that be appropriate for this document?”

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Ms. Erlenwein said, "Yes, that would be appropriate."

Commissioner Hancock said, "Too, the ban on page 139 I believe, the ban on grass for 1998. If we send this document in this way, but we need to visit with the city, we need to understand their needs. The tipping fees finance a number of ongoing city issues and concerns. We're all aware of that. Is it necessary to put it into this document that we need to discuss with the city or the municipalities or current operator of the solid waste concern in the county, this may not happen by 1998? I'm concerned about that statement that we'll be forced to do that."

Ms. Erlenwein said, "If you were to approve the plan with that statement in the plan, the next step would be for our legal department to look at an ordinance to see how we could go about implementing that ban to see if the county can place a ban on the current landfill or not so that would be the next step. If you want to have added discussions in the plan with the City to see how it would affect their income, this is the time to put it in the plan."

Chairman Winters said, "Could I make a comment right here? I share that concern. Thinking about this quickly, is maybe if we could even come to some kind of conclusion with some discussion with the city over the next sixty or ninety days. In my mind, clearly, in the new system after Brooks, this kind of material is going to be banned from the municipal solid waste stream. I still want us to be very careful. I share your concerns. If the city has a motion in effect that includes financing for the closure of Brooks and whatever else they're doing, I want to make sure that we work with them on this aspect of Brooks Landfill. Now clearly, in my mind, in future systems, grass, leaves, branches, are going to be banned from the municipal solid waste system, but we're not there yet. We've still got a system that we've got to work through for the next four years."

Commissioner Hancock said, "That's what I'm trying to say. I don't disagree with it. I would love to see it all go back out to the farms and be used again. That's where it is going to have to go sometime, it is going to be recycled back to the earth. In the meantime, the city has a responsibility and a big responsibility of closure for a current landfill and they need to finance that operation. There is a water cleanup process that has to be taken into consideration. I'm concerned if we limit the tonnage at this time and we lock ourselves into that position and please I don't want the solid waste committee to misunderstand, I agree with you 100%, but there are financial concerns for the city that we have to be aware of. Are we locking ourselves in to a direction that we can't turn away from when the time comes or can we amend this to accommodate the city at some time in the future?"

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Ms. Erlenwein said, "When I have talked to the Kansas Department of Health and Environment on the goals set forth in the plan, they said that some goals they do adjust, such as if you said I want to have a recycling rate of 50% in five years. Obviously, as you get closer to that five years, you would be adjusting that goal, but more definite goals, such as perhaps a ban or a final disposal system is not as adjustable. I would look very carefully at setting a ban by a certain date. Now, if you investigate an ordinance and determine that we cannot legally demand that of the city, then there is no way of implementing that ban."

Commissioner Hancock said, "The scary part is if we can."

Ms. Erlenwein said, "I would have legal address that."

Commissioner Hancock said, "Well, can we amend that sentence, section four?"

Ms. Erlenwein said, "It is page 130 for composting."

Commissioner Hancock said, "Their sentence now reads, 'it is recommended by the committee, that Sedgwick County ban grass and leaves from disposal at any municipal solid waste facility in Sedgwick County effective January 1, 1998.' Would my colleagues have any objections to amending that and leave that somewhat open?"

Commissioner Gwin said, "I would."

Commissioner Miller said, "I would also."

Commissioner Schroeder said, "How about within the year of 1998, with six months or twelve months?"

Commissioner Hancock said, "From what I know it is at least 20%, the tonnage?"

Ms. Erlenwein said, "Depending upon what numbers you look at, from the study five years ago, it was 16% of the overall trash, and that included construction and demolition debris. If you cut that out, it is more like 19% of just municipal solid waste."

Commissioner Hancock said, "That's a 19% decrease in the revenue stream to take care of this landfill. This is a concern for me."

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Ms. Erlenwein said, "That was a concern of the committee."

Commissioner Hancock said, "There are only two ways to generate revenue to take care of the problem, direct taxes or users fees. If we decrease our user fees, we'll be up against the wall on taxes, and that's my concern."

Chairman Winters said, "Okay, and I understand that Commissioner Gwin is going to have to leave. She's got a couple of comments on the subject."

Commissioner Gwin said, "This one, I would support the committee in their ban as they have stated it. The city has the ability to tax to cover closure and monitoring costs, they always have had that ability. People told us today that citizens expect common sense in leadership and the courage to do the right thing. They have been waiting years, years, for somebody to do the right thing and I believe this ban is the right thing to do. I would back the committee today to do that, to say as of January, 1998, this stuff will no longer go into Brooks or any other landfill in the county. If that causes the city financial problems, that's a problem they've caused and they can cure it. I would support them 100% on that ban today because it is the right thing to do. I've got to run. They're clapping because I'm leaving. Thank you all."

Chairman Winters said, "Commissioner Miller."

Commissioner Miller said, "I just need to echo those comments. I cannot be supportive of being able to X this out at this time. I believe that people have waited for this for a long time. They've spoken to it again and again and again, not only publicly but personally to me. They don't understand why it wasn't banned originally. They do understand why the city continues to leave it in. We know that it makes up approximately 20% of the landfill. But no, I will also be opposed to taking it out."

Chairman Winters said, "So you share Commissioner Gwin's ideas on that."

Commissioner Miller said, "That I do."

Chairman Winters said, "All right, any other comments about that particular subject? I'm sorry Commissioner Hancock maybe you weren't done, go ahead."

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Commissioner Hancock said, “The other thing is the ban on burning trash in the county out in the larger areas. I have no problem with the 20 acres. I don’t have a problem with the burying, I think that should be eliminated totally. I’m not willing to set a future date to totally eliminate burning in the county. We have no idea if the circumstances will change. We can always set a date later on, we don’t need to lock ourselves in to something that is so unpredictable at this time.

“The last thing that I have, and one thing that keeps coming up over and over again, and Susan you referred to legal questions just a moment ago and I’m curious about it. If we can ban leaves and grass, if we have the authority through this plan to ban certain items from the current landfill, what is to prohibit us from, in effect, keeping open the current landfill beyond the five year permit?”

Ms. Erlenwein said, “The five year permit was issued by the State.”

Commissioner Hancock said, “Let’s assume we took the Kingsbury site, put a double liner in it according to our plan, and then said we prefer to stay there. What’s to prevent us from forcing that action to happen?”

Ms. Erlenwein said, “We do not own that property, it is city property.”

Commissioner Hancock said, “So they would have to apply for the permit? There can be a change in the Council or the wishes of the Council in the future, in five years certainly they could change their perspective and they could say we would like to keep that site open, is that possible?”

Ms. Erlenwein said, “Yes, it is possible, to meet subtitle D regulations on that site according to the engineering study that we performed.”

Commissioner Hancock said, “Okay. Then the only change that I would recommend is at the end of Section 9. I think that is page 239, that we add one more bullet in there. This is probably for your notes, Mr. Manager. That we create a subcommittee within our solid waste committee of research and development. Can somebody help me frame this? I would like to create some kind of committee that would monitor and bring to the committee at large new technologies and ongoing research and development and that we encourage research and development at the local level.”

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Commissioner Miller said, "Commissioner Hancock, I think it would be very important to include new technologies in that wording, not only research and development in actually phrasing it."

Commissioner Hancock said, "Thank you, Mr. Chairman. Thank you, Susan."

Chairman Winters said, "All right. Commissioners, I hear us talking about five things and somebody can tell me if I've left any out. We've talked about adding the sentence in the very beginning that the Solid Waste Committee has suggested, expanding on the burn issue with a twenty acre requirement. If you've got twenty acres, it is not a problem, twenty acres or more. I didn't quite understand the date."

Commissioner Hancock said, "Commissioner Gwin, I might win this one, it doesn't look like I'm going to win the other one. She's gone, she can't bite me back. She suggested that we set a date that we might ban burning in the county altogether. I oppose that."

Chairman Winters said, "Does the plan speak to a date now? I don't think it does."

Commissioner Hancock said, "She suggested that we add one at one point."

Ms. Erlenwein said, "The plan right now says June 1, 1998, for both of those bans."

Commissioner Schroeder said, "Susan, we can go through this on a yearly basis and update and recommend, right?"

Ms. Erlenwein said, "That's correct."

Commissioner Schroeder said, "And so if we don't do that now and at some future time it needs to be done, we can do that. I mean this isn't created a one time thing, this is it, this is going to be subject to review on a regular basis."

Commissioner Hancock said, "Just insert the twenty acre and leave out the date."

Ms. Erlenwein said, "The current plan says this will become June 1, 1998, on both of those bans."

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Commissioner Miller said, "So there is a date and we're taking it out, is that what we're doing?"

Chairman Winters said, "We'll add twenty acres to the date that is in there?"

Commissioner Miller said, "We're going to leave it."

Commissioner Hancock said, "There is a twenty acre exemption."

Commissioner Miller said, "Good."

Ms. Erlenwein said, "Twenty acres or greater, you could still burn."

Chairman Winters said, "Then the third area I heard us discuss was the minor issue and I read the language that I'm comfortable with, if you would like me to read that again, I'd be glad to do that or if that is an issue we need to talk about. Then the fourth issue was the banning on grass and leaves in the solid waste stream by January 1, 1998. The fifth was adding a provision about new technology and research and development, and that we should be having somebody looking at that in a significant way. Those are the five things that I heard, does anybody else have anything else that we need to work on? Did you hear anything else?"

Mr. Buchanan said, "I did not hear you say anything else, but I did hear you say something yesterday about extending the final decision until the 27th of August."

Commissioner Schroeder said, "I would move that we do that."

Commissioner Hancock said, "I won't be here the 27th."

Chairman Winters said, "We talked about two dates, the plan, as it is stated in here, is that we will have some final options completed by August 15 of this year and our final budget day is the week before that and we know that our budget work is going to be long and difficult this year. I think every year it gets more difficult, but the Commissioners are going to be intently involved in building budgets for the new detention facility and public safety issues during that last two weeks in July and the first week in August. So we talked about slipping this date back from August 15 to August 27 or August 20. Now Commissioner Hancock do you have a comment?"

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Commissioner Hancock said, "I may not be here on the 27th."

Commissioner Schroeder said, "How about September 2, that's another week, is that a big deal? Does that create problems? Is August the key for some reason other than we meet on the 15th of August?"

Commissioner Hancock said, "More likely that I'll be here on the 20th than the 27th, it's hard to say."

Chairman Winters said, "I don't have a problem with making it September 2."

Commissioner Schroeder said, "I think to play it safe for Bill."

Ms. Erlenwein said, "We just picked that date as a reasonable time period to determine the next system, not realizing that it would conflict with the budget hearings."

Chairman Winters said, "I'm comfortable with September 3. I don't have a problem with making it September 3. It is a target, it gives everybody what we're shooting for. I don't think in the four years of the next phase in this process, two weeks are not going to make any difference."

Ms. Erlenwein said, "We can change that on page 241 on the plan, we can change that date."

Chairman Winters said, "Okay, so that's the sixth item we would change."

Ms. Erlenwein said, "Also, I mentioned earlier, there are just a handful of minor typographical errors that will be changed, like a small w instead of a capital w."

Chairman Winters said, "Okay, let's walk through these. Number one was adding this sentence about safety, etcetera. Does anyone have a problem with that? Do we need to discuss that further?"

Commissioner Schroeder said, "Just a clarification. Safety in general, but we had an individual this morning talking about air traffic safety, is that a consideration? I mean is that something that can be worked into the final draft as to those considerations?"

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Ms. Erlenwein said, "There are federal laws about how close a landfill can be to the end of a runway because of the bird strike significance. We may have some unique situations in our community that will be looked at prior to siting a landfill."

Chairman Winters said, "Well I made a note when that gentleman was talking about that and looked back at the map and I remember seeing that McConnell map before and thinking that the proposed Furley area is just out of range of that. But then I looked at Jabara on that map and I hadn't looked at Jabara on there. I don't know where that site is in relationship to Jabara."

Ms. Erlenwein said, "I have personally gone out and watched the planes over that area and there is a lot of traffic from many airports, including the Air Force base. As he mentioned, you do have the different flight zones so they don't collide."

Commissioner Schroeder said, "The reason I bring it up is because we don't even want to come close to hindering what they do at McConnell because of the base closure issues that still exist today."

Ms. Erlenwein said, "I think that will come under the public health and safety of citizens because obviously if you had an airplane crash it would affect the citizens in the area."

Chairman Winters said, "Does anybody need to hear that again, or is that in? We'll add that. The second was expanding the twenty acres. If you've got twenty acres or over into the burn deal. So that's in? The third one was the liner language and Commissioners, I read a change that I would propose, would you like for me to read that again?"

Commissioner Miller said, "I need to hear that again."

Chairman Winters said, "Okay, what we said was that it takes a double liner. What I propose to say is the committee will investigate landfill design standards which protect the groundwater from possible contamination. Investigation should include looking at larger buffer areas, more monitoring wells, a second liner, and leak detection system to determine failure and other methods. To me, this would clearly leave that investigation in but it could be more site specific. I mean if groundwater is ten feet from the surface, then the committee is going to look at double liners. If it is 150 feet to groundwater you may have a different look."

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Commissioner Hancock said, "I agree with that. I think that Margalee said common sense and environmental concerns are paramount. It makes sense, common sense. If groundwater isn't going to make any difference and we have a geological situation that works, then why not. We don't need to take all those extra precautions or spend all that extra money, so I think it is just good common sense."

Chairman Winters said, "Commissioner Schroeder."

Commissioner Schroeder said, "Well, this bible that we're writing here today is going to be in existence for years. I thought maybe instead of saying a second liner, say additional liners. We had a gentleman come in and said some communities use three. When it gets past the second one to the third, then they've got a failure."

Ms. Erlenwein said, "That is mainly for chemical waste."

Commissioner Schroeder said, "I understand that, but maybe instead of specifically saying a second liner, just say additional liners. That leaves it opens for future Commissions and cities."

Chairman Winters said, "I have no problem with that. The word there is additional liners. The fourth was the ban on leaves and grass in 1998. I had suggested, and Commissioner Hancock said, we're putting the word explore in there instead of setting the date. Commissioner Miller and Commissioner Gwin were comfortable with the language as it is in the plan now."

Commissioner Schroeder said, "Explore doesn't bother me. I know at some time it will probably happen, but let's be kind of realistic about it. Obviously, this thing keeps getting set back and maybe as we go through this process and actually finalize a plan that we can more adequately address the concerns and problems of the city and of consumers and users of the landfill. Instead of setting the date, I would prefer exploration."

Ms. Erlenwein said, "Do you want to set a date for explore by a certain date?"

Chairman Winters said, "I would say explore by the August 3 date."

Commissioner Miller said, "Explore what?"

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Chairman Winters said, "What position we take on whether to ban grass and leaves out of the Brooks Landfill. In my mind there is no question that it is going to be banned out of a future system. But I still want to have dialogue with the city on what their thoughts are about the closure operation of Brooks."

Commissioner Miller said, "So we are exploring the date as to when Sedgwick County would . . ."

Chairman Winters said, "Make a decision about that."

Commissioner Miller said, "We're saying by when?"

Commissioner Schroeder said, "The plan says January 1998, but what if we cannot accomplish that by then? That then sets these people, they would become concerned, are we actually following the plan, what's going on? So if we set ourselves a limit that is not attainable, or a date that is not attainable, then I think we're causing ourselves more problems and grief and an educational nightmare of why we are not doing what we're doing. It gives us time to work with the city on their concerns rather than to set a time certain. I think it gives us some options by leaving it open."

Commissioner Miller said, "Well, it looks as though I'm out numbered, but I'm still going to make the statement that, unfortunately, I think it sends a message to individuals that we're just not ready to do this yet. I think that is the message that has been sent loud and clear and obviously we know what needs to be done. We continue to hear this is a major percentage of waste that we have in our landfill and we do have ways of determining it and keeping it out. So we're just choosing not to do it at this moment. We're delaying it once again. I'll not be in support of it."

Chairman Winters said, "I agree with almost everything you said, because I think you made excellent points and I agree with that. I think, still, that I'd like to have in their 'explore,' and have a decision by September 3, that day that we set. Is that agreeable?"

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Commissioner Hancock said, "That's agreeable and it is a simple thing that is so doable and so workable that it is just pitiful that we even have to discuss it this way, but there has been a whole system of waste and set up not by us and the city certainly had no knowledge before we did the deed that we were going to make a change in the operation of solid waste in this county. It is going to happen. It will probably happen sooner than later and the planning committee has clearly said 'ban that waste.' It is going to be so difficult for the city to operate within the framework of almost 20% of their revenue loss. I think we need to think about that landfill in terms of grass and leaves and so forth and be careful with it. I don't disagree with Commissioner Miller, she's absolutely right. We need to give the city an opportunity to make their case. Clearly, if they can't make their case, then we'll make the decision."

Commissioner Schroeder said, "Can I piggy back on that and they can make their case but it also gives them a little extra time to plan for this if we do implement the ban. Obviously, it is having a budget impact. That may give them some time to find other revenues to adjust their budgets. It is a big step forward, like you said, but also a big step in this community's history about banning something that has been so easy to dispose of forever. There is going to be an educational process on both sides. That's why I am willing to go through this for a little while and not be so exact on the date that we ban that."

Commissioner Hancock said, "They're going to need from the time the city makes a decision on their budget to the last day that the budget will be effective is eighteen months approximately. So they are going to need some lead time in order to make the decision to take a look at their budget and see what the impact is and budget for it. We need to give them an opportunity."

Commissioner Miller said, "I don't think there is a reason to belabor it. The fact is, we've been dealing with this issue for a number of years so we just need to go ahead and make the vote on this. I would like to make sure that I am clearly understood."

Chairman Winters said, "Duly noted. Logical too. All right, number five was we're going to include a bullet in there about new technologies, research and development and a committee task force to continue to explore those new options. Number six, we're changing the final completion date to September 3, 1997, as opposed to August 15. Seventh, you'll correct minor typographical errors."

Ms. Erlenwein said, "That's correct. There are only like six or seven."

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Chairman Winters said, "I didn't see any of them but I'm no proof reader. It was an excellent job in that light alone. Commissioners, are we all clear on those changes that we talked about?"

Commissioner Hancock said, "Mr. Chairman, you recall on how we sometimes vote on the consent agenda and that there are items that we don't necessarily agree with that, would you like to take a vote like that on this particular item?"

Commissioner Schroeder said, "Let her pull that one out?"

Commissioner Hancock said, "Let's vote on all but that one item."

Chairman Winters said, "Would you like to be shown as being in opposition to this?"

Commissioner Miller said, "Being in opposition to the ban."

Commissioner Schroeder said, "I think we ought to give her the option."

Commissioner Hancock said, "Sure, let's do that and then that way it gives her an opportunity to vote on the rest of the things that she's in favor of."

Chairman Winters said, "Well, would somebody like to make a motion saying that we explore the ban and have a final decision by September 3, 1997?"

MOTION

Commissioner Schroeder moved that the banning of grass and leaves from municipal landfills be explored and a final decision be made by September 3, 1997.

Commissioner Hancock seconded the Motion.

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

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VOTE

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

Chairman Winters said, “All right, that Motion passes, so that is the way the language will be in the plan.”

Commissioner Hancock said, “Then we can take all the other items.”

Chairman Winters said, “Okay, now we’re talking about all the other five items, the adding the safety language, expanding the twenty acres, the liner language, the new technology research and development and making the final date September 3, as opposed to August 15.”

MOTION

Commissioner Schroeder moved to adopt the Resolution with the amendments as so stated in this meeting.

Commissioner Miller seconded the Motion.

Chairman Winters said, “That is for the entire Resolution that adopts the whole package. Does everyone understand? Any further discussion? Seeing none, call the vote.”

VOTE

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

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Chairman Winters said, "I'd like to make just a couple of concluding statements and then we're going to take a break and if anybody else wants to conclude. I certainly want to thank Milt Pollett and his committee and Susan, Irene, and our staff. I think this is a milestone day. We certainly don't have final answers, but this document, I believe, is an excellent foundation for us to go on. Steve, appreciate you and Joe being here to hear the discussion. Please carry back the message that we would like to begin discussion on whatever level is necessary as soon as possible, whether it is staff to staff, individual to individual, we're willing and wanting to do that. We clearly understand that as a group, 75% of our constituents live in the City of Wichita. We're fully aware of that. We anticipate making continued decisions on what is right for this county as a whole. One of the things that I think probably was a highlight in a public discussion process, which I thought was very important, was the number of citizens that we heard from that said they can make a difference. We believe that individuals do want to make a difference and I'm sure that the Commissioners want to support that however possible. So I thank you all for being here today and thanks to the Committee. Commissioners, anybody else have any closing?"

Commissioner Hancock said, "Just want to add, I do appreciate all the comments today. I can't express my appreciation to the Solid Waste Planning Committee. I've got to warn you, there's a lot more stuff to do, but I thank you for what you've done so far. We really appreciate the work. I've heard a lot of folks come today and say, 'Well Commissioners, you've done a great thing and you're wonderful and you have a lot of courage.' Folks, the planning committee had the courage, they did the work, and they have given to us a plan that we thought looked very good. The hard part comes in deciding what we're actually going to do. Now I've got to warn you in advance, we may not agree and we may not be as good in your eyes as you seem to think we are today. So fair warning, we'll try to take the same approach that we did with this plan. We'll try to get all the public input that we can. I promise you we'll use common sense, we'll be environmentally sensitive, we'll take a look at the finances that it takes to do this thing, and try to apply all those things together and make the best decision possible. It may not be one that all of us can agree on, but I promise you, we'll make the decision and we'll try to do the best we can. So I hope you are still smiling in September when we finally do this thing and we'll try to make as many people as possible pleased with the actions. Thank you for being here today."

Chairman Winters said, "Thank you, Commissioner. All right, we're going to be in recess for ten minutes."

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The Board of Sedgwick County Commissioners recessed at 11:30 a.m. and returned at 11:40 a.m.

Chairman Winters said, “At this time, I’ll call back to order the Regular Meeting of the Board of Sedgwick County Commissioners, March 19. For any of you staff or folks who are still in the meeting room, we’re going to just continue working right on through the lunch hour on the agenda until we are completed. If you’ve got a later agenda item, please stay, because we’re just going to keep going until we get this done. Madam Clerk, would you please call the next item.”

PLANNING DEPARTMENT

F. ZONING AND SUBDIVISION REGULATIONS IN RURAL AREAS OF THE COUNTY.

Mr. Marvin Krout, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, “On your public agenda last month, you had several speakers who came to you concerned with development regulations in rural areas. While that was just a few speakers, it probably did represent a cross section of views. You had someone who was a developer out there, who was concerned about changing the rules in the middle of the stream. You also had people who were concerned about what they described as somewhat hap hazard development in some of the rural areas and how some developments may be affecting the property values of other developments in rural areas. You asked the Planning Department to consider the concerns that were expressed and report back to you with some options and recommendations. We have provided a report to you and we also provided copies last week to the Planning Commission and to a number of other interested parties who have been following this issue. It is a somewhat long and complicated report. I’m not going to try to read it or even summarize it this morning. I think it is a good starting point for someone who is interested in these issues and we’ll make copies available to anybody else who is interested and we will be sending out copies to the small cities. We haven’t done that yet, so that they have an understanding of what some of these issues are.

“The Planning Department is recommending to you this morning that the County Commission direct that the Metropolitan Area Planning Commission hold public hearings concerning both its zoning regulations and its subdivision regulations to consider possible changes in those regulations as they would affect two different areas.

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“I’ll try to summarize what those areas are, briefly, for you. One is what we call non-residential design manufactured homes and the second area is platting exemptions. Now, briefly, what are non-residential design manufactured homes? I’ll use the term single wide homes to be brief, but let me explain that non-residential design manufactured homes are mobile homes or manufactured homes that don’t meet the standards that were set by state law and that are reflected in the county zoning code to be called a residential design manufactured home. In 1992, the state did set a law that said that a unit that was double wide with a pitched roof on a permanent foundation with using outside materials like stick built homes and having other reasonable aesthetic requirements the county might require, had to be treated like a stick built home. It had to be permitted anywhere that a stick built home would be permitted under the same rules, you couldn’t discriminate against those types of homes. The legislature did leave more discretion, though, for cities and counties to be able to deal with any kind of mobile or manufactured home that didn’t meet all of those standards. That’s what we’re calling a non-residential design manufactured home. Most of those out in the county are typically single wide homes versus double wide homes. So if I use the term single wide, it is really shorthand term for non-residential design type homes.

“The County’s current regulation says that in areas that are closer to the cities, basically, you can only place a single wide home, a non-residential design manufactured home on a lot if you have mobile home zoning or either a mobile home park or subdivision of mobile homes, manufactured homes, or if you obtain a permit for a conditional use. The permit process involves a public hearing, like a zoning hearing at the Planning Commission, if there are protests or if the County Commission wants to hear it then that case is forwarded to the County Commission for final decisions and the protests can count toward the voting requirement that you have on the approval of a conditional use or on zoning.

“In the more rural areas of the county, that is really still most of the county today, if you count up the square miles. In the majority of the unincorporated area, non-residential design manufactured homes are permitted by right. You can put a single wide, flat roofed, shiny skinned home, with anchors and skirting. It doesn’t have to meet all the requirements of a residential design manufactured home if you own a lot or tract in those more rural parts of the county. There is no zoning approval, no notice to neighboring property owners, and you can locate those homes, just like you can stick built homes or residential design manufactured homes. That is one of the issues that we’re suggesting that the Planning Commission look at again. Back in 1990, the County Commission at that time created the two tiered system with different rules in different parts of the county.

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“It may be appropriate to look at expanding that map, removing that map entirely, and having the whole county subject to special zoning approvals for single wide manufactured homes. We believe it is worth the County’s investigation. So that would be one issue.

“The other issue is called platting exemptions. These are related so they really need to be reviewed together. Platting exemptions are those situations where if you have, in the county, five acres or more that you are building on or you are dividing land into, you can get a building permit without having to go through what is called the platting process. Without having to conform to the process or the regulations of the subdivision of regulations that are adopted by the city or the county. Again, for the most part, the areas tracked, the areas where there are stricter rules for mobile homes are the areas where there are stricter rules for platting and where five acre lots do have to go through a platting process. In the more rural area, five acre lots are exempt from platting. One of the speakers at your meeting a few weeks ago was Carol Bloodworth from Cheney who talked about an area in her vicinity where they already provide services and they provide future services. These developments, because they’re unregulated, to be laid out in a way that can lock off land from future development. The streets are not built to standards that can be maintained by anyone necessarily. That creates problems for emergency services as well as the residents. There are other problems sometimes with drainage and other situations with unplatted tracts of land that are developed out there in the county and that is also, we believe, worth another look. In fact, the current regulations say that if you are in an area where five acre tracts are exempt from platting and non-residential design manufactured homes are allowed by right, in those same areas, though, if you are required to plat property, in those rare instances where you want to plat under five acres let’s say, you do have to get a special permit or zoning to place mobile homes. So even if the County did nothing with the zoning regulations, but extended the area where platting is required, that would itself trigger more review and more zoning for mobile homes in the County. So these two regulations are interregulated and it is important for the Planning Commission to look at them together, we feel.

“The staff report also discusses agricultural zoning because it was brought up a few weeks ago. We still think there are good reasons to explore that, but I would say to you that it is a much more complicated area. It would take many more months to review that issue thoroughly or to implement any changes. I think that the potential impact on the property owner is more significant when you are saying how much are you needing to develop your land versus what standards are we going to put you through in order to develop in terms of the housing or the subdivisional requirements.

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“So, while that may have merit, and we may talk to people who are interested about it in the future, we are suggesting that it would maybe bog down this process of looking at platting exemptions and single wide mobile homes, which we think if you confine yourself to those two areas, we can be back in about three months with a recommendation from the Planning Commission so you can consider possible changes.

“We do want to go out first and talk to small city officials. There is a lot of misunderstanding among a lot of people about what these rules really mean. There are a lot of people who think the platting exemptions have something to do with zoning and they really don't. We want to make sure that all the small city officials understand these rules and can have time enough to take a position before the Planning Commission hearing and make that position known to them and then later to you. So we are in the process of scheduling a series of meetings out in the county with small city officials and trying to figure out when to have a Planning Commission hearing if you decide to send this issue back. I'd be glad to answer any other questions that you have. We provided notice to the interested parties, but we indicated to them that we didn't believe you were going to be opening this up because if there was going to be further discussion, eventually this would have to go back to you and you would have a public hearing at that time.”

Chairman Winters said, “All right, thank you Marvin. a couple of quick questions. As you talk about having some hearings, would that all take place at the Metropolitan Area Planning Commission level or would, eventually, a public hearing have to take place at this body again? What's our policy on that?”

Mr. Krout said, “Well, the Planning Commission is required to have an advertised public hearing to consider any changes to the zoning regulations or the subdivision regulations. Actually, any changes in the subdivision regulations will also need to go to the City Council for approval, because those are joint regulations that are approved jointly by the Wichita City Council. You are not required under state law or any formal policies that you have to have a public hearing, but I think your informal policy over the years has been, whether it is an individual case or a change to regulations, to open it up to public discussion, so I imagine you would do that.”

Chairman Winters said, “Okay, thank you. And your intentions are to set up meetings with small cities to address their concerns, the manufactured housing association, and any other related groups and others too, is that correct?”

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Mr. Krout said, “We’re going to offer to meet with anyone who is interested, to try to have a common understanding of what the current rules are in the first place and then talk about options.”

Chairman Winters said, “Okay, thank you. Commissioner Miller.”

Commissioner Miller said, “Thank you, Mr. Chairman. I have a couple of questions Marvin. This information was very informative. I need clarification on the exemptions, for one. What prompted these types of exemptions, what was the climate then, do you know?”

Mr. Krout said, “Back in 1990?”

Commissioner Miller said, “Yes, whenever the exemptions were actually placed?”

Mr. Krout said, “The platting exemptions, of course we didn’t have any platting until 1968 in the county. Until 1979, throughout the county, you had a system where tracts of over ten acres were exempt from platting. The idea is that, now there are other exemptions built into the platting regulations so that a farmer, for instance, can sell off land to his son to build another house. There are other exemptions built in. The basic rule was until 1979, if you were over ten acres then you were exempt from platting. If you were doing five acre lots, anywhere in the county between ‘68 and ‘79, you didn’t have to plat. In ‘79, it was changed. I wasn’t here, but I imagine that, at the time, the reason for the change of going to a two tiered system was that the areas closer to the cities, ten acre lots were prevalent and there was a feeling that it wasn’t providing enough regulation in terms of how those areas were developing and so we needed a higher level of regulation closer to the cities and I think the trade off was let’s make it less restrictive on the outside. Well, I think the pattern is, and it is very clear to everyone, that we are suburbanizing many parts of Sedgwick County so some of those rules may not be appropriate. Even in rural areas, like Butler County and Harvey County, they have stricter platting requirements than Sedgwick County does. In fact, in Butler County, any lot of less than forty acres has to go through the platting process.”

Commissioner Miller said, “Let me give you the two specific exemptions that I was referring in which non-RDMHs, non can be permitted by right, which is what we’re talking about. Aren’t those the single wide?”

Mr. Krout said, “Right, there are exemptions in the zoning regulations for those.”

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Commissioner Miller said, "It talks about on any lot in a subdivision approved by the County Commission and required prior to February 7, 1990, in which two or more manufactured homes were already installed. Just wanted to keep the status quo?"

Mr. Krout said, "Well, take it back to 1990, that was before the state had their rules too, and up until then the county allowed single wides anywhere in the county by right. Had no controls over the areas that were closer in to the cities. So the 1990 regulations, which were pretty bitterly imposed by the manufactured housing industry at the time, I would say ended up being a compromise of all the interests. One of the concerns with this exemption was, if someone had subdivided land and they had already begun to put mobile or manufactured homes on that subdivision, that was a signal to everybody in that subdivision at least that this was maybe the pattern of development and maybe that was not the time to change gears. Maybe that was a mid stream issue and those tracts that had already been bought and subdivided and property sold off to be grandfathered. I think that is one of the issues that the Planning Commission has to think about, both with platting and with single wide mobile homes is what properties are going to be grandfathered if you change the rules?"

Commissioner Miller said, "Any tract of land that is twenty acres or larger, unless the tract is part of a larger tract that was divided more than one time in the past, as a replacement of a legally existing manufactured home."

Mr. Krout said, "The idea was that if you have an existing manufactured home, you ought to be able to replace it with another manufactured home. That was one of the exemptions."

Commissioner Miller said, "Double wide versus single wide, it doesn't matter."

Mr. Krout said, "Double wide or single wide."

Commissioner Miller said, "So you could actually replace it with a down grade?"

Mr. Krout said, "You could, but I think that we thought that probably wasn't going to happen very much out there."

Commissioner Miller said, "But that's not the definition of replacement if it is insured. I'm just trying to figure these exemptions."

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Mr. Krout said, "The reason for the twenty acre rule, at the time, was that twenty acres was the cut off where we don't even close to the cities require someone to plat land. Twenty acres is supposedly, I think, what the feeling at the time was enough land that you were buffering yourselves from neighbors and it is again rare that you would find someone who can afford to buy and maintain twenty acres who would put a single wide home on his lot unless he was a farmer or related to a farming operation. So there were some good reasons for the exemptions, but I think that those are all fair game for review again."

Commissioner Miller said, "Very good. Thank you, Mr. Chairman."

Chairman Winters said, "Thank you. Commissioners, any other questions or comments for Marvin? It would not be my intention to take any public comment today. I think if we pass this recommended action that would be the purpose that it would take place then."

Commissioner Hancock said, "Just one thing. I want to make it clear that this is an investigation by the Metropolitan Area Planning Commission to make recommendations for us and the findings will tell us a lot. There is a lot of stuff we just don't know and aren't aware of and nothing may change or it may change, I don't know. I do appreciate them taking the time to do this. I know it is not going to be an easy thing to do."

Mr. Krout said, "We're used to that."

Chairman Winters said, "Well, they take on a lot of difficult tasks from time to time."

MOTION

Chairman Winters moved to direct the Metropolitan Area Planning Commission to hold public hearings and make recommendations on possible code amendments expanding the areas where: a) zoning hearings and approvals are required to install manufactured homes which do not meet "Residential Design" standards, and b) development on tracts less than 20 acres in size is subject to the county's subdivision process and regulations.

Commissioner Miller seconded the Motion.

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

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VOTE

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

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

NEW BUSINESS

G. AGREEMENT WITH CYSTIC FIBROSIS FOUNDATION FOR USE OF SEDGWICK COUNTY PARK MAY 3, 1997, TO HOST A WICHITA CYSTIC FIBROSIS GREAT STRIDES FUNDRAISING WALK.

Mr. Jarold D. Harrison, Assistant County Manager, greeted the Commissioners and said, "We've been hosting these events in the park since 1995. This is a repeat of the event to be held Saturday, May 3. It is subject to our standard form agreement and we have received a certificate of liability coverage. We've coordinated dates with the Park Superintendent and would recommend your approval."

MOTION

Commissioner Schroeder moved to approve the Agreement 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	Absent
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item."

H. MILL LEVY CONTRACTS (15) FOR 1997.

Mr. Doug Russell, Director, Department on Aging, greeted the Commissioners and said, "The contracts before you, there are fifteen of them, represent about a third of our contracts for 1997. They are late getting here and running on a month to month basis because, frankly, we've been working with Legal and overhauling some areas to do background checks, conflict of interest, just plain make sure that they are tighter contracts given that we've got a pretty good bunch of them out there across the county. These contracts are \$259,636 in value. They are basically long standing public private partnerships that the Department on Aging has had, where we contract for services in lieu of providing them ourselves.

**1. LEGAL SERVICES OF WICHITA PROTECTIVE SERVICES:
\$31,500**

"Legal Services provides two pieces, protective legal services and financial exploitation, which happens routinely.

**2. LEGAL SERVICES OF WICHITA BENEFITS OUTREACH:
\$6,607**

"The other thing that was an ingenious little thing was a volunteer program is they do out benefits outreach which used to be done by case management and now they do it.

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**3. RIVERSIDE HEALTH SYSTEM, INC. SENIOR COMPANION:
\$26,248**

“The Riverside Health System is a senior companion program which basically takes older folks and serves other older folks in homes in lieu of using home health agencies or that sort of thing for lighter tasks and it is good for both people.

4. CATHOLIC CHARITIES ADULT DAY CARE: \$14,400

“We have two contracts with Catholic Charities, adult day care which fits with other federal and state programs, it fills gaps.

5. CATHOLIC CHARITIES FOSTER GRANDPARENT: \$42,000

“Then the foster grandparent program which works pairing up people over sixty with special needs kids in the school system.

**6. GOOD GRIEF OF WICHITA WIDOWED SERVICES:
\$9,500**

“Good Grief of Wichita basically runs a myriad of widowed person services allowing people to get through the grieving process and become a part of that network. Again, volunteers.

7. GUADALUPE CLINIC PRESCRIPTION VOUCHERS: \$17,190

“Guadalupe Clinic, you are pretty familiar with both it and med services. The Council on Aging advocated heavily for them because of the need for prescriptions and eyeware and that sort of thing. That’s what those cover in those contracts.

**8. MEDICAL SERVICES BUREAU PRESCRIPTION VOUCHERS:
\$16,000**

**9. MENTAL HEALTH ASSOCIATION ADULT ABUSE PREVENTION:
\$10,000**

“Mental Health Association is basically our community outreach group for adult abuse protection, working with banks and law enforcement and other community groups.

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10. PRAIRIE VIEW, INC. CRISIS INTERVENTION: \$14,000

“Prairie View Crisis Intervention is again a volunteer program, people helping other people. They go through a training program and provide counseling and assistance to their peers.

**11. UNITED METHODIST URBAN MINISTRY COMMODITIES:
\$5,679**

“United Methodist Urban Ministry basically takes commodities that they get through USDA and delivers them to home bound people. That has just been a booming success. People needed it and the Council recognized it.

12. VIA CHRISTI ST. JOSEPH ADULT DAY CARE: \$14,400

“Via Christi St. Joe again is an adult day care that fits with other programs.

**13. WICHITA INDOCHINESE CENTER ASIAN OUTREACH:
\$11,000**

“The Indochinese Center helps us work translation, transportation, every other kind of service that might be needed to reach the Asian community.

14. AMERICAN CAB INC. SENIOR CITIZENS RIDES: \$16,612

**15. AMERICAN RED CROSS MEDICAL TRANSPORTATION:
\$24,500**

“American Can and American Red Cross are both transportation programs, one of which is pretty much free, providing transportation to elderly people to medical. The other one of which they pay two bucks and the county pays something like four, to get people to and from those kinds of programs. I’d be happy to answer any questions.”

Chairman Winters said, “Thank you very much, Doug.”

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MOTION

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

Commissioner Hancock seconded the Motion.

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

VOTE

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

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

I. RECOMMENDATION TO THE STATE BOARD OF TAX APPEALS THAT A TAX REFUND BE GRANTED IN THE MATTER OF THE APPLICATION OF DOLESE BROS. CO. FOR RELIEF OF A TAX GRIEVANCE IN SEDGWICK COUNTY, KANSAS.

Mr. Brad Sherard, Hearing Coordinator, Appraiser's Office, greeted the Commissioners and said, "Basically, to get to the heart of the issue here, this is a tax grievance and it is for the years 1941 through 1992. Apparently, we don't have the proof of this at this time, but apparently the applicant has been paying taxes on a piece of ground that was condemned since 1941. One of the problems that we have here is due to the age of this, it could be a very expensive process in terms of research to determine exactly what has happened here. We do know that there has been some error made in some of the more recent years and I think we can probably make a good assumption that it is likely to have carried back to those years. We do know that the taxes for 1992 were \$158 on this piece of property and some kind of a range or estimate of what it could run over this number of fifty, some years is probably between four to eight thousand dollars in total. What we would request that you do at this time would be to grant the taxpayer relief for this, but only after they can prove that they paid the taxes and what the amount was."

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MOTION

Commissioner Hancock moved to recommend that a refund be granted for the years where the applicant can provide evidence that he paid the taxes and the amount of the taxes.

Commissioner Schroeder seconded the Motion.

Chairman Winters said, "Commissioner Miller."

Commissioner Miller said, "Briefly, Mr. Chairman. We're saying that the burden is upon the taxpayer to prove that indeed they have paid in these taxes, is that what you are saying?"

Mr. Sherard said, "In our interpretation of what we can read through and how this is addressed in the statutes, the burden of the proof is not really addressed anywhere in our opinion. We feel that typically we will take on a number of years when an instance such as this has occurred when there has been a mistake and we have been in error, we'll typically be pretty willing to work with the taxpayer to do the research. But due to the age of this and because of the expense that has occurred, we kind of feel that it is a little bit of a two way street. We're saying that somewhere we maybe need to say you need to kind of be partners with us and research this thing. That's why we've chosen this approach."

Commissioner Miller said, "And then we will make the decision as to what the relief will be?"

Mr. Sherard said, "Well, actually what has been put before you is to say we will grant you relief assuming that you can show you paid the amount."

Commissioner Miller said, "So it is based upon their showing we'll agree with that."

Mr. Sherard said, "That's right. Then that gives them the basis that they know where they stand. In other words, if we spend maybe two or three thousand dollars to go back and dig up these records and such, we know where we stand. They can make an economic decision on what they want to do."

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Chairman Winters said, "Could I add something right here? I don't think that this is unusual from what we would require even from someone who had mispaid or paid their taxes under protest for just the current year, a year old or so. If the state board then would rule in favor of the taxpayer, before the taxpayer can get their money back, they've got to prove to the Treasurer they paid those taxes. You have to have something to show I was the one who paid the taxes and here is the proof. I've either got the tax receipt in my possession or I've got a canceled check. So I know it sounds a little odd when we go back in the forties, but I still think the taxpayer has an obligation. Maybe somebody else was actually paying all those taxes for all we know. Maybe he had some kind of a lease arrangement."

Commissioner Miller said, "I don't disagree with that. I do agree that they'll need to show the proof that they have done this. I'm just trying to figure out who will grant the relief, is it BODA or is it us?"

Chairman Winters said, "Over three years, it will be us."

Commissioner Miller said, "It will come back to us is what we're saying?"

Chairman Winters said, "No, this is giving the authority for the relief to be given."

Commissioner Miller said, "Whatever it is?"

Chairman Winters said, "Right."

Commissioner Miller said, "Okay, I just wanted to make sure that we were leaving that open ended. Okay."

Mr. Sherard said, "BODA will also have to sign off on it as well."

Commissioner Miller said, "Gotcha. Thank you."

Chairman Winters said, "Thank you. Commissioners, we have a Motion to take the recommended action. Is there any other discussion? Seeing none, call the vote."

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VOTE

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

Chairman Winters said, "Thanks, Brad. Next item."

J. KANSAS COLISEUM MONTHLY REPORT.

Mr. John Nath, Director, Kansas Coliseum, greeted the Commissioners and said, "February was again a pretty good month for us. We had eighteen events resulting in thirty-five performances. Estimated attendance or a total attendance of 119,000. Net revenues for the months were \$231,900. That represents a 10% increase over the same period as last year. Thus far to date, these first two months of 1997, our revenues are running 19% ahead of last years pace. That is not going to mean that is how the rest of the year is going to turn out it is just a good indication of what kind of a good economy we have and how the scheduling is coming. As you know, the skating event played in January of this year versus its normal May time period. So that has kind of front loaded the year a little bit.

"Highlights of the month were of course Sesame Street Live, Model A Swap Meet, the Rodeo, Sports, Boat & Travel show, the National BMX Tournament. Sesame Street Live had a good run. They go up a little bit one year and down a little bit the next year. It may kind of follow the birth patterns of maybe two to three years prior to the run of the show. Depends upon when the little kids come on, that's when they want to see Sesame Street. It has stayed pretty steady over the last ten years or so. The Model A Swap Meet was extremely successful, it had over 20,000 people come out to that event. As you know, that was the first event in pavilion two. We're going to need to sit down and we've got a scheduled meeting with the organizers of the event to fundamentally change how we handle this thing. It has really grown and we really need to do some changes just to make it a little more accommodating to everyone concerned.

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“The rodeo is the real story of February. We had the very best result of any rodeo that has ever played the building. They doubled last years revenues and attendance. The rodeo was just fabulously successful. We think there are three items that kind of contributed to that. The first one is they co-oped their advertising with the truck event, whereby putting it altogether, they got a greater impact. They could leverage their media buys a lot better. The truck pull actually produced the spots. They did in a truck pull style which is very exciting, the message is very urgent. They back load the advertising campaign, it was two weeks from the event so that you get bombarded by all these messages, you have to go to the event. It really paid off, it did very well for them. I think, too, that the economy helped them out quite a bit and maybe even moving the event from the early January time period to the February time period helped it out. They were very pleased with the way it turned out.

“The National BMX Tournament was filled to capacity. That event is moving to the Sam Fulco pavilion next year to give them more space and they can have more contestants, more of an audience, and their trade show will even be better. They have entered into a five year agreement with us.

“The end of the month, the beginning of March was one of the busiest weekends we have ever had. We had the Chisholm Trail Gun Show in the Fulco pavilion. We had the State Wrestling Tournament in the main arena. We had a roping event in the arena building. This was Friday and Saturday. We came back on Sunday and had a sold out Alan Jackson concert in the main arena along with the Chisholm Trail Gun Show. Put a lot of bodies through the building at that time. I’ll have the results from the concert in next months report.

“One of the things that we did, we rented about six signs. You see these signs on trailers you put your names on to kind of help people get to the right buildings. It helped out a lot and that is something I think we’re going to have to work into our program out there because of the multiple events that we are now running. I’d be happy to answer any questions if you have any.”

Chairman Winters said, “All right, sounds like a very good report, John.”

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MOTION

Commissioner Schroeder moved to receive and file.

Commissioner Hancock seconded the Motion.

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

VOTE

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

Chairman Winters said, "Thanks, John, good work. Next item."

K. BUREAU OF PUBLIC SERVICES.

1. CONTRACT FOR ENGINEERING SERVICES (DESIGN) WITH CERTIFIED ENGINEERING DESIGN FOR TOWN AND COUNTRY ESTATES; STREET PAVING. DISTRICT #5.

Mr. Jim Weber, Director, Sewer Operations and Maintenance, said, "In Item K-1, we're requesting your approval of a contract with Certified Engineering Design for design and construction staking services on a street paving project at Town and Country Estates. The cost of this work will not exceed \$17,856 and all costs of the project are to be paid by the benefited properties through special assessments. We request your approval of the recommended action.

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MOTION

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

Commissioner Miller seconded the Motion.

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

VOTE

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

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

- 2. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE AND FINAL, WITH UTILITY CONTRACTORS, INC. ON SEDGWICK COUNTY PROJECT NOS. 598-24-1300, BRIDGE ON KESSLER STREET OVER ARKANSAS RIVER TRIBUTARY (B-220); 594-16-3200, BRIDGE ON 101ST STREET NORTH BETWEEN 151ST AND 167TH STREETS WEST (B-253); 839-B-2000, BRIDGE ON 143RD STREET EAST BETWEEN 109TH AND 117TH STREETS NORTH (B-256). DISTRICTS #1, #3 AND #4.**

Mr. David C. Spears, P.E., Director/County Engineer, Bureau of Public Services, greeted the Commissioners and said, "Item K-2 is a Modification of Plans and Construction for three bridges included in one contract. This includes the bridge project on Kessler Street near Valley Center over the Arkansas River tributary adjacent to 85th Street North, designated as B-220. Also the bridge on 101st Street North between 151st and 167th Streets West, designated as B-253 and finally the bridge on 143rd Street East between 109th and 117th Streets North designated as B-256.

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“All of these projects are in accordance with the Capital Improvement Program. These projects have been constructed and are ready to be finished out. There will be a net increase of \$11,274.45 due to variations in planning quantities from actual field measurements. Recommend that you approve the modifications and authorize the Chairman to sign.”

MOTION

Commissioner Miller moved to approve the Modification of Plans and Construction and authorize the Chairman to sign.

Commissioner Hancock seconded the Motion.

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

VOTE

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

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

**L. REPORT OF THE BOARD OF BIDS AND CONTRACTS' MARCH 13, 1997
REGULAR MEETING.**

Mr. Ken Williams, Assistant Director, Purchasing Department, greeted the Commissioners and said, “I have the report of the Bids and Contracts Meeting of March 13, to report to you.

**(1) NETWORK BACK-UP SYSTEM - INFORMATION SERVICES
FUNDING: INFORMATION SERVICES**

“The first item, we have a network back-up system for Information Services. The recommendation is to accept the only source bid of Open Vision, in the amount of \$31,320.

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**(2) NETWORK SERVERS - TREASURER
FUNDING: TREASURER**

“Second item is network servers for the Treasurer’s Office. It was recommended to accept the sole source bid of Computer Information Concepts in the amount of \$38,028. We are purchasing this from the state contract. We are asking also that you direct the Accounting and the Purchasing Department to find the best funding source for financing.

ITEMS NOT REQUIRING BOCC ACTION

**(3) CONSULTANT SERVICES FOR LAN AUDIT - INFORMATION SERVICES
FUNDING: INFORMATION SERVICES**

“The last item is consulting services for LAN Audit for Information Services. This was tabled indefinitely for review. That is the report of the Bids and Contracts.”

Chairman Winters said, “Thank you Ken. Commissioners, you’ve heard the report, what’s the will of the Board?”

MOTION

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

Commissioner Hancock seconded the Motion.

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

VOTE

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

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

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CONSENT AGENDA

M. CONSENT AGENDA.

1. Right-of-Way Agreements.

One Temporary Construction Easement and two Easements for Right-of-Way for Sedgwick County Project No. 833-C-3627; Bridge on Webb Road between 101st and 109th Streets North. CIP #B-273. District #1.

2. Section 8 Housing Assistance Payment Contracts.

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
C97015	\$183.00		Sunflower Apartments
C97014	\$222.00	4	Mt. Hope Community Development, Inc.
V97016	\$204.00	3	Brad Ewy

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>
C86026	\$203.00	\$97.00
C96026	\$243.00	\$233.00
V94028	\$463.00	\$463.00
C96027	\$217.00	\$192.00
C871020	\$189.00	\$199.00
V96033	\$101.00	\$248.00
V96089	\$316.00	\$425.00
V96066	\$316.00	\$375.00
V92005	\$402.00	\$361.00
V96092	\$259.00	\$280.00

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<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V861005	\$219.00	\$219.00
V96094	\$259.00	\$335.00
V97001	\$208.00	\$144.00
V96087	\$259.00	\$335.00
V96062	\$450.00	\$497.00
V96086	\$259.00	\$335.00
V97006	\$316.00	\$463.00
V96065	\$78.00	\$154.00
V96076	\$511.00	\$558.00
V96052	\$345.00	\$385.00

4. **Order dated March 12, 1997 to correct tax roll for change of assessment.**
5. **Consideration of the Check Register of March 14, 1997.**
6. **Budget Adjustment Requests.**

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
970156	1997 Capital Improvements	Transfer
970157	Finance General-Personnel	Transfer
970158	Corrections	Transfer
970159	Aging	Supplemental Appropriation
970160	Detention Facility Expansion	Supplemental Appropriation
970161	Special Highway Equipment Fund	Supplemental Appropriation
970162	Road and Bridge Sales Tax	Transfer
970163	1996 Bridge Projects	Transfer
970164	1997 Bridge Projects	Supplemental Appropriation
970165	Various Street Projects	Transfer
970166	Various Street Projects	Supplemental Appropriation

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Mr. Harrison said, "You have the Consent Agenda before you and we would recommend your approval of the Consent Agenda as presented."

MOTION

Commissioner Schroeder moved to approve the Consent Agenda as presented.

Commissioner Miller seconded the Motion.

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

VOTE

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

Chairman Winters said, "Now Rich, we do still need to have an Executive Session right?"

Mr. Richard Euson, County Counselor, said, "Yes, we do."

Chairman Winters said, "I'll recess the Regular Meeting of March 19."

The Board of Sedgwick County Commissioners recessed to the Sewer District meeting at 12:24 and returned at 12:25 p.m.

Chairman Winters said, "I'll call back to order the Regular Meeting of the Sedgwick County Commission, March 19, 1997. Is there other business? We do need to have an Executive Session."

N. OTHER

Commissioner Miller said, "Yes, there is Mr. Chairman."

Regular Meeting, March 19, 1997

MOTION

Commissioner Miller moved that the Board of County Commissioners recess into Executive Session for fifteen minutes to consider consultation with legal counsel on matters privileged in the attorney/client relationship, relating to pending claims and litigation and legal advise.

Commissioner Schroeder seconded the Motion.

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

VOTE

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

Chairman Winters said, "We'll be back here no sooner than 12:40 p.m."

The Board of Sedgwick County Commissioners recessed into Executive session at 12:25 p.m. and returned at 12:58 p.m.

Chairman Winters said, "I call back to order the Regular Meeting of March 19. Let the record show that there was no binding action taken in Executive Session. Is there anything else to come before this meeting? Mr. Assistant Manager? Mr. Euson? This meeting is adjourned."

O. ADJOURNMENT

Regular Meeting, March 19, 1997

There being no other business to come before the Board, the Meeting was adjourned at 12:58 p.m.

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

THOMAS G. WINTERS, Chairman
Third District

PAUL W. HANCOCK, Chair Pro Tem
Second District

BETSY GWIN, Commissioner
First District

MELODY C. MILLER, Commissioner
Fourth District

MARK F. SCHROEDER, Commissioner
Fifth District

ATTEST:

James Alford, County Clerk

APPROVED:

_____, 1997