

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

OCTOBER 22, 1997

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, October 22, 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; Mr. David C. Spears, Director, Bureau of Public Services; Mr. Mark Borst, P.E., Deputy Director, Bureau of Public Services; Mr. Jack Brown, RS, MPA, Acting Director, Health Department; Mr. Ken Williams, Assistant Director, Purchasing Department; Mr. Doug Russell, Director, Department on Aging; Ms. Deborah Donaldson, COMCARE; Ms. Susan Erlenwein, Director, Environmental Resources; Ms. Irene Hart, Director, Bureau of Community Development; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Mr. Fred Ervin, Director, Public Relations; and Ms. Linda M. Leggett, Deputy County Clerk.

GUESTS

Mr. James Crump, representing the NAACP
Ms. Yolanda B. Williams, 1101 Terrace, Wichita, Kansas
Mr. Joe Norton, Bond Counsel, Gilmore & Bell, P.C.

INVOCATION

The Invocation was given by Mr. Bob Bruner 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, September 24, 1997

The Clerk reported that all Commissioners were present at the Regular Meeting of September 24, 1997.

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

MOTION

Commissioner Hancock moved to approve the Minutes of September 24, 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, "Becky, I see no questions. Thank you very much."

Ms. Allen-Bouska said, "Thank you sir."

Chairman Winters said, "Next item."

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PROCLAMATION

A. PROCLAMATION DECLARING OCTOBER 24, 1997 AS “NAACP DAY.”

Chairman Winters said, “Commissioners, I have a Proclamation I'd like to read for your consideration.

PROCLAMATION

WHEREAS, the Wichita branch of the NAACP will co-host the 54th annual Kansas State Conference on the NAACP; and

WHEREAS, the conference will focus on challenging issues that are foremost in our changing society and since 1909 the NAACP’s efforts have proved successful in historic legislative victories, and progressive changes that have affected our entire society; and

WHEREAS, the NAACP is a nonprofit organization which promotes civil rights, economic development, education, equal employment, voter registration, prison reform, and labor relations;

NOW THEREFORE BE IT RESOLVED, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim Friday, October 24, 1997 as

“NAACP DAY”

in recognition of the 54th Anniversary of the NAACP Kansas State Convention.

Dated October 22, 1997. Commissioners, that’s the Proclamation, what’s the will of the Board?”

MOTION

Commissioner Hancock moved to adopt the Proclamation 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, "Here to accept the Proclamation is James Crump and Mr. Crump, if you would like to make a few comments about the State Convention or your plans in general, that would be great."

Mr. James Crump said, "Thank you Mr. Winters, Commissioners. Good morning. I am deeply honored on behalf of the Wichita Chapter of the NAACP and representing the President of the Kansas Day Conference this morning. Thank you for this Proclamation. This will be basically a three day affair primarily down at the Broadview Hotel. What we would like to do one day is get a Proclamation for a National Convention here. That's on our agenda down the road but right now we'll accept this with a heart felt thank you."

Chairman Winters said, "Thank you. We wish you the best success at the convention. That would be interesting to go for the National Convention. Perhaps we're getting to the point where we can do that in this community. Thank you very much for all the work you do. Next item please."

PUBLIC HEARING

B. PUBLIC HEARING REGARDING ISSUANCE OF APPROXIMATELY \$60,000,000 IN SINGLE-FAMILY MORTGAGE REVENUE BONDS, SERIES A-1/A-2/A-3.

Ms. Irene Hart, Director, Bureau of Community Development, greeted the Commissioners and said, "Later on in your agenda today we have an item regarding the issuance of \$60,000,000 in mortgage revenue bonds. According to federal law, you are required to have a public hearing before you can conduct such an activity. The mortgage revenue bond program is designed to assist low and moderate income first time home buyers. We do this through the Kansas State Constitution and State laws. In other states, there is usually a housing financing agency at the state level. Kansas does not have such an entity, so counties are allowed to conduct this activity."

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“In issuing these bonds there is no liability against the faith and credit of the State or the County. There is no moral obligation to repay these bonds. You have no right or authority to levy taxes to pay off the bonds. They are indeed backed by the mortgages themselves that would be issued as a result of this bond issue.

“My information is that the bond rate looks like it is about 7.45%. We have experts here who can answer technical questions and I recommend that you open the public hearing.”

Chairman Winters said, “Thank you. I see no questions or comments from the Commissioners. At this time, I will open the public hearing. Is there anyone here in the meeting room who would like to address the Board of County Commissioners regarding mortgage revenue bonds, Series A-1, A-2, A-3? Is there anyone here in the meeting room who would like to address the Board on this issue? This is our agenda item B. Seeing no one, we’ll close the public hearing. Irene, do we need to do anything else at this time?”

Ms. Hart said, “No.”

Chairman Winters said, “Madam Clerk, call the next item.”

CITIZEN INQUIRY

C. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING THE PUBLIC RECORD.

Chairman Winters said, “Commissioners and audience, this is the time that citizens who would like to address the Board of County Commissioners can do so by asking the County Manager to be placed on the agenda a week before our meeting. We encourage citizens to address the Commissioners. Please state your name and address and please try to limit comments to five minutes.”

Ms. Yolanda B. Williams said, “My residence is 1101 Terrace. The minutes of the Sedgwick County Board of Commissioners is the official and ongoing public record of the Commission’s conduct of the laws, policies, and concerns in regards to the welfare of Sedgwick County citizens. Of further importance to present and future Sedgwick County residents is that the minutes are the most accessible format of the public record of the Sedgwick County Board of Commissioners. As with any document, accuracy is important to the sensibleness of a document’s text and content.

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“Therefore, my presentation today is to note issues of clarity that in absence from the minutes of the 7-23-97 meeting then spoils the Sedgwick County Board of Commissioners’ public record continuum and spoils, for the public, dependability upon such record.

“On 7-23-97, I was among the group of individuals making presentations about Sedgwick County’s proposed 1998 budget. My concern was regarding Sedgwick County’s new plan to not renew the funding of several well known and functioning social service agencies such as Big Brothers/Big Sisters, Wichita Children’s Museum, Metropolitan Family Preservation, Metro Area Literacy Resources, et cetera; while an approximately 25 years old, extremely poorly functioning, questionably nonprofit/tax free group--the First National Black Historical Society of Kansas, Inc.--was readily put into Sedgwick County’s 1998 budget to receive nearly \$92,000!

“These issues of accuracy for clarity are in regards to pages 18 and 19 of the 7-23-97 minutes. Page 18, line 2, reads in part ‘. . . Sedgwick County Board of County Commissioners’, they can delete County there. Line 4, reads in part, ‘. . . but a \$1,000,000 pool would be set aside for’, not from. Line 5, ‘. . .but also compete’, not complete, ‘with Sedgwick County.’ Line 6, ‘...funding pool when,’ not came, right off the top for, not with, 1998.’ Line 7, ‘. . . the, not with, 12 denied requests for continued funding total, strike out the ed on there, nearly half . . .’ Line 10, ‘. . . Big Brothers/Big Sisters, and also on that line, the Mid-American All Indian Center . . .’ Line 11, is ‘. . .Metro Area Literacy Resources.’

“And on page 19, line 4 is a new paragraph. ‘Why this, not the, significant plug of public tax money, and that is a question for that sentence. Line 5 reads in part has determinedly, not eternally, failed to fulfill its profound charge to ably administer and prosper.’ Line 7, ‘. . .601 N. Water is a question mark with an and beginning the next sentence instead, in these years, not this year, chose to succumb . . .’ Line 8, ‘. . .and to allow the piecemeal, that’s a spelling issue there and I have it spelled on copies that I have available for the Commission and the Deputy Clerk. Line 9, ‘. . .destruction of a viable Black Historical Museum and Cultural Retreat and, there is no new sentence there, but and that . . .’ Line 11 is not a new paragraph, but a semicolon comes after the ‘. . . National Register of Historical Places; and then following, huge garage across the’, not a. Line 13, reads in part, ‘1,600 jail beds, plural. Lines 14 and 15 is a freestanding sentence as a paragraph, ‘. . . Understandably, the Sedgwick County Board of Commissioners is very appreciative of the Black Historical Society.’

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“Line 15 is a new paragraph, that should begin, ‘These 25 years’ and striking the of that proceeds the 25 as shown there. Line 19 reads in part, ‘ . . . For, not when, the Black Historical Society to have, not had, been functional . . .’ Line 23 reads in part, excuse me, make that line 22, read in part, ‘ . . . This, not It, would have gone a long way . . .’ Line 24 reads in part, ‘It is a, not an, brazen affront, and it is only the underbelly, not under ability, of deceptive thought, not styles . . .’ Line 25, ‘ Historical Society is, not as, a keeper of public policy . . .’ Line 26, ‘ . . . public tax money as, not is, conscience money . . .’

“That is the conclusion of that and in the interest of the public record, like I said, I have copies of this for I’d like for the Commissioners to have and for the Deputy Clerk to have. Thank you.”

Chairman Winters said, “Thank you Ms. Williams for sharing your concerns about that and we’ll be glad to take that. The Deputy Clerk is right over there with his hand up.”

Ms. Williams said, “I’ll give it to Linda Leggett.”

Chairman Winters said, “Okay. She can make sure the Clerk’s Office gets that if you want to hand a copy to Commissioner Miller. Thank you very much. Madam Clerk, call the next item.”

PLANNING DEPARTMENT

D. CASE NUMBER SCZ-0750 - ZONE CHANGE FROM "SF-20" SINGLE-FAMILY RESIDENTIAL TO "GC" GENERAL COMMERCIAL ON 0.9 ACRES OF PROPERTY LOCATED 1/4 MILE NORTH OF MACARTHUR, EAST OF WEST STREET (3842 SOUTH WEST STREET).

Mr. Marvin Krout, Director, Metropolitan Area Planning Department (MAPD), greeted the Commissioners and said, “One zoning item on your planning agenda this morning.

SLIDE PRESENTATION

“This involves a tract of land. It is less than one acre in size. It is outlined in black on the map. It is on the east side of West Street, about a quarter mile north of MacArthur Road in the southwest part of the community. It is in the County. Both frontages of West Street are in the County in this area. It is a rapidly developing industrial area. Over recent years, the County Commission has approved other requests for commercial and industrial zoning along the east side of this street.

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“You can see that this tract is zoned SF-20, which is the residential district, and immediately touching to the north and the south is also land that is zoned residential. There are some scattered homes that do remain in this area but you can see there is industrial zoning to the north and south on that side of the street and all along the west side of the street. Well developed, heavy truck traffic on West Street and the Comprehensive Plan suggests that this area of this corridor is appropriate for continued industrial and commercial uses.

“The request is to change the zoning on this property to general commercial zoning. The applicant intends to relocate an electronics repair business that he currently has. He leases space in an existing building in this part of town and wants to relocate to this area. Also is in the business of restoring antique motorcycles and wants to be able to sell and display those at this location. This zoning is consistent with the plan and emerging development in this area and the staff recommended approval subject to platting. There was a property owner to the south, a residential property owner, who appeared at the Planning Commission meeting. He expressed concerns not necessarily about the commercial zoning, I think that he sees that it is the trend in this area. His concern was really that there had been some construction site, you will see that there is a trailer that is on the site that was parked and construction materials, and his concern was what is this all about and when is this going to happen. The property owner has been investing substantial time and I think funds into this project in attempts to restore the residence that is on the site today to be used as part of his business.

“This is the aerial photograph. You can see the red taped area is the area in question. There are a few homes in disrepair behind and there is a residence to the south and a couple of residences to the north and otherwise industrial use in this area. We’re now looking from just on the west side of West Street looking east across West Street. The house in question is the one being restored. You see the trailer parked beside it. That’s the site that we’re talking about today. This is the property immediately to the south. This is zoned and used for residential purposes. West Street is a two lane road, not in the CIP, but is projected to be at a traffic level where it will have to be expanded in the future. We’re looking now to the south and the west. You can see industrial use on the west side of West Street. Now we’re looking from the site in question back across the west of West Street, industrial uses along the west side. This is looking north, and along the west side of West Street, industrial uses. North, along the east side of the frontage, you can see residential use is the first use to the north than industrial further to the north. Again, this is the existing house that is being restored for commercial use. The aerial photograph. The zoning map again.

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“The Planning Commission’s vote was unanimous. They recommended that this be approved subject to platting by a unanimous vote and there were no written protests filed by any property owner in the valid protest petition area after the Planning Commission hearing so it just requires a simple majority for the County Commission to approve. I’d be glad to answer any questions you might have.”

Chairman Winters said, “Thank you, Marvin. Does anyone have a question of Marvin before we open it up for any public comment? I see none. Is there anyone here today in the meeting room who would like to address the Board of County Commissioners on this planning item D, concerning a property near West Street and MacArthur? Is there anyone here who would like to address us either for or against this proposed zoning change? Seeing no one, we’ll limit discussion to staff and Commission. Commissioners, any questions? If not, what’s the will of the Board?”

MOTION

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

Commissioner Hancock seconded the Motion.

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

VOTE

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

Chairman Winters said, “Thank you very much Marvin. Before we go on to the next item, I would like to comment that former County Commissioner Bud Henson is in the room this morning and welcome Mr. Henson, it is good to have you here. Madam Clerk, call the next item please.”

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NEW BUSINESS

E. RESOLUTION DECLARING IT NECESSARY TO CONSTRUCT IMPROVEMENTS TO EXISTING ROADS AND INTERSECTIONS IN THE COUNTY; PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS TO PAY THE COSTS THEREOF; AND PROVIDING FOR PUBLICATION AS REQUIRED BY LAW.

Mr. Joe L. Norton, Bond Counsel, Gilmore & Bell, P.C., greeted the Commissioners and said, "For your consideration this morning is a Resolution authorizing the issuance of general obligation bonds to pay for a portion of the annual road and bridge program of the County. As you may be aware, a portion of that is funded from local options sales tax and a small portion by general obligation bonds. This morning, the Bureau of Public Services has recommended three projects to be included in the bond program.

"They are improvements to Ridge Road between the Wichita city limits and K-96, at an estimated cost of \$2,000,000; improvements to 63rd Street South between Buckner and K-15, at an estimated total cost of \$1,000,000; and improvements to 21st Street North between the Wichita city limits and K-96, at an estimated cost to the County of \$2,127,000. The later project is one which may be familiar to you because we've previously authorized this under the County's Charter Resolution as a special assessment project where 5% of the cost are spread to effected property owners. That project is currently under construction. It was accelerated to get it in before those developments have been completed. The reason we have it on the agenda today is that under that Charter Resolution, bonds issued for the County at large portion are inside the County's debt limit, where bonds issued under this type of authority are excluded from the County's debt limit, giving the Finance Department additional flexibility in managing the County's funds. So if we can shift a portion of that project into this authority you will have additional flexibility in your financial planning. So in that regard, we recommend it be included in this program and then we have the flexibility to go either way when it comes time to do the permanent financing on that.

"The Resolution sets forth the necessity of doing these programs and authorizing the bonds in the amount not to exceed \$5,127,044. The Resolution, if adopted, would be published in the official County newspaper and provides for a citizen protest period of 90 days prior to the time we issue that. I would be pleased to answer any additional questions that you may have about the Resolution and Mr. Spears is here if you have some questions about the projects."

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

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Commissioner Miller said, "Thank you, Mr. Chairman. Joe, regarding the time line of when we would actually secure financial funding for this Resolution."

Mr. Norton said, "Typically what would happen is that in the County's annual general obligation bonds sale that occurs in July of every year would be the permanent financing. This requires a 90 day protest period and then there would be the period of final plans and specs and going out for bids for the projects and permanent financing would be in place next summer."

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

Chairman Winters said, "Thank you Commissioner. Are there any other questions or comments?"

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. Next item."

F. RESOLUTION ADOPTING AN ADDENDUM TO THE SEDGWICK COUNTY SOLID WASTE PLAN PURSUANT TO K.S.A. 65-3405.

Mr. William Buchanan, County Manager, greeted the Commissioners and said, "This is the day that we've been looking towards for some time. Let me remind you that this community began a planning process about 3½ years ago to submit and approve a plan of how we are going to deal with our solid waste in this County."

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“In August of 1996, Sedgwick County assumed responsibility for developing that plan and began working towards this day next week. During the period between August of 1996 and March of 1997, a preliminary plan was produced, developed, worked on with a committee and submitted to you. You approved it tentatively and we improved it and sent it on to the State and received additional approval for that plan. Because of your action and the Committee’s hard work, businesses in this community started receiving state grants, the largest grants ever given to anyone in the State came to this community in excess of \$500,000. One company, you remember, received \$300,000 and another company received \$200,000, because we completed the plan and submitted it in a timely fashion. In March, we received a letter from the State that indicated there was some more additional information that was needed. Susan Erlenwein will walk through what those items are and we will then ask you to make decisions about those today.

“The plan of action today, Commissioners, would be for you to make decisions on five different issues, one about banning yard waste and construction and demolition debris, that is one issue. The second issue would be volume based rates. The third issue is residential recycling. The fourth issue would be solid waste collection, processes in this community. Five is the diversion rate, establishing the goal of how much trash, how much we need to divert out of the system and what rate and by what year. Once those decisions are made, then we will ask you to approve the plan in concept as a draft and we will then add your decisions into the plan. We will check it again for editing purposes and any technical changes and legal changes that might be necessary and bring it back to you for your final adoption next week. The actions this week we would hope would allow us to do that. Susan Erlenwein will walk through those issues with you.”

Ms. Susan Erlenwein, Director, Environmental Resources, greeted the Commissioners and said, “As the Manager mentioned, in March, the State traditionally approved the Solid Waste Plan for Sedgwick County. Two conditions were listed in the letter received from the State. The first condition was on or before October 30, 1997, Sedgwick County must submit an amendment to the Plan to KDHE which identifies the selected final solid waste management system. It provides a schedule for its implementation. That is mainly what we’ll be talking about today is those components of a solid waste management system. The second condition is to estimate the cost of the selected final system and provide proposed methods of paying for the system. That is also in the addendum. So I’d like to review the issues one at a time that we need to consider for the solid waste management system.

“As the Manager mentioned, issue one would be a ban on yard waste, specifically leaves and grass from final disposal. Then also a ban on construction and demolition debris. Your options are to have no bans at all, to ban before Brooks Landfill closes on October 9, 2001, or ban at the time of closure when the new transfer station takes place on October 9, 2001.

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“The staff’s recommendation is to implement both bans after Brooks Landfill closes on October 9, 2001. The reason for the bans is to reduce the amount of material going to the transfer station. Approximately 500 tons per day would be eliminated from the transfer station if you adopt both bans of grass and leaves and of construction and demolition debris. This will also mean fewer trucks going into the transfer station, a lighter load of truck traffic in the area and it will help in our recycling goal. The reason for the October 9 date is to allow enough money to be gathered for the closure of Brooks for the 30 year monitoring after Brooks closes and any monitoring that might take place beyond that for new leaks of material that have not yet been discovered. I recommend that you approve the staff’s recommendation and I’ll be happy to answer any questions.”

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

Commissioner Gwin said, “Thank you Mr. Chairman. Susan, you talked about the letter that we received from KDHE needing a little more conditions contained in this addendum, final selection and having to do with costs. Do you know the date of that letter?”

Ms. Erlenwein said, “Yes, the date of the letter was March 28, 1997.”

Commissioner Gwin said, “Okay. Now, to discuss yard waste and C and D debris, first let me tell you I support banning those materials. I think what may be different from some of my colleagues however is that I support banning yard waste virtually immediately. I think I said that several months ago when we were in the preliminary discussions about this. I don’t have them written in front of me, but first I will say that I think it is the right thing to do. I think that it would also give us an opportunity to phase in some of these bans or changes in the way we do business rather than having all of them drop at the same time, if you will. It seems the logical one for me to start with. There are opportunities for that yard waste to be used in composting facilities and others. If people want to bag it and send it, I think particularly in this time of the year, we’re not going to see that big an impact but we would give both the property owners and the collectors several months to get their act together to impose this maybe as early as next spring, if that were feasible. I still think banning construction and demolition is also important, but as far as implementation and phase in of bans, I could wait a little while longer on that one. But even at that, I think I could support a ban on that prior to 2001. But those are my comments on bans. I support banning those two items, but I would support banning yard waste as soon as possible.”

Ms. Erlenwein said, “There is a business currently operating that will take the yard waste.”

Commissioner Gwin said, “At a lesser cost per ton than they can throw it away at Brooks.”

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Ms. Erlenwein said, "Yes, that is correct."

Commissioner Gwin said, "Thank you."

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

Commissioner Hancock said, "Susan, a couple of questions. Can we separate the items, yard waste and C and D?"

Ms. Erlenwein said, "Yes, you can."

Commissioner Hancock said, "And make different requirements for different times?"

Ms. Erlenwein said, "Yes, you can."

Commissioner Hancock said, "Second question is, if we would ban yard waste today, how would we enforce that? Can we enforce that and prevail upon the City not to take those items?"

Ms. Erlenwein said, "We would have to work with the haulers and have meetings on how they would work with not picking up the yard waste. We'd have to increase education to let the public be aware of what they can do with the yard waste instead of putting it out, such as composting in their yard, mulching mowers, buying chippers. The chippers aren't quite as important because we're just talking about grass and leaves at the current time. We would have to increase education so that they would know that there was an alternative and what the alternative is that they can do with the material. As far as enforcement at the landfill, that becomes a harder issue. You would expect some leaves and grass to be buried in the trash somewhere that you would miss. But other communities who have imposed these bans have found that the majority of the citizens do abide by the bans."

Commissioner Hancock said, "What if until 2001 the City is going to be operating the landfill and we can impose upon them these rules?"

Ms. Erlenwein said, "Yes, you are the planning authority. You can pass an ordinance that bans the material from going to a disposal facility."

Commissioner Hancock said, "What impact financially would this have upon the City, do you have any idea?"

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Ms. Erlenwein said, "The estimated tonnage is 250 tons a day of yard waste and 250 tons of construction and demolition debris. Financially, the tipping fee at the landfill right now is \$26 a ton, about \$6 or so goes for the operation of the landfill, the rest of it is for other programs and the closure of Brooks. I see the Manager has a calculator out right now."

Mr. Buchanan said, "Rough calculation, it would be about \$3,600,000 a year. That would not be for the operation, that would just be for the money that would be set aside for the closure and other programs."

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

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

Commissioner Miller said, "Months ago when we raised this issue and Commissioner Gwin has already spoken to it, there were two Commissioners that wanted to ban yard waste immediately. Actually, it has been talked about, bantered about, promised to do, and taken back by the City of Wichita on a couple of occasions. So we know that it is the right thing to do, we're just wondering if it is the economical thing to do. Commissioner Hancock has asked for the dollars. I'm beginning to wonder, you say significant Mr. Manager, but if indeed Wichita has raised their rates from \$14 plus to \$26 a ton in order to cover the cost of closing Brooks. If I recall, that is going to net them close to \$50,000,000 within this period of time. What were the dollars cited by the City of Wichita that it would actually take to close it, was it somewhere near \$30,000,000 or was it the \$50,000,000?"

Ms. Erlenwein said, "It was less than that. I know at one point they were talking about having a remediation fund of \$12,000,000. I'm not sure what the latest numbers were, but that number sticks in my mind from talks over a year ago so I could be wrong on that number. That was for like a trust fund that would be earning interest over time. The other programs also funded through that tipping fee such as household hazardous waste and public education, neighborhood cleanup and other programs are in that difference between operating costs and what they are receiving. So the \$26 pays for quite a bit, not just the operation of Brooks Landfill."

Commissioner Miller said, "Okay. So what I'm attempting to get at though is reducing or minimizing the numbers in tonnage that is going into Brooks Landfill to the tune of 250 if we would just ban yard waste, approximately, or 500 if we would ban both yard waste and C and D, in terms of bottom line effect, economical impact, on the City, I'm hearing one saying it is a lot but yet the numbers that I'm working says that they have enough to cover that."

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Ms. Erlenwein said, "The Manager said about what, \$3,600,000?"

Commissioner Miller said, "A year and we're talking about to the year 2001, which is another four or five years."

Ms. Erlenwein said, "October 9, 2001 is the date given to close Brooks Landfill. So basically four years."

Commissioner Miller said, "I'm going to still be supportive of banning yard waste primarily prior to the year 2001. Thank you."

Chairman Winters said, "Okay, thank you. I think we've had this discussion once before and we're still in this discussion stage of trying to come to the finalization. I'm going to I think remain where I was before in supporting the ban at the time that the Brooks system closes and I base that on a couple of reasons. The first being that I am really working under the premise that the City system that they have for Brooks and the financing plan that they have in place is one that they came up with and one they believe is correct and one they believe they can justify. I think what I've been saying all along is that in October of 2001, we're going to have a different system. We're going to have this system and the thrust of this system is going to be minimization from that point on. I think that gives us a couple of years to get items in place. Even if we do that bans it is not going to happen over night. It is going to have to be something that is phased in over at least 12 or 18 months prior to October 2001. I'm going to continue to support our original premise of making those bans on yard waste and construction and demolition debris go into effect at the closure of the Brooks system and they won't be accepted into the new system. If the Brooks system can handle that, so be it. It is their system, if they want to ban them fine, but right now I'm looking at 2001. Commissioner Hancock had his light on but Commissioner Schroeder has not spoke yet."

Commissioner Schroeder said, "That's okay."

Chairman Winters said, "Commissioner Hancock."

Commissioner Hancock said, "Susan mentioned a while ago that if we would ban the items now or in the spring that would require a certain amount of education, public education, and kind of a new way of thinking for the community on how to handle leaves and grass. The question is, you also mentioned that there was a facility available here in Wichita to take those item. Would we in turn then have a tipping fee of our own at that facility and require that facility to give us a certain amount of dollars for public education?"

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Ms. Erlenwein said, "No, it is a private facility, privately owned and run."

Commissioner Hancock said, "How would we pay for the activities that we would undertake, through tax dollars?"

Ms. Erlenwein said, "It would have to be through tax dollars since we do not currently receive and money from the tipping fees at Brooks."

Commissioner Hancock said, "So in the short run, until 2001, financially we're dead ducks."

Ms. Erlenwein said, "The only money we have for education would be through tax dollars."

Commissioner Hancock said, "So really it would be a tax subsidy for any company who has decided to take these. Am I correct in saying that?"

Ms. Erlenwein said, "Unless their company did their own education, that is correct."

Commissioner Hancock said, "We couldn't require them to do that."

Ms. Erlenwein said, "No."

Chairman Winters said, "Commissioner Schroeder."

Commissioner Schroeder said, "Thank you. The issue of banning yard waste and C and D debris, I know that is something that we need to do, it is just the timing that I think is critical. Plus, I think our relationship with the City is pretty much strained at this time and personally would not want to do anything more that would hinder that or worsen that relationship. I really don't want to second guess their numbers, but we do have a time certain on this that the landfill will close on a certain date and that is when the new system begins. That's not all that far down the road when you think about it. So I would rather see us leave the yard waste and C and D debris issue until that time that we said earlier, 2001, or after 2001, and see how the closing of Brooks goes before we jump into that. Also, as a lot of fathers and husbands out there, I don't want to see a lot of people getting mulching mowers for Christmas, because this would be such a short turn around. I surely wouldn't want one. I think we ought to stick with our original plan it my opinion."

Ms. Erlenwein said, "I'd like to point out that as we have yearly updates on the solid waste plan and as things change at the landfill, maybe they might close earlier than anticipated, we can change the dates of implementation as we go."

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Commissioner Schroeder said, "Am I correct that we review this every year."

Ms. Erlenwein said, "You review it every year."

Commissioner Schroeder said, "So if something would change with the City and with Brooks, whether they are told they need to close it earlier or something like that, we can . . ."

Ms. Erlenwein said, "Change the date as situations change."

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

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

Commissioner Gwin said, "Thank you, Mr. Chairman. I appreciate Commissioner Schroeder's comments. I certainly don't have any malice in suggesting this towards the City of Wichita and their ability to close Brooks. That certainly isn't the reason I'm supporting the yard waste ban. Brooks has been in existence for a long time and the City has had plenty of opportunity to amass dollars to close, remediate, and whatever else they must do. They also had the opportunity to bond and tax their citizens to pay for closure and remediation should they choose to do so."

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

Commissioner Gwin said, "Their decisions are their decisions and the yard waste ban doesn't have, I'm not supporting it because I have a problem with the City's method of paying for closure, more power to them. The other issue of tax dollars and public education and any number of items that the County is doing to have to do over the next several years quite frankly, we have asked for assistance from the City since they do have a funding source of non-tax dollars to pay for some of the items that we are going to have to start being responsible for and that we want to be responsible for. They have told us no. So it appears to me that at some point along this continuum, this time line to 2001, we are in fact going to have to use tax dollars to start an education process. I don't think we start educating people on October 9, 2001. We're going to have to backup and start that education process today, if you will, or I think we've already started it over the last year. We have used tax dollars for that. We're going to have to continue, we have no alternative."

Ms. Erlenwein said, "That's correct. We are also looking into grant money to help with that."

Commissioner Gwin said, "That's fine."

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Ms. Erlenwein said, "It will probably be a combination of them both."

Commissioner Gwin said, "I think that some money is going to have to come out of the citizens pockets as we start working to this new solution, this new system. I'm still supportive of a yard waste ban if not immediately, then as quickly as we could do it. I do that in the interest of minimization and because I think it is the right thing to do, not to make things more complicated. Thank you."

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

Commissioner Hancock said, "Thank, you Mr. Chairman. I think the discussion reflects the discussion we've heard from our Solid Waste Planning Committee, and the community in general. We have such diverse opinions, especially on this issue. With all due respect, what I think Commissioner Gwin is suggesting is a tax shift, from a user fee to a direct tax, one that the County and the City institutes as part of their user fee and one that we have to institute as a direct tax. I can't support that at this time. I think when the dollars flow into a new system to support a particular system, then we will have those dollars for public education. I'm not willing to do what is tantamount to a tax shift today from one jurisdiction to the other. I thought I would, but if it requires us to spend tax money to ban this at this time I'm not willing to do it. I would like to do it tomorrow. I think the City should have done it twice before when they changed their minds mid stream. But if it is going to cost the tax payers money then I'm not willing to support it at this time."

Chairman Winters said, "Thank you. As we have these five issues that we are dealing with to give staff direction on how to proceed on with the final part of this plan, we've talked about the first one. Would you like to take a vote on each one of these items?"

Commissioner Gwin said, "I think we should."

Commissioner Schroeder said, "Well would it be just a consensus or an actual vote and then you are going to vote again on the whole plan?"

Mr. Buchanan said, "Yes."

Chairman Winters said, "Excuse me, Mr. Manager, would you . . ."

Commissioner Schroeder said, "In the budget we used kind of a consensus, not really a vote."

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Chairman Winters said, "That's why I was asking the question. Mr. Manager, what's your suggestion."

Mr. Buchanan said, "Do anything you want to do. You need to be comfortable with whatever method. At the end of the process we need to know where the Commission is."

Chairman Winters said, "I think we've had a fairly good discussion on Item 1 and it looks like it is three to two. We can either take a formal vote, we can go by consensus and say that this one, the ban is going to stay at October 2001."

Commissioner Miller said, "I'd like to vote."

Commissioner Gwin said, "I would to."

Commissioner Schroeder said, "What are we going to do when we're done?"

Chairman Winters said, "Then we're going to vote on the whole thing."

Commissioner Schroeder said, "Okay."

Ms. Erlenwein said, "The owner of the company that will take yard waste has indicated that he is willing to do education for the public and where they can take the waste."

Chairman Winters said, "Okay, that's interesting. All right, let's address item number one, which is the ban on yard waste and construction demolition debris. The options are do not ban, ban before 2001, and after 2001. Do I hear a Motion?"

MOTION

Commissioner Miller moved to ban the yard waste before 2001.

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 Hancock said, "I'm not quite ready for the vote on this yet. We need more discussion on it on that basis."

Commissioner Miller said, "Please. Do we need to . . ."

Chairman Winters said, "Can we just stop the vote in the middle of the vote and have a discussion?"

Mr. Richard Euson, County Counselor, said, "We've been through this before and I believe what you did before was go ahead and complete the vote because the time for discussion has passed. Based upon that I think you should go ahead and complete your votes."

Chairman Winters said, "If the vote fails, there is still opportunity for another motion to discuss this issue."

Mr. Euson said, "I think regardless of how the vote turns out, you are still free to bring it back up again if that is necessary for discussion purposes."

Chairman Winters said, "Okay. Your vote is no? Thank you."

Commissioner Paul W. Hancock

No

Commissioner Melody C. Miller

Aye

Commissioner Mark F. Schroeder

No

Chairman Thomas G. Winters

No

Chairman Winters said, "Now, Commissioner Hancock, you have a question?"

Commissioner Hancock said, "I may just put it in the form of a Motion. I would move to ban yard waste on or before 2001. In other words, I have to lock us in to a 2001 date. Is KDHE going to like that? Is it even possible?"

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Chairman Winters said, "Let's say that is not in the form of a Motion, that is a discussion point perhaps. Remember, as Susan has indicated, this plan is going to require yearly reviews and there will be opportunities on a yearly basis to reconsider if environment opportunities change. I would think that we would want a motion that is pretty specific for the plan at this point. Either yes, we're going to start on a system to ban them or no, that's not going to be the focus of our efforts for the next couple of years."

Commissioner Hancock said, "You're not making it any easier are you?"

Chairman Winters said, "No. I think we should take a Motion considering both yard waste and C and D, I don't think we need to break them out at this time unless somebody is really strong on that."

Commissioner Schroeder said, "Want me to try a Motion?"

Chairman Winters said, "Sure."

MOTION

Commissioner Schroeder moved to ban yard waste and construction and demolition debris on October 2001 or after.

Chairman Winters seconded the Motion.

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

VOTE

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

Chairman Winters said, "This item then will stay in the plan as we had originally discussed it. Susan, move on to item two."

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Ms. Erlenwein said, "Item two is concerned with volume based trash rates. To implement some type of volume based trash rate your options are to not implement a trash rate based on volume, to do that before 2001, or to do it after October 2001. The recommendation from the staff is to implement volume based trash rates after October 2001. Basically, what volume based trash rates means is you pay for the amount of material you throw away. It is based upon the volume of your trash. Many communities use different methods of implementing volume based trash rates. One way is through the size of the carts. You have maybe two standard size carts and there is a price for each or maybe it is by the number of carts. All the carts are the same size. You cannot have any bags outside the cart. So if you have one cart it is one price, two carts it may be double that price or 150% of the original price, but some balance there. Other communities use what they call a sticker method where all of your trash must be in bags and a sticker is placed on each bag. A hauler cannot pick up a bag without a sticker being on a bag. Stickers are purchased at grocery stores, convenience stores, and some concerns that have been mentioned is maybe someone would come along and steal the sticker off of your bag and use it on their bag.

"Another way of doing it is through purchasing of specific bags that you could only put your trash in those bags alone. That would get rid of the theft problem and only those special bags are picked up. Again, those bags would be for sale at grocery stores and convenience stores. The more bags you buy, the more it costs you. Part of the price of that bag is for the store handling it. The rest is for the system, in paying back the system of the trash. Those are the main ways of doing it, through bags, through stickers, through cart size. The recommendation is to have the Solid Waste Committee work with the haulers and have meetings with the haulers of what method would work best for them with the bookkeeping, for their convenience, and come back to you with a recommendation in June of 1998 and to have this implemented in October 9, 2001."

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

Commissioner Schroeder said, "I just have a comment. I've come around on this one. I was not too excited about this volume based issue, but I will say I'm not excited at all about the stickers or the certain bags to put those in. In fact, if you can steal stickers, you could probably fabricate them in your home computer somehow. Even more, if that is not the problem and you go with bags, I can see trash dumped all over yards and people stealing bags. I like the cart concept much better than the other. I think you get more control over it. It is much cleaner and more simple for the homeowner to utilize it. Not having to make trips to a store somewhere to pick up certain bags or certain stickers and that sort of thing."

Ms. Erlenwein said, "And if we implement it by the number of carts, it should be easier for the haulers and the billing process."

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Commissioner Schroeder said, "I agree with that. Thank you."

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

Commissioner Gwin said, "Thank you Mr. Chairman. Susan, is there, after the Committee makes its recommendation on what method they feel would be the most workable, is there any opportunity or do you think for us to implement this prior to 2001? Has the Committee talked about that?"

Ms. Erlenwein said, "There is the opportunity to implement it before 2001. The Committee is very pro waste minimization and the sooner the better. The Committee had worked, for instance, with the bans with the City trying to propose those bans and a little sooner than that. So the Committee would be in favor of that."

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

Chairman Winters said, "Thank you. I'm going to support the recommendation from the staff. There are two parts about it that I like and that is you mention through some public hearings and community discussion as a part of planning this volume based and how it would work. I think this may be the real, where I'm going to look for help in what kind of system would work would be to the Solid Waste Planning Committee. I see several members here and Milt is in the room today. I think this is going to be a place where we really need their help and assistance in figuring out this kind of system and how to make this work. I know that there are several City Council people who are in favor of volume based and I think a number of them have worked hard on the system. I think we ought to plus on what they think about volume based and then move forward with it as soon as possible. Again, to me, I think it is going to be in that time frame of the closure of the Brooks system when we transfer from one concept into another concept. I'm going to be supportive of this staff recommendation. I'm certainly going to look to the Solid Waste Management Committee for direction. Is there any other discussion or comment?"

Commissioner Schroeder said, "Are you supporting after 2001?"

Chairman Winters said, "After 2001, which would be . . ."

Ms. Erlenwein said, "I'm using the date October 9, because that is when Brooks will close."

Chairman Winters said, "Right, and that is what the staff is recommending. Is there a Motion to accept the staff recommendation or is there some other discussion we need to have?"

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MOTION

Commissioner Schroeder moved to used volume based trash rates after October 9, 2001.

Commissioner Miller seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next, Susan."

Ms. Erlenwein said, "The next item is on residential recycling and what is required of the generator of the trash and how they would have to separate recyclables from the rest of the material. This goes hand in hand with what sort of processing facility is developed to handle the recyclable material. Your options are no change from the current system, which is drop off boxes and paying extra at the curb side for recycling bins. Or implement a type of curb side recycling, it could either be sorting the material by type and putting it in a cart which requires a separate truck to pick up the material and take it to a material recovery facility, or a blue bag system where you put the recyclables in a blue bag and it is placed in the cart with the other trash and then that is taken to a mixed waste processing facility.

"Staff recommendation is to implement a curb side recycling program where the material is put in a separate cart at the curb and it is taken to a material recovery facility. This is the recommendation given by the Solid Waste Committee. The quality of recyclables is much higher when the generator of the trash has to separate the material out. It is not contaminated by other material. It recovers 100 to 200 tons of recyclables, depending upon our education program and how we can get the people to cooperate. This is a voluntary program, not mandatory, going hand in hand with your volume based trash rates as an incentive for people to pull recyclables out instead of putting them in their trash cart. So it works well with what you just voted on for the volume based rates.

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“The mixed waste processing facility is easier on the generator of the trash as far as putting the recyclables in a blue bag. There is a greater change of contamination of the recyclables and you need more people at the facility to sort that material out. As markets changed with the mixed waste processing facility they could pull more material out of the trash that was not put in the blue bag as they see a high market for that material. Again, you have a contamination problem. So each side has its positives and negatives. With the curb side, with the material recovery facility, you would have two trucks going up and down the road. One would pick up the trash and one the recyclables. With a mixed waste facility, one truck would pick up both. I’d be happy to answer any questions.”

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

Commissioner Schroeder said, “Susan, this is one I’m really have some difficulty with and I think everybody knows I’ve supported the blue bag concept in that it does pull out about another 100 tons a day out of the waste stream. I think that is of relative importance to us. I know it is more expensive, but I disagree with some of the issues that it is not as valuable, that it is dirty. I don’t know why. There is no particular reason why that bag has to be put in a trash can, it can’t be sitting next to the trash can.”

Ms. Erlenwein said, “It is a one truck system. However, the bag ends up in the trash truck with the rest of the trash and there is a possibility of ripping.”

Commissioner Schroeder said, “Is there a possibility of trucks that have a separated system within them, where you have one side that would contain the recyclables and the other side would contain trash. Then as one fills up quicker than the other that can be moved back and forth. With the technology today, they’ve got about anything and everything out there.”

Ms. Erlenwein said, “There are trash trucks available to even pick up curb side recycling at the same time they pick up the trash and they have different compartments. The problem that they’ve discovered with those trucks is that if the recyclables fill up first or the trash fills up first they have to stop their run and go back to dispose of that material so half the recyclables might be filled up and all of the trash and they still have to go back. So it doesn’t even out through the run.”

Commissioner Schroeder said, “What about the other system? Are you talking about two trucks a week for each resident then?”

Ms. Erlenwein said, “Yes, one for the trash and one for the recyclables.”

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Commissioner Schroeder said, "Okay. Why with a mixed bag couldn't you do the same thing? Have a truck come down and throw the bags in the truck one day a week and the other truck comes down and picks up your garbage. Why couldn't that be done the same way?"

Ms. Erlenwein said, "It could, but then you are basically talking the other system."

Commissioner Schroeder said, "I know, but what I'm trying to get at is I think it is much easier and if there is 100 tons a day more coming out of the waste stream and it is easier . . ."

Ms. Erlenwein said, "The reason you could have more material coming out is because of the sorter spotting the material through the rest of the trash. So if there is a high market for aluminum and they see aluminum pieces coming up that were not put in a blue bag, the sorters could pull that material out in a mixed waste processing facility. It is not even in the blue bag when you get it from the actual material, it is from the actual material being seen on the tipping floor."

Commissioner Schroeder said, "Okay. I've talked to a lot of people about this and a lot of them expressed concern about having to be busy bodies about dividing up trash and taking it to a curb rather than putting your newspapers, cans, aluminum, plastic, all in one bag and sitting it next to your trash can when you take out your garbage. I think it would be cleaner. In an open system like I've seen now, it can either get sopping wet or it blows down the street. I think you're going to get more people that would be willing to participate in the blue bag system than you would the separated out trash system that you put out at the curb. That's been my greatest sticking point with this whole process is making it as easy as possible for the consumer to do so that they will do it and our ultimate goal is to keep as much trash out of the landfill as we can. I don't know how many millions of tons of trash that is over ten years, but it is a lot when you are talking 100 tons a day or so."

Ms. Erlenwein said, "That is one of the things that we've heard through the community discussion is convenience. That people at least wanted it at the curb side versus a drop off box because of the convenience. One of the reasons the Solid Waste Committee went with curb side instead of drop off boxes was for the volume of material that could be received is much higher through the curb side than the drop off boxes. Depending upon how much you get, there was the contamination issue and I know that is what the Solid Waste Committee based their final vote on. They were concerned about the quality of the material. Originally they were going for the blue bag system but changed to the regular curb side in a separate container going to a material recovery facility because of the quality of the material."

Commissioner Schroeder said, "There was only a one point difference between those two wasn't there?"

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Ms. Erlenwein said, "I'd have to look the vote up again. It was a close vote between the two."

Commissioner Schroeder said, "It was almost 50-50. I just hate to see us go from one extreme to the other, going from putting everything that comes out of your home into a trash can to sorting everything out. I'd rather see us do something on the interim where we put it in a blue bag and in a few years once the community feels comfortable with the process of recycling as a community as a whole, see how well we do and then go to the next phase which is to separate them out and put them on the curb. Maybe we would get more acceptance that way. I don't know, I'm just trying to make it as easy as possible. I know there is more cost associated with it, but at the same time the benefit to our community and to everybody who lives here is you pull out a lot more trash out of the landfill that way. That's my point and I'm having a real hard time with this one more than any of the rest of them."

Ms. Erlenwein said, "I realize that."

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

Commissioner Gwin said, "Thank you, Mr. Chairman. I'm going to support the staff and committee recommendation on this. I currently pay for curb side recycling at my house and have been for as long as it has been offered locally. I have my blue box and I separate my tin cans, my aluminum cans, my plastic, and my glass and my newspapers and whatever else, and I take them out weekly to the curb. The rest of my trash goes into the big cart. It is not that tough. I pretty well know now the difference between a glass jar and a plastic milk jug. I'm learning. I have seen those containers in other communities where there are lids on them so you could snap the lid in place and would eliminate some of the concerns that Commissioner Schroeder mentioned as to the wind and the elements and the doggies and the kitties and whomever else might get in there. So I think there are better boxes Mark that we ought to be able to take advantage of to eliminate some of those concerns. I think the main reason I support this, however, is that we currently have a material recovery facility open, operating, doing business. If we would support the blue bag system, we don't have a mixed waste processing facility here. If that would be the transfer station, the transfer station would have to be much bigger than my picture of it. So I appreciate Mark's concerns and comments, but I'm pretty comfortable sorting community recyclables. It is not that tough. There is already a facility here so I don't have to expand what we are going to have to build. And the curb side program, I think, is the convenience that most people want. Now I am assuming though that drop off boxes would not be eliminated, that they would still be there, at least for a while, for those people who haven't gotten around to curb side."

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Ms. Erlenwein said, "That's not specifically addressed. However, because you have multi-housing units, apartments, other areas, we'd have to look at perhaps working with them with drop off boxes near their locations."

Commissioner Gwin said, "So something for bigger facilities other than just single family residences, we would have to keep them in mind. I'm going to be supportive of the curb side program, the producer sorting those recycled items and taking that to an existing material recovery facility."

Ms. Erlenwein said, "And I'd like to point out the existing material recovery facility has indicated that they have enough capacity to take the increase in material."

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

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

Commissioner Miller said, "Thank you, Mr. Chairman. I need to first of all say that I am supportive of the staff recommendations, the curb side sorted with the existing MRF that we have. But your comments, Commissioner Schroeder, regarding an interim time period that would get the residents of Sedgwick County ready to really recycle and sort their products is an interesting one. The only question that I have is the cost that would be associated with it. Even though it seems as though it just makes sense that we would pull out more tonnage by going to a blue bag system prior to an actual curb side sorted system, but then comes the question of contaminants and what of that additional tonnage would actually be utilized in a recyclables market and then that we don't have an existing facility that would allow for that system to occur readily, right now. Which we do have a facility that could work with the curb side program if we would go with that. So I'm simply putting out those caveats, but that is interesting as an interim system that would get the public ready to really sort the recyclables. That is interesting. I'm kind of toying with the cost."

Ms. Erlenwein said, "You would be teaching them to do it one way and then turning around and teaching them another way."

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

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

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Commissioner Hancock said, "Thank you Mr. Chairman. Susan you mentioned that apartment buildings and multi-family facilities would need drop off boxes. In regard to that, you are right, there will be some of that that goes on. I think apartment managers will order them and set them there. I don't think it will be hard to get folks to want to do this. Those folks out there that are aware of solid waste and its implications are wanting to do some of these things. They know it is the right thing to do. Been to some discussion, I think it is an appropriate time to mention this, it is not part of this, but been discussions about the drop off boxes we currently have and the future of those after January 1. We can practically guarantee they'll be there after January 1. We've been in discussions, have not yet been in discussions with the City of Wichita, and we'll get something worked out for those folks who are interested in the future of those. I think they'll be around. There may be one individual in the Council who has made up his mind already, I'm not so sure the other six have. So we're going to work with them and we may share the cost, we may pick up the cost, or they may pick up the cost. They'll be there."

Chairman Winters said, "Okay, thank you. I'm going to be supportive here of the staff recommendation also, that we in my words expand what is happening now. I clearly understand shooting for ease for consumers, for people who are using the service and the increased volume that could possibly be there. I think this is a point where we need to be, in talking about residential recycling, to be very careful. A lot of communities have made mistakes right at this point in building expensive systems that over a period of time become so expensive that they are eventually abandoned and not even used for their intended purposes. In this processing part goes a little bit hand in hand with participation. I've seen some reports that say that 20% of the people are not going to recycle in any shape or form. There is 20% out there that might do a little bit. There is some suggestion that more education and a better process of working on that low participation rate will reap better rewards than building an expensive system that could jeopardize the entire recycling program. We don't want to get something out there that is so expensive that all at once it collapses upon itself or we back out of it saying we just can't put any more money into it. So if we expand what we've got, I mean there is a system out there now providing curb side. There is a facility taking it. If we can expand that then we can make adjustments along the way if we need to back out of it or more aggressive here, and just stick to those core items that are being recycled, not trying to sort through trash to get that stuff back out of it, but just work on the core items. I think it would be a lot better system and one we could adjust along the way."

Ms. Erlenwein said, "We can look at what markets are in place in the year 2001, and work with what could be picked up at the curb side, such as a new company gearing up for plastics. Maybe able to pick up a large variety of plastics. So we would have to work with that and adjust it with markets."

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Chairman Winters said, "Right. Again, this is where I'm again going to look to the Solid Waste Management Committee because what I hear a lot of folks saying is we now feel like there is a disincentive to recycle because of the cost. Is there a way to couple volume based with curb side? I mean, is there a way to make those two work together that would then take away part of this disincentive that people have of feeling now it takes to do curb side. I'm going to be supportive of the staff's recommendation and what I see that as it is going to have plenty of challenges in itself, but what it is going to be is expanding what is going on in the community now, not changing a system."

Ms. Erlenwein said, "To reiterate, this is voluntary, but the fact that this goes hand in hand with your volume based trash rates, the curb side recycling would be available to everybody and the incentive is if I recycle more I am producing less trash so I'm paying less for my trash."

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

Commissioner Schroeder said, "I guess I need some clarification here. The only difference between blue bag and separated trash at the curb is the fact that it is separated and one is in a bag. Right?"

Ms. Erlenwein said, "The difference is one truck picks up the trash with the blue bags and it takes it to a mixed waste processing facility and you have hand sorters there separate it. If it is separated in a different container at the curb, a different truck comes and picks it up and takes it to what is known as a clean MRF, a material recovery facility that only receives recyclables. So it is going to two different types of facilities."

Commissioner Schroeder said, "Why can't we develop our own system. I mean if they offer a Ford that is green in color, I'd like one red in color and that is I don't want the blue bag to go in the trash truck with the garbage. I want a truck that would pick up separated recyclables to pick up the blue bag and throw it in the truck, take it to the mixed waste facility, where somebody has to take the glass and dump it out and the paper and dump it out, and the blue bag you tear it open and you take the glass and dump it out. That's the only difference I see is what happens inside the facility that recycles the valuables. What I'm saying is the process to me is completely the same until it enters the door of the place where it is taken."

Chairman Winters said, "Can I respond to that?"

Commissioner Schroeder said, "Sure."

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Chairman Winters said, "One of the things I see is that the further trash moves down the stream, the harder it is to get it separated back out. The easiest place to separate it is at the household or then at the curb side when that driver picks it up and he puts the newsprint here, the glass here and the cans here. It is separated. Once you get that mixed up, even if it is in a bag, they open the bag and then they are starting to paw through there in big groups. I mean it takes a lot of people, and you've added a lot of complicated process. Because this material is still basically trash and if you throw it in a trash can, it is hard to get back out. So I think that original separation really becomes important."

Commissioner Schroeder said, "My question is, who is it easier for. Is it easier for the consumer or is it easier for the hauler. I'm more concerned about the consumer. I think what I'm hearing is that you are more concerned about the end of the stream, is it going to be easier for the Weyerhaeuser or ABC Company."

Ms. Erlenwein said, "It is not just ease, but cost as well."

Commissioner Schroeder said, "Yes, I know there is cost, but I want to get more, I guess I want to get more out of the stream. If I can do that by making it easier for the consumer who produces it, then to me I think we have accomplished a lot more. Sure, it may cost a little bit more, but who knows for sure. I mean maybe the system would work great. The only difference I see is, Tom pointed out, is when it gets in the door, somebody has to sort it as opposed to the consumer sorting it. That's great down at the end of the road. My goal is to try to get as much out of the waste stream as we can and to make it easier for the consumer to do it."

Ms. Erlenwein said, "To accomplish the goal of getting more material out of the waste stream is the consumer has to think about what they purchase. Can it be recycled or not? That will help as well, so you are kind of completing a loop there on having the consumer think of what they're buying, how will they dispose of it, will it go to the trash or to the recyclable bin. And because of that, in the end, you will end up with less material being thrown away and more material being recycled."

Commissioner Schroeder said, "I guess I'm talking into a can, nobody hears me but myself."

Chairman Winters said, "You have good points, we just don't agree on how to get there."

Commissioner Schroeder said, "I guess that's right. Okay, thanks."

Chairman Winters said, "Commissioner Gwin."

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Commissioner Gwin said, "Just real quickly. I think we all heard recycling is the number one issue that the community wanted us to consider and felt was important. I think I remember a few things that they said Mark is absolutely right. They want it to be more convenient. They don't want disincentives to recycle, they want incentives to do the right thing. I think they told us they wanted to do a better job and they expect government to help them accomplish that. They see us as the conduit, if you will, to help them do a better job, recycle more. It seems to me that they're ready and certainly willing and able. So I think by a curb side program it is certainly making it a lot more convenient than me having to put it in the trunk of my car and haul it to the drop off box at the nearest Dillons store.

"Like Mark, I understand his concerns about sorting. It only takes a couple of minutes, it is pretty easy and I don't have to pay, as a tax payer, an employee to do that for me. I'm capable of doing it myself and then with volume based trash rates, as Susan said, then when I go to the store, maybe I'm going to be a lot more cognizant of what I buy, the packaging, and kind of think to myself whether or not I'm going to be able to be the beneficiary of recycling this or whether it is going to have to go in the regular trash and cost me more money. So I'm going to start a self education process as a consumer that to this point I've A, not had to do and B, I haven't been challenged to do or encouraged to do. I'm real supportive here and those are just a couple more things that I remember."

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

Commissioner Schroeder said, "I appreciate that. Coming from a family of five, it takes more than a couple of minutes a day when you've got three kids and it is much more difficult. I'm not saying that we can't do it. We do it at our home. I don't want anybody to believe here by this conversation that I don't recycle, I do. It does take some time. It is like mowing your lawn. You can only mulch your lawn so long before you have to mow it because if you talk to the experts, it will get so thick that you cannot mow it. There are a lot of issues here that we have to work on, but all I'm saying is that I see the only difference is when it hits the door at the end place. Where it goes into that garage it is handled differently. It can be picked up at the curb, it is curb side recycling to me. There is no difference between this one and the one where you sort it. It is still at the curb, somebody can pick it up or you can take it to a drop off box and sort it out yourself and throw it away. I know I'm wasting my time but I'm trying to make a point because I think this is very important. I think we're going from one extreme to the other and I think that is difficult for any community and you bet it is going to take a lot of education. In places where they've tried to do it, it's been tough, very tough. We're not going to be any different. There are a lot of busy people in our community, working families where both spouses work. I'm just trying to make it as easy as possible for those people to do their share of recycling and do it in a way that they feel most comfortable with."

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Ms. Erlenwein said, "I appreciate that."

Commissioner Schroeder said, "Thanks."

Chairman Winters said, "Thank you. We've had discussion, is anyone ready to draft a motion?"

MOTION

Commissioner Gwin moved to use the curb side program sorted by the producer and that those materials go a material recovery facility.

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	No
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Now we come to another easy one."

Ms. Erlenwein said, "The next issue is collection of the trash material, the municipal solid waste. Your options are to continue with the free market system we currently have, to franchise by some method the collection of trash after 2001, or to franchise before then, or to create a government utility as a billing system. The staff's recommendation is to continue with the free market system that we have today for collection of trash. Basically, the free market system today, any producer of trash can call up any hauler of their choice and arrange for collection. Some haulers pick up at the curb only. Some will say they'll pick up at the curb or by your house. They will pick up on different days of the week. They may also make arrangements that will pick up a certain number of bags outside of your cart, but that will change because of the volume based rates in the future.

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“The franchising can be done in many ways. Some communities franchise for one collector for the entire community. Others may divide it into quadrants and have four different companies pick up the material. Each can be given a quarter of the community. Some even develop a franchising system by your current market rates. So if you had a thousand customers, you will still have a thousand customers in the future with the possibility of growth as the community grows. You are given a certain area of town with a thousand customers, which means that the hauler is running around less through town.

“From comparing our community to other communities, franchising costs less to the producer of the trash because the hauler is guaranteed a certain customer base. He is not driving as great a distance if you had a certain neighborhood. You’re driving one house after another and picking up instead of one house per block and having to drive a mile over to another area and picking up from another house.

“The utility system works where the government would be the billing system, the middle man. You could still contract with whatever hauler of your choice. The hauler then would take the trash to your facility and be reimbursed from the amount of material taken to that facility or through some other method of taking the material to the facility. That means that you would have an extra expense on the government of creating a billing department. Kind of like your water bill system. I recommend that you adopt the staff’s recommendation and continuing with the free market system.”

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

Commissioner Gwin said, “Oh whoopee. This gives me the opportunity to be one by myself and you know how I love this. Susan, on the different options, free market, franchising and utilities, if we were going to operate a transfer station, does a free market system allow me to tell the haulers to take the trash to the transfer station?”

Ms. Erlenwein said, “No.”

Commissioner Gwin said, “Does franchising allow me to tell them to take the trash to the transfer station?”

Ms. Erlenwein said, “It depends upon how you wrote the contract with the franchise. That would be more of a question for the Legal Department.”

Commissioner Gwin said, “Okay. What about a utility. Can I tell them to take the trash to the transfer station?”

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Ms. Erlenwein said, "The incentive for the utility is that if they took the trash to your transfer station that is how they get reimbursed for picking up the trash. They could take it anyplace else, but they're not going to be reimbursed. So that is the incentive."

Commissioner Gwin said, "I see. Well, obviously there is some interesting areas for discussion. Back in . . . towards the end of September, I sent my colleagues a correspondence and I want to share some of those brain storms or brain cramps as some people call them with the community. I've really been thinking about the issue of franchising and with the understanding that we need to accomplish two pretty important things I think, at least two. The expenditure of tax dollars or the minimization of the expenditure of tax dollars and trying to find a way to lower the trash rates for the public. One of the biggest arguments against the transfer station has to do with the cost and those kinds of things and certainly one of the arguments to overcome as far as the public is concerned is the cost on their monthly bills."

"My picture is a quantum leap change from the way we do business today because in order to accomplish new expenditure of tax dollars and lower rates to the public, the way I see that is that this community would franchise with one hauler. Now before the rest of the haulers pass out, they have to stay with me, but obviously if you do that, there is a real financial opportunity for that hauler to make an awful lot of money. But my picture also says but then we use that as an advantage for the community. Because if a single hauler has access to every collection point in this County, every home, every business, every whatever, then I would think you could come to an agreement with that hauler to do a number of things for the community. Build a transfer station, provide the new recycling boxes that I was discussing earlier, maybe even new carts or whatever, that they could provide at no additional cost free curb side recycling, free yard waste pickup, community clean up maybe a couple of times a year or something where you have those big items that you don't have the ability to haul off. Like I have got a sofa that I couldn't get in the back of the Saturn if I tried. Christmas tree pickup, clean and sanitize the carts for us, because those get kind of nasty. I would also think that there would be an advantage, besides more service being provided, that we ought to be able to make sure that the rates to every residence and every business be lower in this community."

"Obviously you would have to enter into a contractual agreement with that company and that contractual agreement could contain things such as the terms and conditions, rates, caps for increases, performance evaluations, and so on, to ensure that we are getting what we pay for and so are the consumers. I realize that the major negative to this picture is what will you do with the small haulers and that obviously is something that is of concern. So I don't know quite how that plays out."

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“But I do need to remind that I think our biggest hurdles are cost and efficiencies and operating a successful transfer station. Despite there still . . . I mean on any idea there are some pluses and minuses and I realize this has a little bit of both, but I think if we really set ourselves up to assure that we provide that better trash service is provided and that we provide that better service or that service can be provided at a lower price, then I think we’ve accomplished a lot and quite frankly we have overcome a lot.

“I don’t know that I’m ready to do that today. I know and appreciate the free market system, but I think franchising and a utility are things that we ought to consider as we look to the future and as we try to determine how we get the best rates available for the people in this County and how we ensure the success of our transfer station. Today, we’ll probably vote to support the staff’s recommendation, but I certainly think that utility and franchising are things that we need to ask the committee and others to investigate for us because I see some opportunities there as other communities have to provide better service at a lower price. I think that ought to be out goal. Thank you Mr. Chairman.”

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

Commissioner Miller said, “Thank you Mr. Chairman. I’ll agree with you Betsy that indeed franchising and utilities is something that the County needs to seriously consider but at this time, I understand that the recommendation is to go with the free market and I just have a need to read a little excerpt that came out of the draft proposal or document that you gave us. To me it should prompt us to really think about what it is that we are doing here and how we can do business differently. But it says that research shows that Wichita is the largest city in the United States that still utilizes the free market collection system. Wichita is not a large city and we’re the largest city in the United States that still utilizes the free market system. So the question abounds in my mind why are we clinging on to it with the exception of understanding that it personally impacts the quality of life of a number of individuals. To be specific, it would be the individual haulers and I respect their ability to continue to do that. But I’m just saying you know in the long term that it is time for us to consider a different way of doing things and my leaning would be towards a public utility because it would happen to be the legal way of positively impacting the flow of trash. So I agree with you Betsy, we need to consider other methods of dealing with our trash but at this time it appears as though the free market system is going to work.”

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Chairman Winters said, "Thank you. I'll take a stab at answering that question why at least from my perspective. I'm going to be supportive of continuing this free market system that we've got in place. I've got a copy of the Wichita Eagle article on August 30, and they in conjunction with Channel 10, KAKE TV, conducted a survey done by Griffin Research here in town and I'm certainly not basing my decision on polls in this case, but one of the questions that they asked citizens here in Sedgwick County is about their haulers. People here I think do want to select their own hauler and there were fewer than 5% of the people surveyed said that they thought that the government should get involved in controlling the collection of trash. That did go up somewhat when they said it would make a difference in your cost, there was still only about a third of the folks said that they would support that. So I think this is an issue where we ought to just stay out of. I think the free market system is working.

"I think we've seen a trend towards deregulation in this country in lots of areas and I know there are people who will argue against that concept and that movement. But I remember back in the 70's, before the deregulation of the trucking industry, there were only two motor carriers and we happened to be one that were just serving a route between Wichita and Wellington, Kansas. Well today there are probably 25 local carriers driving between Wichita and Wellington. There are certainly more trucks on that road. It is part of the system, I think, of how we make things really work. I think there are things we can do to enhance our system. I think before we start talking about franchising and I guess I am certainly concerned about small business but I'm also concerned about large business. Because you start franchising and there are going to be some 40 odd losers in the business community if we really franchise this system. Some of them are going to be large. We have got large national haulers here. We've large independent haulers, and we've got the one and two truck operators. I just think there will be a lot of losers if we change that system. Are there any other comments about this? If not, are we ready for a motion on the collection system?"

MOTION

Commissioner Miller moved to support the free market system of collection.

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, "One more to go."

Ms. Erlenwein said, "The last item is a diversion rate. This is dealing with how much recyclables we want to achieve in removing from the disposal at the transfer station. The recommendation is to set a diversion rate of 40% of material by the year 2003. If you look at the current trash going into the landfill and the bans that you have now set that you'll set for yard waste and construction and demolition, that in itself will be a diversion rate of 33%. The added recycling that you have just indicated will easily make another 7% if not more. I feel comfortable with the 40% diversion rate by the year 2003."

Chairman Winters said, "Thank you. I certainly am very interested in having some kind of goal set that we can look at. I think that one of the things that we need to make sure that it is clear in the minds of citizens is where we are headed on this issue. I think some folks say what is the real division here on some issues between the City and the County. I think one of ours is we want to put a target out there of diversion out of the use of any landfill. So I think to have a number in there is important and the way for you to have it in the plan now is it is buried back on page 68. I think we need to move it right up to the front of the plan so we can see, that the State can see, the citizens can see, what our real objective is. I think I would like to be very clear that we are not making a mandate here. I think a lot of people have gotten in trouble again in systems where the States and I'm very glad that Kansas has not laid down a mandatory obligation and say that every county will recycle 40% or 50% by such and such a date. Because I think then a lot of people get in trouble in different plans trying to meet that. I think it is important that we have a goal and we really make that an emphasis of what the entire community is then striving for."

"Commissioner Schroeder and I were just talking a minute ago about whether 2003 is the right year or not or whether we need to stretch that out. But I think we really are planning for significant reductions and we're going to try to hold ourselves accountable to make it work."

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Ms. Erlenwein said, "You can adjust it as you see fit. If the other bans go into place October 9, 2001, that gives you all of 2002 for the bans and curb side recycling. That is why I thought it was achievable. But you can make it another date if you feel comfortable with it."

Chairman Winters said, "Commissioners, I'm willing to set this date but if somebody has thoughts and wants to scoot that back a year or so I'd certainly be willing to do that."

Commissioner Gwin said, "Mr. Chairman, I would say if we are using that percentage as a diversion rate goal and not a mandate then I'm certainly comfortable with that 2003 date. That is our goal, that is what we want to try to attain. I think it is attainable. I think it is reasonable. I can support that."

Chairman Winters said, "Would we be supportive of moving this talk about goal into the front part of the addendum, towards the introduction someplace or towards the front of the addendum, instead of having it buried back there?"

Ms. Erlenwein said, "Section one of the addendum is recommendations by the Solid Waste Committee. Section two is a community discussion. We could put it in the front of section three, which is the decision process, in the introduction there. Also, I'll be writing an executive summary that would be in the very front of the plan and it will be in there as well."

Chairman Winters said, "Okay."

MOTION

Chairman Winters moved that we set a diversion rate goal of 40% diversion from what is currently going into the landfill and we achieve that by the year 2003.

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, "Susan, do you have anything else at this time?"

Ms. Erlenwein said, "I would just like to say that any changes will be made in the addendum and they will be brought back to you next week for final approval so it can be given to the State by October 30."

Commissioner Gwin said, "Then do we need to adopt the Resolution?"

Chairman Winters said, "We're not actually going to adopt the Resolution so you've got direction on each one of these to plug into the plan. Mr. Manager."

Mr. Buchanan said, "That would be fine."

Chairman Winters said, "I think we've given you direction on each one of these and then next week we'll vote on the entire package then."

Ms. Erlenwein said, "Thank you, I appreciate it."

Chairman Winters said, "Thank you, Susan, to you and your staff, we appreciate all the work you've done on this. I know this is lots of work. Before we call the next item, we're going to take a ten minute break."

The Board of Sedgwick County Commissioners recessed at 10:48 a.m. and returned at 11:03 a.m.

Chairman Winters said, "We'll call this meeting back to order. Madam Clerk, would you call Item G-1?"

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G. BUREAU OF COMMUNITY DEVELOPMENT.

- 1. RESOLUTION AUTHORIZING THE ISSUANCE BY SEDGWICK COUNTY OF SINGLE-FAMILY MORTGAGE REVENUE BONDS (MORTGAGE-BACKED SECURITIES PROGRAM), 1997 SERIES A, APPROVING A TRUST INDENTURE, OFFICIAL STATEMENT, BOND PURCHASE AGREEMENT AND OTHER DOCUMENTS RELATING THERETO.**

Ms. Irene Hart, Director, Bureau of Community Development, greeted the Commissioners and said, "This item and the next two items are fairly technical. You'll hear a lot of technical financial language, which you are accustomed to hearing, and it's fairly new to me. In bringing about a \$60,000,000 mortgage revenue bond issue, we're doing it in three different stages. The first stage is refinancing, reworking some old bonds, tax exempt bonds. The second one is reworking some old taxable bonds, taking the proceeds from those two and putting them together with some new money which you will consider in the third item, which will be the actual bond issue. So the first two items have to do with reworking some bonds that were issued in 1987. The one that was just called that was issued in 1987, is tax exempt bonds. We've been monitoring them. We've found that we can call those bonds in, rework them, which makes approximately \$6,000,000 available for recycling into the new allocation.

"The bonds that would issue in order to refinance the old bolds would be the 1997 Series A. What we would recommend is that since the marketing of the bonds was just completed yesterday and the Resolutions were just provided to the County Counsel this morning, we recommend that you approve the Resolution subject to final approval as to form by the County Counselor. I'd be happy to answer any questions or we do have our fiscal experts here who can answer any technical questions."

Chairman Winters said, "Thank you. We've done this type of thing in the past."

Ms. Hart said, "Yes sir. We've been doing it for about ten years or so."

Chairman Winters said, "All right, Commissioners, are there other questions of Irene or anyone else who is here today?"

Commissioner Schroeder said, "Just a comment. It is the same people who help us do this but they look different. As ten years go by they don't look quite the same. Seriously, we've got a good team of people that work with us to make this become a reality every time we do one of these issues and I think it is great."

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Chairman Winters said, "We'll acknowledge that Charles Bouilly is here and Jack Ranson and Joe Norton are here who have assisted us on these projects in the past and are assisting with these three items that we've got on today's agenda. Commissioners are there other comments or questions about Item G-1?"

MOTION

Commissioner Gwin moved to adopt the Resolution subject to final approval as to form by the County Counselor.

Commissioner Schroeder seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

- 2. RESOLUTION AUTHORIZING THE ISSUANCE BY SEDGWICK COUNTY AND SHAWNEE COUNTY OF TAXABLE SINGLE-FAMILY MORTGAGE REVENUE BONDS, 1997 SERIES B, APPROVING A TRUST INDENTURE, OFFICIAL STATEMENT, BOND PURCHASE AGREEMENT AND OTHER DOCUMENTS RELATING THERETO.**

Ms. Hart said, "This particular issue, done in 1987, was done in conjunction with Shawnee County. It is for taxable bonds, again we've monitored it and found we can rework these bonds and reissue new bonds which would free up \$19,000,000 for recycling into the mortgage revenue bond issuance. This would be known as 1997 Series B. I recommend that you approve the Resolution subject to final approval as to form by the County Counselor."

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MOTION

Commissioner Hancock moved to adopt the Resolution subject to final approval as to form by the County Counselor.

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."

- 3. RESOLUTION AUTHORIZING THE ISSUANCE BY SEDGWICK COUNTY AND SHAWNEE COUNTY OF SINGLE-FAMILY MORTGAGE REVENUE BONDS (MORTGAGE-BACKED SECURITIES PROGRAM), 1997 SERIES A-1/A-2/A-3, APPROVING A TRUST INDENTURE, ORIGINATION AND SERVICING AGREEMENT, OFFICIAL STATEMENT, BOND PURCHASE AGREEMENT, PURCHASE AGREEMENT FOR THE EXCESS INTEREST PORTION AND OTHER DOCUMENTS RELATING THERETO.**

Ms. Hart said, "This is the actual \$60,000,000 mortgage revenue bond issue. It combines the freed up money from the previous items plus a new private activity bond allocation from the State plus some other odds and ends, which totals a new \$60,000,000 first time home buyer mortgage revenue bond program. Features of these program include a 4% cash toward closing and down payment, it is available to first time home buyers throughout the State, low and moderate income first time home buyers. The program is available State wide. We expect between 700 and 900 families and individuals to be helped through this program. It includes a provision for a target area, which allows a higher income and price per home and a target area provision targets certain neighborhoods in need of development.

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“So a certain amount of funds is reserved to assist in those neighborhoods. The bonds were marketed at a 7.45% interest rate, which will be applied to 30 year mortgages. I’d be happy to answer any questions or if you have good questions our financial advisors can assist in those. Again, I’d recommend that you approve the Resolution subject to final approval as to form by the County Counselor.”

Chairman Winters said, “Thank you. Commissioners, are there questions or comments? If not, what’s the will of the Board?”

MOTION

Commissioner Schroeder moved to adopt the Resolution subject to final approval as to form by the County Counselor.

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 Irene. Joe and Jack and Chuck, we certainly appreciate your being here this morning. You may have learned more about solid waste than you wanted to learn on a Wednesday morning, but we appreciate your being here for these items if there had been any questions. We appreciate the work you do with us in making these kinds of events happen. I think it is good for the citizens of Sedgwick County and all over the State on some of these programs. We appreciate your work and we appreciate your being here this morning. Next item.”

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H. AGREEMENT WITH WICHITA YOUTH FOR CHRIST FOR USE OF SEDGWICK COUNTY PARK NOVEMBER 1, 1997 TO HOLD AUTUMN'S END, A RUN WICHITA EVENT.

Mr. Jarold D. Harrison, Assistant County Manager, greeted the Commissioners and said, "This is a standard form agreement with the Youth for Christ for use of Sedgwick County Park trail system for the Autumn's End Run. This is a standard form agreement. This has been coordinated with the park superintendent and I would recommend your approval."

MOTION

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

Commissioner Miller seconded the Motion.

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

VOTE

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

Chairman Winters said, "Jerry, I understand that you need to have an Off Agenda item at this time."

Mr. Harrison said, "Yes sir. I would request that you consider an off agenda item."

MOTION

Commissioner Schroeder moved to take up an off agenda item.

Commissioner Hancock seconded the Motion.

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

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VOTE

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

Chairman Winters said, "Jerry."

Mr. Harrison said, "Thank you sir. Two weeks ago I appeared before this Board and asked you to approve a Resolution closing Hydraulic for the Franklin Graham Crusade event. This is a case of sometimes not all ideas are good ideas. We have examined and reexamined traffic flow and patterns and how we're going to get overflow traffic from the Greyhound Park on the south side of the property down 77th Street up to the Coliseum. Monday evening a meeting was held and it was determined that the best course of action was to allow normal traffic flow on Hydraulic throughout the event times. We are therefore asking you to rescind Resolution 210-1997, which authorized the temporary closure of that road and allow normal traffic to occur during the event."

MOTION

Commissioner Schroeder moved to rescind Resolution 210-1997.

Commissioner Hancock seconded the Motion.

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

VOTE

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

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

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I. BUREAU OF COMPREHENSIVE COMMUNITY CARE.

- 1. AGREEMENT WITH MARKET PARKING, INC. FOR LEASE OF OFFICE SPACE TO HOUSE THE CHILDREN'S PROGRAM LOCATED AT 7701 EAST KELLOGG, SUITE 300.**

Ms. Deborah Donaldson, Director, COMCARE, greeted the Commissioners and said, "The first item is the renewal of the on-going lease that we have over at the American Financial Center for our children's program. I would recommend 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.

VOTE

Commissioner Betsy Gwin	Absent at vote
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 UNITED METHODIST URBAN MINISTRY OF WICHITA FOR LEASE OF SPACE AT 300 NORTH BROADWAY TO HOUSE COMCARE'S HOMELESS PROGRAM.**

Ms. Donaldson said, "Commissioners, again this is a renewal of a lease agreement. This particular one houses our homeless program. This has been an on-going relationship with that particular, with UMUM, United Methodist Urban Ministry, and it has been working well. I would recommend your approval."

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MOTION

Commissioner Miller 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.

VOTE

Commissioner Betsy Gwin	Absent at vote
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."

3. AGREEMENT WITH EPISCOPAL SOCIAL SERVICES INC. TO PROVIDE, THROUGH VENTURE HOUSE, ONE YEAR OF PAYEE SERVICES TO CONSUMERS ENROLLED IN THE COMCARE HOMELESS PROGRAM AT CENTER CITY.

Ms. Donaldson said, "Commissioners, this again is a renewal. Often when folks are homeless and experience a serious mental illness, they are not initially in the position to handle their own money. So a payee service is often important for them so we can help them develop a residence and work towards employment. I would recommend your approval."

MOTION

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

Commissioner Hancock seconded the Motion.

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

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VOTE

Commissioner Betsy Gwin	Abstain
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."

- 4. CONTRACT WITH VIA CHRISTI REGIONAL MEDICAL CENTER, INC. TO PROVIDE FLEXIBLE FUNDS NECESSARY TO ENHANCE CASE MANAGEMENT ACTIVITIES FOR ADULTS WITH SEVERE AND PERSISTENT MENTAL ILLNESS.**

Ms. Donaldson said, "Commissioners, this is again a renewal and this is in relation to the Heartland funds that we received for the closing of the nursing facility for mental health. It helps support more intensive services in the community for individuals who otherwise would be in a nursing home. Be glad to answer any questions and recommend your approval."

MOTION

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

Commissioner Gwin seconded the Motion.

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

Commissioner Miller said, "Thank you. Briefly, Mr. Chairman. Debbie, it says flexible funds necessary to enhance case management activities. These individuals are not actually out in a housing facility."

Ms. Donaldson said, "No, they have chosen where they prefer to live. Often that would be in an apartment complex, but we really do support choice for our consumers. So it will be some type of independent living situation within the community."

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“In some cases, if there is a need, there may be some more support in a particular living situation, perhaps two people might live in the same residence and a staff member might be more available to them a greater number of hours than some other folks because of their disability.”

Commissioner Miller said, “So would this be considered a wrap around type of funding situation?”

Ms. Donaldson said, “Yes, it would.”

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

Chairman Winters said, “Thank you Commissioner. We have a Motion and a second, any other discussion? Seeing none, call the vote.”

VOTE

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

Chairman Winters said, “Next item.”

5. CONTRACT WITH BREAKTHROUGH CLUB TO PROVIDE A TRANSITIONAL EMPLOYMENT POSITION EXPERIENCE BREAKTHROUGH CLUB MEMBERS MAY USE TO OBTAIN PERMANENT, COMPETITIVE EMPLOYMENT.

Ms. Donaldson said, “Commissioners, again this is a renewal and is funded through Access. This is an important position because 80% of the consumers that we work with tell us that they want permanent employment and this helps them word towards that goal. Be glad to answer any questions.”

Chairman Winters said, “Commissioners, what’s the will of the Board?”

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MOTION

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

Commissioner Hancock seconded the Motion.

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

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."

6. STATEMENT OF GRANT AWARD IN THE AMOUNT OF \$892,353 FROM KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION (SRS) SERVICES TO PROVIDE SERVICES TO THE HOMELESS.

Ms. Donaldson said, "I would recommend that we approve the grant. This has been an extremely important program for our community in that we actually go out on the street and work with individuals who are homeless and have a serious mental illness. We have been very successful in terms of bringing them in and helping them get the treatment they need and help develop some kind of situation that results in a permanent residence for them and hopefully working toward employment. I would recommend your approval."

Chairman Winters said, "Commissioner Miller."

Commissioner Miller said, "I'm going to be very supportive of this. Thank you Mr. Chairman. Debbie, this is not a renewal is it?"

Ms. Donaldson said, "It is on-going funding that the funding cycle, this is federal money that goes from August to August."

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Commissioner Miller said, "That's where I was getting a little caught up because it said statement of grant award from the Department of SRS, which ultimately is the State of Kansas. But this is a federal."

Ms. Donaldson said, "Really kind of a federal pass through."

Commissioner Miller said, "I thought so. Okay. Thank you."

Chairman Winters said, "Thank you. Any other questions or comments? If not, what's the will of the Board?"

MOTION

Commissioner Miller moved to approve the Statement of Grant Award 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."

7. STATEMENT OF GRANT AWARD IN THE AMOUNT OF \$95,306 FROM SRS FOR PROGRAMS FOR ASSISTANCE IN TRANSITION FROM HOMELESSNESS.

Ms. Donaldson said, "Commissioners, for clarification, this again is federal money that flows through the State which provides a different stream of funds for services to the homeless who also have a mental illness. I would recommend your approval."

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MOTION

Commissioner Schroeder moved to approve the Statement of Grant Award 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 Debbie. Next item."

J. DEPARTMENT ON AGING.

1. AGREEMENT WITH MAPLE GARDENS VILLAGE FOR SEDGWICK COUNTY DEPARTMENT ON AGING TO PROVIDE A HALF-TIME SERVICE COORDINATOR FOR A SIX-MONTH PERIOD.

Mr. Doug Russell, Director, Department on Aging, greeted the Commissioners and said, "The agreement with Maple Gardens is an extension of a program that we started several months ago at Finch Hollow through Mennonite Housing whereby they fund us to have a person who basically is an aging expert on site to work with residents. The idea being as people age frankly in housing complexes, they are going to have a variety of needs that may or may never find a way into our system until a crisis. What we are finding with that program is that it is working extremely well. Maple Gardens has had an identity crisis, for a lack of a better word, over the last year or so in that it was a retirement community and then it began to allow some businesses in and some other non-elders in. We got calls on that subject as you recall.

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“Basically what happened is that it ended up in some financial problems and it is in receivership with the Martens Company. Steve Martens called us up and said look, I want to do the best thing I can for the community that lives here as we move the identity of it back to a retirement community. Basically we agreed on a service coordinator contract, modeling exactly the one we have with Mennonite Housing and in fact using the exact same staff. We can move that staff member to full time, work both facilities, and do an excellent job. So he took that to the court and the judge said sure go ahead, let’s try this thing. That’s why we are proposing this is to put a half time person there to work with these residents and work with them in Aging, Transportation, and those kinds of needs. Recommend your approval.”

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

Commissioner Schroeder said, “Doug, what kind of a time period are we looking at for that? How long would that person remain involved with that facility?”

Mr. Russell said, “The initial contract is for six months. It would start this month and it would run through April with an option to renew for another six months if the parties agree and it feels appropriate at that time. We’ll have to sell the thing and we’ve told the staff member that this is a market driven deal, it may work and it may not. We’ll just do the best we can while we’re there and if the contract isn’t allowed to be extended because some other owner takes it over or whatever, that’s life.”

Commissioner Schroeder said, “You mention another facility where we had done this.”

Mr. Russell said, “Yes, we’re doing it in Finch Hollow right now.”

Commissioner Schroeder said, “How long have we been there?”

Mr. Russell said, “About eight or nine months.”

Commissioner Schroeder said, “So is that our only history we have doing this?”

Mr. Russell said, “Yes. It is an experimental program that HUD designed and what we are doing now is basically privatizing it with another entity.”

Commissioner Schroeder said, “Very good. Thank you.”

Chairman Winters said, “What’s the will of the Board?”

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MOTION

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

Commissioner Miller seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

2. ADJUSTMENT OF THE DEPARTMENT ON AGING STAFFING TABLE TO CHANGE ONE HALF-TIME SERVICE COORDINATOR POSITION TO FULL-TIME, RANGE 16.

Mr. Russell said, "Commissioners, the short version of this is to move the staff that we talked about in the previous item to full time and get on with both jobs."

Chairman Winters said, "All right. Commissioners, questions or comments? What's the will of the Board?"

MOTION

Commissioner Gwin moved to approve the adjustment to the Department on Aging Staffing Table.

Commissioner Miller seconded the Motion.

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

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VOTE

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

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

K. BUREAU OF PUBLIC SERVICES.

- 1. AGREEMENT FOR TRAFFIC SIGNAL MAINTENANCE WITH THE SECRETARY OF TRANSPORTATION OF THE STATE OF KANSAS WHEREAS, FOR A FEE, SEDGWICK COUNTY AGREES TO MAINTAIN CERTAIN STATE- OWNED TRAFFIC SIGNALS LOCATED WITHIN SEDGWICK COUNTY. DISTRICT #2.**

Mr. Mark R. Borst, P.E., Deputy Director, Bureau of Public Services, greeted the Commissioners and said, "The Agreement before you will add three State traffic signals on K-42 to the list of those signals that we do maintain for them for a fee. The three signals are K-42 at MacArthur Road, K-42 at Maize Road, and K-42 at Tyler Road. We will be paid an approximate lump sum of \$350 per year per intersection for routine maintenance and we will also be reimbursed for any additional maintenance we have to perform and all parts. The one item in the agreement that I will call to your attention is it does call for an effective date of October 1 of this year, but I recommend that you approve this agreement to be effective as of today, the date of execution."

Chairman Winters said, "Mark, do we have a lot of these?"

Mr. Borst said, "We had seven. This will bring us up to ten."

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

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MOTION

Commissioner Gwin moved to approve the Agreement and authorize the Chairman to sign with the effective date of today.

Commissioner Hancock seconded the Motion.

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

VOTE

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

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

- 2. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER TWO AND FINAL, WITH RITCHIE PAVING, INC. ON SEDGWICK COUNTY PROJECT NO. 809-the; TYLER ROAD RELOCATION. CIP #R-227. DISTRICT #2.**

Mr. David C. Spears, P.E., Director/County Engineer, Bureau of Public Services, greeted the Commissioners and said, "Item K-2 is a modification of plans and construction for the Tyler Road relocation project designated as R-227 in the Capitol Improvement Program. This project has been constructed and is ready to be finalized out. There will be a net decrease of \$17,832.14 due to variations in planning quantities from actual field measurements. Recommend that you approve the modification and authorize the Chairman to sign."

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MOTION

Commissioner Schroeder moved to approve the Modification of Plans and Construction 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, David. Next item."

L. COMMUNITY HEALTH DEPARTMENT MONTHLY REPORT.

Mr. Jack Brown, RS, MPA, Acting Director, Health Department, greeted the Commissioners and said, "This is flu season so I want to remind you that flu immunizations are available and for City employees they will be made available on October 22, County employees on October 23. For County employees it is at the historic County courthouse. Those are available and all city and county employees are still eligible if they miss those dates through November 26, by showing some identification at any of our health clinics. I thought I'd remind everyone.

"It is a timely thing. Our mobile van will be going out to communities outside the City of Wichita to provide those services on a routine basis and of course the entire community we'll provide immunizations probably for the next two to three months, as long as the vaccine that we have available holds out.

"In our environmental programs, one thing I might point out, we're having difficulty recruiting minors to purchase tobacco as part of our compliance checks when we're enforcing our tobacco regulations. So we've been talking to the high schools and we've found that as we talk around the country it has been difficult to find students of that age to participate in that program.

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“So we’re looking maybe at other ways of doing our compliance check. Perhaps by me saying that today there will be a number of recruits that will come in and want to help with compliance checks on that particular program. The small quantity generator program of hazardous waste and in our environmental program I’ve mentioned that a number of times. We’re actually starting a very small implementation process and I think we have qualified almost 20 local small quantity hazardous waste generators in the community to participate in a one time removal of hazardous waste from their site at no cost to them to a disposal site. So that is being implemented and this is probably the first step in expanding the scale of that particular program. Might mention that September 30 was the date that the Brooks Landfill was to be in compliance with the phase one, groundwater cleanup project. That date was met. It is part of the permit for the Brooks Landfill and an extraction and pump and treat system has been installed and is in operation at Brooks Landfill. Phase two of that program, as I’ve told you from time to time is the attacking of the major part of the plum and that would have to be on line by December 30. That particular program is on schedule as well.

“I think I will conclude that we’ve developed our new software program and data collection system at the Health Department. It is up and running now pretty well and we’ve been looking back at the data and we’re getting our first data reports. It was interesting to note that during September 23 had 5,200 patients/clients visit our clinics at the Health Department. We’ve not had a good way really of capturing those numbers and our year to date figure is 27,000 clients and that is not counting dual encounters or anything like that. Those are actual visitors to our clinic. So those numbers are impressive and the 27,392 is an increase of about 5% over our ‘96 figures. As a result of having this data available, I’m going to try and change the format of the monthly report so that we’ll have more descriptive figures and graphs and those types of things that will show the actual activity at the Health Department and outlying stations. I don’t know if I’ll do it for next month, but in the near future I think we’ll change the format of our monthly report so that you’ll have a better idea of the number of encounters and the types of encounters that we have at the Health Department and something visual to show that. Probably year to date figures, monthly figures, and then comparison to last year since ‘96 is as far back as we have these new figures with our new software system.

“Part of this data collection process, we’re working with the University of Kansas School of Medicine and we’re assessing our entire data collection program so that we are not only looking at management and administrative data but also we want to look at health data in the community and develop a good base of that type of information. So we have an informal agreement right now with KU Med to help us assess our data needs and look at all of our programs and we’ll be doing that. We’ll probably have something developed from that in the early part of next year. I think that probably concludes my report. If you have any questions, it has been a long morning, I’ll be happy to answer any questions you might have.”

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

Commissioner Schroeder said, "Jack, I'm impressed with the numbers that you just gave us of people that use the Health Department services. Is that a combination of things here, people are more aware that those services are there and available or is it that we're a little more unhealthy than we used to be. What is your take on that?"

Mr. Brown said, "I'm hoping that people are more aware of the services we provide. Some of our programs have expanded, our hours have changed a little bit, maybe we're more accessible. I guess that is what I'll need to do now that we've got this data flowing in better. We'll have a better idea to assess why and how and make some comparisons."

Commissioner Schroeder said, "Switching gears, the Gilbert and Mosley site, where are we at in that process of cleaning up that pollution? I've had a lot of people ask me and I could not recall what the final solution was to that."

Mr. Brown said, "Right, and I owe an update on that. I should have probably put something in. Right now we're in the process of a lot of negotiating on the legal side with those individuals that we've identified. Due to the nature of those negotiations there just hasn't been a lot of public information available. In terms of the cleanup, KDHE is still reviewing some of our reports and that type of thing. There have been some issues that I think in terms of the amount of documents KDHE has had to review, that has slowed them down in the process. That is true for our north industrial corridor as well. A lot of things, the technical data is there, it just has not been approved by the State."

Commissioner Schroeder said, "Okay. But we have not begun the actual cleanup yet?"

Mr. Brown said, "No. The State has also changed their philosophy and their internal policies on types of cleanup and that has changed a little bit the way we can approach it. There is some cleanup going on at Gilbert and Mosley. The Coleman Company has implemented a very aggressive cleanup project at their facility and that has been a benefit to the overall project, but as far as the other parts of the plums that are in Gilbert and Mosley, we're negotiating with the polluters for settlement and cost recovery and the implementation process has been delayed because of the review process."

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Commissioner Schroeder said, "That's great that Coleman is taking the initiative to do some of their own things at their own facility. That's wonderful. In closing, I had a chance to visit the household hazardous material site at Hydraulic and 55th this last weekend. They weren't real busy, but I tell you what, I still think that is a great operation and the more we can expand that and make it more readily available to everybody the better off we'll be. Do you have any long term plans for that in the way of other locations or is it basically this one? Is it because of what chemicals you get there, you've got to be close by to those tanks?"

Mr. Brown said, "Well, there is no disposal at that site. We have discussed other facilities and the path I'm going down right now is looking at privatization and perhaps we can allow the private sector to put out the capital for a building and facility and operate it with their staff. So that is the route that we're going now. The current status of that program is that it has expanded hours and those expanded hours, our participation is considerably higher than normal but it is over six days a week so that is probably why."

Commissioner Schroeder said, "Instead of one Saturday a month. I think it is great. I think the program is a wonderful program. I was just talking to some people the other day, the small business owners that own an automotive repair shop. They use oil in their furnace. They have a furnace that burns oil. I didn't realize that we had some of that technology here and I understand that there are some contractors, people that buy the oil from us when we discard it down at 55th and Hydraulic there is a contractor that uses that oil."

Mr. Brown said, "We try to recycle, the number I've used is about 90%, of the materials that are collected at that household hazardous waste facility. We try to have those recycled through oil reuse, flammable liquids sold as fuel, those types of things. There is a market for some of those materials."

Commissioner Schroeder said, "It's a great project. Thank you, Jack."

Chairman Winters said, "Thank you. Jack, is the Health Department overseeing the cleanup of the water underneath the Brooks Landfill? Are you the administrators? Are you monitoring that? What is your connection?"

Mr. Brown said, "Our role is the technical side of it. We are involved in the review of all the technical documents, the contractor and consultant are the ones that generate those documents. We are also responsible for monitoring the ground water at the various wells and those types of things. So we are the staff technical consultants to the public works department."

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Chairman Winters said, "Do you know if the City is making any inroads into find a use for that water. Originally they were going to put it back into the City water system and that is not going to happen. Is there any effort underway to find an industrial use that uses large quantities of water to use that water instead of just putting it in the river?"

Mr. Brown said, "The phase one cleanup I talked about earlier, that water is discharged into the Arkansas River."

Chairman Winters said, "Right. But is there any attempt to find an industrial user or some way to use that water. I mean, pumping out 500,000 gallons a day, every day, for 30 years, that's a lot of water."

Mr. Brown said, "My understanding was the cost benefit just wasn't there in terms of commercial use and the distribution system."

Chairman Winters said, "All right, thank you very much Jack. Is there a motion to receive and file this?"

MOTION

Commissioner Schroeder moved to receive and file.

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, Jack. Next item."

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**M. REPORT OF THE BOARD OF BIDS AND CONTRACTS' OCTOBER 16, 1997
REGULAR MEETING.**

Mr. Ken Williams, Assistant Director, Purchasing Department, greeted the Commissioners and said, "I have eight items for your approval this morning.

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

"The first item is paving and storm water drain improvements for the Bureau of Public Services for the Rocky Creek Addition, Phases 2 and 6. Recommendation to accept the low bid of Cornejo & Sons in the amount of \$652,867.50.

**(2) SANITARY SEWER LATERALS - BUREAU/PUBLIC SERVICES
FUNDING: SPECIAL ASSESSMENTS**

"Item two, sanitary sewer laterals for Bureau of Public Services for the Rocky Creed Addition, Phase 3. Recommendation is to accept the low bid of W. B. Carter Construction, in the amount of \$83,646.

**(3) DEMOLITION OF 11910 W. 87TH ST. N. - EMERGENCY MANAGEMENT
FUNDING: EMERGENCY MANAGEMENT**

"Item three, demolition of 11910 West 87th Street North for Emergency Management. The recommendation is to accept the low bid of National Builders, Inc., in the amount of \$10,712.

**(4) DEMOLITION OF 1118 BODINE COURT - EMERGENCY MANAGEMENT
FUNDING: EMERGENCY MANAGEMENT**

"Item four, demolition of 1118 Bodine Court for Emergency Management. The recommendation is to accept the low bid of National Builders, in the amount of \$9,430.

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(5) ½ TON PICKUP TRUCKS - MOTOR POOL
FUNDING: MOTOR POOL

“Item five is a ½ ton pickup for the Motor Pool and the Bureau of Public Services. The recommendation is to accept the low bid of Schofield Brothers, in the amount of \$15,139.80, with trade-in and optional manuals.

(6) COPY MACHINE - COUNTY CLERK
FUNDING: COUNTY CLERK

“Item six is a copy machine for the County Clerk. The recommendation is to accept the low bid meeting specifications of Xerox Corporation for the purchase of two (2) copy machines, in the amount of \$31,104, without payoff or trade-in, to be financed through Xerox using a 4-year lease/purchase agreement.

(7) RS/6000 - INFORMATION SERVICES
FUNDING: INFORMATION SERVICES

“Item seven is RS/6000 for Information Services. The recommendation is to reject all bids and re-solicit at a later date.

(8) REPLACEMENT OF WINDOWS AT JUDGE RIDDEL BOYS RANCH - CAPITAL PROJECT
FUNDING: CAPITAL PROJECT

“Item eight is replacement of windows at Judge Riddel Boys Ranch for Capital Projects. The recommendation is to reject all bids and re-solicit at a later date.

ITEMS NOT REQUIRING BOCC ACTION

(9) PAINTING OF FIRE STATION #37 - FIRE DEPARTMENT
FUNDING: FIRE DEPARTMENT

“That is the report of the Bid Board.”

Chairman Winters said, “Thanks, Ken. Are there questions? Commissioner Schroeder.”

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Commissioner Schroeder said, "I have a question on that item that dealt with the copy machines. What was the final determination? I know this was rejected a couple of weeks ago. Does anyone have any information regarding that? Was the process changed?"

Mr. Williams said, "My understanding at the time they were concerned about the financing."

Commissioner Schroeder said, "Are we still buying two copy machines and then we're going to turn around in six months and buy two?"

Mr. Williams said, "No sir."

Commissioner Schroeder said, "This is according to the regulations and procedures that the County has set up for copy machine leasing?"

Mr. Williams said, "Yes."

Commissioner Schroeder said, "Okay. Glad to get that cleared up. Thank you."

Chairman Winters said, "Okay, any other questions or comments?"

MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

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

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

Regular Meeting, October 22, 1997

CONSENT AGENDA

N. CONSENT AGENDA.

1. Floodway Reserve Easement.

The following tract of land has been granted by Floodway Reserve Easement at no cost to the County. This Easement was requested by the Director, Bureau of Public Services, as a condition of receiving a Platting Exemption on an unplatted tract.

Owners: Harold L. Jamison and Sandra E. Jamison, located in the Southwest Quarter of Section 1, Township 27 South, Range 3 West, more specifically located north of 21st Street North and east of 231st Street West. Garden Plain Township. District #3.

2. Right-of-Way Agreements.

Two Easements for Right-of-Way and one Temporary Construction Easement for Sedgwick County Project No. 811-S ½ K, L; Ridge Road between 29th Street North and K-96. CIP #R-222. District #4.

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>
V95143	\$193.00	\$188.00
V95142	\$471.00	\$471.00
V861007	\$215.00	\$185.00
V94116	\$335.00	\$237.00
V95088	\$495.00	\$183.00
C97036	\$225.00	\$197.00
V96085	\$92.00	\$120.00
C96025	\$168.00	\$136.00

Regular Meeting, October 22, 1997

- 4. Agreements (three) with Leticia Aldrete, Hortencia Granado and Kansas Truck Equipment Co., Inc. to provide Developmental Disability Registered Community Service Provider status.**
- 5. Orders dated October 8 and October 15, 1997 to correct tax roll for change of assessment.**
- 6. Consideration of the Check Register of October 17, 1997.**
- 7. Budget Adjustment Requests.**

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
970609	Central Services	Transfer
970610	Central Services	Transfer
970611	Emergency Management	Transfer
970612	Election Commission	Transfer
970613	Corrections	Transfer
970614	Appraisal	Transfer
970615	COMCARE-CDDO	Transfer
970616	COMCARE-Operations and Administration	Transfer
970617	Public Services Highways	Transfer
970618	COMCARE-Community Support Services	Transfer
970619	COMCARE Cell Dyn Lab	Supplemental Appropriation
970620	COMCARE-ACCESS	Supplemental Appropriation
970621	Detention Facility Expansion	Supplemental Appropriation

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

Regular Meeting, October 22, 1997

MOTION

Commissioner Hancock moved to approve the Consent Agenda as presented.

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, "We need to have an Executive Session in the Regular Meeting, so at this time I will recess the Regular Meeting of the Board of County Commissioners."

The Board of Sedgwick County Commissioners recessed to the Sewer District meeting at 11:43 a.m. and returned at 11:46 a.m.

Chairman Winters said, "At this time I will call back to order the Regular Meeting of the Board of County Commissioners October 22. Other business?"

Committee.

O. OTHER

Regular Meeting, October 22, 1997

MOTION

Commissioner Miller moved that the Board of County Commissioners recess into Executive Session for 20 minutes to consider consultation with Legal Counsel on matters privileged in the attorney/client relationship relating to pending claims and litigation and legal advice and the Board of County Commissioners return from Executive Session no sooner than 12:05 p.m.

Commissioner Schroeder seconded the Motion.

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

VOTE

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

Chairman Winters said, "We are in recess."

The Board of Sedgwick County Commissioners recessed into Executive Session at 11:46 a.m. and turned at 12:29 p.m.

Chairman Winters said, "We're back from Executive Session. Madam Clerk, please let the record show that there was no binding action in Executive Session. Is there any other business to come before this meeting? Mr. Euson? Mr. Manager? This meeting is adjourned."

P. ADJOURNMENT

Regular Meeting, October 22, 1997

There being no other business to come before the Board, the Meeting was adjourned at 12:30 p.m.

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

THOMAS G. WINTERS, Chairman
Third District

PAUL W. HANCOCK, Chairman Pro Tem
Second District

BETSY GWIN, Commissioner
First District

MELODY C. MILLER, Commissioner
Fourth District

MARK F. SCHROEDER, Commissioner
Fifth District

ATTEST:

James Alford, County Clerk

APPROVED:

_____, 1997