

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

NOVEMBER 3, 1999

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, November 3, 1999 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Bill Hancock; with the following present: Chair Pro Tem Betsy Gwin; Commissioner Thomas G. Winters; Commissioner Carolyn McGinn; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Mr. David C. Spears, Director, Bureau of Public Works; Mr. Darren Muci, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Public Relations; Ms. Michelle Daise, Assistant County Counselor; Ms. Susan Erlenwein, Director, Environmental Resources; Mr. Phil Rippee, Risk Manager, Department of Risk Management; Mr. John Nath, Director, Kansas Coliseum; Ms. Marsha Gasper, Interim Administrator, Regional Forensic Science Center; Mr. Brad Snapp, Director of Housing Office, Division of Community Development; and Ms. Heather J. Knoblock, Deputy County Clerk.

GUESTS

INVOCATION

The Invocation was given by Reverend Terri Messner, Campus Pastor, Ecumenical Christian Ministries, Wichita State University.

FLAG SALUTE

ROLL CALL

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

CONSIDERATIONS OF MINUTES: **Regular Meetings, September 29, 1999 and October 13, 1999.**

The Clerk reported that all Commissioners were present at the Regular Meeting of September 29, 1999 and Commissioner Gwin was absent at the Regular Meeting of October 13, 1999.

Regular Meeting, November 3, 1999

Chairman Hancock said, "Commissioners, you received copies of the September 29 Minutes. What's the will of the Board?"

MOTION

Commissioner Gwin moved to approve the Minutes of the Regular Meeting of September 29, 1999.

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you. You've also received for review the October 13 Minutes. What's the will of the Board?"

MOTION

Commissioner Winters moved to approve the Minutes of the Regular Meeting of October 13, 1999.

Commissioner McGinn seconded the Motion.

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

Regular Meeting, November 3, 1999

VOTE

Commissioner Betsy Gwin	Abstain
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

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

DEFERRED ITEM

A. PUBLIC HEARING AND RESOLUTION REGARDING THE POSSESSION, STORAGE, SALE, USE AND DISCHARGE OF FIREWORKS IN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS.

This item was deferred at the October 27, 1999 Commission Meeting.

Ms. Michelle Daise, Assistant County Counselor, greeted the Commissioners and said, "You have before you a Resolution that does regulate the sale, storage and use of fireworks in Sedgwick County. As you are aware, the Board, this past summer, did pass the Resolution that would authorize such use, sale and storage of fireworks subject to any rules or regulations that were either passed at that time or would be passed in the future by the State and County Fire Marshals. The Resolution you have before you at this time does just that. This Resolution sets forth the rules and regulations that have been determined by the County Fire Marshal and his staff to be necessary for public safety during the celebration of the millennium.

"The amendments to fire codes requires a public hearing. As you are also aware, there was a public hearing last Wednesday on this matter. The public hearing was closed at that time. The only action before you today is the consideration and approval of this Resolution if so desired. There have been two changes to this Resolution since the publication. I would like to point those out to you at this time. The first change is on page 8 of the proposed Resolution, section 78, 02.3.1.7. This is relating to the permit fee. The permit fee that is proposed at this time is \$4,000 per sale site. The other change in the Resolution is indicated on page 12 of the Resolution relating

Regular Meeting, November 3, 1999

to exit openings on tents where fireworks are being sold.

"The only change in this section is that the opening, basically what it is is a metal rod over which a curtain may be hung over an exit. That rod now must be seven feet above the floor as opposed to eight feet indicated previously. This change has only been made basically to conform with the standard side of sidewalls on tents. That is the only change that is being made to that. Everything else remains the same in the Resolution including the fact that fireworks are only authorized to be discharged on residential property in the unincorporated areas of the County. I'm available for questions. I would recommend this Resolution be passed."

Chairman Hancock said, "Thank you. Commissioners, questions on this item? Commissioner Gwin."

Commissioner Gwin said, "Thank you, Mr. Chairman. Michelle, one of the things I had concerns about was an automatic renewal. Is that still a part of this?"

Ms. Daise said, "That is still part of the proposed Resolution, yes."

Commissioner Gwin said, "Just for my colleagues edification then, I'm going to not support it if that continues to be in there. An automatic renewal for December 28, 29, 999 through January 1, 3000. I'm not going to do that."

Commissioner Sciortino said, "I think the people 1,000 years from now should have it."

Commissioner Gwin said, "I think they should decide whether or not they should have it. I'm not going to support it if that is in there. That's all Mr. Chairman."

Chairman Hancock said, "Commissioner Winters."

Commissioner Winters said, "Thank you. Concerning that, Michelle, if we didn't want to make this a Resolution that lasts for 1,000 years, what kind of wording could we put in there that would make it more appropriate to this millennium change instead of the next millennium."

Regular Meeting, November 3, 1999

Ms. Daise said, "We would just limit the regulations to December 28, 1999 through January 1, 2000. We would limit it to that. Basically what would happen at that time is that we would go back to the standard regulations that are in the uniform fire code. We would remove that provision at the end of the Resolution that says it is automatically renewing and that would take care of it."

Commissioner Winters said, "To me that makes a little more sense than a 1,000 year resolution concerning events on the millennium. I'd listen to any other comments."

Chairman Hancock said, "Commissioner Sciortino."

Commissioner Sciortino said, "I think we're real short sighted. I think 1,000 years from now people would love to have fireworks, but I would have no problem to deferring to Commissioner Gwin on this. I would have no problem in removing the automatic renewal. The argument is that maybe we won't even be around 1,000 years from now. I have no problem removing that renewal."

Commissioner Gwin said, "I plan on being around, just in a different form."

Commissioner Sciortino said, "You age so well and slowly, like fine wine."

Commissioner Gwin said, "Thank you."

Chairman Hancock said, "Why is that in there?"

Ms. Daise said, "It was a request of one of the Commissioners."

Chairman Hancock said, "Further discussion? If not, the Chair would entertain a Motion."

MOTION

Commissioner Gwin moved to adopt the Resolution with two amendments that Michelle informed us of and also by removing section 3 on page 17 of the Resolution in its entirety.

Commissioner McGinn seconded the Motion.

Regular Meeting, November 3, 1999

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you. Thank you, Michelle. Next item, please."

NEW BUSINESS

B. PRESENTATION OF STAFF RECOMMENDATION REGARDING THE HOUSEHOLD HAZARDOUS WASTE FACILITY/PROGRAM.

Ms. Susan Erlenwein, Director, Environmental Resources, greeted the Commissioners and said, "Today I am going to present some information to you on household hazardous waste. The solid waste management plan has many components to it. One component that we have to address by the Kansas Department of Health and Environment is how to handle special waste that comes to the facility.

SLIDE PRESENTATION

"Household hazardous waste is one of those special wastes that must be considered in our plan. That is materials that all of us may have in our household, such as paints, pesticides, motor oil, batteries. It can be materials such as bases which have high ph's, such as Drano or Liquid Plumber. It can be materials such as acids like Lime-A-Way. Now the trouble is that we don't always use all of these products and we may have some left over or we may buy one product and decide we don't like that one and we prefer a different brand and the original product sits on our shelves for years. So what happens is we end up generating a household hazardous waste. It is estimated that 5,000 tons of household hazardous waste is generated annually in Sedgwick County.

Regular Meeting, November 3, 1999

“What happens to this material is it may end up in a landfill and most of it does. Some of the material is taken to the current household hazardous waste facility, which is owned by the City of Wichita. It is located down at the sewer treatment plan number two, South Hydraulic and 57th Street South, and staffed by the Health Department staff.

"The funding for this program and education also associated with household hazardous waste is through the tipping fee at Brooks Landfill. The tipping fee is where trucks go through the landfill gate, they are weighed and charged so much per ton. Some of that money goes to help household hazardous waste. The current facility is open from 9:00 a.m. to 1:00 p.m., Tuesday through Saturday. As I mentioned, it is located at the sewer treatment plant. Here is a picture of that sewer treatment plant. You can't even see the building here. It is back behind these structures. This is what it looks like. It is an old equipment shop that is on loan to the Health Department. The shed was not built for this purpose and the program started out as a pilot project and it has grown ever since. People drive up. You can see over on the left a person taking material out of the back of their vehicle. That is taken inside the building for some components. If it is something like waste oil that you drain from your car engine, it is taken to a container outside and is placed in there for future recycling. Other materials may be taken inside the building. This is an area where they put flammable liquids such as old oil based paint or solvents or degreasers. That can be put in drums for convenience of transportation.

"The Health Department has done a good job of making do with a building not built for this purpose. They lack storage space in this facility. They lack office space, as is obvious from this picture. They also lack storage space for material that comes in. There has been an increase in materials and they have been outgrowing this facility. Some of these containers, it would be better if it is kept apart, such as an acid from a base in case there was leakage. The Health Department contracts with a local vender to pick up the material.

“It is manifested as a household hazardous waste at this point. The company then takes this material to their facility where it is put with other materials from businesses and then taken to for instance Deer Park, Texas, where there is an incinerator to burn material. So it depends upon what the material is as to where it is taken and how it is disposed of. Where appropriate, material is recycled.

Regular Meeting, November 3, 1999

"The current household hazardous waste facility has been in existence since 1991. This chart shows the number of participants since then. You can see an increase in participants, especially recently. Part of that is due to an increase in education so people are aware the facility exists. Another reason is an increase in the hours of operation. It used to be only the first Saturday of the month. Now, as I mentioned, it is Tuesday through Saturday, 9:00 a.m. to 1:00 p.m. The 1999 bars in a different color, indicating the number of participants is only through September. It is anticipated that they'll have 5,500 by the end of the year. So they're in fact getting more people per month than the first year of operation.

"Also, the poundage, the amount of material coming through the facility has been increasing. In September, it was 122 pounds per participant that was brought into the facility for disposal. The trouble with all of this is when the current funding for this will end when Brooks Landfill closes in October of 2001. So what will happen to all of these materials at that point? We have challenges ahead of us on how to handle household hazardous waste and associated education programs.

"One challenge is the facility. When this facility closes, what will we do for a new facility? We want to make sure that it is convenient for use by the public. We want to make sure that we can answer special events that may come up. I'll talk more about that later. Also, we want to divert some materials and not always dispose of hazardous waste but what can we recycle or reuse or cut down on the amount of hazardous waste. How can we work with small businesses who generate small amounts of hazardous waste? We are definitely concerned about the health and safety of our community. We want to address the concerns of how to administer household hazardous waste that are laid out in our solid waste plan.

"Now I've briefly reviewed these. Not I'd like to go over these in more detail. The first challenge was facility options. What are our options to do this in the future? There are three options. Option A is to contract all the household hazardous waste services through a private company. They would provide the building and operation. Option B is to have a County owned building but private operation. Option C would be County owned building and County operation, which would be utilizing staff from the Health Department who are already trained in this area.

"On Option A, a contract all facilities to a privately contract. So you have a business out there doing this. The estimated cost of them building a building on their property is \$500,000. Two

Regular Meeting, November 3, 1999

years ago, the City of Wichita had considered going out to a private operation. They sent out requests for bids for this facility. Only one company responded. So you can see there is not a lot of private competition out there to do this business.

“What the company said was we do not have a building for this purpose. The City would end up building a building that this company would then own on the company property. We would come to that same scenario if we went out for bids for a private company. We won't have the competition and we'd be building a building that a company would own. They would put the building adjacent to the current operations where they take hazardous waste from businesses. So they could store some of the material in that building instead of all in one building.

"From the request for proposal and recent contact with the company, we looked at annual operating costs for salaries for the employees, supplies, and the ultimate disposal cost increasing that for increased participation in the future. Annual operating costs would be \$615,000 for private operation.

"Facility options B and C both utilize a publicly owned building, so I'd like to talk about that next. What we did is we looked at if the County were to build a building with all the bells and whistles, what would it look like? This is a facility site lay-out. The building is actually here in the center. The fence perimeter. You would drive in and pull in to a covered area and drop off you household hazardous waste. You could park your cars in this area, but drive out and exit the building. The building also has an education area in this corner. There was school bus parking over here. Parking for people to go into the building.

"I'd like to look at just the building lay out itself in this next diagram. Here is the covered area where you would enter to drop off materials. This is the receiving area. Storage up here on the upper right. Education and offices. Now to look at each area in more detail because I know the scale of this is hard to see on this screen. This is the receiving area where you would walk in and drop off your paints or oils or pesticides. The people in this area would then separate it by type. If any testing would need to occur, there is a laboratory for basic testing of materials. Then we also have what is known as a swap and shop. When you drop off the material, you could then pick up material that is in the original container with the original labels that other people may have brought. You could pick up full cans of paint or pesticides or household cleaners that are located in the swap and shop without being charged any money. This diverts material from disposal.

Regular Meeting, November 3, 1999

"You also need to have an area to store this material as it comes in. There are many fire codes, building codes, and hazardous waste codes that govern how you store this material. The type of flooring you need, the fire walls, the sprinklers, and ventilation systems that are required. You have a minimum number of areas where the material is stored to keep it separated. You want to keep an acid from a base, oxidizers, toxins, all that needs their own area.

"An education center was put in this diagram to show that we work with the public and businesses, especially providing work shops for businesses on how to cut back on the hazardous waste generation. There is a current program right now by the Health Department where they go out and work with businesses on how to cut back on the waste and save money. Also, we have the section and office area for the staff who would be handling the household hazardous waste and the business programs.

"Now this is an idealized building. This is all the bells and whistles. The layout for the building was given to Capital Projects and they came up with the cost of just over \$1.5 million to building this Taj Mahal of household hazardous waste. This is the idealized what it would cost for all the bells and whistles.

"For facility option B, it was having the building we just talked about, a County owned building. Also a private operation. So looking at the private operation numbers we had earlier, the salaries, operating supplies, and disposal, but also adding utilities for this building, we come up with \$627,708 a year to operate this facility privately.

"Option C was utilizing the building I just mentioned, the \$1.5 million, plus County operation. Now what I did for County operation was I looked at the current costs for the Health Department staff, salaries and benefits, the utilities for that building, operating supplies, travel and training for the employees to keep up on their hazardous waste certificates, public education to go work with businesses and public on household hazardous waste and the increased disposal costs and came up with \$606,788 for annual operation. So those are the three operations for a facility and how to operate it. I mentioned other challenges as well so we'll get back to these numbers at the very end of the presentation.

Regular Meeting, November 3, 1999

"Another challenge is convenience. Whatever we do for the facility, we need to make sure that the operating hours are such that the public can go to it. As you saw earlier from the participation diagram, as the operating hours increased so did the participation. It would be nice to have it open eight hours a day on Saturday and open some evenings where the people who work during the day could go to the facility. Also the location needs to be near an access road where the public can get to it very easily. So we need to keep these items in mind as we look at where do we site the facility and how is it open.

"Another challenges is special events. This could be a long term plan on neighborhood clean up programs. Not every one can drive the materials to a facility. How do we have outreach programs to leave the facility and go out to the neighborhoods to collect material? Also, agriculture. The Kansas Department of Health and Environment has grant monies available routinely for special events such as mercury clean up programs, dioxin or agriculture. It would be nice to be able to go out to the coops and have farmers bring in materials at special events and we could collect it there instead of coming all the way to the facility. So we need to address those programs in the future.

"Diversion activities. Instead of just throwing every thing away, what can we do to cut back on household hazardous waste? Obviously, education is one component of that. We need to teach people how to buy wisely, to buy the amount of material they need and use it completely up and if not, the facility is available for the left over material. Also, as I pointed out, at the facility a swap and shop should be available. This is done in quite a number of household hazardous waste programs throughout the nation. What this is, as I mentioned earlier, is when you come in with material to get rid of, you may have a can of blue paint that you no longer need but you may be able to pick up material while you are there, a pesticide that would have cost you money at the store that someone no longer needed. You could pick it up at the swap and shop. In Colorado, one facility had a 30% decrease in the amount of material being disposed of and that ended up to be a 42% cost savings for disposal. So it is very wise to have a swap and shop connected with the facility to cut back on your disposal costs.

"Another challenge is working with the small businesses. The Health Department, as I mentioned,

Regular Meeting, November 3, 1999

has a pollution prevention education program. Businesses that generate less than 55 pounds of hazardous waste a year are not considered Kansas generators. That means that material can be simply thrown away. It is better to have this material handled properly as a hazardous waste. The staff goes out and works with the business on how to properly handle it.

“How can they cut back on that waste? Then the business can take advantage of volume rates of the household hazardous waste facility by bringing the material there and getting a cheaper rate than if they go directly with the disposal company. So it is helping to save businesses money and it helps safety in the business environment by cutting back on materials. We definitely would like to continue that program.

"Again, health and safety is a challenge. In the homes, materials left in the home in the garage, animals, if they get into that material or children could be killed. We had animals recently killed at the zoo getting into regular cleaning materials. Materials can be hazardous. So we'd like to get them out of the home environment and handled properly and not just have them stored for years. The same with the businesses. Work with businesses on cutting back on their hazardous waste. And of course, this effects the environment. If people do not have a proper way of disposing of this material, they could go out back, dump it into the yard, go out in the ditches and dump it illegally out on a country road. We do not want that. We want to give them an alternative for disposal.

"We also want to take care of the health and safety of the workers at the transfer station. Material being dumped on the concrete floor could break and cause a hazard. So we'd like to cut back on that. And of course, we're concerned with the environment at the future landfill where the material is transferred to, to cut back on hazardous waste being disposed of there.

"We want to address the concerns of our solid waste plan. It wanted expansion of operations, expansion of the current hours of operation. They wanted an increased facility. The current facility is too small for the number of participants receiving. It is inadequate and needs to be expanded.

"Satellite locations will be picking up materials away from the site is also in the solid waste plan. Increased education to make people aware of these programs and how to properly handle household hazardous waste or cut back on the material. Also, diversion activities, as the swap

Regular Meeting, November 3, 1999

and shop that I've mentioned.

"Now to compare the options of option A, option B, and option C for facilities and what the money pays for. Option A is privately owned and operated. We have the estimated building cost there. The annual operating cost is \$615,000. Option B, County owned building and private operation. The cost of the Taj Mahal there and the annual operating cost. Then Option C, the building and the annual operating cost. Listed underneath it is what we know has been worked into the operating cost. Under option C, we know we have education as part of this cost, operating the swap and shop, special events, working with businesses and diversion. Until we would go out and request exact numbers from businesses, we do not know how much this would increase the cost that is already listed here under annual operations. But we do know, for the public side. As you can see from this chart, public operation because salaries are cheaper in the public government than they are in the private in this area, is less expensive than going to the private companies. The building cost is something we would need to look at to see what we could do to best fit our community needs.

"So after reviewing these options and looking at what the solid waste plan calls for and how we could best address that, how we can be flexible to meet the community needs and what they want for special events or working with businesses, working at night with work shops for businesses, how we can look at the fact that the private competition is not out there. There was only one bid when the city went out with their request two years ago. So there really isn't a lot of competition out there to do this. Another factor to consider is the Kansas Department of Health and Environment has grants available for household hazardous waste. These grants are only available if there is a publicly owned facility. They've told me that if it is private, private companies do not get this money. They've also indicated at least \$150,000 could be given to Sedgwick County towards building this building and they said it could go higher than that. So, in considering everything I've reviewed, I think that the best option for Sedgwick County in the future to handle household hazardous waste and the associated programs would be a modified option C.

Regular Meeting, November 3, 1999

"Option C, again, was County owned building and County operation. The reason I have modified up there is to take this building that we looked at with all the bells and whistles and pull it down to what we need in our community. The site location was not on any of these prices. We could find County owned land and put it there or look at new land. We'd be looking at four to five acres required for a building site. This is the end of my presentation today. The time line shows we have a presentation on November 3.

"Next week, we have public comment on household hazardous waste to receive any public comment on this. Anything they want to say to help guide our decisions. Then the week after that, the 17th, the Commissioner decision on household hazardous waste, what avenue should we take. I'd be happy to answer any questions or try to get any more information for you at future meetings. Thank you."

Chairman Hancock said, "Thank you, Susan. There are some questions. Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. Susan, I'm anticipating that some of the public comment might be on the Taj Mahal. Has staff not come up with other plans. On the surface, that seems like an awful lot of money when the private sector felt they could do it for \$500,000. Have you not come up with modified building B or C or D yet? Because if not . . ."

Ms. Erlenwein said, "We were looking at if we took some of the areas out, a smaller office area. If we removed the education area. Right in that, you could lower it \$300,000, just getting rid of those areas. There are certain requirements that you need for fire code, such as the storage area. Also, I've been told that the state is looking at a new fire code for the whole state. That could increase the cost of the privately owned building as well."

Commissioner Sciortino said, "Still, the concern is that the private sector said, \$500,000. I assume they took into consideration everything that you're saying, proper storage, fire code, office space, et cetera. The government is saying we need three times that much."

Ms. Erlenwein said, "That is why I'm recommending a modified option if we decide to go through the public and you want to pursue that, to pull the building down."

Regular Meeting, November 3, 1999

Commissioner Sciortino said, "When would you be ready to present to us what the modified plan is on the cost? Are you saying that the facade would be the same, it is just what you do internally?"

Ms. Erlenwein said, "What I'm saying is that if you want to have the swap and shop and storage area, that would have to be the same internally for the size because of the fire code."

Commissioner Sciortino said, "When you were making your options, did you have any consideration of asking the city if we could just take over their facility?"

Ms. Erlenwein said, "I've talked to the Health Department about the current facility. As they mentioned, it is on loan to them right now at the sewer treatment plant and it has problems with the fire code right now. It is not an appropriate facility."

Commissioner Sciortino said, "Okay, let me go back to your numbers. You said there was about 4,000 people participating in this program. Roughly, it may go to 5,000 or more this year. Is that separate individual people or one person goes there five times, is he counted five times?"

Ms. Erlenwein said, "That person, if they went more than once a year, they would be counted."

Commissioner Sciortino said, "So it isn't 4,000 to 5,000 separate individuals who participate."

Ms. Erlenwein said, "Right."

Commissioner Sciortino said, "If I did your math right, right now we're collecting about 250 tons and the total tonnage being generated is 5,000. So somewhere around 12.5%."

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

Commissioner Sciortino said, "Do you have any estimate on if we take over, because that's a dismal percentage, it's like a drop in the bucket. Do you have an estimate that if we take it over and the first year we can get that up to 15%, 20%?"

Ms. Erlenwein said, "The numbers I presented for disposal cost would be to have 8,000 customers that year. Then we would want to increase that each year by increased education and

Regular Meeting, November 3, 1999

increased operating hours."

Commissioner Sciortino said, "I meant about the tonnage?"

Ms. Erlenwein said, "The tonnage we're looking right now at about 122 pounds per participant. When the 122 is divided by the number of participants. So if you increase the participants you're increasing the tonnage."

Commissioner Sciortino said, "So right now 122 pounds per participant is what we're looking at?"

Ms. Erlenwein said, "Yes, that's the average."

Commissioner Sciortino said, "I would hope that we could figure out a way . . . I don't know that this building has to look the way you're presenting it. I think a metal building . . . apparently the Health Department has been operating out of a metal building and I saw the pictures inside and maybe it was designed to make it look terrible but it didn't look too nice inside there."

Ms. Erlenwein said, "The building that was presented for the County building is a concrete block building that was made to last for a long time. I think part of the trade off there on metal versus concrete block is are you building this to last?"

Commissioner Sciortino said, "I understand, but I anticipate it is going to be beautifully landscaped. It is going to have a fantastic looking facade. The offices will look as nice as any office in any department. We'll have three or four directors there. We'll have a swap and shop that they can go get a third of a can of pesticide, et cetera, et cetera. That's a lot of tax payers dollars. I, for one, am not going to support another building like that just to dispose of household hazardous waste unless staff can tell me they are going to meaningfully penetrate this 5,000 tons that are being generated. Right now, we're claiming 12.5%. I don't know how my colleagues feel on this, but I want to use those dollars in a more efficient manner."

Ms. Erlenwein said, "I agree with you. That's why we want the increased education and increased operating hours and a convenient location for the public. We want to address that tonnage."

Regular Meeting, November 3, 1999

Commissioner Sciortino said, "Thank you. That's all I have."

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

Commissioner Gwin said, "Thank you, Mr. Chairman. Susan, a couple of things came to mind. You talked about increasing the hours, which I think is a noble idea. However, did you factor the increased salaries and utilities into that, into the numbers that you gave us?"

Ms. Erlenwein said, "Yes, I did."

Commissioner Gwin said, "So in the numbers you gave us, what kind of hours are you proposing?"

Ms. Erlenwein said, "I'm proposing eight hours a day for Tuesday through Saturday. Those eight hours would shift and some days it would be open evenings. Right now, it is nine to one, so it is four hours."

Commissioner Gwin said, "You projected that then in the salaries, utilities, and those costs that you gave us."

Ms. Erlenwein said, "Yes, I did, and the disposal costs as well."

Commissioner Gwin said, "Then when it comes to the matter of convenience. Are we still talking about one site or would you recommend more than one?"

Ms. Erlenwein said, "Convenience for the public, it would be better to have two sites, one east and west or north or south. You could look at the building though and you're doubling the cost of doing that then. And, you'd need more staff at each location."

Commissioner Gwin said, "In my thought process, sometime before November 17, and I don't know how much information are we going to make a decision then just to decide if it is public owned and operated."

Ms. Erlenwein said, "At that point if you decide on publicly owned and operated, the next step would be from your direction to come up with possible locations. Then par down the Taj Mahal

Regular Meeting, November 3, 1999

to a more reasonable sized building."

Commissioner Gwin said, "While we're looking at that and when we're looking at sites, you've talked about might there be places the County already owns land that a site or two might be established. Have we looked at the facility on Seneca where our Public Works are as a potential site?"

Ms. Erlenwein said, "I've talked to David Spears, Director of Public Works and I've gone out to different facilities. The one on Seneca really wasn't part of the equation since the building out there, tearing down old and building new. But I've looked at some of the other Public Works sites around the area."

Commissioner Gwin said, "The reason I suggest Seneca is because the noxious weeks department is there and there is knowledge of chemicals and some of the other things that are on site that maybe that would work."

Ms. Erlenwein said, "If we had this direction, I can work with David on that as a possibility."

Commissioner Gwin said, "Okay. So the decision you need from us on the 17th and it has to do with ownership operation."

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

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

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

Commissioner McGinn said, "Thank you, Mr. Chairman. Susan, right now does Nancy Larson run that?"

Ms. Erlenwein said, "Nancy, her salary is entirely from the Brooks Landfill tipping fee. She works with the businesses on the pollution prevention program. Al Gremmel with the Health

Regular Meeting, November 3, 1999

Department works with the household hazardous waste facility itself."

Commissioner McGinn said, "So Nancy's entire salary is from Brooks and not from the Health Department, okay. Then I think you answered my section question. As far as the program by the Health Department on education, that also is from Brooks?"

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

Commissioner McGinn said, "The neighborhood clean-ups that are going on, that I thought was Health Department sponsored."

Ms. Erlenwein said, "That's right. That's through Brooks tipping fees as well."

Commissioner McGinn said, "Okay. If the privates own this, would that release all our liability if there was a leak or a spill?"

Ms. Erlenwein said, "No, it would not. Under EPA Resource Conservation and Recovery Act, known as RCRA, it looks at hazardous waste and it covers it from what they call cradle to grave. We would be considered the generator of that material. When you contract with a private company, if something would happen in the future, a spill or an accident, EPA would first go to the private company and then they can come back on us because we're the generator. So it is a buffer, but we're still in the loop."

Commissioner McGinn said, "Okay. Then there is a comment here on the swap and shop. I think that is an excellent idea. I like hearing that it reduces the waste 30% and 42% cost savings. The satellites, I was thinking of the large building in the plan you gave us. If you had something like that, would the other one be of the same size. I guess when I hear satellites, I was thinking maybe there were two or three others and they're smaller and they're just places to drop off."

Ms. Erlenwein said, "Being a government agency, we come under different Department of Transportation laws for transporting household hazardous waste. I've talked to the Kansas Department of Health and Environment about this. We would pick material up at satellite locations and transport it to the main building legally under the law."

Commissioner McGinn said, "Okay. So we could just have one and then some other areas."

Regular Meeting, November 3, 1999

Ms. Erlenwein said, "That's correct.

Commissioner McGinn said, "Also, on the money from the state helping to build a new facility. Is this a year to year or is this something that is locked in. We find out maybe we could get \$150,000 to build that, but maybe that program gets knocked off next year or is this long term?"

Ms. Erlenwein said, "The grant program is long term. They've been providing grants for years for different programs to help with collection of different materials. They've done mercury clean-ups and a lot of schools got rid of mercury that way that they had in old thermometers in the schools. Also work with dioxin, materials that could produce dioxins. They had a special program for that. Each year the state has money available for household hazardous waste programs."

Commissioner McGinn said, "So if we go forward with this, that money is there."

Ms. Erlenwein said, "We could get that money each year."

Commissioner McGinn said, "Then also, on your financial considerations for private, County owned, public, I was just curious why you didn't put anything for utilities on the private."

Ms. Erlenwein said, "I did on the County owned building, not the private side because we did not have operating numbers. I would assume that would be part of their overall cost."

Commissioner McGinn said, "But we could kind of estimate on the utilities it would be about the same."

Ms. Erlenwein said, "One of the reasons their building can be smaller or less expensive than ours is because they'd be putting it next to their existing facility where they also have storage for material."

Commissioner McGinn said, "Okay. Then on the building and options. I just have a question about that. We just saw this this morning and is this something that you and Ken could come

Regular Meeting, November 3, 1999

around and talk to each Commissioner and get their idea and input on what they think is necessary and that kind of thing before we go and design that?"

Ms. Erlenwein said, "Yes, I was working with Stephanie on that and we'd be more than happy to visit with you."

Commissioner McGinn said, "Okay. The concrete versus the metal building, wouldn't it I guess for long term be better to have concrete because of the chemical reactions that would be occurring in the building and how it would effect the metal?"

Ms. Erlenwein said, "Yes, concrete would be a longer lived building. It would also be better for fire protection for withstanding a fire for a longer period of time than a metal building."

Commissioner McGinn said, "Okay. Just the last question. One hundred twenty two pounds per participant, does that include the packaging?"

Ms. Erlenwein said, "Yes, it does."

Commissioner McGinn said, "So if I bring my can in there, that is part of the weight too. Which that goes somewhere else if you're lugging it up in a barrel."

Ms. Erlenwein said, "Right. Depending on the material your plastic jug would be minuscule on the weight where a paint can might be more."

Commissioner McGinn said, "Okay, thank you."

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

Commissioner Winters said, "Thank you. Susan, a couple of comments. I do like that swap and shop concept. I think there probably ought to be a lot of places where . . . and maybe that could be a generation of a new concept for lots of other materials that end up in the waste stream. I like that. But before I think I could make a decision on the 11th. I'm going to need some more information about costs and location. Cost wise, I guess I'm thinking a lot closer to \$500,000 than I'm thinking to a \$1,500,000. If we're a long ways from \$500,000, then I think I've got a difficult decision about having this being a County owned facility. I have also visited with Kansas

Regular Meeting, November 3, 1999

Department of Health and Environment and they were very enthusiastic I think about a new program here in Sedgwick County and they certainly expressed to me their willingness to be involved in providing funds for a building if we owned the building. But in that conversation too, I visited about the City of Wichita has really been doing a pretty good job and I would hate to complete try to reinvent the wheel on what the City has been doing. I think the biggest down side to their current operation is just the location. So that comes back to if we're really going to increase that tonnage, it is just like anything else. The three things you need to work on are location, location, location.

'It would appear to me that by the 17th I would want to have some idea about where we're thinking about locating. Thinking about it briefly, I don't know if there is any availability for us to use any of the property at the current Brooks Landfill after it closes with the thought being that people would at least have some kind of concept of where this kind of material would go. Also, is there any way we could get ourselves close to a proposed transfer station. If individuals were going, they could make one trip at a time. Do we have any County property in any proximity to those kinds of things? So before I could make a firm decision on the 17th, I think there is a lot of other information that I need to get a better grip on. If none of those things work, if none of those seem to pan out, and if the size becomes a question, maybe we need to get with the one private provider that is providing for the service, maybe we need to build our building right next door to his building and let him provide part of that space. Then again, we're figuring out if he's on owned ground or rented ground or what that is. I think I wouldn't need to get very far off track before I would think about the private side being a pretty good option. But still, I want to be able to take advantage of KDHE's involvement and certainly want to have some control over how the operation goes."

Ms. Erlenwein said, "We can come and review with you County owned property and possible locations so that I can get that information to you and find out about the current company and their land situation."

Commissioner Winters said, "I'm going to say that from my standpoint, there is a lot of work to do between now and the 17th. Thank you, Mr. Chairman."

Ms. Erlenwein said, "We've been reviewing County property already so that's been done."

Regular Meeting, November 3, 1999

Commissioner Winters said, "Good."

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

Commissioner Sciortino said, "Just to kind of pick up on what Commissioner Winters said. I think the work has to be ready by the 10th because in order for the public to have comment, they need to have those answers known and if they comment on a \$1,500,000 building or are they commenting on a \$500,000 building then I don't know how we can delay getting answers to some of those questions prior to the public comment. The only other thing I need to ask, I think we discussed this this morning. Any of these costs, whether it is \$626,000 or \$606,000, those are going to have to be generated by the increase in the costs of the fees that we are presently charging people that we passed here some months ago. Is that correct? So there will be an increase in those fees?"

Ms. Erlenwein said, "The annual operating costs will be generated through the solid waste fee, which the Commission needs to vote on prior to July 1 of each year."

Commissioner Sciortino said, "Do you have an estimate as to what that increase might be?"

Ms. Erlenwein said, "This would be something on the residence dwellings only and not on businesses. So we would be looking at an estimated \$4.00 per parcel."

Commissioner Sciortino said, "I think we figured out that would be about a 44% increase in what the fees are right now."

Ms. Erlenwein said, "The fees right now are \$4.89 per parcel."

Commissioner Sciortino said, "They'd be increased an additional \$4.00."

Regular Meeting, November 3, 1999

Ms. Erlenwein said, "Maybe not totally increased \$4.00, because some of that \$4.89 also includes planning for household hazardous waste. So the \$4.89 would be lowered some as well."

Commissioner Sciortino said, "Okay, thank you."

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

Commissioner Gwin said, "Thank you, Mr. Chairman. Susan, Milt Pollitt on the Solid Waste Committee is here. Have they discussed this issue yet?"

Ms. Erlenwein said, "Yes, we discussed this issue this past Monday."

Commissioner Gwin said, "Milt, would you mind? You just don't dare be here, we always have questions for you, unless you're unprepared to talk about it. The committee discussed household hazardous waste Monday of this week? Give me some information as to part of their discussion or any suggestions they may have before we go forward."

Mr. Pollitt said, "We spent most of the Meeting on this issue and the comments from the participants, I think we had 16 members there, were very much along the lines of what I'm hearing today. The cost of the higher priced building we thought would not be necessary and that certain things could be done with a building. For example, a building could be built that would handle just the receiving and disposal of the materials and a separate building, which would be a much simpler office type building could be used for the other programs on a separate site. That was one idea we had. The community generally favored the County ownership. This was basically a large majority of the membership. But about half of those in favor of County ownership were in favor of public operation. Then although only one bidder bid the last time the City took bids, I think with more publicity about the invitation to bid I think it is likely you would get other bids. There are companies in Kansas City that do this work and could set up an operation here. We did not go into any other costing or any other type of analysis other than if it was County owned and privately operated and then a separate budget for the other programs, like the education and the special events and that kind of thing. Perhaps there is already budgetary money available to do that, for instance what the Health Department budget is. So we're not that familiar with how that works. That basically was the result of our meeting."

Commissioner Gwin said, "Okay, thank you for that update."

Regular Meeting, November 3, 1999

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

Commissioner Sciortino said, "Thank you, Mr. Chairman. Milt, you stated that the committee favored County owned public operation but you meant private operation, did you not?"

Mr. Pollitt said, "Half of those were in favor of County operation and about half of the members were in favor of the private . . ."

Commissioner Sciortino said, "So there wasn't a consensus decision from the committee, private versus public operation. Kind of split."

Mr. Pollitt said, "Yes."

Ms. Erlenwein said, "My memory serves on the vote, 16 members, two voted for private operation and ownership, 14 voted for public, and of the 14, half wanted the building costs to be lowered. They were saying public owner and operation but half wanted the building costs to be lowered. The other half said this building, that's what the vote was. I wanted to make a clarification there."

Commissioner Sciortino said, "It just seems to me that for us to have an honest look into what we might be able to receive from the private sector as opposed to relying on something that the City of Wichita did some years ago, I think we maybe need to send out an RFP to see if there are other companies that might be willing to bid on this to really get an accurate figure on what we might expect from the private sector so we can make a more informed decision on private versus public. I don't think we've had that and I would have to assume, that this is just me thinking, there has got to be more than one company that would be willing to give us a bid if we got serious and wanted to submit an RFP or whatever the procedure would be."

Commissioner Gwin said, "Maybe to follow up on that, maybe the difference is that we'd be asking for bids on an expanded program with differences, with changes, not with just a single . . . or whatever we'd submit."

Commissioner Sciortino said, "I kind of like what Milt said. I think we could separate out the education and some of the programs and keep that to ourselves and just have the private sector focus on the receiving, transportation and disposal of hazardous waste and then we could make

Regular Meeting, November 3, 1999

a separate determination as to what level of increased education is needed or other services that we have."

Ms. Erlenwein said, "You'd also want to include the swap and shop if that's where you're heading and what the private business would do."

Commissioner Sciortino said, "That would all be put in as part of the RFP."

Ms. Erlenwein said, "One thing that has been pointed out to me by Health Department staff is the private companies in the business for disposal and they get profit on that. They're not in the business of diversion. So when we do this, we'd have to make it very clear in any RFP or contract, what kind of diversion numbers we might be looking for."

Commissioner Sciortino said, "If indeed that is what we decide to do, right."

Chairman Hancock said, "Thank you, Commissioner. Commissioners, further questions or comments? Thank you, Susan."

Ms. Erlenwein said, "I'll look into the information and try to have that back for you next Wednesday."

Chairman Hancock said, "Thank you, Susan. On the building, I just might add, that I think probably if we were presented with a building that shows what our options were. Those are all the available possibilities in a building and what it might look like. I've been down to the building on 57th Street a number of times to deliver oil. It is totally inadequate. It is my understanding that they have a number of code violations right now standing against that particular building. If there is any concept here, that is what we are looking at then my suggestion is let's look again. That's not the place and not the building we want to copy, imitate or use. Anyway, I think it is probably going to behoove us to make choices about what we want in this particular process and take those off the shelf, put that together in a facility or facilities."

Ms. Erlenwein said, "If we can get guidance on what direction to head then we can come back and work out the details."

Chairman Hancock said, "Sure. Commissioners, thank you for your questions. Further

Regular Meeting, November 3, 1999

comments?"

MOTION

Commissioner McGinn moved to receive and file.

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you. Thank you, Susan. Very good report."

MOTION

Chairman Hancock moved to take an Off Agenda Item.

Commissioner Gwin seconded the Motion.

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

VOTE

Regular Meeting, November 3, 1999

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Commissioners, this is a contract with Hunter Health Clinic, Incorporated for Comprehensive Community Care to provide psychological services to the homeless individuals."

Ms. Deborah Donaldson, Director, Division of Human Services, greeted the Commissioners and said, "This particular contract does pay for and support a full time clinician and part time clerical staff person in our homeless program. I would recommend your approval."

Chairman Hancock said, "Commissioners, questions on this item? If not, the Chair would entertain a Motion."

MOTION

Commissioner Sciortino moved to adopt the Resolution.

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you, Debbie. Next item please."

Regular Meeting, November 3, 1999

C. RESOLUTION ADOPTING THE FLEET VEHICLE OPERATION AND USAGE POLICY.

Mr. Phil Rippee, Risk Manager, Department of Risk Management, greeted the Commissioners and said, "Item C is a brought before you today as a result of a previous updating of Sedgwick County safety and loss prevention policy, which the Board of County Commissioners approved on August of 1998. Up until that time, fleet vehicle usage was addressed in the safety policy. It was felt by staff that these two issues along with the fleet maintenance, be separated into three individual policies. The safety and loss prevention policy would deal with safety in general. The fleet maintenance policy with issues related to maintenance and replacement of vehicles. The policy before you today, fleet vehicle usage is concerned with the vehicle use, vehicle incident reporting, insurance requirements and operator qualifications.

"All items addressed in this policy with the exception of driver qualifications were previously communicated that as is be a written or assumed policy to Sedgwick County employees through our old safety policy. The highlights of this new policy were included in your back-up. It is my recommendation that you adopt the resolution today. Be happy to try and answer any questions you might have."

Chairman Hancock said, "Thank you, Phil. Commissioners, questions? Phil, I have one. On the back-up it says collision and comprehensive insurance will be purchased by the employees when renting or leasing vehicles for official County business. Does that mean that the cost would be provided through the budget or themselves privately? I don't understand that."

Mr. Rippee said, "Mr. Chairman, that money is actually reimbursed to employees via Kansas statute 753203A as mileage, which mileage is construed to cover cost of insurance costs when you're using the vehicle in performance of official duties any job related duty. That is something that we have went out a lot of times to different departments, especially the Appraiser's Department and COMCARE who use their car for business quite a bit. It is in their job description to use their vehicles for their clients and their work. We have to inform them that they do have to purchase the insurance and it is covered in their mileage reimbursement. That is one of the things that we made sure was included in the legal usage policy so they would have some place in writing to come back and look at this at."

Regular Meeting, November 3, 1999

Chairman Hancock said, "I see what you're talking about. I was thinking more in terms of where in the past we've had our government relations individual lease a vehicle just for the term of a session and not as a permanent fixture, but that would be included as part of the lease charge to the County."

Mr. Rippee said, "That has been a recommendation that I have made, that we are covered completely when you rent a vehicle. When you go somewhere and you rent the vehicle with our liability coverage through our policy that we cover, but we do not have any coverage other than our own body shop. So it is just something that I have recommended that when we do lease a vehicle, I have conveyed that to individuals through Purchasing and through other avenues of communication that we would have the collision and comprehensive paid for when you lease the vehicle. It is just the matter that they can always come back to us and want us to repair the vehicle and take care of more damages that were necessarily there. Just like when you go and rent a car.

"I always go around it with a clip board myself and look at every scratch on it before I rent it because when you bring it back, invariably, they want you to pay for something you didn't do. That's just a recommendation. That's why I put this in the policy."

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

Commissioner Winters said, "I guess I had the same question, so then just a clarification. If a County employee goes out of town, conference, whatever, needs to rent a vehicle, then you buy all the insurance coverage."

Mr. Rippee said, "Except for liability. You don't have to purchase the liability, just the comprehensive and collision."

Commissioner Winters said, "Okay, thank you."

Chairman Hancock said, "Thank you. Further questions? If not, the Chair would entertain a Motion."

MOTION

Regular Meeting, November 3, 1999

Commissioner Gwin moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you, Phil. Next item, please."

D. AGREEMENT WITH WICHITA YOUTH FOR CHRIST FOR USE OF SEDGWICK COUNTY PARK NOVEMBER 6, 1999 TO HOLD "AUTUMN'S END," A RUN/WALK BENEFIT.

Mr. Jarold D. Harrison, Assistant County Manager, greeted the Commissioners and said, "The Autumn's End run/walk benefit is a returning event for Sedgwick County Park. We've had the Youth for Christ event before. This is a standard form agreement and we recommend your approval. It is subject to receipt of insurance."

Commissioner Gwin said, "Any questions?"

MOTION

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

Commissioner McGinn seconded the Motion.

Regular Meeting, November 3, 1999

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Absent at vote

Commissioner Gwin said, "Next item please."

E. AGREEMENT WITH CITY OF VALLEY CENTER FOR ADVERTISING RIGHTS AT THE KANSAS COLISEUM.

Mr. John Nath, Director, Kansas Coliseum, greeted the Commissioners and said, "This is our standard agreement for lease of advertising space at our facility. I recommend approval."

Commissioner Gwin said, "Questions of Mr. Nath?"

MOTION

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

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye

Regular Meeting, November 3, 1999

Chairman Bill Hancock

Aye

Commissioner Gwin said, "Thank you, John. We're on Item F."

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

F. CORONER'S OFFICE.

1. AGREEMENT WITH WITT/KIEFFER FORD HADELMAN LLOYD TO PROVIDE PROFESSIONAL SERVICES.

Mr. William Buchanan, County Manager, greeted the Commissioners and said, "We presented you a contract last week and there was an error in the contract. This is exactly the same contract you saw last week except for Section 2, which is the compensation and billing. This contract is for professional services with Witt/Kieffer Ford Hadelman Lloyd. This is a consulting firm commonly referred to as head hunters. We've used those in the past. The City of Wichita has contracted with this firm to find the Director of the Department of Health twice. I have worked with Mr. Ford, one of the partners on the search. We found this company to be particularly helpful and good.

"One of the reasons we've retained this firm is because they are in the specialty field of finding physicians, medical administrators and others, in that we are looking for a forensic pathologist, board certified, we thought it would be helpful to hire a firm who searches for those kinds of positions. That's why we are bringing this contract to you. The contract would include 33% of the starting salary of the chief coroner when we find that person, up to 33% of \$195,000 or no less than 33% of \$135,000. So the range of fees is somewhere between \$40,000 and \$62,000. I recommend you approve this contract."

Chairman Hancock said, "Thank you. Commissioners, questions on this item? Commissioner Sciortino."

Commissioner Sciortino said, "As I understand it Bill, the contract also allows if they send us one and if for whatever reason within a year we're not happy with that person, they'll go out and

Regular Meeting, November 3, 1999

find us another one at no additional charge. Is that correct?"

Mr. Buchanan said, "That's accurate."

Commissioner Sciortino said, "That's great. No further questions."

Chairman Hancock said, "Thank you, Commissioner. Further questions or comments? Commissioner Gwin."

Commissioner Gwin said, "Mr. Manager, the term of the contract though is from October 13, according to this through December 31, 2000. We hope it is not going to take that long, do we?"

Mr. Buchanan said, "It makes it to the end of the year, we hope it doesn't extend that long. You're right. We threw darts at a board."

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

Chairman Hancock said, "Commissioner Winters."

Commissioner Winters said, "I don't know whether this is really relevant or not but I think this is such an important position I think it might be good to have an update sometime in the near future about what the response has been from the head hunter. This may not be the day to do that, but I think I and maybe the community would be interested to know if this is going to be a hard fill and we're going to have to search high and low, hither and yon, or there are people readily applying. This may not be the day to do that, but I'd like to know that soon."

Mr. Buchanan said, "This gives me an opportunity to do that. Let me just tell you a little bit about the process, where we are, and what is anticipated. First of all, let me remind you that part of the process is that the medical society, the Sedgwick County Medical Society, by state law, nominates a candidate. So they are involved in this process. They are a partner with us in searching. We've talked to Dwight Allen, he's been to a meeting already with us and these folks."

Regular Meeting, November 3, 1999

You need to know that we've already contacted them. They've already begun work and we are approving the contract because work has proceeded since the middle of October. We thought it was important to just start, and we have. We've had contact with the Medical Society. They have indicated their willingness to provide three people to be on an interview panel when the time comes for that. They will be and we will ask some other folks to help on that interview panel.

"Currently, Marsha Gasper, who is going to come to the podium next and talk about some interim contracts for deputies, attended a conference, the National Association of Medical Examiners Conference in Minneapolis, and handed out packets about the community and about the position. Those packets were well received. The individual who is in charge of this search is a person by the name of Doctor Joe Patlovich of this firm. Doctor Joe Patlovich is a certified pathologist, board certified. He's interviewed folks on the phone. He's recruited some folks that he's known. Without advertising, without putting an ad or sending out a recruitment letter, we have identified six candidates. He has identified six candidates already. Now we don't know whether they are excellent candidates or good candidates, or mediocre candidates. But we have identified six folks without advertising, who want to come to Kansas, who are board certified pathologist, forensic pathologist."

Commissioner Winters said, "Thank you, very much. Appreciate that update."

Chairman Hancock said, "Thank you. Commissioners, questions on this item?"

Commissioner Sciortino said, "Isn't another advantage of having a professional consultant out there looking for people is they do a lot of preliminary screening before they even present a candidate to us. So they've already weeded out maybe people they don't feel fit for this particular position before they even present the candidates to us."

Mr. Buchanan said, "Commissioner Sciortino, the advantage with this firm and having a board certified pathologist leading the search is going to be a lot more difficult to blow smoke at him. To indicate things on your resume or conversations that may not fit with reality. He would be a much better person to challenge that than anybody I would know. They will do a lot of preliminary screening. We will only see candidates that they would recommend, based on their knowledge of us and the position."

Regular Meeting, November 3, 1999

Commissioner Sciortino said, "Great, thank you."

Chairman Hancock said, "Thank you, Commissioner. Commissioners, further questions? If not, the Chair would entertain a Motion."

MOTION

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

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

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

2. AMENDMENTS TO AGREEMENT (THREE).

- ! NORMA JEAN FARLEY, M.D.**
- ! ERIK K. MITCHELL, M.D.**
- ! DONALD V. POJMAN, M.D.**

Ms. Marsha Gasper, Interim Administrator, Regional Forensic Science Center, greeted the Commissioners and said, "What you have before you are three amendments to original agreements to provide forensic pathology coroner duties at the Forensic Science Center. The first one, Dr. Norma Jean Farley, that amendment actually places her on a part time status. I'm not sure if you

Regular Meeting, November 3, 1999

are aware, but she has been here in the community since May and her family is still living in Austin, Texas. So she has requested to be placed on a part time status in order to spend a little more time with her family. Also, her husband has not been successful in securing employment here.

"The other two agreements are for Dr. Erik Mitchell and Dr. Donald Pojman. Those actually expand their ability to carry on a larger case load. Those two doctors are on a rotating basis as well as Dr. Farley and Deborah Johnson, so we have coverage every day of the month."

Chairman Hancock said, "Very good. Commissioners, questions on this item? If not, the Chair would entertain a Motion."

MOTION

Commissioner Gwin moved to approve the Amendments to the Agreements and authorize the Chairman to sign.

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you, Marsha. Next item please."

Regular Meeting, November 3, 1999

G. AMENDMENT TO GRANT WITH KANSAS DEPARTMENT OF COMMERCE & HOUSING ALLOWING CONVERSION OF HOME TENANT BASED RENTAL ASSISTANCE TO HOMEOWNER REHABILITATION FOR HOMEOWNERS DISPLACED BY THE MAY 3, 1999 TORNADO.

Mr. Brad Snapp, Director of Housing Office, Division of Community Development, greeted the Commissioners and said, "In June, Sedgwick County Housing Authority was given a grant with Kansas Department of Commerce and Housing for temporary rental assistance for people displaced by the tornado. We were only able to help eight people. We committed \$36,000 of that grant toward the end of the commitment period, which was short. We only had 90 days. We asked the Department of Commerce and Housing to convert the grant to homeowner rehabilitation. It will raise the income limit, and be able to serve people at or below 80% of the areas median income instead of 60%. Although there is only \$155,000 available, I think we'll be able to be more effective with that money than with the tenant based rental assistance. I'd ask that you accept the amendment."

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

Commissioner Winters said, "Brad, is that amendment agreeable to the Kansas Department of Commerce and Housing?"

Mr. Snapp said, "Right. They asked HUD if they could do it and HUD gave their permission."

Commissioner Winters said, "Okay, very good. Thank you."

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

Commissioner McGinn said, "All the costs are funded by the grant so there is no match, is that correct?"

Mr. Snapp said, "Right."

Chairman Hancock said, "Okay, further questions? If not, the Chair would entertain a Motion."

Regular Meeting, November 3, 1999

MOTION

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

Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you, Brad. Next item please."

**H. REPORT OF THE BOARD OF BIDS AND CONTRACTS' OCTOBER 28, 1999
REGULAR MEETING.**

Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, "You have Minutes from the October 28 Meeting of the Board of Bids and Contracts. There are eight items for consideration.

**(1) SANITARY SEWER IMPROVEMENTS - PUBLIC WORKS
FUNDING: SPECIAL ASSESSMENTS**

"Item one, sanitary sewer improvements for Public Works, the Woodland Lakes Estates, 2nd Addition. It was recommended to accept the low bid of Mies Construction. That amount is \$115,542.

(2) JUMPSUITS - SHERIFF

Regular Meeting, November 3, 1999

FUNDING: ADULT DETENTION FACILITY

"Item two, jumpsuits for the Sheriff and the adult detention facility. It was recommended to accept the low total bid of Robinson Textiles. That amount is \$15,206. Two pages of complete tabulation follows.

(3) PERSONAL COMPUTER HARDWARE & SOFTWARE - INFORMATION SERVICES

FUNDING: INFORMATION SERVICES

"Item three, personal computer hardware & software for Information Services. It was recommended to accept the low bid of Integrated Solutions Group. That amount, for 200 personal computers up to 300 may be purchased using this contract, \$286,800.

(4) PERSONAL COMPUTER HARDWARE & SOFTWARE - EMERGENCY MEDICAL SERVICES

FUNDING: EMERGENCY MEDICAL SERVICES

"Item three, personal computer hardware and software for Emergency Medical Services. It was recommended to accept the low bid of Distinctive Business Machines. That amount is \$77,357.

(5) TELESCOPING SIGN POSTS - PUBLIC WORKS

FUNDING: PUBLIC WORKS

"Item five, telescoping sign posts for Public Works. It was recommended to accept the low bid of Unistrut Midwest. That amount is \$39,270.20

(6) REFLECTIVE ROLL GOODS - PUBLIC WORKS

FUNDING: PUBLIC WORKS

"Item six, reflective roll goods for Public Works. It was recommended to accept the low bid of Three M Corporation, that amount, \$28,080.45.

Regular Meeting, November 3, 1999

**(7) PERSONAL COMPUTER HARDWARE & SOFTWARE - JUVENILE
DETENTION FACILITY
FUNDING: JUVENILE DETENTION FACILITY**

"Item seven, personal computer hardware and software for the juvenile detention facility. It was recommended to accept the low bid of Integrated Solutions Group, that amount, \$35,695. Two pages of complete tabulation follows.

**(8) PERSONAL COMPUTER SOFTWARE UPGRADES - INFORMATION
SERVICES
FUNDING: INFORMATION SERVICES**

"Item eight, personal computer software upgrades for Information Services. It was recommended to accept the only bid received from IBM Corporation. That amount is \$22,137. Tabulation follows.

"I will be happy to accept questions and recommend approval of the Minutes from the Board of Bids and Contracts."

Chairman Hancock said, "Thank you, Darren. Commissioners, questions on this item? If not, the Chair would entertain a Motion."

MOTION

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

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye

Regular Meeting, November 3, 1999

Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you, Darren. Next item please."

CONSENT AGENDA

I. CONSENT AGENDA.

1. Right-of-Way Agreements.

- a. Nine Easements for Right-of-Way and One Temporary Construction Easement for Sedgwick County Project No. 807-K, L, N ½ M; Maize Road between 21st and 45th Streets North. CIP #R-246. Districts #3 and #4.
- b. One Easement for Right-of-Way from Raytheon Aircraft Co., dedication to the public, a connecting street between Bird and Goebel. District #1.

2. Section 8 Housing Assistance Payment Contract.

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V99063	\$141.00	2	Village Green Apts.

- 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.**

Regular Meeting, November 3, 1999

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V94120	\$461.00	\$371.00
V96061	\$335.00	\$176.00
V98041	\$348.00	\$495.00
V96084	\$000.00	\$136.00
C97046	\$339.00	\$229.00
V99051	\$142.00	\$400.00
V99053	\$202.00	\$307.00

4. Applications for License to Retail Cereal Malt Beverages.

<u>Applicant Name</u>	<u>d/b/a</u>
Jo Lynn Blood	Pine Bay Golf Course, Inc.
Samuel G. Eberly	Eberly Farm, Inc.
Kimberley K. Groves	Johnson's General Store #39

5. Order dated October 27, 1999 to correct tax roll for change of assessment.

6. Payroll Check Registers (two) of October 29, 1999.

7. General Bills Check Register of October 29, 1999.

8. Budget Adjustment Requests.

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

Chairman Hancock said, "Thank you."

Regular Meeting, November 3, 1999

MOTION

Commissioner Gwin moved to approve the Consent Agenda as presented.

Commissioner Winters seconded the Motion.

Chairman Hancock said, "Before we call the vote, there are some folks here who want to address an item on this Agenda regarding a plat. I talked to the County Counselor regarding the matter and maybe he has something to say about that. Do you want to tell us what we're doing here on this plat?"

Mr. Richard Euson, County Counselor, said, "It has been the practice of the County since early 1980 to put plats on the Consent Agenda because your duty in regard to plats is to accept or reject the dedications within a certain period of time. The dedications on the plats are normally the roadways and any public utility easements. That is really the extent of your involvement in the platting process. The main features, the nuts and bolts of the platting really goes through the Planning Department and the Planning Commission. Matters pertain to engineering and to traffic engineering, those are technical matters which are done by staff and done by the committees that are set up by statute to consider them. It is really not your providence to do that and that is why the statutes talk about you accepting or rejecting dedications. That's why we put these on the Consent Agenda as non-discussion items. I think this plat is properly on the Consent Agenda under those circumstances."

Chairman Hancock said, "Thank you, Richard. Commissioners, if any of you have questions regarding the item, I know we received comments from a constituent. At this time, the Chair would entertain a Motion."

Commissioner Winters said, "We've already got a Motion."

Chairman Hancock said, "Okay, further comments of questions? If not, Clerk call the vote please."

Regular Meeting, November 3, 1999

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you. At this time I'll recess the Regular Meeting of the Board of County Commissioners."

The Board of Sedgwick County Commissioners recessed to the Sewer District meeting at 10:22 a.m. and returned at 10:26 a.m.

Chairman Hancock said, "I'll call back to order the Regular Meeting of the Board of County Commissioners. Is there further business?"

J. OTHER

MOTION

Commissioner Gwin moved that the Board of County Commissioners recess into Executive Session for 30 minutes to consider consultation with Legal Counsel on matters privileged in the Attorney Client relationship relating to pending claims, litigation, legal advice, and personnel matters of non-elected personnel, and that the Board of County Commissioners return from Executive Session no sooner 10:55 a.m.

Commissioner McGinn seconded the Motion.

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

Regular Meeting, November 3, 1999

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you. We're in Executive Session."

The Board of Sedgwick County Commissioners recessed into Executive Session at 10:27 a.m. and returned at 11:13 a.m.

Chairman Hancock said, "We're back in session. Let the record reflect there was no binding action taken while in Executive Session. Counselor, do you have anything? If not, we're adjourned."

K. ADJOURNMENT

Regular Meeting, November 3, 1999

There being no other business to come before the Board, the Meeting was adjourned at 11:13 a.m.

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

BILL HANCOCK, Chairman
Second District

BETSY GWIN, Chair Pro Tem,
First District

THOMAS G. WINTERS, Commissioner,
Third District

CAROLYN McGINN, Commissioner,
Fourth District

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

James Alford, County Clerk

APPROVED:

_____, 1999