

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

### **REGULAR MEETING**

**SEPTEMBER 3, 1997**

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, September 3, 1997, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chairman 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; Ms. Irene Hart, Director, Bureau of Community Development; Mr. Joe Cotton, Assistant Personnel Director; Mr. Jim Weber, P.E. Director, Sewer Operations & Maintenance; Mr. Lewis R. (Bob) Rogers, Assistant County manager; Mr. Mark Masterson, Interim Director, Department of Corrections; Mr. David C. Spears, Director, Bureau of Public Services; Mr. Darren Muci, Director, Purchasing Department; Mr. Fred Ervin, Director, Public Relations; and Ms. Linda M. Leggett, Deputy County Clerk.

### **GUESTS**

Mr. Charles Knifely, Jr., Equipment Operation I, Bureau of Public Services  
Mr. Duane Sanders, 11926 127th Street North, Wichita, Kansas  
Mr. Charles Getto, 707 Minnesota, Kansas City, Kansas  
Mr. Harold Plenert, 933 N. Edgemoor, Wichita, Kansas  
Mr. Dan Wendell, 11601 East 77th North, Wichita, Kansas  
Mr. Darrel Palmer, RR 1, Box 173A, Valley Center, Kansas  
Mr. Andee Sullivan, 10609 Hidden Valley, Wichita, Kansas  
Ms Betty Ladwig, 406 North Jaax Court, Wichita, Kansas  
Mr. Bryan Jaax, 11915 East 69th North, Wichita, Kansas  
Mr. James R. Brown, 11350 North 79th East, Valley Center, Kansas  
Mr. Randy Parker, 8401 East 101 North, Valley Center, Kansas  
Mr. George V. Fulp, 14220 East Donegal Circle, Wichita, Kansas  
Mr. Tony King, Wichita, Kansas  
Mr. Joe Hoover, 3850 North Hydraulic, Wichita, Kansas  
Mr. U.S. Beasley, 1740 North Green, Wichita, Kansas  
Mr. Richard E. Brown, 1821 Greenwood, Wichita, Kansas  
Mr. Bill Earleywine, 618 East 58th Street South, Wichita, Kansas  
Mr. Don Langford, 6415 Greenwich Road, Wichita, Kansas

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Mr. Robert Held, 6107 Maple, Wichita, Kansas  
Ms. Carol Robarcheck, 9800 North 127th East, Wichita, Kansas  
Dr. Ben Huie, 12011 Rolling Hill, Wichita, Kansas  
Mr. Bruce Bodecker, 1945 N.W. Butler Road, Benton, Kansas  
Ms. Margaret Miller, 430 Waverly, Wichita, Kansas  
Mr. Bill Taber, 7430 North 197th East, Wichita, Kansas  
Ms. D. Kay Johnson, 350 North Douglas, Wichita, Kansas  
Mr. David Franks, 3001 East 2nd Street, Wichita, Kansas  
Mr. Larry Ross, 346 North Bluff, Wichita, Kansas  
Ms. Vivian Smith, Route 1, Valley Center, Kansas  
Mr. Omhuls Chauhen, 31 Laurel, Wichita, Kansas  
Ms. Karol Schlicher, 139 Brendonwood, Wichita, Kansas  
Mr. Greg Ferris, Councilman, Wichita City Council  
Ms. Betty J. Brown, 11350 North 79th East, Valley Center, Kansas  
Mr. Lane S. Burchett, 5900 Mosteller Drive, Oklahoma City, Oklahoma  
Mr. Dave Buchholz, 1258 North Pinegrove Court, Wichita, Kansas  
Mr. Milt Pollitt, Chairman, Solid Waste Committee  
Mr. Joe L. Norton, Bond Counsel, Gilmore & Bell, P.C.

### **INVOCATION**

The Invocation was given by Mr. Chuck McCoy 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, August 13, 1997****

The Clerk reported that all Commissioners were present at the Regular Meeting of August 13, 1997.

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

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**MOTION**

Commissioner Hancock moved to adopt the Minutes of August 13, 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	Aye
Chairman Thomas G. Winters	Aye

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

**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 expenditures on today's Regular Agenda. I am available for questions if there are any."

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

**A. PRESENTATION OF RETIREMENT CLOCK TO ROBERT KNIFELY, JR.**

**Mr. Joe Cotton**, Assistant Personnel Director, greeted the Commissioners and said, "We have a retirement this morning, as you have heard. Robert Knifely, Jr., has been with Public Services 28 years. He started on February 14, 1969, as a laborer. He became a truck driver in 1970, utility worker in 1984, and then was promoted to an Equipment Operator I in 1989. Robert, I have a certificate for you in recognition of that."

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**Chairman Winters** said, "Robert, we also have from the Board of County Commissioners and from all the citizens of Sedgwick County, we'd like to give you this clock as a token of our appreciation for all the work, time, and effort that you've put in with Sedgwick County. We've got a lot of good employees in the Bureau of Public Services and we certainly appreciate your work over the past many years. Congratulations. We wish you the best in your retirement."

**Mr. Robert Knifely** said, "I wouldn't retire, but I had to."

**Chairman Winters** said, "We understand. Thanks very much Robert. Madam Clerk, call the next item."

### **PUBLIC HEARING**

#### **B. PUBLIC HEARING REGARDING SOLID WASTE DISPOSAL OPTIONS.**

**Mr. William Buchanan**, County Manager, greeted the Commissioners and said, "Today is another in a series of public hearings regarding the solid waste plan. It is your task this morning to hear from the public regarding that plan."

**Chairman Winters** said, "Thank you. I didn't hear exactly what you said as I was coming in. If I repeat, so be it. This is the third public hearing that we've had to listen to the public as we talk about the long term solid waste disposal. We appreciate very much all the participation in the previous two meetings. We are still listening for information that will be helpful to this community as we make these long term decisions. Could I see a show of hands here this morning who intend to speak? Those in the meeting room who intend to speak? All right, as the procedures have been in the past, remember that this is not a question and answer session. It is a time for the Commissioners to hear your comments, thoughts, and ideas. As you come forward, please give your name and address so the record can reflect that properly. You will be limited to five minutes. The Clerk will have a timer. The timer will go off in five minutes. I will interrupt you and ask you to bring your remarks to a quick conclusion if you have not already completed your comments. We would request that you show no response to speakers. There will be people who speak that you agree with and those who you probably don't agree with. We would ask that you respect all speakers and that there be no clapping, booing, or applause of any type. With those comments, Commissioners, if anyone else has any comments before we start. I see none right now."

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“We will open the public meeting and take response from the public. For those of you who are watching in the conference room, if there are some, we’ll keep a tally of that and there are at least nine or ten people, some who probably want to speak. So we may even ask some of you to rotate out of this room after you speak and move to the conference room so that we can let those people who are in the conference room have space in this room. I have received a request. Dewey Sanders, who many people in this community know had a tragedy in their family and Dewey is off to leave town so Dewey is going to be the first speaker this morning. So with that, we’ll open the public hearing and receive comments from the public.”

**Mr. Duane Sanders**, 11926 127th Street North, said, “Good morning to you all. Chairman and Commissioners, I want to begin by saying your act of kindness was greatly appreciated. Commissioner Gwin, Commissioner Miller, at the appropriate time, you will receive a big hug. And you hairy legged boys, you’re going to have to settle for a handshake.

“I am amazed that we in this County gave 28 people the task of studying this issue. They met time after time after time. They picked some pretty big brains. They sought information from all quarters. They studied it well and they have made a decision. I am hard pressed to understand why the opposition is coming from Fantasy Land across the street, but then maybe we shouldn’t be surprised.

“When manufacturers of liners spell out to you how many holes you can expect in a given area of their liner and how many holes you can expect to find in the seams that seal these liners together, I can’t imagine anybody wanting to even think about that type of disposal. When there is a place who will accept those things that cannot be recycled right now and they are assuming all liability, the EPA (Environmental Protection Agency) says on a national average \$25,000,000 cleanup costs on landfills. To me the evidence is a preponderance in favor of our study committee’s recommendation.

“I appreciate the effort that you have gone to. I feel that this Commission has been more than kind to listen to all manner of propositions. You have a hard decision and I extend my sympathy to you now. Good luck and I’m gone.”

**Chairman Winters** said, “Thanks Dewey, we appreciate you being here. Next speaker please. Please come forward. Be prepared as we try to move through as quickly as possible.”

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**Mr. Charles Getto** said, "Good morning Commissioners. I'm an attorney with the law firm of McAnany, VanCleave, and Phillips of Kansas City. My business address is 707 Minnesota Avenue, Fourth Floor, Kansas City, Kansas. I am here on behalf of the Citizens for Responsible Government, which is a group of 200 residents, approximately, of Sedgwick County, most of whom own farms or homes in the area of the proposed landfill. The Citizens for Responsible Government have asked our firm to advise it on their possible legal options in the event that the Commissioners approved the proposed landfill.

"If the landfill is approved, we are considering the following legal options. Filing an action against the County Commissioners for injunctive relief to stop the landfill and or for damages. Challenging the Kansas Department of Health and Environment (KDHE) permit process through administrative hearings and also through a court action, and filing a law suit against the operators of the landfill for injunctive relief and for damages. There is a whole host of reasons why the citizens are opposed to the proposed landfill. There are environmental and health reasons, aesthetic reasons, fairness reasons, and economic reasons. There are health problems from living too close to landfills. There is contaminated groundwater as a possibility. The aesthetic problems of living close to a landfill are obvious. The fairness issue, no one ever told the members of the Citizens for Responsible Government that there would be a landfill near their property and when the City acquired the options and the property, they never told the residents and the persons from whom they purchased the property that there would be a landfill. They bought the property and never told them what it would be used for. There are economic reasons obviously why the Citizens for Responsible Government are opposed to the landfill. They have worked hard for years and they don't want to see the values of their farms and lands destroyed and eroded by the proximity to the landfill. The County Appraiser has already indicated that the loss of the property owners in terms of wealth not realized for the next 20 years is approximately \$1,000,000,000. Obviously, there is a financial loss to the County in the future, a significant loss, by way of lost tax revenues, including property tax.

"The landfill is not necessary. It is going to take five to seven years to design, permit, and build it. A much better approach is to follow the recommendation of the Solid Waste Management Committee and adopt the transfer station. There are five large landfills at least in eastern Kansas that are willing to take the trash. They've offered to do it. The transfer station would offer financial incentives to reduce the amount of trash and garbage and to encourage recycling. A transfer station is a much better way to go.

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“The Solid Waste Management Committee looked hard at the issue. They visited proposed landfill sites. They went down to Tulsa, as I understand, and looked at an incinerator. They investigated all the options and the option they chose is a transfer station. The landfill is bad for the County. It is unfair. It hurts property values. It creates health problems. It is totally unnecessary. On behalf of the Citizens for Responsible Government, we urge you to reject the landfill possibility option and to adopt instead the transfer station. Thank you.”

**Chairman Winters** said, “We have a question. Commissioner Schroeder.”

**Commissioner Schroeder** said, “You say that you are representing the people that live in that area, is that correct?”

**Mr. Getto** said, “Yes sir. The Citizens for Responsible Government.”

**Commissioner Schroeder** said, “Okay. Have you ever been involved in one of these cases before in your practice?”

**Mr. Getto** said, “Yes, my law firm has.”

**Commissioner Schroeder** said, “Involving a landfill, have you ever prevailed in stopping one from occurring?”

**Mr. Getto** said, “We have prevailed in an action in stopping one from expanding and in getting damages against it and they have been stopped in other parts of the country.”

**Commissioner Schroeder** said, “Where was this one at?”

**Mr. Getto** said, “It was in Pittsburg, Kansas.”

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

**Chairman Winters** said, “Thank you very much for being here sir. Next speaker.”

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**Mr. Harold Plenert**, 933 N. Edgemoor, Wichita, said, "I represent a church who has the cemetery across the street or across the road from this landfill. Imagine having graveside services and having trash floating across this cemetery and trucks roaring by. It is hardly the correct atmosphere for putting a loved one to rest. I know this represents a small group of people, but I wonder if you consider things of that kind. I also think there is a good reason for a transfer station. I think we are rushing into this rather rapidly and perhaps are forced to do that. A transfer station would give us a little more time to think about these things and give us time to consider technical advances that might come about during this period of time. I am also concerned about the price that was paid for this land. The public doesn't seem to be particularly concerned about it, but it is hard for me to put some faith into the comments of the Council after this has occurred. I think we ought to take that into consideration. Thank you."

**Chairman Winters** said, "Thank you sir. Next speaker. Please come forward."

**Mr. Dan Wendell**, 11601 East 77th North, said, "I am sure you guys are as tired of seeing us as we are you. Hope you make the right decision today and we can stop this. The residents of Furley do not feel that there is a safe place in Sedgwick County for a landfill. If the City believes the landfill liner won't leak, then why don't they put this on the site they already own at Kingsbury? The groundwater is already contaminated. As Mr. Rogers said last night, most of the trash comes from the City of Wichita and we should keep our trash at home. When calculating the price of the landfill cost, the land was not included in that, the \$14,800,000 in lost tax revenue was not included in that, the \$1,000,000,000 in lost economic development is not included in that. If I did an estimate in my business that way, I wouldn't stay in business very long. I think all of these costs needed to be included in that landfill cost. Also, interstate commerce permits dumping of trash in any public owned landfill. How are we going to stop this trash from being dumped here from other states if it is a public owned landfill in this County? I have a business near 21st and Mosley. In this industrial park, we already have two aluminum recycling centers, one scrap metal, one yard and wood compost center, it looks to me like it would make a perfect site for a transfer station. As a business person in this area, I would not object to that. I was recently in Vancouver, Canada, and saw a transfer station across the street from where we stopped at a convenience store. I did not realize it was a transfer station until we were ready to leave. It was a very neat and clean operation."



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“As you remember, one of the companies that owns one of the landfills in eastern Kansas, gave you a personal indemnity that they would not require you any liability on these landfills if you hauled your trash in. They also backed this with a billion dollars in company stock. I would hope under these conditions, you would do the right thing and transfer our trash until we can find better options for our trash. Thank you.”

**Chairman Winters** said, “Thank you sir. Next speaker.”

**Mr. Darrel Palmer** said, “I live in Furley. My address is R.R. 1, Box 173A, Valley Center. It seems to me, considering all that is involved with a landfill in northeast Sedgwick County, has anyone thought about it as a dump site. If you have to haul from Haysville or Derby, it is 30 miles. Probably from southwestern Sedgwick County, it is about 50 miles. It is probably about 12 miles further than the landfill is now. The air pollution will be much greater. The fuel costs will be much more at six miles per gallon. The extra fuel costs for 400 trucks a day would be about \$1,900 a day. This would be about \$676,000 per year added fuel cost for the people to haul trash. That is not considering repairs, an added extra 8,500 miles a year that each truck would have to drive. The City allowed \$600,000 for road work. This seems a none realistic figure to me. There has to be an overpass at Greenwich and 254, or the traffic accidents are going to go way up, or maybe a stop light system. Truck traffic is already pretty heavy there, plus all the cars from El Dorado and other small towns in the area. Greenwich Road is a two-lane road. With farm equipment being moved, school buses twice a day, farm trucks, most of the grain is hauled from the Furley Coop by trucks to other terminals. You have Boeing traffic, Raytheon traffic. It will be real busy about 4:30. I believe we need a more central location and I prefer a transfer station. Thank you.”

**Chairman Winters** said, “Thank you sir. We appreciate you being here. Next speaker.”

**Ms. Andee Sullivan**, 10609 Hidden Valley, Wichita, said, “I am ten years old and I go to Wichita Friends School. I have seen the commercials on TV about recycling and whether we should have a new dump or not. We have talked about recycling at school and my brother and I taught our parents how to recycle at home. I don’t know much about dumps but I know they leak and they ruin land and water around them and that can make people sick with things like cancer and cause a big mess that has to be cleaned up later.

“I’ve come here today to ask you not to choose the easiest and cheapest way for your generation. Please choose what is safest and best for all of us. Thank you.”

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**Chairman Winters** said, “Thank you very much for being here. Next speaker please.”

**Ms. Betty Ladwig** said, “Good morning. I’m Co-President of the League of Women Voters here in Wichita. I am here to speak in behalf of more recycling in the City of Wichita. When the League was first organized in 1919, one of the first measures that we became involved with was a safe milk ordinance for the children of Sedgwick County. We continued to be concerned about issues involving our health, our land use, and anything that pertains to the environment. We are concerned about this issue because last December we began, at the County Manager’s request, helping with the committee that led discussions out in the County and the City on the issue of solid waste management. We want to thank all of the people who participated in those discussion groups. We want to thank all of you for the countless hours that you agonized over the decision that you’ve got to make. We know that the Solid Waste Management Committee has spent countless hours working on this issue.

“We want to say that in the groups that we were personally involved with, that I was personally involved with in those discussion groups, there was no clear consensus on how we are going to solve this issue. There was a consensus on the necessity for more recycling. We believe, and last Saturday I helped hand out folders or pamphlets on the rally that occurred yesterday noon here on the grounds of the Courthouse on the need to recycle. There was a constant stream of people coming into the west Wichita Dillon’s store as I handed out those flyers. We think that the grappling with this problem has been agonizing for all of you. We know that much more can be done to minimize and reduce the waste that goes into our solid waste management decision. We need to do more recycling. We need more education on how to recycle and in the 35 years that I’ve lived in Wichita, I don’t believe there has ever been a thorough coverage of this issue that there has been in the paper, by you as the County Commissioners and by the City Commissioners, trying to involve the citizenry and making democracy work in Sedgwick County. We know you have a tough decision to make and we would just hope that it will include more education on recycling, the emphasis on the importance of recycling, and making it available to the citizenry. We thank you.”

**Chairman Winters** said, “Thank you ma’am. We appreciate you being here. Next speaker.”

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**Mr. Bryan Jaax**, 11915 East 69th North, said, "To coin an old cliché, I guess this is what you get paid the big bucks for. In my involvement in the last year, which has been pretty in-depth, I am on the Solid Waste Planning Committee, studied the issue. As a resident of the Furley area, I've looked at it from an emotional point of view, hopefully from an unbiased point of view also. I've kind of narrowed it down to it is either do you want recycling or do you want status quo. That's what it boils down to. If we choose status quo, we need all the tons we can get to pay for the darn thing. That's what it boils down to. It is the same situation we have out at Brooks today. We've got a huge bill for cleanup and we've got to have the tons to pay for it. So far, yesterday, in our Solid Waste Planning Committee meeting, I asked the City what was their projected percentage capture of household hazardous waste in small quantity generators. Chemicals that they could capture with their expanded household hazardous waste program. They couldn't give me an answer. Greg Ferris himself made a statement that when someone asked what was going to happen to Kingsbury, is it going to be a C & D landfill? He said, I thought that Furley would be a better place for that since trucks are going to be going there anyway. There goes that buffer zone and now we have a solid waste landfill and a C & D landfill.

"I don't have a whole lot of copies of this. This was presented to the committee yesterday. This is what they can do with the \$7,000,000 they are going to save: complete Kellogg freeway from city limit to city limit; \$88,000,000 for railroad overpasses; 70 additional I assume City Police Officers, it doesn't say Sheriff Officer's; 112 additional fire fighters and six new fire stations; 175 new public school teachers. Everything in here is the City of Wichita. I thought it was the County's trash. This is what scares me more than anything. There are 100,000 people out there that are not in the City of Wichita, they do live in Sedgwick County. They talked about \$7,000,000 in savings. I can see what they plan to do with \$7,000,000 in savings. It is big bucks to them too, \$7,000,000. If I was sitting over there with \$7,000,000 I could keep off of the tax roles and use for the City of Wichita, I'd be going for it too. Then recycling, the other hand, short term rent a landfill so we can take advantage of new technologies. Greg Ferris said yesterday, we're on the bubble. He threw out a term of ten years. Why did he use that term, ten years? We're going to build a landfill that is set up to pay for in 30 years and we're going to take advantage of new technology in ten years? Can't see the logic in that either.

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“Last night at the town hall meeting, which I had the pleasure of being involved in, George Rogers, as my friend Dan Wendell pointed out, said most of it is the City of Wichita’s trash, it’s the City of Wichita’s problem, it is the City of Wichita’s responsibility. Now how many were thinking a different answer than his final statement that went with that? I’m sorry, but 85th and Greenwich Road is not in the City of Wichita. Of course it is now. If we’re really concerned about costs, there are other parts of the whole system that we can address, a lot larger cost savings. I’ll leave you with that today. Thank you.”

**Chairman Winters** said, “Thank you sir. Next speaker.”

**Mr. James R. Brown**, 11350 North 79th, Valley Center, said, “I would like to say first that I oppose a landfill in northeast Sedgwick County. If I don’t want it to go out there then naturally I probably don’t want it to go anywhere. I support the decision of the Solid Waste Commission. I’d also like to say that recently, within the last six weeks, I was denied a life insurance policy. The reason for that was I had an elevated liver enzyme count, which I didn’t think nothing about it until I read an article in the Wichita Eagle on August 24, about people that live in zip code area 67147. I’m not trying to get any sympathy for myself, but there are a lot of younger people out there who will spend a lot of time in that area, so that is something to think about.

“I also question the City of Wichita. They are notorious over haggling over wages for their police officers, firemen, their bus drivers, their city workers, but yet they can come up with \$4,200,000 to buy land in northeast Sedgwick County. They already had a tract of land adjacent to the current dump. I don’t understand that.

“I’m also suspicious of another article I saw in the Wichita Eagle about their train bypass, which their number one choice was through eastern Sedgwick County. So if they put that in, what is going to stop them from taking trash from anybody that can put it on a rail car to ship it out here? I don’t understand that. Basically, I think that the recommendation of the Solid Waste Commission ought to be listened to and it ought to weigh heavy on your decision. Thank you.”

**Chairman Winters** said, “Thank you sir. Next speaker.”

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**Mr. Randy Parker**, 8401 East 101 North, Valley Center, said, "I sent each of you a five page letter via the fax that you should have received yesterday morning. I hope each of you had a chance to read it. I'll try to cover some of those items as well as an additional one or two. First, my preference is for a transfer station with a heavy emphasis on recycling. I don't think that a landfill is a way to generate money to be used for other places. I have a serious problem with that. Additional costs of a transfer station and recycling programs, I think if we look at it in light of the survey that was done that said the citizens of this County, of our City, have stated a preference for incineration. I think everyone knows incineration is the most expensive option that we face out of the three that we are considering. So I believe that indicates that the citizens of Wichita and Sedgwick County are willing to pay a little bit extra to take care of this problem in a more environmentally responsible way.

"The long term financial responsibility and lack of environmental indemnification in a local landfill is a serious concern that I have. I don't think the City Council has done a very good job of handling the Brooks cleanup problem. I don't trust them with their \$15,000,000 insurance policy as the future cleanup costs will continue to increase. I think after the landfill is in operation for a few years they will decide to save the money that it costs them to maintain that policy and use it somewhere else for some project that they want. I don't think that residents of the County and the City fully understand that they have land out there to operate for 40 to 50 years. The buffer zone that they proposed will be encroached upon when their 300 acre actually dumping area is used up. They will encroach upon that, there is no doubt in my mind. I don't think the residents understand that for the time that landfill is in operation as well as 30 years after it closes, we have financial responsibility for any leakage that occurs. That is a phenomenal time period to look at for putting something in the ground and hoping that a liner that no one will guarantee and that KDHE states will leak, that we can hold to that. What happens after the 30 year time period? We are going to have another cleanup just like we have in Sedgwick County within the City limits, all these small dump sites that we continually find that we have to go back and clean up time and time again.

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“The Furley site is also very close to a railroad line. It would be nothing to put in a railroad spur or set up a container, a loading and unloading facility on some land next to the existing rail line and truck those containers into the Furley landfill. As we know, interstate commerce regulations and Supreme Court rulings have made it clear that you cannot keep out trash from outside the area and interfere with interstate commerce. So we are not going to be able to keep out trash from other states or other cities. I have a friend who lives in Seattle and he says that it is \$100 a ton for them to dispose of their waste and it is a several hundred mile trip for them to get to a regional landfill. If the tipping fees are kept low enough to please the residents then they are going to be low enough to haul waste in from across the country. The rail fees would not be that high.

“Finally, you appointed a committee of residents from both the City and the County to study this problem. I commend you for your expanding the committee, I think it was 19 originally to 30 that state law allows it to be. You made field trips, you listened to presentations, you listened to engineers, they thoroughly studied this issue and made a recommendation to use a transfer station. I think that is a phenomenal amount of citizen input from people who were able to see information that most of the public doesn't get in a comprehensive manner, you just get bits and pieces of it. I hope that you follow their recommendation. Finally, I don't believe the City will lower their trash fees. In the Saturday Wichita Eagle, they stated that it would be \$20 a ton for a landfill. Last night, on KAKE, Channel 10, there was a comment that the City might be able to roll the fee back from the current \$26 a ton to \$25 a ton. I think I made a statement in my letter to you that I don't see them rolling that back. Once it is up there they are going to keep that. If their costs go down, they will use that additional money for other reasons. We've already seen that from Saturday to last night, we've gone from a \$20 approximate tipping fee to well, we may be able to roll it back to \$25 a ton.

“So in closing, I'd like to thank you for the time that you spent on this issue. Again, I support a transfer station which a heavy emphasis on recycling. The Kingsbury site, with its infrastructure is an excellent location to put a transfer station and I hope that you follow the recommendation of the committee that you appointed to study this problem. Thank you for your time.”

**Chairman Winters** said, “Thank you sir. Next speaker.”

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**Mr. George V. Fulp**, 14220 E. Donegal Circle, said, "My first address to you was at the meeting at the Zoo and I want to thank you for holding that public hearing. It was a good turnout, good input. As a formal public official of the State of California, which is perhaps the most highly regulated and most highly environmentally conscious state in the union, I tried to share with you at the Zoo some perspective and insight because I've gone through this scenario of what to do with solid waste disposal. You've heard all the geology reports, you've heard numbers, landfill costs, transfer costs, incinerator costs, you've been given input by your professional staff and outside consultants. I'm not here to rehash that. Redundancy can sometimes drive you mad, I understand that. But if you listen to one prior speaker that was heard this morning, the answer in my opinion becomes abundantly clear. That young lady who spoke so eloquently said it all. That is what you're all about and we're all about. She is our future and I have ten grandchildren about her size. They are our future in this County and in this Country. If we put aside political differences, if we put aside special interests of the local 30 haulers versus a landfill, versus Furley, versus Brooks, versus Kingsbury, and listen to that young lady, our tomorrow, our responsibility becomes very, very clear. Environmentally, southeast Kansas is not suitable or ideal for a landfill. It really isn't geologically, you know that. Let's now be redundant. The Solid Waste Committee's recommendations are a good outline. I recommend that they be followed. I recommend from my experience that they be augmented because if you want to recycle you must go toward recycling and diversion from a landfill full bore, you can't go half way. If you choose the landfill option you have to play down the responsibility or desire to recycle because you do need that volume to repay the debt service that you are going to incur building the landfill. If we want to be morally conscious, if we want to be environmentally conscious, then you do to transfer station, diversion, recycling and banning construction waste and green waste from a landfill. But when you say ban, you can't just say ban it and forget it. You must augment the Solid Waste Committee's recommendation by adding specifics as to alternatives of what to do with green waste, once you ban it from a landfill. It should be banned from a landfill, but you have to give the public and businesses an alternative to do something with it. The same with construction debris. The same with recyclables. You have operating MRFs in the area, if they are adequate to handle the volume, and that is the way you want to go, then you have to provide residents with the ability and the incentive as you have already heard to recycle. If you decide to recycle you shouldn't have a landfill, because you won't have the volume to pay the debt service off. You'll find yourself in a situation where you will have to go out and solicit trash from other states and other counties in order to have the volume and the cash flow to make it work.

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“My recommendation from my experience is that you adopt the Solid Waste Commission’s report and adapt it to provide curb side pickup, and diversion for all recyclables, all green waste and ordinary trash. Give your businesses an incentive to recycle. People don’t understand in the equation how much trash is produced by apartment buildings. High density businesses and living complexes. Give businesses an incentive to recycle. You can put a cap on current rates. You have that authority not to exceed to keep the costs down. You can use Kingsbury, which you already own, and lease it to a privatized operator, which you go out by RFP (request for proposal to determine) who is going to operate the transfer station. Lease it to them for \$1 a year. It helps keep the downward pressure on the total cost of the program. You can determine not to exceed rates for the hauling of the trash to the transfer station to its ultimate site. Please, whatever you do, if you decide to go transfer station, keep control of the final destination of the disposable trash. You keep that control. So in summary, Mr. Chairman, I do recommend that you adopt the Solid Waste Commission’s recommendation with some of those adaptations. I am willing to share with any member of this Commission and/or your staff, the RFQs (request for quotation) and RFPs, which my city went through in Southern California before I returned home to Wichita. Thank you for your time.”

**Chairman Winters** said, “Thank you for being here sir. Next speaker.”

**Mr. Tony King** said, “I live in Sedgwick County, however I live in Wichita, which is also in Sedgwick County. I have lived here 78 years. I’ve seen a lot of dumps built. We used to call them dumps, I guess they are landfills now. I’ve lived close to about four of them. They’ve been built all over Wichita and we survived. Nobody wants one in their back yard, that’s for sure. I think the decision here that has to be made is what is the best decision for the most people. Maybe not for the long run, maybe not a hundred years from now, they may have a great idea for getting rid of all this junk. Right now, the most economical way to get rid of it is a landfill. It has got to be somewhere. So I guess I am the only one here who is speaking out in favor of building a landfill. I don’t know that we’ve got the best place right now for it. I don’t know where the best place would be, but I do know that it is not economical to dump your stuff one place and then pick it up and take it somewhere else and dump it. It’s got to be dumped somewhere, right? Now it is wonderful, it sounds like a wonderful idea to haul it off to somebody else’s back yard. That isn’t right. It isn’t economical either. I think we should think long and hard about making the solution to this problem and consider what is the best for the most people both in Wichita and out in the County. We’re all residents of Kansas. Thank you.”



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**Chairman Winters** said, "Thank you sir. We appreciate your being here. Next speaker."

**Mr. Joe Hoover** said, "My business address is 3850 N. Hydraulic and I am representing the Wichita Public Schools today. While the Wichita Public Schools have taken no official position regarding the merits of the various solid waste disposal options under consideration, I bring your attention to the fact that the School District represents a major user of current disposal facilities. We have over 100 facilities within Sedgwick County and serve as an education and employment center for nearly 55,000 individuals on a daily basis. The following represents our recent expenditures and total tonnage for solid waste disposal in Sedgwick County. During the 1995-96 school year, we had approximately 4,212 tons and expended about \$64,510. During the '96-97 school year, we disposed of approximately 4,500 tons and expended approximately \$96,767. For the coming school year, we anticipate our disposal will remain stable at approximately 45,000 tons, but since there was an increase in the disposal fee, we now anticipate our costs will be approximately \$117,000 this coming year.

"We understand that disposal cost projects for various options are preliminary and could change as final plan details are developed and implemented. Based on our current understanding of the ultimate cost of the landfill disposal versus transfer station disposal it would appear that the school district would experience a savings of about \$18,000 annually if a landfill is constructed while a transfer station being used could result in a cost increase of nearly \$54,000 annually to the district.

"The Wichita Public Schools has continued to work toward reduction of our solid waste in order to save operational dollars and we've implemented a cardboard and styrofoam recycling program in recent years in addition to our paper recycling program to further our attempts in the area of solid waste reduction. We would ask that you continue to consider potential cost impact to large users as our school district as decisions are made regarding the future of solid waste disposal within Sedgwick County. With the limitations on funding for public education, any significant cost impact resulting from your decision regarding solid waste disposal means fewer dollars for future classroom instruction. We understand that there are many issues to consider in making this decision and we appreciate the importance which you have given to this matter. Thank you."

**Chairman Winters** said, "Thank you Mr. Hoover. We do have a question. Commissioner Gwin."

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**Commissioner Gwin** said, "Thank you Mr. Chairman. Mr. Hoover, you talked a little bit about the recycling efforts of the public school system. Since the increased tipping fee has been implemented, have the school systems looked at other methods of recycling or waste minimization? Have you made any changes in the way you do business?"

**Mr. Hoover** said, "We really have. One of our big problems is food waste, it is really heavy. With the milk that is thrown away and the food waste, we really haven't been able to impact that significantly yet. We have done some things on a pilot project. For example, with Earhart and I think Riverview was doing it too while it was still open, we had a farmer that was taking the excess milk and taking excess vegetable waste and feeding it to hogs. But we haven't been able to do anything on a large scale."

**Commissioner Gwin** said, "Do the tonnages that you have given us, do those include recycled materials? All the trash produced or are those exclusive of the recyclables?"

**Mr. Hoover** said, "No, those are just things that have been land filled. Yes, we do have the styrofoam shipped to Mason, Michigan, and it is recycled."

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

**Chairman Winters** said, "Thank you Mr. Hoover. Next speaker please."

**Mr. U. S. Beasley**, 1740 N. Green, said, "It is a pleasure to speak to you, but I'd sure hate to be in your shoes with the decision you've got ahead of you. President Truman said the buck stops there and the decision you make is going to affect everybody in this County for years and years to come. First thing I want to say is I don't like the transfer system because I want the County Commission to have control over this trash and when you ship it off to other places you're not going to have control. They might want the trash now and they'll sign a contract for so many years. Later on, they won't want it and you don't have no control. But if you have your own landfill you can build it to environmental specifications that are available. Even you can do like California on auto emission, you can make it better if you want to. A new landfill does not compare to the old landfills like Brooks. You'll have pumps around the perimeter of the thing where you can monitor the leakage so if any comes out you'll know it right away and you can stop it or whatever you do. It won't be where it gets way around miles and miles before you know it, because you would have the perimeter pumps and can monitor it. The new one you will not allow liquid stuff to be dumped in it."

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“So that way you wouldn’t have as much liquid and you’ll have liners that might leak but still it won’t like be like the whole thing just going down in the ground and you will have control of everything. Like on your tipping fees, you’ll have control over that if you’ve got your own landfill. When you ship it off to some other place, you won’t have control over that. This deal about people saying that you won’t have to pay for the cleanup after it is closed down in 30 years, they are going to get it from you as you go in the tipping fee, even if they have to shoot you at the end, you’re going to have to help clean it up. If you’re hauling it out there, you’re still going to pay for help cleaning it up. I don’t care what anybody says, you’re still going to do it. They are going to take it. At first when you go in there, they are going to add it on it and later on they’ll hit you with it. You’re still going to help clean it up, just like your one out here, but you won’t have any control over it.

“What I want is this County Commission to have control over the waste. There will be a lot of recycling. One thing I know is when you start recycling a lot, just like the one county recycling newspapers, you know they use for cellulose insulation. It got a glut where you couldn’t give it away, but anyway, I want recycling. You can demand what recycling you need along with this landfill. But, you have control over it and that’s what I want, the County to have control over it. You don’t have control when you are shipping it somewhere, cause the Commission wherever you ship it, they might have somebody’s favor for that and next year, ten years, whenever your contract is up, they’ll get somebody in there and they don’t want any trash no where around and we have no control over that. You always have control in Sedgwick County and I know that the geological makeup of all the soil in Sedgwick County is not bad where it is going to go right down through sand and run out all over the place. It is not like that. Some parts of Sedgwick County might be sandy so many feet down, but down in there, you’ve got clay and all kinds of stuff. I had an 8-inch case well drilled and it was sand down to about 15 feet and after that you ran into some stuff you couldn’t hardly go through. Anyway, I don’t like this adversary deal between the City and the County. You are supposed to work together so everybody is for Sedgwick County and somebody is trying to pitch the City against the County, which is bull. You work together and I know you have been doing a good job at a lot of things. Some things you can’t work together, but you work it out together, not as adversaries. I don’t like the deal of somebody threatening to sue you. It is your job to make a decision and somebody comes up and says we’re going to sue you, to hell with the suing. You know you do your job and I don’t want that threat over your head, but I want you to have control over it from the time it is dumped.

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“Anybody knows when you transfer trash from one place and pick it up and take it someplace else, it’s going to cost a lot of money. You think you see trucks around here. You wait until you see the trucks that will be hauling it a hundred miles away. They are going to be big and they don’t get much gas milage and the drivers are going to be getting big pay and you don’t have no control over that and you just don’t have any control over it. Once it gets out of there and is transferred to some other part of the state you don’t have any control over it, but you’ve always got control over it when it is in Sedgwick County. Thank you.”

**Chairman Winters** said, “Thank you sir, we appreciate you being here. Next speaker.”

**Mr. Richard E. Brown**, 1821 Greenwood, said, “We’ve spoken to the Commission before and we mentioned that we’ve been circulating a petition requesting that the Kingsbury site be reconsidered. In spite of all the praise for the Committee that the Commission appointed, they could not and did not study all possible options because the Kingsbury site had been taken off the table. We have 424 signatures so far on our petition. That is equivalent to the random survey that the Eagle commissioned and got no consensus. We’ve got at least a 95% agreement with our request for reconsideration of the Kingsbury site. Without belaboring the points, which you have heard over and over again, we would like to introduce some further points to consider.

“I’m told by the Harper County engineer, that Harper County put in a transfer station in January or February of this year. When they first opened, they were hauling five compacted semi-trailers a week to a landfill in Pratt. That volume is down now to two trailers a week and they don’t know where the 60% of the waste stream went, they’ve lost 60% of their tipping fees and they are struggling mightily to figure out how to pay for that transfer station. If we experience the same reduction in the waste stream in Sedgwick County we’re faced with a financial disaster.

“What we are proposing is that we reconsider the Kingsbury site, which has been judged safe by the SCS Engineering Corporation out of Kansas City. With the idea that it is a temporary solution. We’re not being given a choice between a transfer station and a local landfill. We’re given a choice between a distant landfill and a local landfill and we have problems with the social irresponsibility of that choice.

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“We would suggest that first we set down specifications for handling the waste stream. Aggressively exclude toxic waste. If they don’t go in the top of the landfill, they can’t come out the bottom. All of the technological questions can be addressed and I think safely. We would challenge the State, the County, and the City to adopt a goal patterned after Kennedy’s goal of putting a man on the moon by 1969. The goal would be to eliminate the need for landfills by saying 2010. That would make the use of the Kingsbury site for that period probably acceptable even to the people at the Moorings, considering that we could start the landfill at the extreme west edge of the complex. The technological problems I think are certainly not easy. They are challenging, but they are definitely workable and I don’t think the goal of eliminating landfills by 2010 is unreasonable in any way at all. Considering the acreage that the City has purchased in the Furley area and the fact that the Waste Management Incorporated owns similar acreage right across the road, it looks very much like we’re going to be vulnerable to train loads of trash coming in from possibly as far away as the eastern seaport. You can bet anything that you want to name that the eastern seaport looks at the entire great plains’ area with lust in their heart thinking that is a perfect place for our garbage to be dumped. Maybe our only defense against that in the long term is to establish this task group that would be independent of the government, the State and independent of the County and the City, establish this task group with the goal of eliminating landfills.

“To those who think the Kingsbury site is off the table simply because the City says so, I would point out that the County Attorney claims that the County has condemnation rights over the City property. So that may be a difficult question, but Kingsbury is not off the table. I would also like the County Commission to consider what would happen if we have another OPEC oil embargo, similar to that that happened in 1973 and what impact that would have on trucking 1,000 to 1,500 tons a day, 150 miles to a rock quarry. We’ll be blowing millions of gallons of fossil fuel which we sometimes cherish and sometimes waste. We’ll be blowing it into the atmosphere and getting nothing in return except the absence of seagulls and crows in Sedgwick County.

“We want to submit another quantity of signatures and we’ll be submitting the entire petition later. We would ask that you open Kingsbury and have another interim of time, maybe a month or so, to consider it and give us the numbers. Don’t give us generalizations like Kingsbury is not viable.”

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

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**Mr. Bill Earleywine**, 618 East 58th South, said, "I've been working with a group that has been promoting pyrolysis for about three and one half years. Most people still don't know what pyrolysis is. We think we can use the Kingsbury site and develop a pyrolysis plant and recycle everything that is hauled up there. You don't have to cut out the leaves or grass or anything else, it will all be recycled.

"There was quite a number that requested incineration. We know that if you burn up a product, all you've got left is ashed. I don't think there is a demand for ashes, but a pyrolysis plant is like a big oven. You ladies know that if you put a cake in the oven, you set the timer, you set the temperature, so that it comes out at exactly the right time. What happens if you leave it in there too long? It chars it, doesn't it. That's exactly what a pyrolysis system does. You feed the biodegradable materials into this huge oven. It is timed so it goes through at a predetermined set rate. The temperature is raised about 800 degrees, what comes out the far end is pure carbon. That is a salable item. In addition to that carbon, all of the moisture that comes out of it, because when you get carbon at the other end, it is perfectly dry. Those gases go through a condensing unit and what comes out is crude oil, another salable item. The parts of the vapor that don't condense is a volatile gas. It can be used commercially. It can feed the fire of the furnace. It can feed machinery. It can be bottled and sold. Everything that goes through it is resalable. We need that consideration.

"I've been asked if this is so good, why hasn't some private concern picked up on it and competed with it. Because it can't be done. They have to have full control of all the elements. They have to have control of the trucks coming in, have contracts for the products going out, and it just can't be done piece meal. It has to be a full-blown product. We're asking for financial support to get a prototype, a smaller machine set up like a 10 or 50-ton a day and operate it for a year, take the data off of it, project it for a full-blown plan, put it in the Kingsbury site and operate it. It can be done. We need your help."

**Chairman Winters** said, "Thank you sir. I might remind any of you who have already spoken, if you would like to find a chair in the conference room, we do have a conference room with televisions in it and you can continue to watch our deliberations from there. Next speaker please."

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**Mr. Don Langford**, 6415 N. Greenwich Road, said, “Thank you for the opportunity to address this issue once again. I live less than two miles from the proposed dump site. I am here on behalf of my family, my wife, and my daughters, to ask you to do the right thing and not accept the City’s plan. We lived on North Greenwich Road for the last 17 years in a home that we built ourselves, my wife, my father-in-law, and myself, in the heat of the summer and the cold of the winter. It took us two years to complete it. I run and bike in this area as many of my neighbors do. This is where I live. I don’t think that a dump is compatible with homes and people who live in them. I don’t think a steady flow of large trucks, pickups, trailers, loaded with waste is compatible with housing and a farming community. I don’t think that rats and large swarms of birds will make it any more appealing.

“It is not an accident that the legislature entrusted the counties with the responsibility to plan waste for the good of all. Knowing full well that large metropolitan areas might act in their own interest and ignore those of the region. The City of Wichita is too large and an imposing force to ignore the impact of its decisions on surrounding communities. Our County isn’t large enough to accommodate other environmental errors. There shouldn’t be a new dump of this size anywhere in Sedgwick County. We have no representation with the City. We are therefore looking to this body, our elected representatives, to render a fair decision. I believe that the City’s plan is ultimately flawed. Common sense tells me you don’t put a dump next to a failed and dangerous site like Furley dump site. You don’t take a chance on contaminating ground water by putting a landfill close to a water table. Brooks Landfill is a case in point. Would anyone today propose putting a dump next to a river where people receive water? I don’t think so but at some point someone thought that was safe. The mistakes of Brooks and Furley are being ignored by the City and it is up to you to make a better decision, one that includes a transfer station of all waste to a safer site from populous areas. One that doesn’t pollute and doesn’t create health problems. One that includes recycling, one that doesn’t involve expensive cleanup and law suits and one that doesn’t lower the living standards and property values of residents,. Asking us to accept the dump where we live is the same as asking Wichita to turn Riverside Park into a dump. We’re not asking that, but we don’t expect others to ask us to do the same thing. The bottom line is Wichita does not have the right to pollute its neighbors. When this is all over, you are the ones who will have to look your children, your parents, your friends, in the eye and say I protected the environment for the next generation. I listened to and kept faith to the people. I did the right thing. For me and the rest of the people in these chambers, we’ve done the right thing and now it is your turn. Thank you for your time and your attention.”

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**Chairman Winters** said, “Thank you very much sir. Could I see a show of hands of how many people remain in this room that would like to speak this morning? Okay, we’ve got several. Thank you. Next speaker please. Please come forward.”

**Mr. Robert Held**, 6107 Maple, said, “As I come up here, I feel a little bit reminded of a fellow I used to work with in the leadership development program, who used to tell us that everything that there is to be said has already been said. I kind of feel like that and certainly you may feel like that this morning after listening to this. When I look at the issue, I think as has been said before, there are two issues here. One has to do with the quality of life and the other has to do with dollars and cents. When we look at the quality of life, I think most of us are aware that that costs us money. It costs to improve or maintain the quality of life. If we look at the City of Wichita, most of us that live here invest a certain amount of money in the parks and the trees that we plant and to take care of them. That is all in my view an improvement in the quality of life. So I think that in the equation has to be in there. I spent a lot of years, what I call looking at design processes, solutions to problems. One of the things I learned over that period of time is that it can either be complex or rather simple depending upon how I approach it. Sometimes I learned that complex problems become rather simple if I have all the ingredients and have asked all the right questions. When I look at the issue that you are wrestling here today, it appears to me that we as responsible citizens within the Wichita city limits, shouldn’t be asking those who live in the County to accept a quality of life that is less than we would be willing to accept ourselves. Putting a landfill in there obviously has to decrease their quality of life. Plus it will create a lot of environmental issues.

“I see the numbers that were printed in the paper where I think it was about \$12.75 you could do a landfill and \$14.01 if you do a transfer station that it would cost us in the City of Wichita. I, for one, would certainly pay another dollar and a quarter if I had the choice between that and putting a landfill in my front yard. I don’t believe there is any hesitation about what I would do. We have a problem in the Country today of maintaining three of our most important national resources, one is the air, one is the water, and one is the land that we live on. There are lots of statistics that say we are washing the land out to sea at a really high rate and we know we all keep polluting the air. A recent thing, it was in 1996 I think, came out, it was a government report that said 70% of the tap water in the U.S. is contaminated and needs some cleaning up.



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“Well, I think we need to be responsible for the resources we’ve got. It is hard for me to believe that you can float a landfill on top of a body of water, you can get arguments on whether you are floating it or not, but you obviously have a body of water there that you are working with. To separate it and think that a piece of whatever it is, plastic, that no one really knows how long it will last and as previous speakers have said, the manufacturers don’t even guarantee how long it will last. So we’ve got an unknown situation of what’s going to happen there and a high probability that we’re going to have a contamination. If you started to design this, what is the design guidelines that you are looking for? Does this plastic have to last 25 years, 50 years, 100 years, 200 years? Does it need to last indefinitely? I don’t know that we can get the answer to that. The people that live in that vicinity have been caretakers for that land, some of them for many generations. There are generations out there.”

**Chairman Winters** said, “Sir, that’s five minutes, so why don’t you go ahead and continue your thought there.”

**Mr. Held** said, “I believe they have a right to continue that way of life and a landfill is certainly not going to improve their way of life out there. I think we have to look at this thing as if I’m there would I want it. It’s kind of like do unto others as I would have them do unto me. I think today a transfer station would make more sense. We know that the rate of technology is changing very rapidly. In a few years, there may be lots of alternatives. Thank you.”

**Chairman Winters** said, “Thank you. I didn’t get your name and address.”

**Mr. Held** said, “Robert Held, 6107 Maple, here in Wichita.”

**Chairman Winters** said, “Thank you very much sir. We appreciate your coming today. Next speaker.”

**Ms. Carol Robarchek**, 9800 N. 127th East, said, “I am coming here today to read a letter from my husband, Clayton Robarchek, who is a teacher at WSU and has a class at this time period. He submitted this letter to the Eagle but they did not print it. Landfills are the dinosaurs of solid waste disposal and no longer have a place in a wiser and more sensitive world. This is from an editorial from the Wichita Eagle Beacon, May 3, 1987.

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“That was good advice and if it had been heeded then, we wouldn’t be facing the problems we have now. Instead, we have Councilman Ferris and Kamen consulting their Ouija boards every few weeks and coming up with a new landfill cost estimate no one else who has studied the problem can replicate.

“They must be getting their geological information from the same source. Councilman Ferris says the water level at the Furley site is 33 to 40 feet below the surface. It is true, there is one at that level, but the survey done by the U.S. Department of Agriculture Soil Conservation Service found a water table as shallow as two and a half to six feet below the surface and local residents can, as one did recently with an Eagle reporter, point out places where the groundwater breaks through the surface as springs. That same U.S. Government survey also specifically describes the soil at the Furley site as unsuitable for sanitary landfills because they are unsuitable for covering a landfill. So, if as Councilman Kamen said, in his article last week, this was submitted August 12 of ‘97, each days trash accumulation will be covered with top soil every night, thousands of dirt will have to be hauled from somewhere else to do it. I know this because I planted 300 trees on our property. I have to take a spatula to get the clay off my shovel to take the next bite. So you will have to haul it. That means yet another land purchase, in addition to the transport costs and environmental impact. I’ll bet that didn’t make it into their cost estimate.

“Of course, the Councilmen have two very good reasons for pushing a landfill at Furley. First, they need to profit from the new dump to pay the ever escalating costs of cleaning up the ground water pollution from the old one. Second, if no dump is built at Furley, they are going to have to explain to the voters why they paid several times the market value, more than \$4,000,000, a sizeable chunk of which went into the pocket of Councilman Ferris’s friends, as reported by the Eagle for a thousand acres of useless land. I have copies from our Sedgwick County soil survey with the types of soil that occur at that site highlighted for you and finally, for myself, I would like to appeal to you, to implore you, that you are our only chance to have someone be responsible for safeguarding and enhancing the quality of life that we, as citizens of this County, enjoy. This is a totally unsuitable site. We are for a transfer station if for no other reason than it may buy us some time perhaps for some of the new technology that was just discussed earlier. This site is totally unsuitable. With your permission, I would like to submit these papers.”

**Chairman Winters** said, “Yes, bring those forward. Thank you very much ma’am. Next speaker.”

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**Dr. Ben Huie**, 12011 Rolling Hills, said, "I'm an environmental scientist, chemist and geologist, with over 12 years of experience dealing with solid waste management issues. To put it another way, I've been dealing with trash since I had hair, and it was black. I'm not here today to endorse any of the options that you are studying. I think you have described them well. All of them have flaws. All of them have pros and cons and it is going to be a very difficult situation for you. I do, however, question whether incineration waste energy has been adequately considered. However, that is probably not on the table here today.

"Today, I am here to comment on the larger picture of integrated solid waste management. As you all noted last night when I watched you on the news, all of the options you are dealing with are bad, just some may be less bad than others. You are struggling to try to choose that which you believe to be the least bad. I am calling on you today to take immediate steps to reduce that bad of whatever option you are forced to choose. Enact immediate ordinances requiring curb side recycling pick up throughout Sedgwick County. This would put recycling on an equal footing with trash pick up, which is already required by law even if a family generates no trash. Enact ordinances prohibiting yard waste and construction demolition debris from any landfill operating within the boundaries of Sedgwick County. Through the Health Department, move forward immediately to establish a comprehensive hazardous waste system to deal with such waste generated by both households and by small businesses. Such a system must include multiple collection sites throughout the heavily populated areas of the County and at least one mobile unit to serve outlying rural areas. The approximately 100 tons per day of hazardous waste currently being dumped in Brooks will be the source of tomorrow's groundwater contamination plumes. Contamination that may eventually threaten the water supply of the crown jewel of Sedgwick County, our zoo.

"Through the Sedgwick County Department of Environmental Management, establish a thorough and ongoing program to educate the public on all of these issues concerning their solid waste, particularly household hazardous waste. Enact a one dollar per ton fee on all solid waste disposed of in Sedgwick County at any facility. Revenues raised from this fee should be used to fund these aforementioned solid waste management programs. Do not wait until the year 2001 to enact these measures, act now, so that these programs will be fully operational before whatever option you must choose goes into effect. Other jurisdictions throughout the United States have enacted similar ordinances regulating landfill operations within their borders, even though they are not actually running those operations. You should be able to enact similar legislation here in Sedgwick County.

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“Some months ago, when we were faced with the loss of the Dillons drop off bins and the City Council dropped the ball regarding their own public commitment to support those sites, you stepped in. You found the revenues to keep this pilot program alive. I call on you to provide the same kind of leadership again today that you provided then. Enact these programs now, don’t wait five years. Move now to lead Sedgwick County forward into the 21st century, not backwards into the 19th century. Thank you.”

**Chairman Winters** said, “Thank you. We appreciate you being here Mr. Huie. Next speaker.”

**Mr. Bruce Bodecker**, 1945 N. W. Butler Road, Benton, KS, 67017, said, “I’m a farmer in the neighborhood of the proposed site. Let me first say that I don’t dress up like this except for church, weddings, or funerals. This isn’t a church, we’re not getting married, and I certainly believe it is a funeral. I’ve attended all the public speaking that you have and virtually 80 to 90% of the people are in favor of recycling and a transfer station.

“Let me give a little eulogy here. First list is contamination. The post site has been contaminated by a local hazardous waste landfill that leaked. If you buy into that site, then somehow you accept a responsibility of protecting us not only from the old contamination but from the new. You’d have to spend some money to monitor the few acres of land between the two facilities and that is going to increase your cost. The site has been contaminated by the City. They pulled some fast ones. They’ve been a bad actor in the way they purchased that land and the way they went through zoning and I think you step into that contamination if you accept the site at Furley.

“Geology out there, there is some clay that is supposed to be acceptable for a landfill. We found out one time that it was not. It is true the soil does not make good cover for landfills. There is also an issue called a shrink swell. The clay has an amazing ability to absorb a lot of water. When it does, it swells up a bit and then as it dries, you get the Kansas hot weather, it shrinks up as the water is evaporated or used up by crops. That is an engineering problem. I haven’t heard anybody speak to that. There are a lot of homes in the east side of Wichita whose basements are cracked, new homes, expensive homes. We had a church addition built. I talked to the architect about the problem of shrink swell and he didn’t do anything to solve that problem. The walls of the church have cracks in them because a powerful force is exerted by this process of shrink swell. That clay out there is about as high in shrink swell as you can find.

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“I’d like to note that there have been no children come up and speak to you during this process that said they wanted to pay for the cleanup of another landfill. They were all opposed to a landfill or in favor of a transfer station. From the wisdom of small children we should pay attention. The costs are of course from the City of Wichita estimates. An interesting thing there is their reason for wanting a local landfill is local control. They want to control the issue. Well let me suggest to you that local control, if you’re going to put one out in the Furley area, it belongs with the Furley neighborhood. We have been through landfills for 20 years. We watched them built, get permitted, we sat and went to meetings while they were operated, we’ve even closed them down. We have a lot of experience, I think we deserve to be acknowledged. There are just things in that proposal that are not going to happen given our local control and I think we are entitled to that. So those costs are completely wrong, completely off. Probably an argument could be made that it is not even cost effective to have a landfill in the Furley neighborhood. Thank you for your time.”

**Chairman Winters** said, “Thank you sir. We appreciate your being here. Next speaker.”

**Ms. Margaret Miller**, 430 Waverly, said, “I am very happy to be here again and I’ll try to be very brief. I just want to say that I’m glad that I was able to be on the Solid Waste Committee for three years, because I’m very much interested in the issue. I missed very few meetings. I went to all the trips. I feel that I learned a lot on all that. I also want to remind you that I’ve edited a recycling news letter from ten years. I have received information from all over the Country and I send you the news letter. If you read it, you can learn some of these things. It is really a national wave now for recycling business to operate. Huge businesses are operating on recycled materials and they continue to increase all the time. These are cyclable, but I think over the long run, recycled business is going to keep increasing.

“I’d just like to address briefly the idea of a local landfill versus regionalism. I’m sure you know that under the subtitle D regulations and the KDHE that western Kansas has had to regionalize. In most places, several counties, up to nine counties or even more, have a landfill together and the KDHE is really encouraging this so there will not be so many small landfills, that there be bigger and better landfills. So the idea of a local can be quite a ways away. It can be the best landfill rather than one that is the closest. I mention that I’ve been interested in learning all I can about recycling all over the Country, which has grown by leaps and bounds in the last ten years, but somehow here in Wichita, I felt that it was kind of a well kept secret. It didn’t catch on here the way it did some places.

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“But now, I’m much encouraged that we have a new start, a fresh start. I’d like to see some of these actions begin immediately, like composting of yard waste, like separating the construction and demolition debris, that we’ve just got to keep that oil and household hazardous waste out of landfills and we need to begin the education on intensive recycling right away. Thank you.”

**Chairman Winters** said, “Thank you Margaret. Appreciate you being here. Next speaker.”

**Mr. Bill Taber**, 7430 N. 143rd East, said, “Like everyone else says, you’ve got a hard task. I know that one of you has, how many of you have actually come out and looked over the area to see what you are thinking about destroying? The other one is that several years ago there was a remark made by City officials then that was in power in the City, it has never changed, that until they had control of Sedgwick County they would not be satisfied and they have done everything since then. A lot of those same people who were on the council at that time, in one way or another is still there. Money, we all know that’s what has caused this whole thing. The other thing is we’re not getting a fair shake in the media. Someone told us here earlier we couldn’t stand back there because we might shut off the media. Why? They’re not giving the whole story anyway? At the Zoo meeting, the Eagle put out that, the man that was representing the paper then said he didn’t see anyone who was hardly opposed. Well he ought to have read his own notes, because what it was is that there were very few people who weren’t opposed. I am thoroughly for a landfill transfer station to a site that will take it that will let us have a chance for the advancement of technology. I was an Aircraft Mechanic in the military. When I first went in there, as I told one of you members the other day, it took long hours to make a pre-flight on a small airplane. When I left there I was a flight engineer and in about 45 minutes I could make a preflight on a C-5, which was because of technology. Money, yes, but which aircraft was safer? Which one does the job better, an old C-47 or a modern day C-5? Yes they cost money. Technology costs money.

“The whole issue here is that I think you have a chance to let technology catch up with us. Get the whole story out which is not being put out to everyone. I’ve asked people who were not at these meetings if they knew about it. Well, I saw some little deal in the paper or I saw something on television that lasted about that long. But you look at what is being put out there in the news media and the papers is whatever Royal Bob and his round table wants. I’m sorry, but I hope you listen to your hearts, listen to us, and give technology a chance to catch up. Thank you very much.”

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**Chairman Winters** said, "Thank you sir. Next speaker."

**Ms. D. Kay Johnson** said, "I'm the Chair of the Environmental Resources Committee of the Wichita Area Chamber of Commerce, our address is 350 W. Douglas. I appreciate the opportunity to appear before you again to present our continued position regarding solid waste management. The Chamber has actively studied this very important issue over a period of several years directly involving many of our members. A local landfill should be the first phase of an integrated solid waste management system. It must be built with an environmentally friendly design in a location that is compliant with environmental regulations and economically feasible either within or adjacent to Sedgwick County. The economic impact on nearby landowners must be recognized and considered and the landowners appropriate compensated. In addition, waste minimization and recycling must be developed and included on a voluntary basis for both residents and businesses.

"We believe that the success of minimization recycling measures is largely dependent upon citizens and businesses taking responsibility for the waste they generate. This responsibility will most readily and successfully be accepted through adopting a local landfill option. The process of waste management disposal must also take into account the needs of business and industry. We recognize that although many of these recommendations are supported by the Sedgwick County Solid Waste Task Force established by the County some are not. At the same time, we also realize that this task force, under the direction of Mr. Milt Pollitt, with the support of the County Manager and his staff should be commended for all that these have accomplished in the awareness that they have brought to our community regarding this issue.

"We ask that the County Commissioners also fully consider the impact to businesses and industry. With that thought, I'll provide some general concerns for your consideration. Number one, we must take responsibility for the waste we generate and deal locally with its disposal. A distant landfill will not encourage reduction and recycling of waste. Number two, we believe local control is most important. We would much prefer to work with our Sedgwick County elected officials than with others in distant communities. We are uncertain if the County has adequately considered the ability of large generators to make decisions and seek out more desirable and cost-effective disposal options. If large generators implement other alternatives than small business and residential generators may ultimately incur disproportionately larger costs. Number four, the needs of businesses are not homogeneous.

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“Each business and industry is different. In that regard, we are uncertain as to whether the County has fully considered the cost and process impact upon businesses. What are the bulk disposal costs for businesses? Do we expect restaurants to sort stuff like paper, plastic spoons and discarded food items? Do we expect sort separation of the waste in each hotel room? These examples demonstrate why voluntary source separation should be encouraged but not mandatory. Number five, the distant landfill option is just that, a landfill. Are there really added benefits to the distant landfill over the local landfill. A thorough cost benefit analysis has not been made available justifying the added expense the community will bear should the distant landfill option be selected.

“The entire County expects and deserves a solid waste disposal system which is protective of human health and the environment. Is readily accessible, reliable, cost effective, takes into account nearby property owners and has the least potential for super fund type liability. We believe this will be achieved to the maximum extent possible through a system which remains under local authority. We believe the local landfill is the best first phase solution. We also request that new technologies continue to be reviewed for community use and viability. We will continue to review additional information as provided and if warranted, we will consider revising our position. We commend your leadership and look forward to a decision which benefits our communities and our County. Thank you very much.”

**Chairman Winters** said, “Thank you Ms. Johnson, we appreciate you being here. Next speaker.”

**Mr. David Franks**, 3001 East 2nd Street, said, “It has been very interesting to see all that has been talked about and everybody seems to be writing while they’re talking. I think there has been a great amount of support, either from landfill supporters or from transfer station supporters for a heavy emphasis on recycling. I think a transfer station is sort of a landfill that you are always staring at, but you never bury, but it is halfway I think to the proper attitude about recycling. I think there would be some profit in this whole endeavor if the attitude toward the solid waste solution was a recycling solution that also involved a little bit of garbage. I think the transfer station might not be as appropriate as a materials recovery facility that also sends some trash away. I think that would be the most appropriate attitude to take about the whole situation. Thank you.”



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**Mr. Larry Ross**, 346 N. Bluff, said, “This morning I’m speaking as an individual. I am a member of the Sierra Club and a member of the Waste Control and Recycling Coalition and I’m comfortable with both of those groups’ positions. I’d like to share with you some of my concerns this morning. The key to this community, which is the entire Sedgwick County, is to emphasize waste reduction and recycling through pay as you throw program of trash collection supplemented by curb side recycling and either mandatory or voluntary in a ban of all recyclable materials from the final disposal option. The recycling program components should include for instance a causing behavior change by extensive publication paid for by the tipping fee, initiate mandatory bans on the disposal of grass and leaves, and of construction and demolition waste to significantly reduce the volume of waste disposed of and to make recycling convenient to the public by providing curb side recycling to produce marketable materials with the collection and delivery to the processing facility paid for by the tipping fees.

“Approximately one year ago, the Board of County Commissioners chose to take over the responsibility of solid waste management in our community. The Board of County Commissioners, in my estimation, should retain this control. Sedgwick County has made a commendable effort in the past year with the exceptional contributions of individuals, such as Irene Hart and Susan Erlenwein, and other staff, and those involved in the Sedgwick County Solid Waste Management Committee. I attended the meeting yesterday afternoon and I was very impressed and one of the things that came out of it was there were a number of committee members that had gone into this process with one idea but the more information they gained they came out with a different point of view. I think that Sedgwick County must be willing to make difficult decisions to lead this community to accomplish your decisions on a day to day basis on whatever decision you make today.

“I have some concerns about a landfill in Sedgwick County becoming a major regional landfill. I think the potential is certainly there. There has been very mention of at least a double liner for maximum integrity and regardless of the location, even subtitle D landfills, while there may not be any record, it is very early in their life and I think there is a distinct possibility for leakage later. I think Kingsbury is totally unacceptable. I think we must get away from landfills adjacent to rivers. Our fellow species on this planet seem to have a more enlightened perspective and they try not to fowl their own nests. Why we locate next to a river is beyond me. I have some concerns about the Furley site as far as geological considerations.

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“The transfer option I see as something that would require a new transfer station to be built at a new site with rail transport as a means of conveyance to a distant landfill location. I don’t believe that is possible with the existing location. It is interesting that railroads have kind of gotten a bad rap in this community over the last year or so and actually railroads are very efficient. They can do the job very well. I think Seattle, Washington is an example of that. I am concerned about the effect of truck transport to a distant landfill. This morning on the radio there was a report that last year there were 41,000 automobile related deaths in the United States. I would hate to see us contribute to that with truck flying up and back to a distant landfill. I think there are certain things that have been mentioned about the initial cost of equipment, fuel, maintenance, road maintenance, and as I mentioned, highway safety. I do believe that above all, recycling is a key to successful solid waste management policy.”

**Chairman Winters** said, “Mr. Ross, that’s five minutes, could you bring it to a close?”

**Mr. Ross** said, “I certainly will. We are now in the last 1,000 days of this millennium. Your decision will affect all citizens of our community well into the next millennium. Thank you.”

**Chairman Winters** said, “Thank you. Could I see a show of hands of how many additional speakers we have? Okay, we’ve got three or four so please come forward.”

**Ms. Vivian Smith** said, “I live at 10810 East 3rd in Furley. I know a lot of you out there think that we who live in Furley are a bunch of cry babies. I don’t agree with that at all. I think we are strong people and I believe in a higher power and I think the reason the Furley site was chosen to begin with was because God knows we’re a strong people and we’re willing to give a fight. I believe in all five of you up there and I think you’re strong too and that’s the reason you decided to undertake this to begin with.

“Now if the landfill does go in, I can avoid it. I live north of it. I can get to Wichita by going west. I don’t have to go down Greenwich Road. Besides that, I can shop in Newton. I don’t have to shop in Wichita. I also want to bring up some points that Mrs. White brought up one time when she spoke to you about the fact that they are building a house a mile away from the landfill and in order to put in their lagoon the water table was so high that they had to build their lagoon up on a hill. I want to remind you of that. So this whole deal about the water level being really deep isn’t in fact. This whole business about overflow of a landfill and they have pumps to take care of it. I don’t quite get this. Where are they going to pump this stuff to? I mean they’re going to pump it into the land aren’t they?”

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“They’re going to ruin our crops. It is still going to get into the water system, one way or another. I mean it is not going to be pumped out into the universe where it will never bother us again. I also just got back from a trip to Florida and in our hotel room there were two containers, one for recyclables and one for trash. I am thinking that if the people in Florida can ask their visitors to the Sunshine State to recycle why can’t we ask our residents to recycle? So I am asking you please don’t get locked into a landfill. There are just too many things against it. If you lock yourself into 30 years and if technology does develop then you’re locked into it. You won’t be able to reverse it for 30 years and you’ll still be paying for the cleanup of the overall pumps that is pumping this out to who knows where. Thank you.”

**Chairman Winters** said, “Thank you ma’am. Next speaker.”

**Mr. Omhuls Chauhen**, 31 Laurel, said, “I just came back from a trip. I visited Halifax, Nova Scotia, St. John, Newfoundland, Ireland, South Hampton, England, Lahou, France and Paris, France. One of the question, I haven’t been participating in this, how do these people handle their trash? You know, to my surprise, I didn’t have any technical experts, I just have the people who live there who have different knowledge, none of them told me that they pack up their trash. Newfoundland packs it to Ireland or Ireland sends it to England. Something that we think is not good for us is good for other folks in other parts of Kansas. I think that is not a solution. We have to look at this problem from not the point of view today but the 21st century, for generations to come. I think as long as human beings are there, there are going to be some trash. We have to figure out a closed loop system whereby we recycle and create the trash into products that we reuse. I think the basic solution rests with all of us collectively together, not with the County, not with the City, but with all of us. All the citizens must participate and it begins at home by separation. I looked at my trash, there are three categories, wood products, paper products, aluminum products. I think you can recycle, but the City and the County government could provide and manage that system. Provide a basis whereby people are encouraged to recycle. None of these communities that I visited, what they have in common was that the trash was managed somehow by the local government in a way that because you have like if we give a contract to one contractor that you pick up all the aluminum cans in the City of Wichita I think it is economical for him to do that. You give a contract to another contractor for let’s say paper products. It is economical. It is not economical because we’ve got hundreds of trash haulers doing it separately. So we’ve got to manage it.

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“But transferring your garbage to somebody else's back yard, it may be a solution for you, but it is not a solution for Kansas. It is not a solution for the United States. It is not a solution for this world. We've got to figure out a way to take responsibility ourselves, start separating, recycling, and even start before when we manufacture products. How we package those products. We've got to do that in a way which is environmentally friendly. If you look at your own trash, there is a very little amount of garbage that needs to be buried and it is biodegradable. So I think that I'm suggesting to you is that the technology that you keep talking about I think is available currently, we just need to explore it and find out what is best for all of us. Even if it costs us a little bit more, it is a little bit more inconvenient. But we've got to come up with a solution that is good not for today, not for tomorrow, but for many hundred years in the future. I thank you for your time.”

**Chairman Winters** said, “Thank you very much for being here. Next speaker.”

**Ms. Karol Schlicher**, 139 Brendonwood, said, “I'm here to speak as a member of the Solid Waste Committee and as a concerned citizen. After intense study of current information, field trips to sites, and help from County staff, I fully support the recommendations of the Solid Waste Committee. It was an agonizing process but the growth in members of the Committee, both new and old was very apparent. These decisions were not made lightly and I urge you to give the Committee's plan the weight it deserves when you make your difficult decision.

“I'd like to highlight the following issues. First, the public wants diversion of as much material from the waste stream as possible. Curb side recycling is recommended by the Committee without additional cost to participants, is convenient and yet provides clean resources, it saves resources. Secondly, there is a major disincentive for recycling with the City owning a local landfill. The conflict of interest is that more tonnage of trash to the landfill provides more income to them through tipping fees. Third, the final disposal must be environmentally sound and protect ground water from contamination. One hundred feet of shale separate trash from ground water at the Lawrence quarry site. That barrier is not available to us in Sedgwick County to protect the ground water at Furley.

“I'd like to also respond to an earlier speaker with a couple of points. An earlier speaker mentioned that a new transfer station was having problems because the amount of trash going out had decreased and so they were having financial problems.

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“It is my understanding with the transfer station as proposed that there was not a minimum amount that needed to be sent. In fact, if what I read in the paper, the less sent the less expensive it would be per ton. So I think there would be no problem with that. Kingsbury keeps coming up and I would just like to point out that there are still some problems with Kingsbury. Even if it were considered, I understand there is shallow ground water there, the soil is still sandy, and worst of all, it is still located near our river. Pyrolysis was mentioned and our Committee did study that and that may be a real good possibility in the future, but we didn’t feel that is was available for the amounts we need at this time. Again, the transfer station will allow us in ten years or whenever this is feasible to change our minds. We’re not locked into a landfill for 30 years or more. I would like to thank you for providing these public hearings and I wish you success in finding the best solution for the future. Thank you.”

**Chairman Winters** said, “Thank you ma’am. Next speaker.”

**Mr. Greg Ferris**, Wichita City Council, said, “I’m sure I’m the most popular guy in this room today. Ten years ago when I got elected I could think of five or six people that didn’t like me and now I know there are thousands. It goes with the territory. You all know it very well. Often times we have to make very difficult decisions. In fact, a group of people sitting in your seats 20 or 30 years ago faced I’m sure at least this many people when they considered whether or not to build the big ditch. It was a situation that was very similar in many ways to this. A tough decision was made and we all know the results of that decision. Many of you and many of my colleagues have had to decide whether to acquire property, divide property, to build Kellogg, the K-96 Bypass, we do that on a regular basis. Is it fun? No. It is never fun. Is it necessary? If you are going to govern, it is necessary. I don’t apologize for doing the things that we have to do. It is our responsibility though to make those situations right. I’ll be very brief. You all know what the City’s proposal is. We believe the most appropriate method is land filling. We believe the most appropriate place is the Furley area. However, if this Commission, and I believe that it has the authority and the ability to determine that land filling is your final option and that you would like the Solid Waste Committee, your staff, to be provided with the information on the Kingsbury site and the Furley site, the City would not be opposed to providing that. We’re quite confident that as reasonable people as you look through that process that you will come to the same conclusions that we do. If you don’t, we certainly would have the right to sit down and discuss that.

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“Let me say that I think that has been a part of this whole process. I have appreciated Commissioner Winters. We certainly have not been on the same side of this issue frankly from day one. However, I don’t believe there has ever been any dissention or conflict and I believe Mr. Winters would concur with that and I appreciate the spirit in which I think we have tried to work together. The media would love for us to be at odds on this issue. We may not come to the same conclusion but I don’t believe that in the arrival at that conclusion that we will be at odds. I first of all wish you luck and God speed in your decision. I hope you make it today. I think all of us would like to see a resolution to this. Whatever decision you make, someone will go away unhappy. Someone will go away happy. You must search your own heart to make the decision that you know is right. That’s all that you can do as elected officials. So I am here if you have any questions I’d be glad to answer those but I would certainly wish you the best to make the decision that we all know that you must make today. We’re willing to work with you in the recycling programs. We recognize your authority in those and so if you’re recycling program is not the same recycling program we believe is appropriate. Again, ours is a proposal and as I set in this room weeks ago, that there are areas that may need to be negotiated. I wish you the best of luck today in your decision because I believe it is a tough challenge, so good luck.”

**Chairman Winters** said, “Thank you. We do have a couple of questions Councilman. I just want to start off by saying that I appreciate your coming today. I think it is important for the public to know that you are coming and we have been communicating. I think you are right, you and I may have different views on this issue, but I think it is important, we spent an hour Friday talking about this issue. So I think we have been having some good communications. There are a couple of questions. Commissioner Hancock.”

**Commissioner Hancock** said, “I was just going to ask Greg if you were going to stay here during our discussion and be available for questions if you have time.”

**Mr. Ferris** said, “Yes, I have a 12:15 meeting but I’ve been late to meetings before and I think this is important enough issue I’ll stay as long as I can.”

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

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

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**Commissioner Miller** said, "I think Commissioner Hancock has already kind of laid the ground work. If you are going to be here, I will have some further questions."

**Mr. Ferris** said, "I'll stay around then."

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

**Chairman Winters** said, "Thank you Councilman. Next speaker."

**Ms. Betty J. Brown**, 11350 N. 79th East, Valley Center, said, "I live just outside of Furley and I just want to say that as far as that shrink and swell issue goes our mobilehome blew away about seven years ago and we're still having stuff coming up from the surface as the rain comes and goes that you would think had disappeared a long time ago because it will temporarily sink into the surface and then as it shrinks and swells it will come back up. Our basement is cracked and it was just built in '90, the fall of '90. As far as the incineration system goes, I think the transfer system would give time for the technology of incineration to develop because we do recycle and we do burn our trash and we have to go to the dump very few times a year. It was brought up by someone that tipping fees vary extremely throughout the City of Wichita. It is not the same. As far as Chicago goes, someone mentioned their son lives in the Chicago area and they did transfer and their fees are all the same basically and it doesn't vary to any extreme. I just think that it should be noted that a transfer station should be considered, extremely so, for the technology to develop. These other countries and other places can develop an incineration system to retrap all those fumes and it is just recycling should be considered and a transfer station should be considered for future technology. It is present, we just need to initiate it no matter what cost it takes. That's all I have to say."

**Chairman Winters** said, "Thank you very much. We appreciate you coming this morning. Next speaker. I think we are getting close to the end of the speakers. If there is anyone in the conference room listening on television, now is the time to come. I am told that there is no one in there, but if you want to speak, be ready because I think we're coming closer to the end."

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**Mr. Lane S. Burchett**, 5900 Mosteller Drive, Oklahoma City, 73112, said, "I'm the Executive Vice-President of Plasma Environmental Technologies in Oklahoma City. I kind of feel like the proverbial husband in the woods with no one to hear him. If he says anything is he still wrong? The technology to eliminate landfills and landfill pollution is available, it is here, it has been here for many years. There has been many things to prevent it from coming to the forefront and money is one of them. Waste hauling and handling is a very lucrative, very big business. With the waste to energy projects the tipping fees normally are somewhat higher, which takes money from that particular entity. If the waste hauling was not a good business we wouldn't have a \$16,000,000,000 protecting its interest, which we do not have a problem with. They are needed. They are a very valuable contribution and they do the job well, which brings one other question as far as indemnity to a landfill. In Oklahoma, it is the Waste Management Corporation of Oklahoma. It is protected by the corporate bail, it does not have a \$16,000,000,000 umbrella. That is why the super fund was formed and it is available to help clean up the messes. Enough of that. Let's talk about the technology.

"Our technology is a total closed loop system. There are no effluents, there are no emissions. The gases that are developed from the organic waste input is primarily hydrogen and carbon monoxide, which is a synthesis gas, which is combusted in a recovery steam generator to provide steam to generate electricity. The electricity part of it is also the second reason that this technology has been to the forefront, because the major public utilities have not endorsed independent power producers. To interconnect with a small power production unit normally is a five year period of litigation with the utilities. However, with the new deregulation that is coming about has primarily preempted those situations. The independent power marketing and power marketers are there and they will purchase power. We have signed contracts with one of the largest in the Country to produce all the power that we can produce.

"The willing and the wholesale willing is available so that isn't a problem anymore. Our facility, as I indicated, is a closed loop facility. One hundred percent of what goes in is processed into product. The inorganics simply melt. They are poured out, they are cooled into a rock that can be used for road gravel, building material, jewelry, it is absolutely the highest standard for leach in the world. The gases, any impurities in the gases are scrubbed.



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“We know how to handle hot gases. We’ve done that for 50 years that I’m aware of in the refinery industry. So that is not a problem. The technology is not a futuristic thing, it is simply available technologies put together to handle the common problem. It is a facility that is very very friendly. At this particular time, the feasibility and the engineering has been completed on a 3,000 ton a day facility for Manilla to take care of their Smokey Mountain. They are actually only going to handle 2,000 ton a day of waste from the city itself and they are going to mine the landfill at a tune of 1,000 ton a day. We have been selected to build a 2,000 ton a day facility in Toublisse, in the Republic of Georgia. The feasibility and design engineering is ongoing.”

**Chairman Winters** said, “Sir, that is five minutes, so could you bring it to a conclusion?”

**Mr. Burchett** said, “I will. We also have Bursa a facility is scheduled for Kauai and one for oil field waste in the State of Oklahoma. The technology is here, available. As I said, I feel like the husband in the woods.”

**Chairman Winters** said, “Thank you. We have a couple of questions. Commissioner Gwin.”

**Commissioner Gwin** said, “Thank you Mr. Chairman. You mentioned some projects that are on the board for other locals. Is there a current operating plasma facility in the continent of the United States that I could go see?”

**Mr. Burchett** said, “There are numerous scale models. To clarify that, these are not as we would call research and development. Those bench models have been around for 30 years. The scale model units were put there to test the off gas to make sure of what went in and we knew for sure what was coming out. As I said, the plasma technology was developed in the 1960s by the U.S. Department of Energy and NASA. Currently, the Department of Energy and the Department of Defense have been using the plasma electric arc technology to destruct various things such as nerve gas, mustard gas, smoke bombs, and they are totally safe. They can handle such volatiles and such hazardous waste as that. There is our research facility and scale model in Ottawa, Canada. As a matter of fact, the 25th of September, we’re going to do a demonstration. However, this particular demonstration is on a very very hazardous material from Kerr McGee that is oil field sludge and acid waste. It is far nastier than anything than anything we will encounter in the municipal solid waste.”

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**Commissioner Gwin** said, "Okay. You also mentioned that you were working on some projects to build these things of things in other communities and other countries. Some of it may be proprietary so I don't want to get specific, but is there any way, a picture that we can have as to the cost of constructing this kind of facility for say a 2,000 ton a day burn?"

**Mr. Burchett** said, "That's a bad word. Our temperatures are in the total absence of oxygen at 15,000 degrees. I know and for someone who doesn't know and understand this, I've worked with it for 15 years. It is difficult to explain this in such a short period of time."

**Commissioner Gwin** said, "All I want to know is what is the cost of constructing a facility to dispose of 2,000 tons a day."

**Mr. Burchett** said, "Two years ago, when the City of Wichita was looking at when the 'trash mountain' article first appeared in the paper, I did some preliminary studies at considerable cost and time and effort, to look to see exactly what would take place. A 1,500 ton a day landfill at that time was going to cost a little over \$100,000,000 was the estimate. A facility to handle 1,500 ton a day in a waste to energy with a plasma electric arc was about \$140,000,000. The difference is that you have about \$8,000,000 a year in tipping fees to that landfill of which you had approximately half of that to operate the landfill. So that left you about \$4,000,000 a year to pay off the indebtedness of \$100,000,000. However, with the waste to energy, including the tipping fees, figure that at the same rate that you would put them in the landfill, the net for waste to energy was \$25,000,000 year. Which would you rather have and which would the citizens rather have? Four million dollars to pay off \$100,000,000 indebtedness or \$25,000,000 a year to pay off a \$140,000,000 indebtedness."

**Commissioner Gwin** said, "You haven't run any new numbers lately because we haven't requested you to do so."

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

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

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

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**Commissioner Miller** said, "Thank you Mr. Chairman. So the \$25,000,000 that would be reflected by the waste to energy net, that's an actual product sold, is that what you are saying?"

**Mr. Burchett** said, "That is in product sold and the tipping fees."

**Commissioner Miller** said, "Could you describe to me who that market would be?"

**Mr. Burchett** said, "Certainly, the utility companies would purchase the electricity. Incidentally, we figured that power at about three cents a kilowatt hour which was a nominal fee. I know the City of Wichita has roughly \$10,000,000 a year that they pay in electrical fees, which would also be offset, which was included as part of that \$25,000,000 and that of course was at the retail cost and the City is paying close to six cents. The other market is the vitrified glassic rock. It is silico, monolithic silica metallic rock that we have tried for 12 years to leach anything out of it and are not successful."

**Commissioner Miller** said, "What is the capacity, and did you say you were representing a company in Oklahoma City, is that what I understood?"

**Mr. Burchett** said, "Yes."

**Commissioner Miller** said, "And that there is a plasma arc torch that is up and running there, is that what I understood?"

**Mr. Burchett** said, "Not in Oklahoma City."

**Commissioner Miller** said, "I know you are going to be doing a project in Ottawa, Canada at the end of this month."

**Mr. Burchett** said, "That project is up and operating and has been for 10 years."

**Commissioner Miller** said, "So what is the capacity at that particular plant?"

**Mr. Burchett** said, "That particular capacity is about one ton to two ton an hour depending upon the material that you are putting through. It has a very small torch. It was only 150 KW."

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“However, let me put you at ease. The technology is the very same technology that is used in the smelting industry and Assea of Brown Bovary, ABB, is a \$135,000,000,000 company that stands by their electronics. They have been in the smelting business and have successfully smelted 100 ton an hour for three years in one facility without any break downs.”

**Commissioner Miller** said, “Where?”

**Mr. Burchett** said, “I can’t recall the name of the city, but it is in Malaysia. The thing that we know about iron ore is it is much much denser and more difficult to handle than municipal waste. In the municipal waste, in the normal 5,000 PTU a pound material you get just over 30,000 standard cubic feet of gas. That is primarily hydrogen and carbon monoxide, which is a very clean burning gas.”

**Commissioner Miller** said, “So once again, a recap, \$140,000,000 for a waste to energy?”

**Mr. Burchett** said, “That’s correct.”

**Commissioner Miller** said, “One hundred million for just simply . . .”

**Mr. Burchett** said, “The landfill.”

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

**Chairman Winters** said, “Thank you. Thank you sir. We appreciate you being here. How many more speakers do we have? Just one? Is there anybody else going to want to speak? Come ahead sir.”

**Mr. Dave Buchholz**, 1258 N. Pinegrove Court, greeted the Commissioners and said, “I think Greg Ferris live out in my neighborhood too and I can tell you that I don’t want a landfill out in my back yard and I’m sure Greg doesn’t either. I live there with my wife and three children. We also own some land in a very beautiful part of Sedgwick County in the northeast part of Sedgwick County and we have a hope and a dream of someday building a home out there. We may be able to do that, we’re not sure we can. I can tell you that we don’t want a landfill if we build a home out there and I don’t think anybody wants a landfill in their back yard and the thing is that we don’t have to have a landfill in our back yard.

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“There are plenty of places that want it that have the geology to handle it and that’s what we ought to do. We should have a transfer station in the meantime while we develop the technology to take care of the problem. Thank you very much.”

**Chairman Winters** said, “Thank you sir. Are there any other speakers who have not spoken? I don’t want to open it up, just very quickly.”

**Ms. Betty Brown** said, “One more point that I forgot to mention earlier. This liner business with this lined landfill. I don’t care if you put down one or two or three or a dozen liners, those things have got to be there indefinitely, not just 20 or 30 years, indefinitely, until the end of time. Because there is no way you are going to be able to move that landfill once it is there.”

**Chairman Winters** said, “Thanks very much. That’s a good point. Thanks very much. Is there anyone else who has not spoken who wishes to speak? We’re going to close the public meeting at this time if I see no one else. At this time we will close the public meeting. We have visited with over a hundred people. We’ve had eight hours of public hearings. I certainly want to commend all of the people who have addressed Sedgwick County. This is a very volatile issue. I think almost every speaker has done an excellent job in being very respectful and polite of all the people in the room no matter what their views are. I think we have had eight hours of very good public hearings and I want to thank all the people who have participated in that. At this time we have closed the public hearing. Commissioners, let’s talk about a bit of logistics here. Do we need to take a short break? I’m certainly not going to be driven by the amount of time we have left on Channel 8. We do have an hour and a half left to be on television. I think the reason we think that is important is that we think all the citizens of Sedgwick County, we would like to at least have them hear this discussion. So if anybody needs to take a break, we’ll take a short five minute break. If not, we’ll move right onto the next item. Ready to move forward? Madam Clerk, call the next item.”

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### **NEW BUSINESS**

#### **C. REVISION OF SOLID WASTE MANAGEMENT PLAN TO INCLUDE FINAL DISPOSAL OPTION.**

**Mr. Buchanan** said, "You have for the past eleven months struggled with this issue. I think it is important to recall what has occurred in the past eleven months has been significant for this community. You have expanded the Solid Waste Management Committee to include more folks to participate in this discussion. There has been more in depth research, review, and deliberation of the options available to you. You have, as some speakers have suggested, some site visitation to see first hand how operations work. We've involved approximately 2,500 citizens in gathering ideas, concerns, and perceptions about this issue. We've created visions and preferred futures from what the solid waste management system for Sedgwick County looks like and you continue to encourage more thoughtful detailed choices which are before you. This is, as a lot of speakers have said, a difficult decision that is before you. We do have a small presentation before you make that decision because the Solid Waste Planning Committee that you appointed did meet yesterday and that action is important to be described and to do so is Irene Hart."

**Ms. Irene Hart**, Director, Bureau of Community Development, greeted the Commissioners and said, "The Solid Waste Committee did meet in a special meeting yesterday to hear the City's presentation. Councilman Ferris made a presentation and answered a number of questions. Susan Erlenwein and I are here as staff members to answer questions that you may have. Milt Pollitt as Chair of the Solid Waste Committee is here and will report to you what their deliberation was yesterday."

**Chairman Winters** said, "All right. Welcome Milt, we appreciate your being here."

**Mr. Milt Pollitt**, Chairman, Solid Waste Committee, said, "We did meet yesterday afternoon. We had 25 of the 27 members present, which is about the best turnout we had so Mr. Ferris is quite a draw for the Committee. He did present a very precise and direct review of the City's plan with the help of the other members of the City's staff. As Irene mentioned, Susan Erlenwein followed that with a short review of the recommendations that the Committee had previously made to you. We took a vote by show of hands and the vote was 15 in favor and eight opposed to make any change in the plan."

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“So the recommendations that we made to you previously are still valid. As far as the issues, all of which have been mentioned here today, but I would say that those favoring the Committee’s recommendation regarding the transfer station concept is primarily that it will result in the waste that can not otherwise be diverted in the community will go to a more environmentally and geologically sound landfill than one that would be built in the Furley area.

“The second thing, the transfer concept partially and primarily maybe, because of the somewhat higher cost, would encourage more of the residents of the community to do more diversion and recycling. Third, the Committee feels that the recycling component of our recommendation is significantly larger than that presented in the City’s plan. Also, again on the transfer system, it is a flexible system in that it can be structured long term or short term and if and when these other technologies become such that this body or the City Council or whoever would be in charge can approve such a plan why there would be no economic barrier to ceasing the transfer system and proceeding with the other technology. The main issues of those favoring the local landfill concept, the primary one is cost and a very important one is the local control. They feel that it would be a thing that could be handled within the community as opposed to having to deal with a distant landfill if problems occur, recognizing that there have been various offers of indemnity and insurance and so forth, but that is still a major belief of those favoring a local landfill. In a nutshell, that is the consensus of what happened at the meeting yesterday.”

**Chairman Winters** said, “Thank you Milt. Milt, would you say over the course of time from the beginning of the Committee, which I believe at one time they were in a position of leaning toward a local landfill and then have changed over to the transfer station. Is there any single factor that led to that or is there a combination of more study on the four ideas that you presented that seemed to tip the scale in favor of the transfer station? What caused the change?”

**Mr. Pollitt** said, “It was not a single issue. There is a variety of things. There was more information presented by the staff and by the consultants to the Committee on questions that they had. We visited the other facilities, the incinerator at Tulsa and the landfill and the transfer station. I think that definitely had an impact upon some of the members. I think that even though we know that the Brooks Landfill had virtually no technology involved with it and a new landfill would have, I think the problems that occurred at Brooks, the timing of those problems was such that it may have influenced some on the Committee.

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“It was just a combination of factors and of course a very significant one is that the community as well as the Committee is determined to have as large a recycling effort as we can have. I think that seems to be in the mind of the Committee members more likely if we have a transfer station. Again, because the cost will be somewhat higher and that will encourage people to divert their waste. Plus, the recycling component of the Committee, the curb side obviously will result in a higher percentage of diversion. I think all of those factors sort of moved the center away from perhaps a local landfill to a transfer station.”

**Chairman Winters** said, “I appreciate that because I think you have at least expounded on at least four reasons for the reason that they made the recommendation that they have and you have gave four or five reasons why you believe they changed. One may not agree with all of those but at least those are certainly the actions of the Committee. I certainly appreciate you calling a hasty meeting to meet yesterday to review the plan. Commissioners, are there any other questions of Milt at this time? Commissioner Hancock.”

**Commissioner Hancock** said, “Milt, I think it is important for the folks to understand so I’m going to ask you a question. During your considerations of all the options and all the things that goes with those options, it is not as simple as a transfer station or a local landfill. There are a lot of things that go with that. I know there were various degrees of agreement and even in the end, the vote was not in total agreement. Can you tell us a little bit about that? I think it is important that folks understand that even among the Committee who have spent many many hours gathering information, talking, and discussing and hearing folks, that it wasn’t an easy decision for you either. Tell us about the final vote on everything.”

**Mr. Pollitt** said, “Well, I don’t know if I mentioned, it was a show of hands, so it was an up or down vote on the issues. Maybe I’m not answering your question properly, but there really are three groups, three elements, I think three factions if you will on our Committee. One faction is very strong, is the one that wants the maximum amount of recycling. The other group, which consists of most of the haulers and the others is that the cost to the community be kept as low as possible. Then the third idea is that the environment must be protected and they feel like a local landfill will not do that as adequately as another landfill that has better geology than what we have here. So when you take a mix of those, I’m sure everyone who voted had to weigh maybe their favorite issue against two minor issues and finally come to the vote that they did. It was a very serious minded group that met yesterday, as it has been all along. So I think that is maybe the consensus.”



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**Commissioner Hancock** said, "In following your deliberations and we were given decision matrix as they were completed and it seems to me that there were degrees of what one would like to do. Yes, this isn't a very good idea, but it is certainly better than the other ideas. It seemed to me that it represented almost a community mix of how we have looked at the opinions of other folks who represented those opinions also into a micro cause as I observed your actions."

**Mr. Pollitt** said, "That's my belief, yes."

**Commissioner Hancock** said, "Thank you Mr. Chairman. Thank you Milt."

**Chairman Winters** said, "Thank you. Thank you Milt very much. We appreciate your report today. Mr. Buchanan or Irene."

**Mr. Buchanan** said, "In reviewing the letter from the State that we received regarding the plan, the issues before you are the final disposal method and financing and flow control. Financing and flow control do not have to be decided today because they will be predicated upon the decision that you make regarding final proposal. So the final disposal system that you will decide today will become a piece of the plan that is submitted to the Kansas Department of Health and Environment and we will be back to you with some of those other issues before that plan is ultimately submitted again at the end of October."

**Commissioner Schroeder** said, "Can I get clarification on that?"

**Mr. Buchanan** said, "Sure."

**Commissioner Schroeder** said, "Flow control, recycling, those issues will be decided before when?"

**Mr. Buchanan** said, "We've been asked by the Department to submit the addendum to the plan that we've already submitted with those items pinned down by the end of October."

**Commissioner Schroeder** said, "Okay. I was thinking we had a couple of years as I was told by staff earlier to go through the recycling, how we could do it, mandatory, voluntary . . ."

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**Mr. Buchanan** said, "We do, we have to pin that down to the State as to how we are going to deal with it. So if your decision to deal with some sort of different recycling program than we are doing now, it would be reviewed in two years and develop a final plan then. That would be acceptable."

**Chairman Winters** said, "Thank you very much. I have certain lights going on."

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

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

**Commissioner Miller** said, "In regards to the financing, once again Bill, if there is a budgetary concern or a need to place a budget item in there are you saying that that is done at a subsequent time? To actually put dollars to specific things?"

**Mr. Buchanan** said, "Yes. I think the law is specific enough that it indicates that we are to provide, as the planning agency, we are to provide for whatever system is chosen what the estimated costs are going to be and what the estimated revenues would be and from where those estimated revenues would come. As we discussed at the last meeting, there are all sorts of variations, there are really only three variations on that and almost certainly it will be some sort of user fee or cost for disposal."

**Commissioner Miller** said, "Okay, I just mean in building the disposal plan though, there is a request for dollars to go with a specific option that is described within the plan, that's not done now, is that what you are saying?"

**Mr. Buchanan** said, "It is our recommendation that you choose the disposal method and then once that has occurred then we will have a better opportunity to pin those numbers down."

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

**Chairman Winters** said, "Any other questions of clarification? I think I am going to begin real quickly. I'm not going to take a lot of time but I think I am one of those people that several of you know that I have had a leaning or indication on this issue for a while. I'm just going to repeat that."

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“Right now, I am still in the position of leaning of transferring to a regional site and about six quick reasons that I’m not going to go into in a lot of detail. One is a threat to groundwater and because of the geology of that particular area of the County and the potential for leaks in a liner system. Secondly, the cost of that potential cleanup. Thirdly, the devaluation that has for the potential for the devaluation of property in that area. The fourth reasons is I also believe that it will perhaps slow down our desire to pursue new technologies and strong recycling efforts and I think the simple solution may not enhance those. I think the high mounds of trash are going to have an aesthetic detriment with relatively flat Sedgwick County and I think that the people in this area have experienced a landfill in the past and it has not been a pleasant experience. I don’t know that I’m one that wants to repeat that process or even any part of that process, even though I realize that the landfill construction techniques today are going to be completely different. But when I take all of those issues and I weigh them with the cost issue, then I begin to believe that cost is not necessarily the only thing we need to look at. As I said last night at the town hall meeting, I think there are times when we don’t take the low bid option because I think there are times when it can turn out not to be the cheapest solution. So I’m going to kind of put that out there as to where I’m starting out. Again, I do have an open mind on this. I think the public knows that we don’t know where all the Commissioners are on this so I’m anticipating a good discussion. Commissioner Gwin.”

**Commissioner Gwin** said, “Thank you Mr. Chairman. I suppose my comments are not necessary because I think I have been pretty outspoken about the way I feel from the first time I heard about the changes that were in the offing. I am prepared to support the recommendation of the Solid Waste Committee for several reasons, the first of which is the time that these people have taken to become the experts in this field. When we have members stand before us who tell us they have been working on this for as many as three years, those are hours and hours of dedicated, knowledge seeking, studying, questioning, learning, becoming our resident experts on this topic. I depend greatly upon them and admire their wisdom. I have said all along that I could not support building another landfill in this County. I have said that I believe there is no appropriate site in Sedgwick County for a landfill. I will believe that. I cannot support a landfill with as little as ten feet to groundwater. I cannot support a landfill on a site where calcium carbonate is present at the Furley site. That material, weathered limestone, dissolves very quickly in a liquid with one half the acidity of leach from landfills.

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“I cannot support a landfill that will effect the development potential of this County. I believe, as so many have said today, that we must have a system that is not dependent upon tonnage. We must have a true recycling program, not just a lame attempt at recycling, but a true recycling program. We must pursue volume-based collections so those of you who throw away more pay more. Those of us who recycle more don’t pay at all for that, but are rewarded for that effort. I am probably the only one up here and I still expect to be who suggests that this is the time this community needs to look at franchising of collections. I know the Committee didn’t get there, but the cities and the communities that are held up as examples of the right way to do things, where costs are cheaper, where they have more control on what happens with that trash are those communities where franchising has been done. It has a word of encouragement to independent haulers who fear their livelihood would be challenged. I would point to the City of Tulsa where independent haulers in Tulsa, when facing a franchising situation, came together as an association and bid against the major haulers and ended up, ladies and gentlemen, with that business. So there is a way around that and I would challenge the independent haulers in this community to start thinking of that for the future.

“A transfer station is an industrial type building in an industrial area. It is an unloading facility where municipal solid waste is dumped and then loaded into semi-trailers or rail cars as someone has suggested, and taken to a regional landfill. I believe this system does in fact encourage waste minimization and recycling. I would only send trash to an existing landfill that is environmentally and geologically better suited than any site in this County. The ones that I have been most impressed with have been land reclamation projects. Abandoned quarries that KDHE & EPA target for reclamation and by that I mean that they meet the definition of a landfill better. The topography of northeastern Kansas is hilly and when you have gouged out a huge hole out of these hillsides to mine rock, you have in fact created a huge depression and a scar upon the land. But when you landfill those sites, you reclaim that hillside. You bring it back to what it once was and you bring it back to the topography to its neighboring land. There is shale below those landfills, ladies and gentlemen, with as much as 140 feet to groundwater. The topography, the geology, hydrology, everything else indicate that that is a better site to me for a landfill. The only thing we can do in Sedgwick County is build a trash hill.

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“I think also that the transfer station will allow us the flexibility that we need to meet the challenges of the future. I believe the technology as stated are here, we just need to figure out how to revamp them to this community so they are large enough to meet our needs. They are costly and I recognize that. But I think with the emphasis that this community has placed upon incineration, what the community has been saying is find a better answer. Do things differently. We don't want to do it the same. None of us believes that landfills are the right answer and I appreciate Mrs. Robarchek bringing us back the quote from the Eagle, back from May of 1987 that said landfills are the dinosaurs of solid waste disposal and no longer have a place in a wise and more sensitive world. If that was true in '87 and I believe it was, it sure is true in 1997.

“I appreciate all your comments, but I think some of the most eloquent words this morning were spoken by the young women and by one of the senior citizens who addressed us who talked about quality of life and thinking about our future. I think that we all would admit that taking the simplest answer, the easiest answer today is not the best answer for our future. I don't believe that shipping trash to an environmentally better site is irresponsible as some would suggest. I do believe that putting trash in a site that we know is flawed, that has proven to be flawed, that is more irresponsible. So as I said, my thoughts are nothing new. You all have heard them from the beginning, but I will say that in this interim I have taken a lot of time and I have traveled with the Committee on field trips. I've read. I've heard from you all. I have listened to you and I am very confident that following the recommendation of the Committee is the right path to go and that is what I propose to do. Thank you.”

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

**Commissioner Hancock** said, “Thank you Mr. Chairman. This morning we have listened to a lot of comments and all the comments have been very good indeed, whether they be opinion or whether they be facts, certainly they were heard and they were respected and I know that all the speakers who spoke to us over these last few months and even last few years, have spoke to us I think most of all with the community in mind and from their hearts. This morning though, I heard something that I had never heard before and I thought I had heard it all, but for me it put into focus almost immediately, I even thought this morning's hearing might be a waste of our time. There isn't anything anyone can say, but Mr. Held said that it is an issue of quality of life and dollars and cents. I never had thought of it like that before, but that's what we've been struggling with. This issue for me hasn't been very easy

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“It hasn’t been as clear as I had hoped it would have been in the very beginning. I promised the Solid Waste Committee when we began that I would take their recommendation if their recommendation was reasonable. It has been a good, reasonable recommendation. I have spoken with people involved with this issue who are interested in this issue and I have told them also that I believe that a local landfill is a viable option. That I would be willing and I’m stilling willing to locate a local landfill here in Sedgwick County.

“So how do you take those two and put them together? Well I agree with the points that Commissioner Winters has spoken about this morning. All those things were true and from the perspective presented by those who land on just let’s put it in a transfer station, the points are correct and true and I can’t make an argument against it. They state what is positive. All options presented to us, including a local landfill, transfer station, incinerators, torch plasma, whatever the case may be, all have shortcomings in one form or another. All of them have benefits in one form or another. So for me it was a process of eliminating those things that were impractical for one and two, they had to have the least amount of benefit. So it has been a difficult and often confusing decision. I remarked to Commissioner Winters and Commissioner Gwin at one time that whoever spoke to me last gets my vote. It has been that sort of thing for me.

“So I gave it some thought and I thought I came up with a unique idea and after last night’s public forum on television and listening to some comments by Councilman Ferris, I was a little surprised. I guess my idea wasn’t as unique as I thought it had been. I know that maybe even some of my colleagues share my idea with me. Incidentally, we have not known, even among ourselves, how each of us feel. We’ve tried to make the decision and it has been a real mystery to us how each of us feel about this thing. So until last night I didn’t have a clue. I will vote to utilize a landfill in Sedgwick County. However, I won’t vote today to locate a landfill at the Furley site. I’ve been up there a number of times. Most recently, I went last week and then most recently I decided to have one more look. Monday evening, coming back into town from the north side, I pulled off on 254 and drove to the area again and drove around. If any of you were out Monday evening, it was a beautiful evening. I looked at the farm crops that were growing out there and some of the things that were going on. The summer row crops are about, it’s September and it is getting close to harvest. It is just too beautiful of an area to locate a dump there quite frankly. It’s a gorgeous area. Geologically it may be the most sound area of Sedgwick County, but geologically there really isn’t a sound area in Sedgwick County to locate a landfill site. There are better places. Certainly it is a better place geologically than where we have the Brooks Landfill.

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“So I’m not willing to make that vote today. That’s the quality of life. The dollars and cents, I thought that for a long time that we have overlooked a possibility that we just have not discussed adequately. The Brooks Landfill was an old landfill sited there in the late ‘50s and ‘60s and it leaked. It is causing us problems. We hope that it doesn’t get into the river and the City is going to work very hard to try to remedy the possibility that it could cause us any more problems than it is now.

“Let me say something about the City Council. The City Council and the City of Wichita has a legitimate interest in this issue. They have tried diligently to put forth their point of view. I think they work for the benefit of the citizens. They’ve tried to provide to the citizens what they believe to be the best answer possible. They’ve tried to be cost conscious. They want to take care of the local business. We’re on a roll here in Sedgwick County economically and we shouldn’t do anything to put a damper on the kind of activities that are going on. It is a continued revenue source for the City of Wichita, but for the services they provide it is either that or they raise taxes. That is a legitimate government function, to take revenue from revenue sources and utilize it in other places. We have probably not in front of them but behind their back sometimes given them a real hard time. I’m sure that happens over there. It’s nice to make jokes, but the reality is that most of us are good friends. While we differ in opinions, we respect each other’s opinion.

“The City has taken care of solid waste in Sedgwick County for a long time folks and they’ve done a pretty good job. They’ve done no worse a job than other cities with the possibilities that they have. We’ve heard about recycling. The recycling just isn’t available here. We can talk about a wonderful idea. I know that I’ve heard from the Kechi folks a number of times about the great program that they have going on up there. It certainly is. For a community that size it is a wonderful program. If we put that program into place in the same scale Kechi did in the City of Wichita, we wouldn’t know what to do with all our recyclables. We simply couldn’t get rid of them. It is a matter of economics and it is a matter of dollars and cents for us. So the City has done a good job for us and I think we should respect that. We should respect their experience and we should respect, because of that experience, their view on the subject. However, there are times they have worked to undermine what we try to do here, but that is because they do have a legitimate interest here and they have always been forthcoming with some of the information that we hoped they would give us. For example, the purchase of the property. We didn’t like that, but there wasn’t a lot we can do. Again, the City does have an interest in solid waste and I certainly can’t say that is a bad thing.

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“So, what I’m offering today is the following. We probably can’t do this, but with the City’s help, we can. I was surprised to hear last night some of the comments that I heard on the television. I would like to offer a combination of both. Economically, the dollars and cents side, I believe we have the opportunity to site a landfill here in Sedgwick County at the Kingsbury site. KDHE has already approved the site. Sure it is a lousy site geologically, there is a lot of sand and very close groundwater there. We’ve already polluted the area with our solid waste. I’m not going to say the City, we have done it, we citizens who send our trash there already have a problem. The remediation is already ongoing and they tell us that the liners will help prevent pollution leakage in the future. I doubt that, but I do believe this. I believe it will not be the same kind of problems that are associated with the current landfill. If it does occur, it will be a lot less. So I believe sincerely that we ought to, and it is a huge area, but not forever folks. We can’t landfill the stuff there forever. I believe by the year 2010 we should have made a transition from land filling locally in Sedgwick County to a transfer system based upon increased recycling and reducing the amount of solid waste originally going into the landfill. So my vote today is not to vote for a transfer station. It is not to vote to site a landfill at Furley, but a vote to create a combination of landfill and transfer stations in the future so that we might make that transition more easily for our local residents and businesses with an increased capacity to recycle as much as possible and increase the reduction of flow into the ultimate destination. Also, increase public education and increase environmental concern.”

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

**Commissioner Miller** said, “Thank you Mr. Chairman. For those of you, well let me begin at the beginning and that is to publicly be able to give accolades to Irene Hart, to Susan Erlenwein, to Milt Pollitt, to those of you are present that have been members in the past and current members of the Solid Waste Committee. You’ve done a great job. In fact, I can’t put into words probably what you have actually experienced, the energy that you have actually expended, and the end all that you are actually dealing with at this moment, as the Commission makes their decision.

“I too put stake and belief in your professionalism, in your expertise, in what it is that you have been able to amass in terms of knowledge and the recommendations that you put before us. It is certainly, with no disrespect if I shall differ with what it is that you have recommended. It is simply a difference from my perspective as an individual and what I feel would work best for Sedgwick County.



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“I, at no time, once that I looked at the Furley site, felt that indeed this would be the proper place for a landfill and I still believe that, that it is not the appropriate place for a County landfill. But I, too, concur with Commissioner Hancock that during this decision making period I cannot support the siting of a landfill at Furley. I could very strongly reconsider looking and revisiting the Kingsbury site. Let me preface this statement. The Kingsbury site is in my district. It is difficult for me to raise this issue because I know that I am going to be basically targeted as one who has brought it forth and why, because it was buried. I am a reasonable individual. I believe that there is some logic in this world we live in. To me, it makes only sense to reconsider a site that is KDHE approved. Yes, I recognize we have problems there. There is no denying that. But I do believe that this is a site that certainly deserves our attention once again in terms of being able to truly look at and see whether or not this is a viable alternative for Sedgwick County to site a landfill. I believe in accountability, ownership. I understand that I’m looking at this project as a long term fix, and I don’t believe that a transfer station does that.

“If we were to consider or reconsider the actual site of Kingsbury, and I’m looking at the City staff and I see you Greg and I recognize Bill Gill in the back, it is going to take a cooperative effort between Sedgwick County and the City of Wichita. It would take that and it would be a feat that we would undertake as a joint governing body. I also, when I say long term, I don’t believe . . . I can remember reading Weekly Readers in the sixth grade and saying there is no way that we’re going to be digging holes and burying trash 30 years from now. Well I’ll be darned if that isn’t where we are today. Still digging holes and burying our trash and I can’t believe it. We’re much further ahead. I heard Commissioner Schroeder’s statement, I think you said this, why don’t we just put it in a rocket ship . . . “

**Commissioner Gwin** said, “That’s me.”

**Commissioner Miller** said, “Betsy. And send it up to the sun so it can burn up and disintegrate. But surely we are further ahead than digging holes. When I get back to the Kingsbury site, the only reason why is because it is a logical site. The infrastructure is intact. Yes, the area adjacent to it is polluted. We are much further ahead at this point, hopefully, technology would lead us to be able to reduce and minimize the amount of damage if anything should occur in the future. But most of all, Sedgwick County being as progressive and as visionary as we are, along with our partners across the street, look at this as a short term site and be able to actually infuse dollars into what I would consider the long term fix, which is a technological solution.

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“We’ve heard from individuals here personally. We’ve also read from background research information and then I need to be able to couple in and this should have been chimed in early, the actual what is going to get us there is waste reduction or waste minimization. I can recall at the zoo public hearing, there was a gentleman at the very end who talked about a policy on recycling and how it needed to be actually a part of public policy. To me there is nothing wrong with doing a mix match of what would be considered a voluntary and a mandated recycling policy. Because I hear from those who will say that voluntarism would get us the broad support. Mandating is going to ruffle broad feathers. So a mix match of a volunteer mandated to control the amount of actual dead end trash that would be filled or trash that would be utilized from a technological perspective such as plasma torch or pyrolysis, whichever. I think it is very important that if we, as a governing body, would reconsider taking it up under our auspice, siting a landfill here locally, within our control on a short term basis. Having in place a recycling policy along with an emphasis and a budgeted line item of technological solutions and how it is that we would get them utilized and implemented quicker, I think that we would be doing our public a very good justice and benefit. That’s my suggestion. Thank you Mr. Chairman.”

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

**Commissioner Schroeder** said, “First of all I want to thank Milt and the Committee for working so diligently in this process, and I know they’ll continue to do that as we go on. The other is I’ve been here 11 years and I thought jails and budgets were tough. This has got to be the pinnacle of all that and it is not an easy decision. I’ll just start out by saying first of all, Commissioner Hancock and I have conversed on and off as I have with others, but last night after the public hearing we talked about what we heard, the issue of Furley versus Kingsbury, Brooks expansion. After giving that consideration during the evening, I came to the conclusion that I still think that’s a valid option, the Kingsbury expansion. I will not support a Furley landfill, but I would look at the expansion at the Brooks Landfill. If that is something that the City can work with then I’m hearing that maybe we can do the same thing. As it has been told to us today here in this room many times we need to cooperate and maybe that is a start.

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“Then I hope we go on and pursue other technologies. When we started this months ago I was hoping that we would come up with some kind of a permanent solution. Maybe I was looking too far ahead. But I see we have a landfill issue at Furley or we have a landfill issue at a distant location. A landfill is a landfill. I’ve told different groups that I have talked to in the last few months, I hate to see us just keep putting our trash in the ground. I just don’t think that that is a responsible way to do it. But maybe in the short term, if we use the Kingsbury as an expansion and look for a long term solution, maybe we can solve our trash problems in this community.

“I worry about people on fixed incomes, older Americans who have expressed their concerns to me about increased cost of trash service. I’m concerned about what I’ve heard from small business, about the cost to them. As you begin to weigh all of this it becomes very difficult to make a decision, because you begin to hear all the problems associated with values of land in these areas where these potential landfills could be sited. What happens to business, what happens to people on fixed incomes, what happens to our future generations? This is not just any issue, I’m feeling that. I would hope that during the process we encourage one another and the Committee to look at long term solutions. I perceive this Committee as something that will be an ongoing Committee. Whether Milt wants to stick it out that long or any of the other Committee members, I think it is something we need to keep in place. They work well with our staff and the Commission and I want to commend the Manager and his staff for giving them all the support that they need. I think we’ve done a good job in working hand in hand. I think we need to work better with our counter parts across the street at City hall. I’m hoping today in this process that maybe we can open up some of those doors and do some of that.

“We do need to educate ourselves on recycling. I am one that hates to see more government involved in our lives mandating what we recycle. Requiring us to make more trips to the curb side et cetera. I think if we make it easy enough people will recycle on their own and we can take more tonnage out of the landfill or out of the waste stream. I think that should be our ultimate goal. As I said earlier, I feel like this solution has some merits to it but it is not a long term solution. But I am willing to look at new technology. I know the pyrolysis issue is one that has everybody’s interest up but it is awfully expensive, just as incineration is. Maybe as the technology improves, it can get cheaper, I don’t know. These are things we need to look at over the next few years.

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“So I guess in closing, I would like to see us reconsider, and I don’t know Mr. Counselor if that is within our preview to do that or ask that or force that or bring it to a vote, as to whether we can take issue with the Kingsbury site and ask that it be reconsidered or used for a landfill. I’ve heard varying opinions on this over the last few months. I’m not sure where we are at on that. I certainly would strongly suggest that we look at Kingsbury and I guess if Kingsbury is legally something we cannot do or force the issue on, then I guess we’ll have to go with a transfer station, which is against my better judgement because again we’re putting the trash in the ground somewhere else. We’re making it somebody else’s problem and that bothers me. So there you have it.”

**Chairman Winters** said, “Okay. Well, I guess you’re getting to see local government in action.”

**Commissioner Gwin** said, “Ugly isn’t it.”

**Chairman Winters** said, “I think sometimes you think that we all get together and we decide how we are going to approach these issues but it is clear now that you’ve seen some issues all over the board. Let me go back a little bit as Commissioner Miller wanted to go back to the beginning. I want to go back to the beginning too, back to 1993, when we first designated the City of Wichita as the Solid Waste Planner for this County. I think all of us thought the Kingsbury site was the answer or the solution, it was just going to happen. Then, we got to the point where that appeared that it wasn’t going to happen. In December of ‘95 and January of ‘96, I met with Mayor Knight several times. My purpose was to really determine what the story was on Kingsbury and was there any way we could do the Kingsbury site. He was very strong in the fact that from the depth to groundwater, the soil composition, the amount of population in the area and proximity to an airport, that it was not a good site. He pretty much convinced me. That is one of the reasons then that I don’t believe for us to go from a marginally poor site to another site ten feet above groundwater, I am having trouble with that. I think I still have a lot of difficulty backing up on what I believe is a potentially poor site at the Kingsbury site. So in trying to figure out where we need to go. My suggestion here at this time is perhaps we could have a couple of Commissioners visit with a couple of City Council people and really try to get a fix on that.

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“I know that we’ve all come in today with wanting to come out with a decision today. But I think you have seen one of the problems with various degrees of commitment toward one or another solution. I am not sure that it is potentially possible. Commissioner Hancock.”

**Commissioner Hancock** said, “I just wanted to clear it up Commissioner. I would like to see the reconsideration of the Kingsbury site. I know from talking to Susan Erlenwein yesterday we cannot be site specific on this thing, we’re not allowed to do that. We can only be site specific if we feel the provider of the service will help us be that way. There is no way that I think we can make a Motion that we are going to locate a landfill at Kingsbury, that is an impossibility. We can make a Motion that we prefer that location and that option along with, or if that is not possible, then the transfer station. I want to be very clear, my thoughts here today that I’m offering the Commission to consider and the City Council to consider is a combination of the two. It isn’t that we’re going to build a large 30 year landfill. I am talking about a couple of five year cells is what I’m talking about with a transition into the transfer station business. Let me say something about that in defense of that. We have had a lot of comments relative to transfer stations over the last few months. People have wondered about the folks that take our trash, are they going to be in business? Well, if they’re not in business, then probably half of the 3,045 counties that exist in the United States are going to be in deep trouble because most of them transfer their trash out. Most of the municipalities do the same thing. Yes, there will be somebody out there in business. Subtitle D landfill regulations almost require that those landfills are in business.

“I had a gentleman call this morning and said what if the truck drivers go on strike. Well, I don’t know if the truck drivers go on strike. I suggest we settle it quickly to get our trash out. What if it snows four feet he says. My answer to that is, probably they won’t be picking up trash that we’ll have to move out of town because the trash trucks won’t be able to get around either. So there are a lot of problems associated with everything. They are not unsolvable and realistically those sites, outside of this County, are going to be there and they are going to be available and for the most part they are going to be available at a price that we can afford or they won’t get business. Just that simple. We’ll go elsewhere as will other municipalities. Because those folks are out there and they are trying to make a dollar, but they still have to compete also. There are a number of Subtitle D landfills open for business. So that is not a problem. I want to make to sure that you understand that there are benefits to this.

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“So if we can’t get what we feel is important for us to do and make that transition, at least for this Commissioner, then I’m not willing locate there or anyplace else and would be willing to go with a transfer station concept. I have said to folks who have come to me that I like a local landfill option first and I truly do. I just think it is a shame to build another landfill here in Sedgwick County when we don’t need one.”

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

**Commissioner Schroeder** said, “Let me offer this as a Motion then . . .”

**Chairman Winters** said, “Do we have to make a Motion yet?”

**Commissioner Miller** said, “I still have some discussion.”

**Commissioner Schroeder** said, “Well no, I’m not . . .”

**Chairman Winters** said, “Can you hold it for just a second or do you want to make a Motion now?”

**Commissioner Schroeder** said, “I’ve been holding it all morning go ahead.”

**Chairman Winters** said, “I’d like you to make a Motion that perhaps I could support and there are some Motions out there that I’m not going to be able to support.”

**Commissioner Schroeder** said, “I’ll listen to Melody.”

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

**Commissioner Miller** said, “I need to be able to get back on track here. In listening to Commissioner Hancock, Bill you were saying a couple of five year pods correct?”

**Commissioner Hancock** said, “Cells.”

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**Commissioner Miller** said, “Cells. I was thinking along the line of no more than ten years also. But to transit into transferring it, I have a question mark that I would like for you to be able to clarify for me. What I am attempting to do is boost, nudge Sedgwick County into seriously dealing with our solid waste problem and for me to have it here at home where we are working it is probably going to be much more of an incentive than transiting it somewhere else. Out of sight, out of mind. It tends to place things a little bit further on the burner. Not necessarily all the way at the back, but that is where I am coming from when I say that I am supportive of reconsidering the viability of the Kingsbury site doesn’t mean that that site will actually come to fruition but certainly to give it an opportunity to find out whether or not it will work for us.”

**Chairman Winters** said, “Thank you. Commissioner Schroeder I know you want to make a Motion and I would say that I certainly would listen to what your Motion is. If your Motion mentions Kingsbury I’m going to have trouble supporting it. If it mentions something about having some kind of a meeting with the City Council people about the discussion of a local landfill, I think I could support something like that. I have serious problems with Kingsbury.”

**Commissioner Schroeder** said, “That’s fine, but I’ll just throw it out for discussion. It doesn’t necessarily have to be a Motion, but what I was going to say was . . . if this was a Motion, this is the way I would put it. I would offer a Motion that we require the City to use Kingsbury for a temporary period of time with the hope that over the next ten years that we come up with another solution, whether it be a transfer station or some other technology and send that to the City Council and let them make a decision on that, let them vote on that. If they choose not to use the Kingsbury site then I guess from what I’m hearing on this bench we come back and whether we have to take official action or make that Motion a double action is that if they turn it down then we go to a transfer station. What I’m trying to do is to give the City Council some options here or an option to use the Kingsbury site and if they still don’t want to do that then we simply say we’re going to go to a transfer station concept or some other technology in the future. I think I am hearing that too from Commissioners that even if we do a transfer station we would all like to see them explore new technology in the next few years. I don’t know how to encapsulate that into something that everybody can agree on but that’s my thought.”

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**Commissioner Miller** said, "Mr. Chairman, I do have an addition to that. If we would take Kingsbury out of the language completely. If it would just simply say alternative site, alternative landfill site, as opposed to actually naming Kingsbury."

**Commissioner Schroeder** said, "I couldn't support that. That means the missile would fly again."

**Commissioner Miller** said, "It would fly back to Furley and land?"

**Commissioner Schroeder** said, "No, it would land somewhere else and then we'll start all over. I don't want to leave it that open."

**Commissioner Miller** said, "Okay, I'm trying."

**Commissioner Schroeder** said, "I know."

**Chairman Winters** said, "Could we ask our legal counsel here if we have a non-motion, we have no motion, but if a motion came up like that, I guess it would be appropriate. It wouldn't be in opposition to any of the legislation talking about it. I mean we're not naming a site specific for our plan. We are asking the City to consider something. So would there be any problem with that in relationship to the legislation regarding the solid waste plan that we're making?"

**Mr. Richard Euson**, County Counselor, said, "I believe what you are charged with today is choosing the option and it does get complicated by being site specific. I think there are some things in that regard that it might be appropriate for us to discuss in closed session, which as much as I suggest that, I think that might be appropriate since we did not know which way the vote was going to come that it could be done in a five or ten minute time frame. I would suggest that."



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**Chairman Winters** said, "I would really hate to see us do that unless it was absolutely necessary. If this Motion is proposed, I'm going to vote it against it, but the way I understand it is as a request to the City Council to continue this discussion about a local landfill in some way shape and form. They can come back and say yes we'll consider that or no that's not a consideration and then we'll move on from that point. We'll either take the next step and talk more about the Furley site or let's talk more about the transfer station. So I wouldn't see a Motion such as this as having any kind of a problem with . . . Commissioner Schroeder."

**Commissioner Schroeder** said, "Can I clarify. Simply put, is that the Motion would be that we send this back to City Council and our option is one to use the Kingsbury site and if they turn that down our only other choice is to go with a transfer station. I think that can be put into one motion. Let them have the option to open up Kingsbury discussion again. If they choose not to do that then they know that our solution is to go with a transfer station. So it is either Kingsbury or a transfer station. I want to send that over to them for discussion and if they choose not to go with Kingsbury then our decision is a transfer station. I don't know why we can't do that today."

**Mr. Euson** said, "Well, I think you can but I think out of necessity requires that you postpone your decision for a week."

**Commissioner Gwin** said, "I understand that."

**Chairman Winters** said, "Because the actual decision wouldn't be made until we heard the response. We'll still have to make a decision at that time."

**Commissioner Schroeder** said, "Whatever."

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

**Commissioner Gwin** said, "Thank you Mr. Chairman. If Commissioner Schroeder gets around to making a Motion sometime today that has to do with the Kingsbury site, I too will have to vote in opposition. I have said once and I will say it again, I don't believe there is an appropriate site anywhere in this County and that means Kingsbury, Furley, Derby, Clearwater, Mount Hope, the center of Wichita. I don't care where it is, I don't think there is an appropriate spot."

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“I need to remind the Commission that once we continue to operate a Subtitle D landfill that there is no control and anyone can dump there who chooses to dump there and that will certainly shorten the life of those five year cells that have been discussed. So I would have to vote in opposition because of my concerns for the environment and the appropriateness. I think it has been stated that maybe even the best site in Sedgwick County is not a right site for our environment and for our citizens and for our future. Thank you.”

**Chairman Winters** said, “Okay. I think if we’re ready for a Motion and you can make it any way you like. I think you might want to think about not making it all inclusive to making the final decision but coming back at a time next week when we would react to that but you make the Motion as you see fit.”

**Commissioner Hancock** said, “We have some folks here from the City. How would the City respond to such a request?”

**Chairman Winters** said, “Councilman Ferris, would you like to respond?”

**Councilman Ferris** said, “Thank you and I’ll only respond to that question. I think if the Motion here is to only consider Kingsbury I think you have some problems in that. Also, the public discussion has been about Furley and there has not been any public hearing on the Kingsbury site and you may want to make yourself available to that information. What might be a motion that accomplishes the same thing would be to have the City send to you and the Solid Waste Committee, give you the information concerning Furley and Kingsbury and allow the public dialogue through that Committee to come back to you. You don’t have to make a decision today, you have a month or so. It may take three or four weeks. At that time, if you are not satisfied, then you could make a specific suggestion because you would have had the time to investigate those options. You weren’t satisfied with whatever the City Council decided you certainly would have the option to do what you wanted.”

**Chairman Winters** said, “Have you had public discussions on the Kingsbury site, public hearings? Like we had today with people coming and talking about that site specifically?”

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**Councilman Ferris** said, “Not at this level. We certainly have had some. It may have been a couple of years ago. Certainly things have changed in that time period. So to say that we would know, I can tell you pretty confidently that the City Council wouldn’t want to react in a week or two about whether or not to build a landfill at Kingsbury after going through that process. You do have a Solid Waste Committee in place and they probably should look at the information and make some recommendations. You could make a preliminary recommendation for a landfill but that would be contingent upon you being satisfied with the site, which I do think you have the authority to do that.”

**Chairman Winters** said, “Okay, thanks very much. I think we are still ready to take a Motion and I guess if the Motion would carry it would certainly at least be indicative of the majority of the Commission if it passes to explore this Kingsbury site as you all have suggested.”

**Commissioner Miller** said, “I think explore is a key word, explore, no more.”

**Commissioner Hancock** said, “We have been at this a long time and we have seen the reports on the Kingsbury site and the Brooks Landfill. We’ve seen the reports on the geology from the Furley site. Face it folks, both of them are lousy. But there are a significant number of people in this community who feel very strongly for a local landfill. There are some elected officials who feel very strongly that prefer not to site one there. I’m not sure that any presentation, and I’m probably wrong, I usually am, maybe some folks out there can convince me that any idea or any consideration whatsoever, that Kingsbury is the most rotten idea I’ve ever come up with on this side of life. But we’ve seen that and I’m not sure we need to go through a full blown investigation of that site. We know what’s under it, there’s sand and then there is shale and in between those two is water and it flows southeast and we know it has some problems. We already know this pretty much.”

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

**Commissioner Schroeder**, said, “I won’t say this was under an assumption, but Brooks is there. It has been there for 30 years, this was an expansion of Brooks with a new name, Kingsbury, but it is an expansion of Brooks and I thought, well, it’s not like a new landfill, like Furley is. I’m not willing to go back through the gates of hell on this thing a second time around and make these people wait another month for a decision. I think it’s upon us to do this today, or within a very, very short period of time, like next Wednesday at the latest.

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“If I’m hearing what I think I’m hearing from Council Member Ferris, is that he doesn’t think that they would consider this in a short period of time, or whether they would be even amenable to listening to it, then I guess we have only one option and that is to vote on a transfer station today. I don’t want to start the process over. I sure don’t want to start the process over looking for another location for a landfill. I think we have pretty well heard from the public what they want. Commissioner Hancock just alluded to, what I’m assuming was the survey when most people said they wanted a landfill and I’m trying to get to that option by placing where we’ve already had one. It means a simple expansion, and if the City Council says they don’t think it’s within their best interest to expand that and use the Kingsbury site, then our only other option is the transfer station, because I’m certainly not going to open up another landfill in Sedgwick County.”

**Chairman Winters** said, “If you want to make that in a form of a Motion and see whether it works. . .”

**Commissioner Schroeder** said, “Well, I guess we need a time certain back from the City Council. If we made the Motion that we would want them to reconsider Kingsbury and it takes them a month, or two months or three months, I don’t think we are willing to wait that period of time.”

**Chairman Winters** said, “I think you could make the Motion anyway you wanted to make it. If you want to make it one week and if they do or they don’t, that’s up to them.”

**Commissioner Miller** said, “Two weeks.”

**Commissioner Schroeder** said, “I’ll just try it and see what happens, and the Motion would be and I’m getting signals from everybody . . . I feel like I’m on first base.”

**Commissioner Hancock** said, “There is a lot those folks can’t see that goes on.”

**Commissioner Schroeder** said, “I know.”

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### **MOTION**

Commissioner Schroeder moved to send this issue back to the City Council to consider reopening Kingsbury as an expansion of the Brooks site and bring it back to us in two weeks.

Commissioner Miller seconded the Motion.

**Commissioner Schroeder** said, "I don't think these folks can take it much longer than that. I think we will act quickly once we get their response. I don't think there is any hesitation up here and I want the public to know that there is no hesitation on our part to do that."

**Chairman Winters** said, "That's in form of a Motion?"

**Commissioner Miller** said, "I just simply want to, and I know there will be opposition and for a good reason to this particular Motion, but in support of it, it has simply given us as a Commission an opportunity to field and to respond to what we've heard a public out cry and that is a local landfill option. We felt as a Commission that the Furley site was not it, but we are being reasonable and considering the actual reconsideration of the expansion, or the original expansion, which is the Kingsbury site to Brooks Landfill. That's just my second and my comment. Thank you."

**Chairman Winters** said, "We have a Motion, is there other discussion?"

**Mr. Euson** said, "I just want to make sure it's clear in the Motion that you are deferring your final disposal option for two weeks."

**Chairman Winters** said, "Yes. That seems to be clear."

**Commissioner Hancock** said, "Really, what we are doing is we would just like to have the City Council's opinion on how they feel about this proposal. That's all we're asking. The other option is a transfer station. For me, at least, when I first started, I said that none of these things were good and there are things that are less harmful than others, and this is mine. That's all we're asking is what they think about this and they know what the alternative is."

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**Chairman Winters** said, "All right. Commissioner Miller, Commissioner Hancock and Commissioner Schroeder, I do appreciate your discussion and appreciate your comments. I am going to vote no, but I certainly understand your comments. Is there other discussion? Any other discussion on this Motion? Seeing none, call the vote."

**VOTE**

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

**Chairman Winters** said, "The Motion passes, three to two and Councilman Ferris and Councilman Gale, I appreciate, and I think we all do very much your being here. You have heard this discussion so you have a feel of what we've talked about and we certainly appreciate you being here. At this time, we are going to take a break."

**The Board of Sedgwick County Commissioners recessed at 12:40 p.m. and returned at 12:55 p.m.**

**Chairman Winters** said, "I'll call back to order the Regular Meeting of the Board of County Commissioners. We've been in recess for a few minutes. Madam Clerk, I believe we're on new business Item D, would you please call the next item."

**D. RESOLUTIONS (THREE) CREATING BENEFIT AND ROAD IMPROVEMENT DISTRICTS.**

**1. RESOLUTION CREATING A BENEFIT DISTRICT IN SEDGWICK COUNTY, KANSAS AND AUTHORIZING IMPROVEMENTS THEREIN (ROCKY CREEK ADDITION/ENTRY STREET AND GENERAL IMPROVEMENTS.)**

**Mr. Joe L. Norton**, Bond Counsel, Gilmore & Bell, P.C., greeted the Commissioners and said, "For your consideration today are three Resolutions which all deal with the same general area of the County known as Rocky Creek Addition.

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**SLIDE PRESENTATION**

“On the screen before you is a map depicting the general area of the improvement district which is northeast of the intersection of 13th Street North and 127th Street East. This is a new development which you previously authorized sewer improvements in and now we’re talking about road improvements in this particular area. Next you will find a map in various colors depicting phases of improvements which we will talk about in a moment. There are 235 lots within the boundaries of this particular subdivision all of which are residential with the exception of the lower left hand corner which there are two lots which are proposed to be commercial properties. The improvements are set forth in three phases, all of which have been signed by three separate petitions by 100% of the owners of the property within the proposed benefit district. The initial is for what we call the entry street and general improvements.

“This is the area in red right here which is the general entrance to the area and associated detention ponds that go right up through here. Some of you have been familiar with the area and may realize that this is Four Mile Creek coming through this particular area so the particular drainage needs to be done along with the general entry way into the subdivision. The proposed method of assessment on this area is equally for all the 235 lots within the particular subdivision paying for this drainage and entry improvement. The third Resolution is for the improvement of 127th Street East along the west perimeter of the subdivision to urban standards. This probably will be delayed for some point in time until the general area has been done so that construction traffic will not interfere with this particular improvement if it is done early. Again, the proposed method of assessment is for this improvement to be assessed to all 235 lots within the benefit district.

“Resolution two is for improvements to various internal streets within the subdivision. As you will see later when we go along the various cost estimates, the improvements are to be assessed in various phases. As you can see on the map, phase one in yellow is generally this particular area. Phase two in the other color, which I’m not sure exactly what it is, kind of a pinkish maroon, will bring into play another phase of the perimeter road and this access perimeter road will be assessed in one phase to all these lots and then the various entry streets and cul-de-sacs in various phases depicting the frontage on the property to be assessed.

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“Likewise, this particular area here, the general road will be assessed to these areas along in here along with their individual cul-de-sac or lots. There is one exception, there is another entrance to this subdivision down here and that entrance would only be assessed to the property that will utilize it. So that is the general scheme of the phasing. We anticipate that this will be constructed in phases depending on the sales of property within the residential area. This is across the street from and in some ways is similar to the development called White Tail catty corner across the street.

“Next, Jim has a screen before you with the estimates of cost for Resolution Item 1, this is what is called the parkway, the total estimated cost of the project as set forth in green, total bond issue is approximately \$1,248,000. When divided by all 235 lots equally, has a principal component of about \$5,310 or whenever assessed over 15 years at 8%, an annual payment of about \$780.

“Item two is the general phasing of the various road improvements within the boundaries of the subdivision. There are eight phases as depicted by the colored map you saw before. I’ll quickly go through these. These again are related to various properties within the district and property that abuts their particular residential lot with one exception which we’ll point out. Again, the total bond issue is a total estimate of cost in the green, the principal cost per lot in blue, and the number of lots to be assessed, as you can see, are smaller pieces. Phase one, for example, total estimated cost of about \$703,500 when divided among the 39 lots benefiting from that improvement has a principal cost of about \$18,000 per lot. This is the larger lots on the west hand of the subdivision that was in yellow. Again, going through the various phases, there are the estimated cost amounts and the cost per lot.

“Similarly through the last phases, as you may recall in phase seven, there are two commercial lots and this also entails putting in some accel-decel lanes around that and improving those for commercial purposes. You can see those have a cost component of about \$38,000 for the commercial lots. Phase eight is that particular area I showed you which has the access off of 13th Street and they do not get one of the other phase assessments for that circular road in the middle so their cost per phase is slightly higher, but they’re not getting also a perimeter phase. That is all part of their particular phase eight with that amount in purple. Item three on the agenda, 127th Street East, has an estimated cost, again in green, of total bond issue of about \$100,522. Again, divided equally among all lots in the subdivision a principal cost of about \$450 per lot. Since all these kind of go together,



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“I thought it might be helpful for the Commission to discuss them in total. I’d be happy to answer any individual questions you may have about the particular phases or the three Resolutions. I would suggest that after taking public comment, if you desire to, that we could act upon the Resolutions independently.”

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

**Commissioner Hancock** said, “Thank you Mr. Chairman. Joe, with all these phases involved for the different improvements. I know we had a little problem in another subdivision, did the owner go through these and make sure there were no double assessments?”

**Mr. Norton** said, “Right, and Mr. Weber’s staff and mine have also, as you may recall, we did the sewer improvements in this area several weeks ago and have requested they delay actions on the street to go back and make some adjustments that we talked about in another area.”

**Commissioner Hancock** said, “Appreciate that. Thank you Joe. Thank you Mr. Chairman.”

**Chairman Winters** said, “Mr. Spears.”

**Mr. David Spears**, Director, Bureau of Public Services, said, “Thank you Mr. Chairman. Joe or Jim, would you clarify why 127th has to be improved? Is that a similar situation to like what we had at Savannah at Castle Rock?”

**Mr. Jim Weber**, Bureau of Public Services, said, “This is a requirement that was made by the subdivision committee of the Planning Commission, that this particular project contribute to the paving of 127th Street. The petition is actually for half of the cost of paving. At this time there is no match from the other side, that is an earlier development. It would stand out there until we found some way to activate it. Somehow they did not. Our recommendation was that this subdivision pay for the entire paving of this street for this half mile and they did not go with that. So they did require half of it.”

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

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**Commissioner Gwin** said, "Thanks. Jim, on 127th Street, Joe said urban standards, is that what they require, urban gutter?"

**Mr. Weber** said, "I failed to inform Joe properly. It is actually rural standards for this particular petition. What we have now is an existing township road with a pretty poor asphalt matt on it as you probably know. It is unraveling quickly and we are concerned about it as this development comes into place and the traffic increases. It is going to be a problem."

**Commissioner Gwin** said, "Okay, I just wanted to make sure that I had clarification on exactly what they required."

**Mr. Weber** said, "Right."

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

**Chairman Winters** said, "Thank you. I think we will open this up to public comment. If there is anyone here from the public who wishes to address the Commission regarding our item D-1, 2, and 3. Is there anyone here who wishes to address the Commission? Seeing no one we'll limit discussion to staff and Commission. Commissioners, what's the will of the Board? We need to take these Resolutions one at a time."

#### **MOTION**

Commissioner Schroeder moved to adopt the Resolution for Item D-1..

Commissioner Gwin seconded the Motion.

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

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**VOTE**

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

**Chairman Winters** said, "Concerning D-2?"

- 2. RESOLUTION CREATING A ROAD IMPROVEMENT DISTRICT IN SEDGWICK COUNTY, KANSAS AND AUTHORIZING IMPROVEMENTS THEREIN (ROCKY CREEK ADDITION).**

**MOTION**

Commissioner Gwin moved to adopt the Resolution.

Commissioner Schroeder seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "On Item D-3?"

- 3. RESOLUTION CREATING A ROAD IMPROVEMENT DISTRICT IN SEDGWICK COUNTY, KANSAS AND AUTHORIZING IMPROVEMENTS THEREIN (ROCKY CREEK ADDITION/127TH STREET EAST.)**

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**MOTION**

Commissioner Schroeder moved to adopt the Resolution.

Commissioner Gwin seconded the Motion.

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

**VOTE**

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

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

**E. SEDGWICK COUNTY PARK.**

**1. AGREEMENT WITH MUSCLE, INC. FOR USE OF SEDGWICK COUNTY PARK SEPTEMBER 14, 1997 TO HOLD A CAR SHOW.**

**Mr. Lewis (Bob) Rogers**, Assistant County Manager, greeted the Commissioners and said, "Muscle Incorporated has been holding this car show at Sedgwick County Park since 1991. We do have their certificate of insurance and request your approval."

**MOTION**

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

Commissioner Schroeder seconded the Motion.

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

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**VOTE**

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

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

**2. AGREEMENT WITH WICHITA REGIONAL GROUP OF THE  
EARLY FORD V-8 CLUB OF AMERICA FOR USE OF SEDGWICK  
COUNTY PARK OCTOBER 5, 1997 TO HOLD A CAR SHOW.**

**Mr. Rogers** said, "Commissioners, this show has been held at Sedgwick County Park for several years. We do have a certificate of insurance and request your approval."

**MOTION**

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

Commissioner Gwin seconded the Motion.

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

**VOTE**

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

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

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**F. DEPARTMENT OF CORRECTIONS.**

**1. GRANT APPLICATION TO KANSAS DEPARTMENT OF CORRECTIONS FOR FISCAL YEAR 1998 COMMUNITY CORRECTIONS CONDITION VIOLATOR GRANT.**

**Mr. Mark Masterson**, Interim Director, Department of Corrections, greeted the Commissioners and said, "The Department of Corrections has received formal notification for the Kansas Department of Corrections of the fiscal year 1998 grant award for the Juvenile Intensive Supervision Program in the amount of \$528,535. This amount is adequate to maintain current service levels. We are requesting that the BOCC accept this grant and authorize the submit of the fiscal year 1998 category budget summary to the Kansas Department of Corrections."

**MOTION**

Commissioner Schroeder moved to approve the Grant Application and authorize the Chairman to sign.

Commissioner Miller seconded the Motion.

**Commissioner Gwin** said, "I'm curious, is that Item F-1 that we're discussing?"

**Commissioner Schroeder** said, "Condition Violator Grant, is that correct?"

**Mr. Masterson** said, "No, it's not. I apologize. I'm on a different item. The Condition Violator Grant, the State Legislature has appropriated \$700,000 Statewide to develop structured programs for adult felons assigned to local community corrections programs who subsequently violate the conditions of their supervision. The Kansas Department of Corrections has requested competitive grant applications from community correction programs in order to distribute these funds. Our Condition Violator Grant application proposes an intensive day intervention project which would provide additional structured programming for condition violators in lieu of prison placements. The grant application is in the amount of \$294,310. I ask that you approve the request and authorize the Chairman to sign."

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**Commissioner Schroeder** said, "I'll withdraw my previous Motion."

**Chairman Winters** said, "Okay, will you withdraw the second?"

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

**Chairman Winters** said, "Now we have no Motion on the floor. Now we're talking about F-1."

**MOTION**

Commissioner Gwin moved to approve the Grant Application and authorize the Chairman to sign.

Commissioner Schroeder seconded the Motion.

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

**VOTE**

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

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

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**2. SUBMISSION TO KANSAS DEPARTMENT OF CORRECTIONS OF THE FISCAL YEAR 1999 COMMUNITY CORRECTIONS GRANT PROGRAM BUDGET FOR THE ADULT RESIDENTIAL PROGRAM.**

**Mr. Masterson** said, "It's time to submit the Fiscal Year 1999 Grant Budget Application for the Community Corrections Adult Residential Program to the Kansas Department of Corrections. One option is intended to reflect needs of the current service level and the other option is to include desired enhancements. The proposed enhancements in this request include increasing the client average daily population at the center from 75 to 92 and provide in house substance abuse and life skills classes. The enhanced budget request is in the amount of \$1,493,461. Ask that you approve the budget request and authorize us to submit it to the Kansas Department of Corrections."

**MOTION**

Commissioner Gwin moved to authorize submission of the budget.

Commissioner Hancock seconded the Motion.

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

**VOTE**

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

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



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**3. SUBMISSION TO KANSAS DEPARTMENT OF CORRECTIONS OF THE FISCAL YEAR 1998 COMMUNITY CORRECTIONS GRANT PROGRAM BUDGET FOR JUVENILE INTENSIVE SUPERVISION PROGRAMMING.**

**Mr. Masterson** said, "The Department of Corrections has received formal notification from the Kansas Department of Corrections of the fiscal year 1998 grant award for the juvenile Intensive Supervision program in the amount of \$528,535. We are requesting that the BOCC accept this grant and authorize the submittal of the budget summary to the Kansas Department of Corrections."

**MOTION**

Commissioner Gwin moved to authorize submission of the budget.

Commissioner Miller seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Thank you very much Mark."

**Mr. Masterson** said, "Thank you. I apologize for the confusion."

**Chairman Winters** said, "That's all right, we understood it in the end. Next item."

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**G. REPORT OF THE BOARD OF BIDS AND CONTRACTS' AUGUST 28, 1997  
REGULAR MEETING.**

**Mr. Darren Muci**, Director, Purchasing Department, greeted the Commissioners and said, "You have minutes from the August 28 meeting of the Board of Bids and Contracts. There are six items for consideration.

**(1) INTERSECTION IMPROVEMENTS - BUREAU/PUBLIC SERVICES  
FUNDING: GENERAL OBLIGATION BONDS**

"Item one, intersection improvements, project 628-815 MacArthur & West Street. It was recommended to accept the low bid of Cornejo & Sons for \$369,470.

**(2) PIPE REAMING - BUREAU/PUBLIC SERVICES  
FUNDING: SEWER OPERATIONS**

"Item two, pipe reaming for the Bureau of Public Services. It was recommended to accept the only bid received of Nowak Construction in the amount of \$20,000.

**(3) ARCHITECTURAL WOODWORK - CAPITAL PROJECTS/SHERIFF  
FUNDING: DETENTION FACILITY ADDITION**

"Item three is architectural woodwork for the Detention Facility expansion. It was recommended to accept the low bid of Salina Planing Mill in the amount of \$187,378.

**(4) DETENTION FURNITURE - CAPITAL PROJECTS/SHERIFF  
FUNDING: DETENTION FACILITY ADDITION**

"Item four, detention furniture for Capital Projects and the Detention Facility expansion. It was recommended to accept the low bid of Chief Industries, in the amount of \$186,000.

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- (5) MOBILE DATA TERMINAL SYSTEMS INTEGRATOR - SHERIFF/EMERGENCY COMMUNICATIONS  
FUNDING: MCT GRANT**

“Item five, mobile data terminal systems integrator for the Sheriff and Emergency Communications. It was recommended to accept the low proposal of Litton/PRC, subject to receipt, review and approval of terms and conditions, the amount not to exceed \$117,800. That does include a \$10,000 contingency.

- (6) PAVING & STORM WATER IMPROVEMENTS - BUREAU/PUBLIC SERVICES  
FUNDING: SPECIAL ASSESSMENTS**

“Item six, paving and storm water improvements for the Bureau of Public Services for Rocky Creek Addition, Phase I. It was recommended to accept the low bid of Ritchie Paving in the amount of \$537,019.26.

**ITEMS NOT REQUIRING BOCC ACTION**

- (7) STREET IMPROVEMENTS - BUREAU/PUBLIC SERVICES  
FUNDING: SPECIAL ASSESSMENTS**
- (8) BULLDOZER - MOTOR POOL  
FUNDING: MOTOR POOL**
- (9) HEADSPACE ANALYZER - REGIONAL FORENSIC SCIENCE CENTER  
FUNDING: REGIONAL FORENSIC SCIENCE CENTER**
- (10) DISPOSITION OF REAL PROPERTY - 51ST & MERIDIAN - LEGAL  
FUNDING: LEGAL**
- (11) SANITARY SEWER IMPROVEMENTS - BUREAU/PUBLIC SERVICES  
FUNDING: SPECIAL ASSESSMENTS**

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“There are five items that do not require action at this time. They include Street Improvements for the Town and Country Estates Addition, a bulldozer for Central Motor Pool and the Bureau of Public Services, a headspace analyzer for the Coroner, disposition of real property near 51st & Meridian, and sanitary sewer improvements for the Rocky Creek Addition, Phase 2. I’d be happy to take questions and recommend approval of the minutes provided by the Board of Bids and Contracts.”

#### **MOTION**

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

Commissioner Gwin seconded the Motion.

**Chairman Winters** said, “I have a question about number ten on the no action required. I don’t really have a problem with this except it looks to me like this is action. I can understand when indefinitely reviewed, take off the indefinitely reviewed and is no action, but this is to reject all bids and then we have another one that is to reject all bids. I don’t know all the details I think on item ten and I’d like to defer that for one week. I may be in agreement with that but I’d at least like to ask a couple of questions about item ten. Commissioner Miller.”

**Commissioner Miller** said, “I have no problem with that deferment and are you going to put that in the form of a Motion?”

**Chairman Winters** said, “A substitute Motion or an amendment to the Motion that we delete item ten for one week.”

**Commissioner Miller** said, “Please. One week is going to get it?”

**Chairman Winters** said, “I think so.”

**Commissioner Gwin** said, “But it doesn’t require BOCC action anyhow.”

**Commissioner Schroeder** said, “It is a FYI is all it is. They have already rejected the bids.”

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**Chairman Winters** said, "But we could . . ."

**Commissioner Schroeder** said, "All I'm saying is that it is a FYI for us. If you want to take it up . . ."

**Commissioner Hancock** said, "We could override the objection."

**Chairman Winters** said, "I guess I just need to understand more about this item. I think there could be good reasons, but I don't know."

**Commissioner Miller** said, "So is this just basic information?"

**Chairman Winters** said, "I would like to not formally reject this bid this week. If we're going to reject it, reject it next week. So I'd make a substitute Motion that we delete item ten from today's action."

**Commissioner Schroeder** said, "I always thought that these that said no action required meant that it is a FYI for us is all it is."

**Mr. Muci** said, "That is the intent of this particular section."

**Commissioner Gwin** said, "So what is the next step then on item 10? What do you propose to do with that?"

**Mr. Muci** said, "You approve the recommendations today then that process is over and done with. It is my understanding that if you defer action then it stays as a recommendation from the Board of Bids and Contracts to reject."

**Commissioner Miller** said, "Darren, are you saying that if we defer this that it is just as if we didn't hear it and it will come up again next week?"

**Mr. Muci** said, "That would be my understanding? Mr. Euson?"

**Mr. Euson** said, "It should come up for your action either to approve the Bid Board recommendation or not to approve it."

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**Chairman Winters** said, "So really by being listed in the items not requiring action is the wrong place for this item."

**Mr. Euson** said, "I believe it is because in order to have the bids rejected it takes the Board's action."

**Commissioner Miller** said, "Okay."

**AMENDED MOTION**

Chairman Winters moved to approve the recommendations of the Board of Bids and Contracts with the exception that item ten be deferred for one week.

Commissioner Gwin seconded the Motion.

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

**VOTE**

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

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

**CONSENT AGENDA**

**H. CONSENT AGENDA.**

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

One Easement for Right-of-Way and one Temporary Construction Easement for Sedgwick County Project No. 835-N 1/2 P; Greenwich Road from Central to Douglas. CIP #R-240. District #1.

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

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V97049	\$262.00	5	Rental Property Management Company
C97050	\$154.00		Aaron Wells
V97048	\$211.00	3	Valley View Apartments

**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>
V95136	\$416.00	\$444.00
V96078	\$463.00	\$511.00
V96052	\$379.00	\$216.00
C97044	\$228.00	\$25.00
C96104	\$275.00	\$37.00

**4. Special Event 1997 License to Big Events, L.C. for retail sale of cereal malt beverages.**

**5. Real Estate Purchase Contract with Pete Burghart in the amount of \$36,947.50, less required deductions, under the FEMA buy-out program.**

**6. Order dated August 27, 1997 to correct tax roll for change of assessment.**

**7. Consideration of the Check Register of August 29, 1997.**

**Regular Meeting, September 3, 1997**

**8. Budget Adjustment Requests.**

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
970506	County Clerk	Transfer
970507	District Court Judges	Transfer
970508	Information Services	Transfer
970509	COMCARE-Children's Mental Health Reform	Supplemental Appropriation
970510	Road and Bridge Sales Tax	Transfer
970511	1997 Road Projects	Supplemental Appropriation
970512	Various Street Projects	Supplemental Appropriation

**Mr. Buchanan** said, "Commissioners, you have the Consent Agenda before you and I would recommend you approve it."

**MOTION**

Commissioner Schroeder moved to approve the Consent Agenda as presented.

Commissioner Hancock seconded the Motion.

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

**VOTE**

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

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



**Regular Meeting, September 3, 1997**

**I. OTHER**

**J. ADJOURNMENT**

**Regular Meeting, September 3, 1997**

There being no other business to come before the Board, the Meeting was adjourned at 1:20 p.m.

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

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**THOMAS G. WINTERS**, Chairman  
Third District

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**PAUL W. HANCOCK**, Chairman Pro Tem  
Second District

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**BETSY GWIN**, Commissioner  
First District

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**MELODY C. MILLER**, Commissioner  
Fourth District

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**MARK F. SCHROEDER**, Commissioner  
Fifth District

ATTEST:

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**James Alford**, County Clerk

APPROVED:

\_\_\_\_\_, 1997