

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

### **REGULAR MEETING**

**August 23, 2000**

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., on Wednesday, August 23, 2000 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chair Pro Tem Carolyn McGinn; Commissioner Betsy Gwin; Commissioner Bill Hancock; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Mike Mueller, Employment Officer, Division of Human Resources; Mr. Tom Pollan, Director, Emergency Medical Services; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Mr. Jim Osterlund, Project Manager, Facility Project Services; Mr. Mark Masterson, Director, Department of Corrections; Ms. Irene Hart, Director, Division of Community Development; Ms. Susan Erlenwein, Director, Environmental Resources; Ms. Dorsha Kirksey, Director, Housing and Community Services, Department on Aging; Mr. Brad Snapp, Director of Housing Office, Division of Community Development; Ms. Kathleen B. Sexton, Director, Division of Information and Operations; Mr. Mark Borst, P.E., Bureau of Public Works; Mr. Paul E. Taylor, P.E., Director of Sewer Operations and Maintenance; Mr. Joe L. Norton, Bond Counsel, Gilmore & Bell, P.C.; Mr. Daryl Gardner, Interim Director, Purchasing Department; Mr. Jim Weber, Deputy Director, Bureau of Public Works; Ms. Kristi Zukovich, Director, Communications; and, Lisa Davis, Deputy County Clerk.

### **GUESTS**

Ms. Margaret Miller, 430 Waverly, Wichita, Ks.

Dr. Noel Wagner, Medical Adviser, Emergency Medical Services.

Captain Bob Hinshaw, Vice-President, Wichita Area Sexual Assault Center.

Ms. Kathy Williams, Executive Director, Wichita Area Sexual Assault Center.

Mr. Jack Brown, Division Director, Environmental Health Department.

Mr. Milt Pollitt, Chairman, Solid Waste Management Committee.

Dr. Deloris Craig, Member, Community Correction Advisory Board.

### **INVOCATION**

The Invocation was led by Reverend Deedee Evans of Hospice, Inc.

### **FLAG SALUTE**

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**ROLL CALL**

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

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

**CONSIDERATION OF MINUTES:**

Regular Meeting, July 26, 2000

The Clerk reported that all Commissioners were present at the Regular Meeting of July 26th , 2000.

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

**MOTION**

Commissioner McGinn moved to approve the Minutes of the Regular Meeting of July 26, 2000.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

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

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

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### **YOUR COUNTY SERVICES**

#### **A. DIVISION OF HUMAN RESOURCES.**

**Chairman Winters** said, "Commissioners, each week we take just a moment to visit with an employee of Sedgwick County, as they describe the functions and the operations of the particular department that they're involved with. This morning we're pleased to have Mike Mueller here from Human Resources. So, Mike, welcome."

**Mr. Mike Mueller**, Employment Officer, Division of Human Resources, greeted the Commissioners and said, "Thank you for inviting me here today to share our story. Commissioners, I'm sure I don't need to tell you that Sedgwick County has a huge job to do. We build and maintain the County infrastructure. We're responsible for public safety. We provide recreational opportunities, cultural events, and critical services to those people we serve. We have a wide array of resources with which to do this job. We have building and highways and detention facilities and forensic science centers. We have zoos. We have ambulances and fire trucks and information and technology. I believe, and I hope you agree, that our most important asset in serving our community is our people, our human capital. Managing and supporting this human capital is the job of Human Resources. That's reflected in our mission statement which is, to build a talented, diversified work force and develop organizational and individual excellence. In other words, put talented people in the right jobs, with the right skills, at the right time, and in the right way. We do this through sourcing and staffing talent and rewarding, compensating, encouraging, challenging and developing our employees.

"I'd like to spend just a few seconds to tell you a little bit about where HR (Human Resources) came from. In fact, the personnel office in Sedgwick County began back in the late 1960s in response to an act of the Kansas Legislature, which required certain counties in Kansas to establish personnel policies, or personnel programs. In fact, Sedgwick County was the first such county in Kansas to do so. Shortly thereafter, in the early '70s, the U.S. Office of Personnel Management came in and helped us establish the functionality of our department. And although there's been many changes over time and there's been additional responsibilities, a re-engineering, much of the original structure and functionality that came through through statutory requirements and federal guidance still remain today.

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“Over the years, we’ve done a number of things that we’re very proud of. For example, we have a tradition of success in partnering with other organizations to better serve our customers. For the last fifteen years of so, for example, we’ve been partnering with the City of Wichita, the City of Wichita Fire, and Sedgwick County Fire Departments, in recruiting and selecting entry level firefighters. Also, we’ve been partnering for a number of years with the City of Wichita and WSU (Wichita State University), in developing a joint City/ County training program. We’ve been working with a number of organizations, including USD (Unified School District) 259, City of Wichita, KG &E (Kansas Gas & Electric), Western Resources, in pioneering with diversity initiatives. We’ve also participated in a multi-jurisdictional job analysis, test development, and compensation studies.

“We also have a history of innovations. In fact, in 1986 we led in the application of technology and we received an award from the National Association of Counties for our automated applicant tracking system. And we were one of the first County departments to have a presence on the Internet and we still are among the most accessed source of information on our award-winning website. We’ve been working hand in glove with the Division of Information and Operations in developing the County Intranet site and currently have policies and procedures, forms, and guidelines available on E-Line.

“We also led in customer services. In fact, we are among the first County departments to actually ask our customers to rate our performance through a customer service survey. And we’ve continued this customer service orientation through listening tours to County departments. And we’ve experimented with changes in our business processes, based upon what we’ve learned through these discussions. We’re also proud of our professional stature, both organizationally and individually. Sedgwick County HR is an agency member of the International Personnel Management Association, the society for human resource management and the American Compensation Association, which is now known as World at Work.

“Additionally, HR staff hold individual professional memberships in these organizations and HR staff are founding members of the Kansas chapters of IPMA, IPMA Kansas, and now hold leadership positions in that organization. Our HR staff hold professional credentials, including the IPMA CP, the PHR and OD certifications, as well as advanced degrees in law, public administration and human resource development. If you’ll allow me to brag, for just a minute, about someone that I’m very proud of knowing, one of our staff was recently awarded the Excellence in Public Service award in Sedgwick County.

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“We’re proud of a lot that we have done, but we also have a vision and we’re also looking forward to doing more. And, in fact, we plan to continue to grow our partnerships, by currently working with the City of Derby in a electronic applicant process, insured applicant data-base program. This will make our application process as accessable as possible to our customers with information virtually available anywhere in the world with a web-enabled PC. This will allow applicants to be considered for multiple positions in multiple organizations and it will reduce our paperwork, through exchange of information through electronic processes. We hope with the demonstrated success of this program that other organizations will join in this partnership.

“We also plan to implement and develop a new compensation philosophy that will focus on appropriate awards structured for documented excellence. We want to provide managers with the agility they need in meeting their needs and rewarding employees. We’re going to continue to focus on organizational development, with our Environmental Assessment Program we try to discover what we do right and what we need to improve on. This helps us identify and provide the tools our managers and employees need to be successful. We’re also excited about being involved in ERP, the Enterprise Resource Planning project. This will provide you with real-time, on-time information for planning purposes. Let’s you know where we are, instead of where we were and to help you with your resource planning and resource utilization.

“Commissioners, I’m proud of what we do. I’m proud of who we are and I’m proud to be a County employee. I’ll be happy to answer any questions you may have.”

**Chairman Winters** said, “All right, thank you, Mike. Commissioner Gwin.”

**Commissioners Gwin** said, “Thank you, Mr. Chairman. Mike, first, on a personal note, you’ve led this Commission or helped this Commission in the hiring of some of our top-level staff. I want to thank you for your efforts in that regard. I think, with your help and assistance, the interviews went well and we found some wonderful people to work for us.”

**Mr. Mueller** said, “Well, I appreciate that and I always enjoy your support. Thank you.”

**Commissioner Gwin** said, “And then, I guess my other question is if someone out there is interested in working for Sedgwick County, how do they contact you?”

**Mr. Mueller** said, “Well, the easiest way to access opportunity is to go to our website because we do have a dynamically updated information page there that provides information about all current vacancies.

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There's also an application form that can be downloaded from that site.”

**Commissioner Gwin** said, “And the web address is what?”

**Mr. Mueller** said, “www.sedgwickcounty.org.”

**Commissioner Gwin** said, “And if they're not on the net, or don't have a PC, what about a phone number?”

**Mr. Mueller** said, “383-7178 or my phone number is 383-4674.”

**Commissioner Gwin** said, “Okay, thank you, Mike. Thank you, Mr. Chairman.”

**Chairman Winters** said, “All right, thank you. Mike, we certainly appreciate your taking a few minutes to, again, continue to keep us informed and the citizens who are watching this broadcast about Human Resources. You all play a very vital role in making sure that employees have opportunities available to them and make sure that benefits are handled properly and so, we appreciate everything you and your whole department are involved in. Thank you very much.”

**Mr. Mueller** said, “Your welcome. Thank you.”

**Chairman Winters** said, “Do I have a Motion to receive and file?”

### **MOTION**

Commissioner Hancock moved to Receive and file.

Commissioner McGinn seconded the Motion.

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

### **VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Aye

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Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

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

**APPOINTMENTS**

**B. RESOLUTION APPOINTING BRUCE KOUBA (BOARD OF COUNTY COMMISSIONERS' APPOINTMENT) TO THE COMMUNITY CORRECTIONS ADVISORY BOARD.**

**Mr. Richard A. Euson**, County Counselor, greeted the Commissioners and said, "This a reappointment to this Board for a term of two years. The resolution is in proper form and I would recommend that you adopt it."

**MOTION**

Commissioner Gwin moved to Adopt the Resolution.

Commissioner Hancock seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "I don't believe Bruce is here today. Next item."

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### **C. RESOLUTION APPOINTING DR. NOEL WAGNER AS SEDGWICK COUNTY EMERGENCY MEDICAL SERVICE (EMS) MEDICAL ADVISER.**

**Mr. Tom Pollan**, Director, EMS, greeted the Commissioners and said, "I have some great and wonderful news for us today, in this community. We have been in search of a Medical Director, as you're aware. Dr. McCullough, who has served us for 25 years, has retired from Medical Director. He's still practicing as a physician. We went on a rather lengthy search. However, this one happened to come to us through a unique set of circumstances. I was introduced to Dr. Wagner and found out rather quickly that he has some skills and knowledge that I think we could use but, more than anything, has an absolute strong desire. So strong a desire to be involved with EMS system that he made his choice to practice in Wichita, based upon if he's involved in the EMS system, period. If we could not have gotten him involved, he would have gone to another community. So, this is a true win/ win situation. By the way, he'll be living in the County. He's got a house located, so he'll be a County resident.

"His medical school was from the University of Texas medical branch in Galveston. He served a four year residency program for Emergency Medicine at the University of New York City. So, he has lived on the coast, both two coasts. And experienced human resources at a high level of stress. And a year fellowship with Allegheny General Hospital for Emergency Medical Services Director. He was the Medical Director, focusing specifically at what we do. We felt this was an extremely strong benefit to this community. He also holds his board certification in Emergency Medicine and has decided to, based upon our invitation, to move him and his wife, Sarah, here to Wichita and represent Sedgwick County Emergency Medical Services as our Medical Director. So, I would like to one, introduce him but two, ask you to welcome him to our community because he will be a great asset for both our service and this community for health care services.

"If you have any questions then I'd like to make a recommendation following Dr. Noel Wagner."

**Chairman Winters** said, "All right, thank you. Doctor, welcome to Sedgwick County. We haven't done the formal business here but I'm about 100% sure we're going to do that in just a second. We certainly want to welcome you to the community and we think that we have a very outstanding EMS organization and we're always ready, willing, wanting to talk about making it the very best it can be. So, we're looking

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forward to your participation and if you'd like to make a few comments, we'd certainly welcome that."

**Dr. Noel Wagner**, Medical Adviser, Emergency Medical Services, greeted the Commissioners and said, "I don't have any specific comments. I'm just very happy to be here. My wife and I are very pleased with what we've seen in Wichita, from a personal standpoint. And from a professional standpoint, again, as Mr. Pollan said, I had several other opportunities that I was entertaining throughout the country and I felt that what Sedgwick County had to offer just was exactly what I was looking for. So, I'm quite happy to be. I see this as a long-term commitment. We are purchasing a house and I'm very glad to be here."

**Chairman Winters** said, "All right. Thank you very much. Tom, do you have a recommendation concerning this Resolution."

**Mr. Pollan** said, "Based on the information you have before you, I would make the recommendation that you appoint Dr. Noel Wagner as our Medical Director, and allow the Chair to sign the agreement."

**Chairman Winters** said, "All right, thank you. Commissioners, questions?"

### **MOTION**

Commissioner Hancock moved to Adopt the Resolution.

Commissioner McGinn seconded the Motion.

**Chairman Winters** said, "Is there any other discussion?"

**Commissioner Gwin** said, "I have a question. You said Medical Director and the backup says adviser. Which is the case?"

**Mr. Pollan** said, "I'm sorry. It's hard for me to change that terminology. It's Medical Adviser."

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

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**Chairman Winters** said, "Very good. Any other comments or questions, discussion? Seeing none, Madam Clerk call the vote."

### **VOTE**

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

**Chairman Winters** said, "Again, Tom, thank you and Dr. Wagner, welcome to you and your family as you begin this career in Wichita. We're pleased to have you here. Thank you.

"Commissioners, I want to take prerogative of the Chair. I'd like to take up an Off Agenda Item concerning an award."

### **MOTION**

Commissioner Hancock moved to take an Off Agenda item concerning the presentation of a plaque to Mr. Buchanan, County Manager.

Commissioner Gwin seconded the Motion.

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

### **VOTE**

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

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### **OFF AGENDA ITEM**

**Chairman Winters** said, “At this time, I’d like to turn the podium over to Captain Bob Hinshaw with the Sedgwick County Sheriff’s Department and Kathy Williams, the Executive Director of the Wichita Area Assault Center.”

**Captain Bob Hinshaw**, Vice-president, Wichita Area Sexual Assault Center, greeted the Commissioners and said, “Although you may know me as a captain with the Sedgwick County Sheriff’s Department, I’m here this morning in my capacity as vice-president and board member of the Wichita Area Sexual Assault Center Board of Directors. With me is the Executive Director, Kathy Williams. The Wichita Area Sexual Assault Center is an agency whose focus is supporting victims of sexual assault. The Board of Directors is comprised of people from diverse professions and backgrounds, all of which volunteer their time and abilities to the mission of the agency.

“The Wichita Area Sexual Assault Center wishes to honor one such board member, County Manager Bill Buchanan. Bill Buchanan has served on our Board of Directors for four years and he has served with dedication and distinction. He is known around our board table as one who clearly understands budgets, a superb administrator and person with a great concern for fundamental human values. The staff and the board of the Wichita Sexual Assault Center have depended on his skills and insights and we will sorely miss his many contributions to the agency. Bill, time and again, has displayed an innate ability to get to the crux of a problem and to present workable solutions.

“I could continue, however, at this time I’d like to yield the podium to the Executive Director of the Sexual Assault Center, Kathy Williams.”

**Ms. Kathy Williams**, Executive Director, Wichita Area Sexual Assault Center, greeted the Commissioners and said, “The Wichita Area Sexual Assault Center is a non-profit organization which exists to provide leadership in delivering comprehensive services to the community, targeting the needs of persons affected by sexual assault and reducing the incidences of sexual assault.

“During 1999, over 1,700 people received direct services and educational programs were provided to more than 13,000 people. The Board of Directors is crucial in delivery of these services to the community. Each board member provides his or her expertise in support of the staff and volunteer victim advocates. Additionally, board members give many hours to assist in matters of policy, long-range planning, and fund raising. Bill Buchanan has been a dependable partner in this process.

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“Today we would like to honor his commitment to the Wichita Area Sexual Assault Center by presenting a plaque and at this time I would ask Bill to come forward, please.

“I would just like to read the plaque:

*“Bill Buchanan, in recognition and appreciate of years of dedicated services, as a member of the Wichita Area Sexual Assault Center Board of Directors.”*

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, “Thank you. I’m obviously surprised, which is never a good thing. I’m humbled by this. I just went to the Board meetings and do what we do. Part of the culture of this organization is to make sure that senior management is involved in the community in a number of ways and this is one of the ways in which I tried to set an example for staff and tried to give of my time.

“This agency directly affects folks who have been involved in sexual assault. Seventeen hundred of them last year. It is one of the worst crimes that you can think about that happens to a person. And this is the agency that takes care of them. This is the agency who is there after it happens, who tries to put the lives back together and help people to become full citizens again. It’s a tragic time, it’s a difficult time. It is heart-wrenching stories. This is why, as part of the United Way agency, I would suggest that your United Way contributions, a piece of that goes to this agency, there’s a fund raiser that happens in the summer. We’ve missed this one, but there’s an opportunity to have fun next year. We’ll be around selling tickets. Thank you.”

**Chairman Winters** said, “All right, thank you very much and Bob and Kathy, we appreciate your taking the time and effort to be here and Mr. Buchanan, as a senior staff member here, we appreciate your community involvement. So, thanks to all three of you.”

**Commissioner Sciortino** said, “Mr. Chairman, this recognition is in lieu of a raise, right? We’d rather compliment him than pay him.”

**Chairman Winters** said, “All right, again, Kathy and Bob, thanks for being here. Madam Clerk, would you call Item D please.”

### **PLANNING DEPARTMENT**

#### **D. METROPOLITAN AREA PLANNING DEPARTMENT (MAPD).**

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### **1. WIRELESS COMMUNICATION MASTER PLAN AND IMPLEMENTING CODE REVISIONS.**

**Mr. Marvin Krout**, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, "This item, the Wireless Master Plan, has been on our agenda for about a year and we've taken the usual winding path of the Planning Department to get to a product that Council member Pisciotte likes to call a work in progress. I think all of our products end up being works in progress somehow. I'm not sure how that happens.

"If you remember, in November of last year, the City Manager and County Manager appointed a city/county staff task force to go into further deliberations with, particularly, members of the industry, representatives of the industry, dealing with wireless communications and I just want to point out, you had some county members who were very active, contributing participants, Diane Gage and also Bob Lamkey was on that committee. The Chair of that committee was Joe Pajor, who is here and may have additional comments for you or can help answer questions. The person who did all the work is here, Scott Knebel, who is as close to a towers guru as we have now, I think, in the Planning Department. He took us through about eight drafts, I think. Hopefully, that was redone at eight. We had numerous meetings with stakeholders and all kinds of stakeholders, including people who build towers, that lease them, people who are the carriers themselves and provide the direct service. Neighborhood representatives who had concerns about what the impacts of these were going to be. We did prepare numerous drafts. The Planning Commission held a public hearing in June and they recommended the Master Plan and the Code amendments that are in front of you unanimously, by a 9 to 0 vote.

"Without going into details, I'd just say that, generally, what the plan and the ordinance amendments attempt to do is provide some more flexibility for the industry but also try to outline the guidelines, in terms of location and design, more precisely, through this plan, which we haven't had before, in terms of how does the community feel about these and what can we do to minimize the visual impacts of these and still provide good service to the community, which is an important economic development tool, communications.

"I'll just answer questions that you have. The zoning code changes affect the unincorporated area less than they do the area in the City limits. I think the changes are more significant inside the City limits, with all the city special districts and the rules that apply there. For the most part, in the unincorporated area, the development is more scattered and the industry is going to pursue looking for fewer and taller towers and those will go through the Conditional Use process that we've had, under the current zoning code, which requires a public hearing at the Planning Commission and then if there are no objections by the applicant

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or by neighbors, then the process stops there and it seems to be working fairly well. I think that the height that will be sought by carriers out in the unincorporated area will generally be such that they'll be in Residential zones, because that's what most of the zoning is out in the County and we'll, for the most part, still require Conditional Use permits.

"The City Council reviewed this yesterday and they voted 7 to 0 to approve the plan and to approve the zoning code amendments that are associated with it. The Planning Commission had recommended that the issue be revisited in twelve months and I would tell you that, over the last twelve months we've seen technology changes, just in that short period and I expect it will over the next twelve months and so, definitely, we will be revisiting this and we may be recommending further changes or adjustments to you at that time.

"I think that this is definitely progress. I think that we're attempting to keep up with the technology and I think that this will result in better decisions, clearer indication to the industry about what's expected and a more streamline process for them as well. I'll try to answer any questions that you have and Joe may wish to supplement my comments or to ask questions."

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

**Commissioner McGinn** said, "Marvin, did you say that was a 7-0 vote?"

**Mr. Krout** said, "7-0."

**Commissioner McGinn** said, "Because the paper said 6-1."

**Mr. Krout** said, "Oh, really. You're right, I'm sorry, Council member Lambke was concerned that maybe the rules were too liberal in residential zoning districts in the City. So, he must have been the dissenting vote."

**Commissioner McGinn** said, "Okay, thanks."

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

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**Commissioner Sciortino** said, "Thank you, Mr. Chairman. Marvin, am I right in assuming that the industry has gone along with these compromises and are now supporting the passage of this plan?"

**Mr. Krout** said, "Representatives of the carriers have all spoken and said that they can accept this. It's not the plan they would have written. It's not the plan the Planning Department would have written either, but it's a plan they can all accept. We did have one representative of a local tower builder and he felt that we could have gone further, in terms of encouraging the towers that his client's built."

**Commissioner Sciortino** said, "But overall, they can live with this plan?"

**Mr. Krout** said, "Overall. Greg Ferris, who is an agent for one of those companies is here and can speak to that."

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

**Chairman Winters** said, "All right. Thank you. Any other questions of clarification? This is not a public hearing but it is normally our custom to take comments from citizens on issues like this. If there is anyone in the audience today who would like to address the Board of County Commissioners, we'd be glad to hear your thoughts, concerns, if there is anyone here who thinks it's important to address the Commission. I see no one. Commissioners, it seems like we have been talking and thinking and reading about wireless communication towers for a long time. I know that first meeting that we had with the City Council, I can't remember exactly how long ago it was, but it was November. All right, Commissioners, questions, comments?"

### **MOTION**

Commissioner Sciortino moved to Adopt the Wireless Communication Master Plan as an element of the Comprehensive Plan, and adopt the implementing Resolutions.

Commissioner McGinn seconded the Motion.

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

### **VOTE**

Commissioner Betsy Gwin

Aye

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

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

### **2. MAPD MONTHLY REPORT.**

**Chairman Winters** said, "Before we go any further, I would like to say just 'thank you' to the planning staff who worked on this project, Joe and Scott. We appreciate very much your herding this thing around, and Marvin for you and your staff. We do appreciate the work you've done on this."

**Mr. Krout** said, "Thank you. I'll be very brief. Last month the Planning Commission approved the plan that you just approved and the code amendments. July was marked by the adoption of the Comprehensive Plan. Regarding the advisory committee, I think we are making progress. The City Council has identified all the members of the advisory committee that it wants to appoint. The Mayor and Chairman Winters have begun talking about additional members to appoint. We've interviewed a prospective local facilitator to help us with that process and developed a request for proposals for assistance in looking at some of the financial growth related issues for that committee. We've organized a tentative meeting schedule that we'll be working on some more."

"We had 53 cases, including 25 that were heard by the Planning Commission. We had a little flurry of car lots inside the City limits. That's become a local issue and an interesting issue. We also had another case at Kellogg and Hillside, in the City limits, involving a development for a self-storage warehouses. Had strong neighborhood opposition, but the City Council did approve that case yesterday. We also had two cases out in the County for Limited Industrial development, far south and also the northeast, that the County Commission approved earlier this month. The County BZA had a hearing to consider an appeal on an interpretation of the Zoning Code regarding whether a commercial composting operation in this area, south of Derby, that I think you're familiar with, constituted an Agricultural Use and therefore was exempt

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from zoning. The County Board of Zoning Appeals upheld the staff and found that this commercial composting was not agricultural and was not exempt and they do need to obtain proper zoning in order to be a legal uses and that means that you probably will be hearing a case related to the composting in that area within about the next month or so.

“Works continued on neighborhood plans in several areas. We’re using some State grant funds that we found to prepare a video on neighborhood planning, which I think will be helpful. The City’s preservation planner prepared a draft of the City Preservation Plan, but there are a couple of ingredients that talk about partnership with the County and we would like to, before that goes any further, get on one of your staff meeting agendas and talk to you about some of the items that the Preservation Board is talking about.

“The Transportation Planning Staff has been very active, and one of the things that they’ve continued to do is work with the consultants on this MIS update, this review of what kinds of improvements do we need and where, in order to keep up with traffic demands across the Big Ditch, in the western part of Wichita and beyond. There’s a public meeting this evening, at 7 o’clock, at the Zoo Education Building for those who are interested in participating in that discussion. I’ll answer any questions that you have.”

**Chairman Winters** said, “All right. Thank you. Marvin, I see no questions. It seems like we’ve seen a lot of you lately, so maybe most questions have been answered. Thank you very much. Do I have a Motion to receive and file?”

### **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	Absent at vote
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye

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Chairman Thomas G. Winters                    Aye

**Chairman Winters** said, “Thank you, Marvin. At this time I would like to do the public hearing regarding the Sewer District, so Mr. Norton, if you would come forward. Would it be appropriate then that the Clerk call the Item as it is listed in the Sewer District for inclusion in this Regular Board Meeting?”

**Mr. Norton** said, “Yes, sir.”

### **OFF AGENDA ITEM**

**PUBLIC HEARINGS (TWO) AND RESOLUTIONS (TWO) CREATING LATERAL SEWER DISTRICTS WITHIN SEDGWICK COUNTY, KANSAS AND AUTHORIZING THE MAKING OF CERTAIN IMPROVEMENTS THEREIN.**

#### **1. SPRINGDALE LAKES ADDITION; DISTRICT #5.**

**Chairman Winters** said, “Mr. Norton, would you help clarify why we’re still in the Regular County Commission Meeting.”

**Mr. Joe L. Norton**, Bond Counsel, Gilmore & Bell, P.C., greeted the Commissioners and said, “This item here, with respect to two different sewer districts, should have been placed on the Regular County Commission agenda. It was inadvertently placed on the Sewer District agenda. Therefore, it needs to be actioned by the Board of County Commissioners.”

**Commissioner Gwin** said, “Would it be appropriate that we take those up as Off Agenda items, Mr. Euson?”

**Mr. Euson** said, “Yes, that is correct. I think you should do that.”

**Chairman Winters** said, “All right, we’ll back up momentarily.”

### **MOTION**

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Chairman Winters moved to take an Off Agenda item, concerning Items A-1 and A-2 inadvertently posted on the Sewer Agenda of August 23rd, 2000.

Commissioner Gwin seconded the Motion.

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

### **VOTE**

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

**Mr. Norton** said, “There are two items here, with respect to public hearings, one for Springdale Lakes Addition and one for Brookhaven Estates. Since they deal with separate properties and separate property owners, my suggestion is that we have the hearing on Item 1, take action, then go to Item 2, so we don’t get confused with the property owners.”

### **POWERPOINT PRESENTATION**

“Item 1 involves Springdale Lakes Addition. This is a portion of property located in the eastern portion of the County, south of US 54 highway, between 127th Street East and 143rd Street East. On the screen before you is a map depicting the proposed benefit district. As you can see, part of the property goes up and abuts Kellogg and goes down south a little bit. The property outlined in red is the proposed benefit district.

“This project was initiated by a petition signed by 100% of the owners of property, requesting that this sewer district be created and that the costs, therefore, be apportioned among the 21 lots. There are two

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lots getting a smaller assessment. The other 19 lots having an equal assessment. Public Works Department has prepared an estimate of costs, which shows that the total cost for these improvements will be approximately \$98,000. Divided out there equally, you see 19 lots would be apportioned \$4,900, two lots for \$2,450 and the annual assessment per lots for the 19 lots would be about \$500 and approximately half of that for the other two lots.

“State statute requires that prior to considering creation of this district, you must conduct a public hearing. Notice of that public hearing has been published, in accordance with State law and you charter resolutions. Paul Taylor, Public Works, is here also to address any technical questions you may have. I’d be happy to do so now, or at the conclusion of public comment.”

**Chairman Winters** said, “All right, thank you. Commissioners, are there any questions of clarification at this point. All right, seeing none, we will open the public hearing and we will receive comment concerning the Springdale Lakes Addition and the creation of a lateral sewer district. Is there anyone here who would like to address the Board of County Commissioners concerning Springdale Lakes Addition? Anyone wanting to address the Commissioners? Seeing no one, we’ll close the public hearing and limit comment to staff.”

**Mr. Norton** said, “We have prepared a resolution which would create the district and levy the assessments in accordance with discussion today and would recommend your adoption of the resolution.”

**Chairman Winters** said, “All right, Commissioners, you’ve heard that report. What’s the will of the Board?”

### **MOTION**

Commissioner Sciortino moved to adopt the Resolution.

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

**2. BROOKHAVEN ESTATES- PHASE 2; DISTRICT #1.**

**Mr. Norton** said, "This a proposed benefit district, created in the eastern portion of the County. There are three ways, under the County's Charter Resolution and State statutes, under which a sewer district can be created. The one we normally deal with is a petition by property owners. There's also a procedure for notice and hearing and opportunity for protest. The third that we've used one time in the past in this particular area provides that if the Secretary of Health and Environment or the local health officers determines and certifies to the Board that unsanitary conditions exist, or expected to develop, and which may be removed or prevented by the installation/ utilization of sewers, then the Board of County Commissioners has the authority to create a sewer district to remedy such a problem. That is the situation that we have today with respect to the Brookhaven Estates proposed sewer district.

**POWERPOINT PRESENTATION**

"This is an area on land located approximately north and west of the intersection of Central and 159th Street East, which is the County line between Butler and Sedgwick County. On the screen before you is a map depicting the proposed area that would be established as a benefit district, if the County so chooses. You note that it is outlined in red. The larger pictures contained also an area here. This has been the subject of a separate petition for sewer improvement, known as the Brookhaven Estates Phase I sewer improvements. Those projects have been approve by the Board of County Commissioners and

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construction is eminent, based on some easements that are going there now. There are also two lots in the lower left-hand portion of the screen which are not within the red boundaries. Those properties have separately petitioned for sewer service and are being served by the County sewer district at this time. So, the only properties that are the subject of the report today are the ones outlined in red and they are not being served by sewer service at this point in time. With us today is Jack Brown, from the Department of Community Health. He's here to summarize with you the report that the Director of the Department of Community Health has signed and filed with the Board of County Commissioners, with respect to the conditions located within this particular area. At the conclusion of that comment, Paul Taylor from Public Works will describe a little bit about the proposed sewers and some of the methods that can be utilized to bring sewer to this area. Then I will conclude with respect to the estimated costs and methods of assessments.

"I'd also like to point out that an informational meeting regarding this item was held at the Brookhaven Baptist Church on July 24th, which is located just immediately west of this proposed benefit district, at which time a presentation substantially similar to what we're going to get today was given to the people. There was about 20 people in attendance in the area and they had the opportunity to hear the same information we're going to be talking about today."

"I have been advised, there are some citizens here today who wish to participate in the public hearing and will probably do so at the appropriate time. I think it would be appropriate, unless there are any preliminary questions of me, to open the public hearing and have the remarks by Mr. Brown be as part of the public hearing record and then after the presentations by Mr. Brown, Mr. Taylor and myself then receive public comment, before we close the public hearing and consider the action."

**Chairman Winters** said, "All right, thank you. Commissioners, any questions for clarification? Seeing none, at this time we will open the public hearing for public comment on the Brookhaven Estates, Phase II and we'll ask Jack Brown to come forward."

### **POWERPOINT PRESENTATION**

**Mr. Jack Brown**, Division Director, Environmental Health Department, greeted the Commissioners and said, "This is the site that our department conducted a survey on and I might note that the area, what we're

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talking about on this particular slide is right here and you see this drainage way that drains south, down into the adjoining subdivisions. One of the issues that we saw during our survey was that a lot of the drainage from surfacing septic systems is impacting this water channel right through here. This particular plat was platted in about 1954 and it predates our code. At the time of platting, the lot size was a half acre. Under current code, the very minimum, generally, with on-site water and sewer is a one acre lot and due to the soil conditions the Rose Hill silty clays that are found in this particular part of the County, this would probably be served by lagoons in five acres, were it not for the fact that there is public sewer available.

“The soil is generally just unsuitable for septic systems and as a consequence of that, I think we have a fairly high rate of failures. Public water supply is currently available and is used by most of the properties. However, there are wells on some of these lots that are used for irrigation and possibly drinking water purposes. Again, due to the small lot size and on-site waste water systems, there is some concern that there’s potential for contaminating these wells, be they irrigation or drinking, due to the problems and the lots sizes and just the distance found between the wells and on-site sewage facilities.

“Now, this west lake, or drainage area, that we talked about earlier, that I showed you on a previous slide, takes most of the drainage from this area and enters the Belle Terre retention pond directly south of the subdivision. There are some issues, I think also, with culverts and drainage ditches that cause ponding and, again, with failing septic systems, this creates water quality impacts.

“One other fact to consider is there is somewhat, 10 to 15 feet, is shallow ground water and some underground springs that can further limit the effectiveness of a septic system, because the laterals become saturated and you don’t get the kind of percolation already, because of the soil conditions, and then when you have saturation, it further compounds the problem.

“This slide tells us where the failing systems, based on not only a review of our permits, but also a survey in the field. The red letters, we didn’t put addresses, but these are the lots, indicate the failing septic systems. The ones with the green asterisks indicate where there is a system that has been replaced and is also failing. So, depending on water use on these particular lots, a system may not have a very long life expectancy. On the other hand, if there’s very low water use, there may be certain situations where septic systems have worked more favorably but, in general, we have a lot of failing systems, and you notice, they’re all along that waterway which would be just to the left there of E, D, C and those lots, or A, B, C if you look the other way.

“Here is, in your report is this table and this corresponds to the slide I just showed you, and it gives the permit date and various notes regarding these systems. Probably most important on this is that we have

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noted on some of these that we anticipate failure and that's because of the length of the system has been installed and due to the soil conditions I mentioned earlier. But overall, I think, we have I think 27 sites. I think we have about a 41% failure rate and of those properties right adjacent to the drainage way we have a 72% failure rate. So, this further compound the problems with impacting the water quality on the adjacent drainage way and I think we have 74% of these properties have had replacement permits along the line. So, there's been a lot of activity out there. As I said, 41% of the systems are failing. We've had a lot of replacements.

"As Joe indicated earlier, there are two properties that are currently served by the sanitary sewer system at 501 and 519 Brookhaven. This is a view of the Belle Terre retention pond and this is where the drainage goes from the Brookhaven subdivision. We've taken some photos out at the site, while we conducted our survey, and you'll note that we have areas where there is constantly surfacing sewage. This is around a tank, a septic tank. This drainage all goes, as I've said many times here, to this water course. We've taken some tests out there and seen some elevated levels of fecal coliform that would be associated with this drainage. We also have some discharge pipes along the drainage way. Whether it's sewage or other types of drainage water, it's a further indication of the problems with getting water away from some of these properties and discharging it out into this particular area.

"A lot of septic tank installers have been out in the area and pumbers, pumping tanks because they continually fill up because of their lateral systems are failing, causing these backups. Here's another recent pumping, where they have uncovered the tank, pumped out the tank and then covered the tank back with some soil. You'll see failures in serving sewage and saturation on many of these lots. Early signs of failure and then, again, the drainage area when all of this material is surfacing or ponding, runs through these open ditches along these properties. Again, erosion and septic system failure in the creek area there. Just to bring you back to this, is to show you that same slide again, where we have the failing systems and the 41% failure rate and anticipate more. I think the cost of replacing a system in this area is about \$4,000 to \$5,000 and, as you see, we had a number of replacement systems.

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“Based on this finding, the Director of Community Health has signed a letter that you have in your information certifying that unsanitary conditions exist or would be expected to develop in the Brookhaven area, as we’ve described it, and we feel that this could be addressed by installation of public sewers.

“That concludes my presentation. I’d like to turn the rest of the presentation over to Paul Taylor for discussion of the design and other factors related to public sewer. Paul.”

**Chairman Winters** said, “All right, Jack, first we have a question from Commissioner Gwin.”

**Commissioner Gwin** said, “Jack, I think in some of our earlier discussions, when you and I were talking about this, you indicated that if this subdivision were developing today with codes in place, what did you tell me about whether or not you would approve septic systems in this area?”

**Mr. Brown** said, “They would not be approved. They would have to either have public sewer or waste lagoons, the waste stabilization ponds and then minimum lots size would be five acres.”

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

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

**Mr. Paul E. Taylor, P.E.**, Director of Sewer Operations and Maintenance, greeted the Commissioners and said, “Commissioner Gwin, to follow up on what you were just asking, if I’m not mistaken I think these lots are about a half acre in size now.

### **POWERPOINT PRESENTATION**

“Public Works has put together a couple of concepts of how this area could be served by sewer. We’re not into the design stage, obviously, yet. But wanted to at least prepare concepts, so that the public and you all would have some idea. This is one of those concepts and then this is another one that is a slightly different variation. One difference with this one, one significant difference would be to put the sewer out back here or out in front, along the street but then there’s other slight variations. Neither one of these is cast in stone yet. We wouldn’t know until we get into an actual design phase.

“We’ve also had preliminary costs prepared. We estimate that the total cost of this project would be at

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or under \$380,878. There's a lot of things that go into that but that's the total estimated cost. As indicated earlier, Joe Norton will explain the RLAEs (Residential Living Area Equivalents) and how it would be split up. Any questions for me at the moment?"

**Chairman Winters** said, "All right, I see no questions, Paul. Thank you."

**Mr. Norton** said, "As Paul indicated, one of the things that's always a challenge when you're doing improvements like this in developed areas, what's the proper and fair and equitable way to assess these costs. And one of the things that we have utilized in other areas, the west Sedgwick County area, the Gilder's Gardens area, is what is called a residential living unit equivalent. What that means, basically, in an area like this is one apportionment of cost for each residential living unit.

## **POWERPOINT PRESENTATION**

"As you remember, and we'll go back to the slide in a second, there are certain properties that have a house sitting across a lot line, or three lots have been split into two living units. So, the proposal that has been developed at the staff level in consultation with other people is that maybe the fair way to do is to do a residential living unit equivalent, where each house bears an apportionment equal to each other house, with respect to the cost of the sewer, as opposed to equally per lot. In some cases that would mean some people would pay two or three times as much, with respect to that property. There would also be a provision in the resolution that you would consider that would, in essence, also provide for impact fees if some of those larger lots were ever subdivided and new homes were built, then at the time the building permit was issued, certificate of occupancy, there would be an impact fee equal to what these people would be assessed as a cost. It would go back into the fund to relieve, on a portionment basis, the assessment of the property owners. It's somewhat unlikely that might happen in this area, but it's possible, so we'd like to bring that in so that someone wouldn't get a free ride, as it were, if they were to build a house later on in one of the lot that's currently is containing only one residential unit.

"As Paul indicated, if we do this on the Residential Living Unit Equivalent basis, there are 27 of those in this proposed area and that would have a principle cost, per unit, of about \$14,000 which, if spread over 15 years at 6%, would be about \$1,452 a year, or about \$120 per month.

"I'd like to go back then to the slide that outlines the property. As you can see, there are three [sic]

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parcels there, G, F, M and Q, that have the black lines around them. Those are situations where there are multiple lots with only one residence located thereon. Those would be the properties that would bear one RLAE equivalent but have the possibility of an impact fee. For example, lot Q, there are three lots there. There's a house that kind of splits the two on the right but there's a lot on the left that could be subdivided or built on later on and we'd take care of that with the impact fee situation.

"I might also indicate that this property has now been annexed by the City of Wichita. State Statutes and your charter resolution provide that you may not create a sewer district within property that is annexed without the consent of the governing body of that city. I would say that the City of Wichita folks have been very cooperative and who had people attending some of the planning sessions and their City Council did meet yesterday and passed the consent, which we now have in written form, filed with the Clerk today, consenting to you creating the sewer district in this particular area, if that's the desire of this Commission.

"So, I think that concludes the presentations by staff and myself and it would now be appropriate, if there are no other questions at this time of staff, to further continue the public hearing and ask for comment by those citizens that might be affected by this proposed sewer district."

**Chairman Winters** said, "All right, thank you, Joe. We have a question from Commissioner Sciortino."

**CommissionerSciortino** said, "Thank you, Mr. Chairman. Joe, let me make sure I understood you right. For example, I'll just pick Q just because it's there. Right now Q is only going to be charged the \$1,452 like the others on an annual basis because there's only one house there. But if they were to sell one or both of those lots, then there would be an impact fee assessed to that other home that would be on that new lot. Does Q's special assessments get reduced then?"

**Mr. Norton** said, "What would happen would be, let's just say for example the western-most lot had a house built on it. They would then owe the \$14,000 to the County. The \$14,000 would then go into the Bond and Interest fund for this project and would then, in essence, relieve the final assessment. In other words, each of the other 27 parcels would have a proportionate reduction in their \$14,000 at the end. So, everyone would share and share alike in any impact fees that would be paid."

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

**Chairman Winters** said, "Okay, thank you. Anything else, Joe? Okay, at this point in the public hearing we will ask if there is any citizen here, or citizens, who would like to address the Board of County

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Commissioners concerning the Brookhaven Estates Phase II? Is there anyone here who would like to address the Board of County Commissioners? This is the time and place if anyone would like to make comments before the Board of County Commissioners before we take action on this sewer district. Is there anyone? Yes, come forward.”

**Ms. Margaret Miller**, 430 Waverly, Wichita, Ks., greeted the Commissioners and said, “This isn’t what I came for today, obviously, but I just wanted to say that there are more imaginative solutions to this than spending all this money. You can have composting toilets, which are in use in many parts of the country and they work quite satisfactorily and that’s one of the big problems that you have here. I haven’t check the prices lately, but they used to be around \$1,000, something like that, so you’d have \$27,000 instead of almost \$400,000. And . . . see you’ve got to think ahead a little bit, think about this. Think there are other ways to do things, instead of laughing at me.

“Well, anyhow, the other big problem is the gray water. And there are other ways to solve that, too. One is just simply don’t allow people to use washing machines so much. I think that’s the other big use of water. They can use washing machines someplace else. Okay, I just want you to think about those things. Thank you.”

**Chairman Winters** said, “Thank you, Margaret. You’ve sparked some comments, Margaret. Just a minute, we’re got some questions. Commissioner McGinn.”

**Commissioner McGinn** said, “Margaret, I wasn’t laughing at you. I was laughing at myself, as to whether I ought to ask this question or not. What is a composting toilet? Can you describe it just a little bit.”

**Ms. Miller** said, “Oh, well, it’s just a toilet. It looks pretty much just like a toilet except it has a container of course. And then that material just composts over a period of time.”

**Commissioner McGinn** said, “So, you remove it physically with a pipe?”

**Ms. Miller** said, “Yes.”

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

**Ms. Miller** said, “There are some, up at the Land Institute up by Salina. They have composting toilets

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and you could find out about them rather easily.”

**Commissioner McGinn** said, “This is the first I’ve heard about them.”

**Chairman Winters** said, “All right, thank you, Margaret. Is there anyone else here, is there any other citizen who would like to address the Commission on Brookhaven Estates Phase II? I see no one. We’re going to close the public hearing. Seeing no one, we will close the public hearing. Limit comment to staff and Commissioners. Commissioner Gwin.”

**Commissioner Gwin** said, “Thank you, Mr. Chairman. Margaret, I appreciate your input and comments. It was because of a number of phone calls that I got from folks who live in the Brookhaven area and, quite frankly, it’s been over a period of time that I asked the Health Department to go look at the problems that they saw. Jack, I guess I have a question of you, based upon, again, on what you saw out there. There are some properties that, in the report it says, that the health department did not inspect. Is that because you were not given access to those properties?”

**Mr. Brown** said, “I believe so. Either we weren’t given access or we were unable to make contact with an owner. We didn’t follow up, once we received about a 41% rate, from the information that we did have, we felt that that was sufficient enough to do the certification.”

**Commissioner Gwin** said, “And so even though you didn’t see them, you expect, by the nature of the soil and the lot size and those kinds of things that eventually all of these systems will fail.”

**Mr. Brown** said, “Yes, some of our staff had some discussion with, I don’t know which installers, but some installers really don’t want to take any jobs in this area because they know that the system won’t last very long and then they have consumers coming back complaining about the cost and the length of time. So, we have pretty good information.”

**Commissioner Gwin** said, “And then, I think I’ve gotten information, I’m assuming you did, too, from a number of the neighbors about how often they have to pump their tanks.”

**Mr. Brown** said, “We do have one or two people right now that are really wanting this sanitary sewer because of the cost of pumping on a weekly, or monthly basis. Probably more of a weekly, or every two weeks.”

**Commissioner Gwin** said, “Okay, and then I have a question for Joe Norton.”

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

**Commissioner Gwin** said, "Or maybe Paul, I'm not sure. I'll start with you and see where we go. The other issue is the cost of this. If I recall, the neighborhoods that have been the most difficult for the sewer department to bring sewers in have been those existing neighborhoods, where you have to deal with right-of-way acquisition, and tree lines, or yards or those kinds of things. Are those kinds of issues the problems that are pushing these prices up?"

**Mr. Norton** said, "I'll try to address that, based on what was hit on the informational meeting and if one of the engineers want to correct me they can. I think, yeah, any time you're in an existing area it's more difficult because you do have fences, you do have trees, you have out-buildings. Things like that and I think they tried to be conservative, with respect to the costs that are going to go in there. Obviously, one never knows what the estimates will be for right-of-way acquisition, should some parties contest. History tells us that sometimes those go higher than we hope that they will. I think, based upon the comments at the public hearing . . . I was going to wait to see if anyone said these. But I'd say, of the twenty people that were there, all but one basically said, 'we don't like the cost being so high, but on the other hand we can't stand the situation we have now. Why haven't you done this before. We want the help.' There was one gentleman there who said his system was working fine but he was not going to stop, with the problems other people had, from going forward with this. To my knowledge, there were no negative comments at all at the informational meeting. Probably because of that a lot of people in that area do have jobs and didn't get here this morning. So, that's kind of a summary of 15 to 20 people's comments."

**Commissioner Gwin** said, "I appreciate that, since no one chose to speak today. Like I said, I think, as you pointed out to us, the methods by which sewer districts are created, the first one was created by 100% petition of the landowners. And that happens a lot in the new subdivisions. Sometimes, if the County sees a need, we can create a district, but that's subject to a petition to change it, is it not? To stop us, as we did recently on a road project?"

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

**Commissioner Gwin** said, "And the third and final is to ask the Health Department, based upon the calls of neighbors, to go out and look at the neighborhood and tells us if it's as difficult as some of the folks have reported. And certainly, from Mr. Brown and his staff's report, and certainly the report I got from Dr. Magruder, this is one of those. So, I appreciate that the City Council took action on them. We needed them to be a partner in this. I see a very compelling and a very urgent need and I'm certainly going to be supportive of adopting the resolution. Thank you, Mr. Chairman."

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

**Commissioner McGinn** said, "Just a clarification for Jack, I guess. You said these are half acre lots and you have to have five acres for a lagoon and this is the type of soil that needs a lagoon. Today's code also says two acres for a septic tank, correct?"

**Mr. Brown** said, "Well that's in the planning. If Marvin was here he could explain that. But in our sanitation code, it's one acre or 40,000 square feet."

**Commissioner McGinn** said, "Okay, but two acres is for platting purposes out in the County."

**Mr. Brown** said, "Right, unless there's been an amendment I'm not aware of. There is that one acre, two acre distinction."

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

**Chairman Winters** said, "All right, thank you. Commissioners, are there other questions or comments? Commissioner Gwin, I think you did a good job of summarizing what the problems are in this area and I certainly know that you've had many meetings about this particular situation and have worked long and hard on it. So, I'm certainly going to agree with your recommendations and your summation of this project."

**Commissioner Gwin** said, "Joe, is there anything else we should do besides . . . ?"

**Mr. Norton** said, "If you desire to go forward, you should adopt the resolution. That will take all the action necessary."

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**MOTION**

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

**Chairman Winters** said, “Thank you all for being here. Now, we’ll get back to see where we’re at. We’re ready for Item E.”

**DEFERRED ITEM**

**E. AMENDMENT TO THE 2000 CAPITAL BUDGET FOR WORK RELATED TO ROOF REPLACEMENT ON THE SEDGWICK COUNTY JUVENILE RESIDENTIAL FACILITY. CIP #2000 PB 454.**

**Mr. Jim Osterlund**, Project Manager, Facility Project Services, greeted the Commissioners and said, “I’m here to ask for approval to the amendment to the 2000 Capital Budget for work related to the roof replacement on the Sedgwick County Juvenile Residential Facility. This project would replace the existing roof system with a vented roof system that was designed and installed incorrectly and has been plagued with problems. The scope of the work would consist of tearing off the existing system, rebuilding with 2 X 4 offset, causing a ventilation system to be formed between the existing roof system and the new roof. The cost of this project is \$62,000, \$36,000 coming from the Department of Corrections. The other \$26,000 coming from Risk Management. I would entertain any questions at this time and recommend approval for this amendment.”

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**Chairman Winters** said, "All right, thank you. Commissioners, are there questions or comments?"

**Commissioner Hancock** said, "Mr. Chairman, if you don't mind, I had the opportunity to visit the site and also visit with Jim Osterlund and quite frankly, I'm very satisfied that this is going to be a pretty good project. It's probably due. Hopefully, it will solve some of the problems they have been experiences in the Detention Facility."

### **MOTION**

Commissioner Hancock moved to Approve the CIP Amendment.

Commissioner Gwin seconded the Motion.

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

### **VOTE**

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

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

### **NEW BUSINESS**

#### **F. FISCAL YEAR 2001 JUVENILE JUSTICE GRANT PROGRAM DISTRIBUTION (BUDGETS), TO BE SUBMITTED TO KANSAS JUVENILE JUSTICE AUTHORITY.**

**Mr. Mark Masterson**, Director, Department of Corrections, greeted the Commissioners and said,

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“Margalee Wright, the Chair of the Juvenile Advisory Board was here to present this item but she had to leave to go to another meeting. Doctor Deloris Craig and I will try to present this and fill in for her.

“We’ve received notification of the grant award from the State for the State Fiscal Year 2001 for the Juvenile Justice Programs in the amount of \$4,532,541. As you know, Juvenile Justice Funds come to local districts in two budgets, one for prevention and one for intervention/ graduated sanctions programs. The prevention award is \$1,400,470 and the intervention/ graduated sanctions award is \$3,132,071. In order to receive the State funds, program budgets must be reviewed by the advisory board, approved by the County Commission, and then submitted to the Juvenile Justice Authority for approval by August 26th. The documents before provide a summary for the budgets for the current prevention and intervention/ graduated sanctions programs to be continued at current service levels and two new prevention programs that we would like to present for your consideration and hopefully approval.

“We’re able to fund new programs because prevention funding was increased by the legislature. The advisory board worked very hard on this and approved the budgets and new programs at their August 4th meeting. Doctor Craig will step in and explain the process that was followed and these new programs in some detail.”

**Dr. Deloris Craig**, Member, Juvenile Corrections Advisory Board, greeted the Commissioners and said, “I’m glad to be here and I’d like to outline the new programs but before I do that, I’d like to make some remarks on behalf of Chairman Margalee Wright from the Team Justice Committee. She wanted to convey to you that she believes that the advisory group is carrying out the mission, the charge that you have given them. They’re looking to the interests of at-risk children, as well as young people that are involved in offending behaviors.

“The process of having three committees is serving this advisory group very well. The three committees include a prevention committee, an intervention committee and a graduated sanctions committee. They’re each chaired by very dedicated folk. The prevention committee has Frances Ervin as its chair. The intervention committee has John Sullivan and the graduated sanctions committee has Judge Buchanan. They’ve been very active in reviewing the various proposals and programs and making recommendations to Team Justice. They’ve drawn the attention of the advisory group to a need for greater community involvement in this process. They’re taking steps to see to it that that will happen.

“In reviewing the opportunities for these new grant programs, the committee reviewed the Comprehensive Plan, which is the document that you all received some time ago, it’s about two years ago now. They felt

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that there was pretty good coverage in the prevention area for the lack of commitment to school and for early and persistent anti-social behavior. They continue to have concerns about family management problems. This was an issue that was brought forward from the prevention committee and certainly indorsed by Team Justice. So, in reviewing opportunities for new programs, we looked to areas where family management problems could be addressed. The two new programs are going to address family management problems. I'd like to briefly go over the content of each of those and will be happy to try to answer any questions you have.

### **POWERPOINT PRESENTATION**

"The first program that I wanted to outline for you is Functional Family Therapy. The goal of this program is to reduce supervision violations, by strengthening the families of youth that are on probation, diversion or receiving some form of case management related to their appearance at the Juvenile Intake and Assessment Center. The objective of this program is to provide functional family therapy to 125 to 150 families with children who are not currently doing well in their supervision program. So, they would be at risk for some kind revocation or violation. These are deemed to be situations where family management could be improved. That's the idea.

"The program include an interview process, an intake interview process, an assessment of the motivation of the family for change. There's heavy emphasis on behavior modifications or changing the behavior of children. It's relatively short-term. The amount for this program, to sponsor it for 125 to 150 families is \$248,732. Its specific features are that there's a structural progressive program. There is some skill demonstrated and then you move to the next level. So, it's progressive. Fidelity to this particular treatment model is very important. That's why this program is part of the federally sponsored blueprint program that has demonstrated ability to reduce violence. That's is one of the features that we want to point out. It can coordinate with the second program I want to talk to you about, which is parent training.

"The Parent Training Program has the goal of reducing acts of delinquency by children who have parents that are currently under some form of supervision for the parent's criminal activity. A secondary group that we're also interested in including in serving with this parent training are those who are exiting from a substance abuse in-patient treatment program. Both of those behaviors by parents are a high risk for their children to get involved in delinquency. The objective here is to provide this parent training to 150 parents and by improving the family management in these families, we hope to decrease the delinquency among these children.

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“The program includes a series of videos and meetings that help the parents understand normal behavior and methods to control normal behavior. A unique aspect of this parent training is to spend some effort teaching people that the behavior of the parents influences the behavior of the children. So, the criminality of the substance abuse by the parents puts their children at risk and we want to be sure they understand that. In addition, it includes a curriculum of videos and meetings that are built around the federal program that’s called Parenting for the Drug-Free Years. This is intended for parents who have children between the ages of 8 and 15. We know that currently, in the Sedgwick County Community Corrections Program, there are 122 clients who currently fit the profile of having these children, aged 8 to 15, who could benefit from this. We anticipate, in a years time, that we would readily be able to serve 150, principally from that Sedgwick County Community Corrections caseload.

“The features, it does direct attention to parent behavior impact on children. It uses a curriculum that’s proven to reduce delinquency. It has components that cover parenting of a broad age group of children, 8 to 15. It is also designed to coordinate with the other program we mentioned earlier. This is a real catalytic opportunity, by offering both the Functional Family Therapy and the Parent Training. They can cross-refer if one program happens to observe a need for the other program. They can make use of each other’s assets. The total amount for this one is \$101,532.

“That’s basically the overview. I’ll answer any questions, if you have any.”

**Chairman Winters** said, “All right, thank you. We do have a couple of questions. Commissioner Sciortino.”

**Commissioner Sciortino** said, “Thank you. Doctor, I’m going to be supportive of these two new programs. Am I right in assuming that we have some pretty clear outcome measurements, so that we’ll be able to determine whether or not this program was successful or not?”

**Dr. Craig** said, “Yes we do. We have two ways of evaluating these programs. One is to monitor the activities, to make sure that they are doing the proven strategies. The other we intent to develop a confidential list of the people who should benefit, and monitor their involvement in the criminal justice system to make sure that they’re successful in avoiding revocation, if it’s a supervision kind of kid or, if it’s a child of a parent who has some criminal issues, then as I say, we’ll confidentially monitor that in a aggregate way. We don’t highlight a specific kid. But that helps us to understand if we’re actually getting the bang for the buck that we intend.”

**Commissioner Sciortino** said, “Thank you. That’s all I had.”

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

**Commissioner Gwin** said, "Dr. Craig, who will deliver these programs?"

**Dr. Craig** said, "It's a to be determined. The way that we intend to file these with the Juvenile Justice Authority is that Team Justice is making a recommendation to you and we hope that you will make a recommendation to JJA to sponsor it in this community and then Mark Masterson and others that you designate will identify a professionally adequate provider and make a contract with them for that service."

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

**Chairman Winters** said, "Okay, thank you. All right, Commissioners, other questions or comments? I am sorry that we were a little bit delayed in this agenda item, because I certainly would have liked to have heard from Margalee Wright, but Dr. Craig, you did an excellent job of explaining these programs. I think that we might want to think about, later this fall, September or October, maybe revisiting at a workshop or staff meeting the whole Juvenile Justice Correctional Advisory Committee and their work. Because the Commissioners continue to believe that prevention is very important and along with the intervention and graduated sanctions, I think we are looking at things in a different way. So, we need to make sure that we keep that in front of the Commissioners and the work of the Advisory Board. We certainly appreciate the hard work you do in looking at all of these programs but we need to make sure that the Commissioners are in touch with these programs, as they go forward. Commissioner Sciortino brings up an excellent point. From the very beginning, when we started thinking about prevention, we wanted to be working in programs that work. So, we're not going to be so hesitant to say if something is not working, we need to take a correction in the road and do something that perhaps would have some more benefit. So, perhaps later this fall we could have another little update in a more informal workshop type setting.

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“Commissioners, you’ve heard this report. You’ve seen the Juvenile Justice Grant Award distribution proposals. What’s the will of the Board?”

### **MOTION**

Commissioner McGinn moved to Approve the budgets 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 Bill Hancock	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, “Dr. Craig, thank you very much. And thank you to Margalee and to Mark Masterson and all the other Advisory Board people. We appreciate it very much. Next item.”

### **G. PRESENTATION AND RECOMMENDATIONS REGARDING RECYCLING AND VOLUME-BASED PRICING SOLID WASTE COLLECTION.**

**Ms. Irene Hart**, Director, Division of Community Development, greeted the Commissioners and said, “I know Susan Erlenwein is scheduled to be the next presenter on your agenda, but I wanted to take the supervisory attitude and come up and say a few things before we got started with the presentation today.

“It’s been four years since we took responsibility for solid waste planning in Sedgwick County and it’s a good time to step back and look at what’s been accomplished, where we’re going, what’s been done. Over the last four years, we’ve involved thousands of people, through surveys, through community discussions. We learned from the public that there’s major concern for our environment. We also learned that there’s a major desire to recycle but the citizens wanted it to be more easy and more convenient. We worked countless hours, the Solid Waste Committee has put into helping design systems, establish priorities, community agencies and organizations. The Commission, yourselves, have been involved in this

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heavily over the last four years. County staff, from not only the Department of Environmental Resources but throughout the entire organization. You have to know that we have committed professionals when they're out there six weeks of the year, all year long, digging through trash to find out what it is the community throws away, so that we can make intelligent and informed decisions on how to design a good solid waste system.

"The Commission, yourselves, has established three major policies. If you look back on it, these I think are the three policies that have really guided us over the last four years. The first, not only did you look at cost of disposal, not only the cheapest way, but finding that some of the more exotic technologies are just outrageously expensive, but you also looked at potential costs to public health, potential cost to the environment. Opportunity costs, with a growing and developing county, if you take land out of production, out of use, and use it for, commit it to a landfill for 100 years. You looked at the economy. You look at a wide range of cost, not just what someone writes their monthly trash bill for.

"The decision that you all made was that the final disposal of our solid waste will not be at a local landfill but at a distant or regional landfill that is better designed to handle the solid waste. There's a larger distance to ground water. In every instance it works better than to have a landfill here in Sedgwick County. To do that, our haulers would use local transfer stations. Our haulers would come, dump the trash, and the transfer station would be responsible for getting it to a safe landfill.

"To date, one transfer station is due to start construction in the fall. There are two more transfer stations looming on the horizon. If all goes according to plan, if we do nothing else, when Brooks closes there will be a place for our haulers to dump the trash and it will be taken care of in a safe, permitted and responsible manner. So, if we do nothing else, we have status quo when Brooks closes. So, the decision that you made about a regional, distant landfill as opposed to a local landfill or an incinerator or a plasma torch technology system, it's done. We're there. The community will be well taken care of, even if we do nothing else.

"But you knew that the issue of hauling to a distant landfill, it makes sense to haul as little as possible. That puts fewer trucks out on the road. There's less air pollution. There's less damage to our roads. If material can be reduced, reused or recycled then there's less material to haul to final disposal. The landfills won't fill up with material for which there's good use and the life span of those landfills is longer.

"The second policy that I would highlight is that you, as a commission, set a goal of a 40% reduction in

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the amount of material going to final disposal. Today, you'll hear about the last two major components of this solid waste system. It will be two more major steps toward our being able to reach and obtain that goal of 40% reduction.

"The third policy established by the Commission deals with the roles of government and the roles of the private sector in the provision of solid waste services to Sedgwick County residence. What you said was that the role of government is to make sure that basic services are provided in a manner that is safe for the public, which is safe for the environment, it's fair, equitable, convenient and affordable. What you said was the role of the private sector is to get the job done. So, you made a real clear definition. A clear distinction of what the role of government is, what the role of the private sector is. You said, 'we're not going to be in the business of hauling trash or of transferring trash. We have private sector. We have a market that is able to take care of that for our community.'

"What I want to tell you is that, over the last four years, we have 14 months to go before Brooks closes. I wanted to make sure that you know that we are on time. That we're on schedule. We're on schedule to complete a system that's right for now and right for generations to come.

"What you'll now hear is from Susan Erlenwein. I believe Milt Pollitt is here, the Chairman of the Solid Waste Committee, to talk about curbside recycling and volume-based rates. Again, that moves us toward that reduction of 40%. It moves us to what the citizens told us that they wanted a convenient and easy way to recycle, because they definitely wanted to recycle. It rewards people. The system that will be proposed rewards people for doing the right thing, for reducing the amount of trash that they throw out, for reusing and recycling. If you have no questions of me, I'd like to turn the podium to Susan."

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

**Ms. Susan Erlenwein**, Director, Environmental Resources, greeted the Commissioners and said, "Thank you, Irene. I would like to review with you today some information on recycling and Pay As You Throw.

### **POWERPOINT PRESENTATION**

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“The improved recycling and Pay As You Throw, also known as volume based trash rates, is part of our Solid Waste Plan. Volume based trash rates deals with charging people for the amount of material that they throw away. I’ll talk about that more later.

“Communities across the nation have developed methods of curbside recycling and pay as you throw. So, we don’t want to reinvent the wheel. Instead, we want to look at what have other communities done. EPA (Environmental Protection Agency) has done extensive research on both of these topics. EPA has research communities with successful recycling programs and they have determined that curbside collection is the most effective way to maximize the recycling in the communities. There are over 9,000 communities with curbside recycling in the nation.

“They have studied communities and determined that there are six key strategies for success in improving recycling and reducing the waste. The first strategy is target a wide range of materials. Successful communities have looked at what’s the largest components of what they throw away, such as the waste analysis we have done and they target materials, such as paper or yard waste, that comprise a large portion of their trash. They also look at the variety of materials and try to increase the types of material that can be recycled. Communities also either encourage, through convenience, or require participation through mandates in recycling. Many of the successful community combine recycling with the Pay as You Throw program to encourage people to recycle. They also offer recycling services to multi-family dwellings, through having drop-off boxes at apartment buildings to capture that section of the population.

“Many communities augment the curbside with drop-off boxes, not only for the multi-family residents but also for the rural areas where curbside is not always an appropriate method of collection. They educate continuously prior to implementation of any programs and after the programs are implemented, to remind people of the correct way to recycle. They also find strong markets for the recyclable materials. Recycling materials are a commodity. They rise and fall. You do not want to start people on collecting one item and then, three months later, have to change that item. This is something we’ve been working locally on, what are the good markets for the materials in our area.

“EPA has also research Pay As You Throw or volume based rates. Over 4,000 communities are using some method of Pay As You Throw across the nation. One of the things they’re looking at is not just Pay As You Throw but how that works with combinations of recycling, composting and Pay as You Throw combined lead to greater diversions than if you just take one program by itself. Each one increases the effectiveness of the other. To give you an example, if you have Pay As You Throw, and in some cases you may use a smaller container, you will, to be able to get that smaller container, put more material in the

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recycling bin, which increases the amount of material recycled. So, they go hand in hand.

“They also determined that using Pay As You Throw reduces the amount of trash from 14 to 27% in different communities and that’s because the people are taking it out of the trash container and they’re putting it in the recycle bin. Or they’re changing their buying habits, so they’re not buying the packaging to begin with to throw in that trash can. But because some of the material goes in the recycling bin, Pay As You Throw increases the amount of material recycled by 32 to 59%. So, again, they go well together.

“Staff has also researched what’s done in our region. It’s nice to find out national numbers and what’s going on in Seattle or Portland or New York, but what’s happening in our part of the country. Jo Sanders, who’s our recycling coordinator, contacted 23 communities in our region to determine what their methods are: how they recycle, what do they do for the community, what works and what doesn’t. Here is a table that’s a summary of some of the things she’s discovered and I’d like to review this with you. The city name is on the left. The number of years they have had curbside recycling, that’s the CSR abbreviation, is listed. So, Saint Louis, Missouri has had curbside recycling for five years. Their monthly charge to the customer is \$2.00 a month. Percent participation is 4%.

“Over here, curbside recycling details, VS means voluntary subscription, which is like what we have here in Wichita today. In Wichita you call up the hauler to say I want to subscribe. It’s voluntary. You initiate it. You pay extra for that service. In fact, Wichita is listed here. We’ve had curbside for over nine years. The range in price that the private haulers charge is from \$3.00 to \$4.50 a month and we have 10% participation on our voluntary subscription. A city like Omaha has been at it for four years. They have bundled, which means the price of recycling is bundled in with their trash bill. They have 75% participation and they have what’s known as mandatory subscription/ voluntary participation. That’s where everyone pays, whether you use the service or not. It’s voluntary participation. You make the decision on do I want to have that recycling cart and actually use it.

“The trend you see through here is those communities with only voluntary subscription have a low percentage of participation, from 4% up to 12%. Those communities where you have mandatory subscription/ voluntary participation range from 42 up to 86%. So, the success rate is much higher with the system of mandatory subscription/ voluntary participation and that’s done in our region of the country.

“One would anticipate that, like for instance the Wichita cost of \$3.00 to \$4.50 would go down. In fact,

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you would expect it to go down in the future with the efficiencies of having more customers on their routes.

“The Solid Waste Plan also addresses waste minimization, as Irene has mentioned. They have the 40% goal of diversion from the transfer station by the year 2003. Convenience is the key for the customers. That’s what we’ve heard from the town hall meetings and the community discussion groups. We also heard from those groups that they want equitable pricing for trash disposal, similar to our electric bill or our water bills. The more electricity or water you use, the more you pay. The more trash you dispose of, the more you pay. The plan also includes implementation of a volume based trash rate and curbside recycling should be provided to the residents.

“Recently, we had a survey performed by a company. This was done in June of 2000 and they had questions on recycling. Eighty percent of the residents contacted in the County said it’s very important to have an effective, easy to use recycling program. Sixty-four percent think that all residents should pay for recycling. The survey also, in directing questions on curbside recycling, discovered that 70% said they’re very likely to use curbside recycling, and additional 20% said they’re somewhat likely to use curbside. That equals 90% of the residents contacted were somewhat or very likely to use it. Fifty-three percent said they’d be willing to pay more for the curbside recycling.

“So, from this information, plus from our community discussion and town hall meetings, what we’ve been hearing from our residents is they want convenient recycling. Our Solid Waste Committee has also studied this information and they’ve made recommendations on recycling. They’ve discovered that mandatory subscription with voluntary participation is what they’d like for curbside recycling. Implementation should be included as part of the trash hauler’s license and this should begin after Brooks Landfill closes October 10th, 2001.

“On Pay As You Throw, they made a recommendation, over a year ago, that said we should have three sizes of trash containers. That the haulers should set their own prices for the containers, with an at least 30% differential, and that is to make sure that there was enough price difference between the small, medium and large containers to get people to go to the smaller container. For those times when we have excess waste, holidays or company, that stickers could be purchased from the haulers. They’re recommending \$2.50 for the sticker, to be placed on those bags that might be placed outside the trash container.

“In November of last year, the Committee revisited recycling and Pay As You Throw and they changed their recommendation on Pay As You Throw. They decided to delay Pay As You Throw for one year,

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starting recycling October 10th, 2001 but starting Pay As You Throw October 10th, 2002, with the exact method to be determined later. The reason behind their change of mind was they felt that the community may need more time to have the bans take affect and to determine how much material they put in the recycling bin and then they'll know better as to what size container they might need. So, let them find out for a period of time first what material to put in the container and then decide. So, that was the reasoning behind that change.

“We’ve also talked to the waste haulers, the large haulers with a lot of customers in our community. What we call the smaller haulers, with fewer number of customers, we’ve received input from them as to what they’d like to see for recycling and Pay As You Throw. On recycling they said they’d like to have at least one year notice. They’d like to know ahead of time what our plan is, so they can notify their customers and purchase any necessary recycling bins. The same for Pay As You Throw, one year notice so they would know if they need to have different size containers. They did not want us to franchise or contract the collection of recyclables. They instead would like us to require it as part of their license. That way all of them can provide this service and stay in the recycling business. They also said that they would like to bundle the costs, where the recycling portion of the trash bill is combined with the trash collection and just one cost on their bill but it is listed that you are paying for recycling and trash as part of that base bill.

“They also said they’d like to have it voluntary participation, where the customer, the citizen would call them up and say ‘yes, I want a recycling bin delivered to my home’. That way they’re not delivering a bin to homes that do not want to participate but we would require them to still provide notification to the customers that this service is available. They are concerned that we decide materials on a long-term basis and none of us want to pick materials to recycle and then three months later have to change that message. We want this to success, so the materials should be selected on a long-term basis.

“And, at first, what was a concern to the haulers, they want to make sure it’s an even playing field from one hauler to another. That it’s equitable, so that we have some form of enforcement between all of the haulers to make sure they’re all providing Pay As You Throw and recycling services to the customers. On Pay As You Throw they’d recommend two or three levels of pricing, based on volume. They did not want us to dictate the size of the containers, such as 30, 60 or 90 gallon containers. What we have today is basically a 90 gallon container provided from Waste Connections or Ballinger or Waste Management, the typical container you see. The reason for this is some containers are made by different companies and they may not be exactly that gallon size. Often, anywhere between 80 and 105 gallon containers are

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tered 90 gallon containers. Also, some haulers do not even provide containers to their customers. The customer provides the trash can.

“Whatever method they come up with, they did want the County to oversee it and approve their method of volume based rates they’d be providing to their customers. And again, enforcement was a concern for the haulers.

“After reviewing the national information and the regional information, as well as listening to the citizens, the waste haulers and the Solid Waste Committee, staff has come up with recommendations for residential recycling. Anyone hauling residential municipal solid waste for pay must have a County license. All those licensed haulers must provide bi-weekly, that’s every other week, curbside collection on the same day as trash collection, so that’s convenient for the customer to remember which day to put the recyclables out. That cost of recycling is included in the trash bill, but household participation is voluntary. Licensed hauler must develop a volume based structure for the residential customers and this price structure must provide at least three volume based options and these are approved by the County. They must have a way to handle the occasional excess waste, such as the holidays or people are visiting or the spring clean-up. Whether that’s the hauler’s providing stickers for the customers to put on the excess bags. That would be up to the haulers but there must be a method.

“And on curbside recycling and Pay As You Throw would be implemented on October 10th, 2001. EPA has discovered that implementation of both programs together leads to the greatest diversions and the least confusion to the customer. You’re doing the system at once and in a period of two months people seem to adapt quite nicely. This gives people more control over their trash bill, to get the lower size container.

“This is the end of my presentation. We do have more information, if people would like that they could call our office at 721-9418 for the Environmental Resources Department. We also have information on our website. That’s [www.sedgwickcounty.org](http://www.sedgwickcounty.org). And if you go to that website and click on the trash can, that will take you over to the correct area of the County’s website to obtain more information, such as the staff recommendations. Thank you. The Legal Department is here and other staff. We’d be happy to answer any questions, plus we need to set a public hearing date for next Wednesday, August 30th, where we’d like to receive input from the public on recycling, Pay As You Throw and also input as to the date of implementation and how to handle the rural areas of the County for curbside collection. Thank you.”

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**Chairman Winters** said, “All right, so, just for clarification then you’re suggesting that we set next Wednesday as a time to take and receive public comment on this issue?”

**Ms. Erlenwein** said, “That’s correct. And then a decision would be made September 13th, if you have all the information by then to make the decision. Next Wednesday would be public comment.”

**Chairman Winters** said, “Okay. We’ve got several lights going. I would like to acknowledge Milt Pollitt who is here today. Milt, do you have any comments at this time that you would like to bring to the Commission?”

**Mr. Milt Pollitt**, Chairman, Solid Waste Management Committee, greeted the Commissioners and said, “I would only, at this point, say that Susan has very accurately and comprehensively given you the summary of the action of the Committee. I wouldn’t want to comment on anything further, because it would just be repeating it. But we appreciate her efforts, her staff’s efforts, your efforts. The Committee recognizes that this is going to be a very perhaps difficult program to implement. It’s going to take a massive amount of public education and cooperation, but we think it’s a sound program and the Committee will continue to look at options that may come up for other methods of waste minimization. So, beyond that, I think everything has been said about the proposal that needs to be said.”

**Chairman Winters** said, “All right, thank you very much, Milt. Commissioner McGinn.”

**Commissioner McGinn** said, “Thank you, Mr. Chairman. I have some clarification questions for Susan. Susan, I thought I saw up there it said when you have Christmas and that kind of thing, are we thinking about \$2.50 for these stickers?”

**Ms. Erlenwein** said, “No, that’s the recommendation that the Solid Waste Committee made over a year ago on Pay As You Throw and that’s what they have since changed last fall.”

**Commissioner McGinn** said, “I know we’ve seen it in other areas. It’s about \$1.00.”

**Ms. Erlenwein** said, “It could be and since it is a free market system, the haulers can develop their own charge.”

**Commissioner McGinn** said, “And then the other clarification I guess I want to make, maybe I’m just reading this wrong in today’s paper. They talk about curbside recycling, which would be as much as \$4.50, under a proposal made earlier this year. So, this is my third attempt at clarifying that and I’m going

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to try one more time. When we had the comments and talked about this at a staff meeting we did have a reporter there. We also talked about what happened in Ft. Collins. What happened in Ft. Collins, and you can correct me if I'm wrong, is when they implemented curbside recycling the price and cost did not go up and it was because of the competitive market. Is that correct?"

**Ms. Erlenwein** said, "There are some companies that the price actually went down and some slightly went up, but overall it pretty well balanced. That's correct."

**Commissioner McGinn** said, "Okay, I just wanted to try, one more time, to get that out there. Also, I noticed on the powerpoint that you had up there, I was looking at the cost of curbside. We had Wichita, Kansas at \$4.50 and I want to again say that was the highest price we found in the City of Wichita and that is also based on the fact that we're not going door to door to door, so there's no efficiency tied into that and economies of scale. To me, we're just trying to let people know the numbers and that is the highest, based on not having any efficiencies or economies of scale plugged into that. The sheet that you had up there had to do with Hays, Omaha and Lincoln, Nebraska and those were the three that were around \$4.00 and maybe some cents. I think, also in the discussion we had, the reason for that was they didn't have any place close to take it, which we do."

**Ms. Erlenwein** said, "That's correct. Some of the communities had great distances to take the material, which obviously drives the price upward. We currently have a material recovery facility here in our community that takes the materials, and which keeps the price down. As you mentioned, the price currently ranges from \$3.00 to \$4.50 per month, today, without the efficiencies of door to door collection."

**Commissioner McGinn** said, "Now, is that clear?"

**Commissioner Sciortino** said, "Basically, the cost is going to be determined by the private sector, whatever they wish to charge, they will charge."

**Commissioner McGinn** said, "That's correct, but based on what's happened in other areas it can go down and I just wanted to make sure that that is out there as well. I have some other comments but I think I'm going to wait a few minutes."

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**Chairman Winters** said, “Okay, thank you. Mr. Manager, you looked like you had a point of clarification.”

**Mr. Buchanan** said, “Commissioner McGinn’s question about holidays and extra bags. The current system that we have now we can put up to I think, at least my company, you can put up to ten extra bags. I wouldn’t expect that to change.”

**Commissioner Sciortino** said, “Yeah, I’m going to have a question on that then.”

**Mr. Buchanan** said, “If I chose the biggest container, or pay the price, I don’t know what would drive business to change that issue. I think we need to continue to create that expectation with the haulers. If that’s what they’re doing now, why in the world would they change that.”

**Ms. Erlenwein** said, “To follow up with the Manager’s comment, I have discussed this with some of the haulers and they said they would have excess bags on one of the levels of services offered.”

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

**Chairman Winters** said, “Okay, thank you. Commissioner Sciortino.”

**CommissionerSciortino** said, “Thank you, Mr. Chairman. I’ve got a couple of questions of clarification for you, Susan and then I have some comments, too. Are we also being recommended by the Solid Waste Committee to implement the ban on yard waste and grass clippings on October 1st also?”

**Ms. Erlenwein** said, “Yes, that was the recommendation made several years ago.”

**Commissioner Sciortino** said, “Okay, and then let me clarify what the Manager just said, cause that’s going to make me a little bit more comfortable and maybe minimize what my comments might be. When and if this Pay As You Throw gets implemented, when and if the ban for yard waste and grass clippings gets implemented, were on Pay As You Throw I’ve gone to the second level container, whatever that size is, but in the past I used to put out 10 bags of something. I was not charged anything extra for putting out those 10 bags. Did I hear from the Manager and from you in discussion with the haulers that I will still be only charged ‘X’ for my container and I can put out 10 additional bags at no extra charge? I don’t have

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to buy a sticker, nothing, I can still have that service for free?"

**Ms. Erlenwein** said, "Since it is a free market, and they have not yet developed their levels of pricing, some haulers have told us that on the largest container they may also have a level above and beyond that that says large container with excess material."

**Commissioner Sciortino** said, "Okay, but when we . . . I think what the Manager's trying to say, and this is going to make me a lot more comfortable, can we say to them, whatever level of container that the person purchases, they can still do what they've been doing for many years and still put out up to 10 additional bags, weekly of whatever goes into those bags, at no additional charge. Can we make that as a requirement or is that what the Solid Waste Committee is recommending that we do?"

**Ms. Erlenwein** said, "No, sir."

**Commissioner Sciortino** said, "What are they recommending?"

**Ms. Erlenwein** said, "The first recommendation was three sizes, with any additional bags having a sticker put on the bag."

**Commissioner Sciortino** said, "Okay, and is that staff's recommendation then, too."

**Ms. Erlenwein** said, "Staff's recommendation would be for the . . . the Committee was more exact, 30, 60, 90. Our recommendation is for the haulers to develop a system of three levels of volume based rates to be approved by us, with some mechanism of having excess material placed outside the container. It could be buy a sticker to put on that bag. It could be free. This is a free market. It depends on what the hauler's offering."

**Commissioner Sciortino** said, "Okay, thank you. That's all of my questions."

**Mr. Buchanan** said, "Commissioner, one of the solutions to get to where I think you want to go, is to make that a condition of . . ."

**Commissioner Sciortino** said, "I think I'm going to address that in my comments."

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

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**Commissioner Hancock** said, "Thank you, Mr. Chairman. Well, Susan, I've sat here and tried to understand it from the point of view of the consumer. All along, I think we're made the point over and over again that most of the consumers just wish that their trash would just go away after they take it to the curb. And all of this talk and discussion concerning solid waste, transfer stations versus a local landfill is meaningless. They just want the trash to go away and they want it to be at a reasonable cost.

"So, I think the point that we need to make here to folks out there is that in the great scheme of things, we are going from a local landfill to a transfer station and if you do have extra trash on occasion you'll be driving to the transfer station and not to the landfill. That's the first thing. That's the big item. And that we are going to provide a system of curbside recycling, which is different from today, at a price that is even for everyone. You don't pay extra anymore for curbside recycling. Am I correct in making that statement?"

**Ms. Erlenwein** said, "It would be part of your trash bill. That's correct."

**Commissioner Hancock** said, "Part of the trash bill. In other words, I won't pay my extra \$3.00 a month for my privilege, and that's what it seems to be now, privilege to recycle. So, if I choose to do that, then I can. And to encourage that, we're going to have a system where if you throw away more, it's going to cost you more. And we're going to keep this whole thing private. We're not going to do it in such a way that we are sanctioning one business over another. In other words, we're not going to get into the solid waste business. And the last thing that everyone should be aware is there's going to be a bigger and better, much improved Household Hazardous Waste Facility for those folks who choose to bring those items to that thing, to that facility. I think that's what everyone cares about, what I just said. I can't think of anything else you'd want to know, I mean, about your trash.

"The other thing that everyone is asking is well, what's this all going to cost? Well, it's going to cost slightly more. That's just the facts of life. We do a better job of handling trash and we act more responsibly, it's going to cost a little bit more. Now, why is it going to cost you a little bit more? Because

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you said that you would be willing to pay a little more to do these things. I think that's what everybody needs to know. If we complicate this issue and we make it difficult for everybody to understand but the fact of the matter is your trash is going to go away and it's going to be at a reasonable price and you'll be able to recycle.

"One other thing that we need to discuss, and I think that we need to talk to, and that is we need to address some of the wishes and desires and concerns that other municipalities have, including the City of Wichita. And that is we are going to continue to discuss ways to doing a free clean-up day. Whether that involves a local C & D landfill, we don't know. But we're going to look at that. We're going to look at ways we can handle storm debris. And we've already addressed the big item on the storm debris. We had a report on that last week. And we're going to address ways that we can handle solid waste that's collected on public rights-of-way. We clean up our streets and there's a tremendous amount of that. So, I would hope that there isn't a great deal of anxiety being built up out there by other municipalities that the cost to them is going to rise to extreme. It won't rise extremely. It could be a little more. We don't know. But we are in the midst of developing some ideas and if it involves opening a C & D landfill, then maybe that's something that we're going to do. Let's just don't make it too complicated for the consumer. The trash is going to go away from your curb and it's going to be at a reasonable price and you're going to have some advantages here. So, that's all I have to say. Thank you."

**Chairman Winters** said, "Thank you, Commissioner. Commissioner McGinn has a question for you."

**Commissioner McGinn** said, "I just wondered, did you hear from other municipalities? I guess I was always under the understanding that all the communities have always paid for storm clean-up except one. Have you heard others?"

**Commissioner Hancock** said, "I really haven't heard from any of them but I would assume that there is some concern out there what they're going to do with all their branches when they have to clean them up. Even if you had to pay, there's no place to put them."

**Commissioner McGinn** said, "Wood recycle."

**Commissioner Hancock** said, "I don't think you can recycle a tornado."

**Commissioner McGinn** said, "I'm not talking about tornados. That's a whole different program."

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**Commissioner Hancock** said, “And some storms, you can’t recycle those either. There’s just too much of it. You’ve got to learn how to deal with it. We had a report from Bob Lamkey about that, some ideas about that.”

**Commissioner McGinn** said, “I wasn’t talking about the major storms, I was just talking about general. Thank you.”

**Chairman Winters** said, “All right, thank you.”

**Commissioner Hancock** said, “If I was a mayor of a small city and a council member, I would be concerned about what we’re going to do with a lot of stuff that we pick up that we normally would take to the landfill, the current landfill, because it would be difficult in many respects to unload that stuff some place at a transfer station. A lot of it just won’t . . . the sheer volume of it would be expensive. I’d be concerned.”

**Chairman Winters** said, “All right, thank you. Commissioner Hancock, I think you did an excellent job of really bringing part of that into focus. I hope you wrote part of that down so we can remember that again. But that was an excellent job. I want to add, just the brief part I would add is I’m going to be supportive of designating next week, or whenever the Commission decides if somebodies got a better day, to receive public comment on this issue. The one question that I keep hearing and one of the reasons that I still believe that Pay As You Throw has some specific benefits for us is I hear people say how can we reward the people who recycle. In this system, as Mr. Hancock described, there are going to be some changes. And we are going to need the residential consumers to change parts of their behavior. And I would like to continue to think of a way to reward those who change their behavior. If they throw away less, if they take advantage of this system, what’s the plus going to be for them. If they can say, well, I only need a 30 gallon container, then they have the option of helping to affect their total price of their product.

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“So, next week, as we continue to discuss, and as citizens come and talk to us, I would be pleased if people would address that issue. Maybe that doesn’t work like I envision that it might. But if people have an ability to select and change their behaviors and how they handle their trash, I would like to reward those who have changed their behaviors. Those who don’t change their behaviors are going to pay the going rate, whatever that happens to be.

“All right, Commissioner Sciortino.”

**CommissionerSciortino** said, “Thank you, Mr. Chairman. I’d like to make some comments about what was presented to us today and also a couple of other items, as far as it concerns our entire trash solution. First of all, I want to make it crystal clear to all of you sitting here on the bench that I am committed to working with you to provide the most efficient, effective transfer station concept possible. No longer do I intend to change the direction we’re going in that area. That die was cast and the previous Commission made those decisions and I am not going to try to change and be an impediment in implementing the transfer station. In fact, I want to be part of the solution in working on that area.

“I also want to point out very clearly that I wholeheartedly support the concept of recycling. My family has been voluntarily recycling for 15 years. Emotionally, it makes me feel great to crush a Coke can and put it in that bag and I’ve done some little thing. Maybe by myself it’s not much, but it just makes me feel good. I’m incented constantly, because if I don’t I’ll be divorced. And that’s another incentive that I don’t know whether we can impose on the citizens of Sedgwick County but it’s a big incentive for me. I support composting and mulching. I’ve been doing that voluntarily for years. And you will never see me against reducing a citizens cost of trash disposal, as far as Pay As You Throw is concerned.

“However, what does trouble me is that separate from the transfer station concept, we are considering the simultaneous implementation of all these other items: the volume based pricing, the mandatory subscription to a recycling program. And then also, when you couple that with implementing the ban on yard wastes and grass clippings at the same time, I get real concerned about the total financial impact that this will have on the citizens of Sedgwick, Bam! And my fear is still, and since we have absolutely no control of the prices, it’s going to be totally at the hands of the private sector. I did some numbers. I visited with a couple of haulers and kind of laid out my idea where I’m at today. The scenario I put out is a 90 gallon container, 10 bags of trash today and I don’t recycle. Basically, what’s my cost going to be? It looked like, very quickly, it was going to double. That’s going to be quite a shock to some of the citizens of Sedgwick County, if indeed all of those implementation plans and worst-case scenarios actually come to be.

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“We don’t know, yet, what it’s going to cost. As I said earlier, all of those cost are going to be left solely in the hands of the haulers. I guess, from what I heard from the Manager, is that we could say regardless of what level of trash, I’m talking about Pay As You Throw, tier one, tier two, tier three, in addition to that you have to allow ten additional bags of whatever at no additional charge, because that’s the service that’s presently being provided. I like that concept but then I could also argue that that illuminates or kind of does away with our attempt to reduce the levels of service. Initially we were told, and I bought into it, that the cost of going from a local landfill to a transfer station would only be about a dollar or two a month. And that sounded reasonable to me. But there have been some changed circumstances that I’m no longer comfortable ‘it’s only going to be a dollar or two’ and I cite the soaring gasoline prices. When that was told to me gas was about 75 to 80 cents a gallon. It’s now upwards to \$1.50 a gallon. I believe, what I’ve heard and I don’t know if this is factual but I heard that Waste Connections is now considering hauling our trash across the border and dumping it in Enid, Oklahoma which is going to be a lot longer distance than what I had heard previously and the longer it takes to haul that’s going to be . . . notwithstanding petro-chemicals in the air or whatever, that’s going to probably add a little bit more to the cost of the transfer station. So, I’m not as comfortable with that initial estimate of a dollar or two as I was when it was first presented to me well over a year and a half ago or so.

“With the banning of yard waste, coupled with all of these other services, what is happening, unless we do something with those extra bags is that currently we’re doing away with a service that our citizens are receiving free without replacing it with anything of value. In other words, we’re going to be reducing the levels of service that we provide and charging them something more. I don’t know yet what those prices are. Today, and for many, many years our citizens have had that privilege of putting out ten additional bags along side their cart filled with whatever they feel is proper to get disposed of, grass clippings and the residue of spring house cleaning or garage cleaning was part of that. As I say, they can do those at no additional charge. It’s the way they’ve been comfortable for years of doing it. I agree with Commissioner Hancock. The resident doesn’t care what happens to it once it leaves its curb. He wants it picked up the day it was supposed to be picked up. He would prefer the cart to be upright after they leave and not over in the neighbor’s yard and he doesn’t care, and I can understand that, were it goes after that. And

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I can understand that. That's our responsibility to try to work on some other areas. But I do believe that, without substituting anything of value and just taking away of service is wrong.

"As far as mandatory subscription to recycling program is concerned, I object to this for two main reasons. One, I suspect that we're going to give the haulers the ability to receive a large cash wind-fall. There's no restrictions. They can charge whatever they want to charge. Right now the only major hauler that is providing curbside recycling, if I understand it correctly, is Waste Connections. Is that right?"

**Ms. Erlenwein** said, "Other haulers do provide it but many of them subcontract with a smaller company."

**Commissioner Sciortino** said, "And right now, Waste Connection, I'll use myself for an example, charges our home \$4.50 to recycle. And they estimate, and you correctly stated, about 10% of the homes have asked for recycling and got the little blue bin. October 1st, if we do this, they will have the ability to charge 100% of the households a fee for recycling. I would love to believe that fee will be free. I would love to believe that that fee will go from \$4.50 to 50 cents but I don't, because I think they will see that now they can charge something, and they will, and I'm sure that we'll require them to send out something from the households encouraging them to recycle, but it's an initial big windfall for them that the taxpayers, or the citizens, excuse me of Sedgwick County will be giving them without receiving anything extra for it other than, should you decide to recycle anytime in the future we won't charge you an additional fee. If we do this, I will object to bundling it or hiding the cost. I don't think that's fair to the citizens. I would think that we should be honest with them and let them know this is what it costs for your trash, this is what you're paying in this mandatory subscription and we here at the County should be willing to accept the phone calls and start explaining it to the people, why we did that."

"The second thing about the mandatory recycling is that I don't really think that we have given education a chance. We had a presentation, I believe last week, where we had the test project on how to dispose of grass clippings and we had one fellow come up and I don't know why he just decided to do this but he had been gardening for years and all of the sudden decided of one of the projects, composting, was great and he was really . . . It took very little education to get that individual to stop bagging his grass clippings for years, even though he had a garden and what have you, and just by exposing to him the benefits of composting to him he switched just like that. I would be more comfortable to really delaying the simultaneous implementation of these other services. It's going to be shock enough, the transfer station concept to these people, but delay the simultaneous implementation of Pay As You Throw mandatory subscription and recycling and I would be a proponent of delaying the ban of grass clippings and yard waste to allow them to absorb this new change of being just the transfer station and allow educating these people to have a chance to see how well the people might voluntarily decide that this is the right thing to

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do, as opposed to being punitive.

“The group of citizens that will be hit the hardest with these additional restrictions will be our seniors. They are living on fixed incomes. We have low-income families and for other reasons we have individuals who are living on very fixed incomes and they will be hit the hardest proportionally. So, we’re going to have to make a decision September 13th. I’m going to be supporting not simultaneously imposing all these additional charges but giving the educational process a chance to work to see if we can’t get closer to our goal of reducing the waste stream voluntarily, as opposed to just enforcing mandates and rules and regulations that could prove costly. Thank you very much for letting me make my comments.”

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

**Commissioner McGinn** said, “First I have a question for Commissioner Sciortino. Would you clarify free, when you said people have been getting services for free?”

**Commissioner Sciortino** said, “Right, it cost . . . I’ll just use myself for an example. I have a 90 gallon container and I’m charged \$14.50 a month for my 90 gallon container. In addition to that, any time, any week that I wish I could put an additional 10 bags of something next to my 90 gallon container and I’m still only charged \$14.50.”

**Commissioner McGinn** said, “So, you were just talking about that one particular service is free.”

**Commissioner Sciortino** said, “Yes, that’s the service that’s free.”

**Commissioner McGinn** said, “Okay, and Susan, on bundling, it’s my understanding that we weren’t . . . that fee for recycling will be on their bill.”

**Ms. Erlenwein** said, “When bundling was mentioned in the presentation, that was the recommendation from the waste haulers. That wasn’t the staff, that’s the waste haulers.”

**Commissioner Sciortino** said, “Is staff recommending bundling, or is staff recommending using it as a separate line item so people understand what their costs are?”

**Ms. Erlenwein** said, “Separate line item.”

**Commissioner Sciortino** said, “Okay.”

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**Commissioner McGinn** said, "Well, and I also want to comment and thank Commissioner Hancock for putting some things in perspective. I agree with you wholeheartedly that most people are just concerned about having their trash picked up and, yes, we all know the price will go up a little bit. I guess, since we are going to have a public hearing next week, I'd just like to throw something out. Maybe that will stir people's thoughts and maybe they'll come see us and visit next week. First, I guess I want to say I wholeheartedly support banning grass and yard waste, but I also would like to throw out delaying that one year, because of the fact that we're changing some things. We're changing many things for folks and I'd like to see more of a phase-in. I'd like to see us spend more money to educate people on this process and encourage them to voluntarily take some of these actions. One thing that kind of concerns me about today's proposal is the punitive tone. I'm strongly opposed to trying to punish taxpayers into submission and I know Commissioner Winters had talked about, today, rewarding people. And so, these are just things I want us to kind of think about. I really feel that, given some education about what we're trying to accomplish, that people will then become partners in what we're trying to achieve. That would be my hope.

"While staff's proposals still have a lot of merit for the future, I still would like to give education a chance to work because, in the first year, we need to focus on the transfer station and household hazardous waste. I want to make it very clear that I do support many of the things we're doing. I think we're going to have a better system. Well, I know we're going to have a better system here in Kansas. I know there are people out there that doubt Kansans to be good stewards of the land. Well, I don't believe that. I think there are people that really want to be good stewards of the land and they're native Kansans in this area.

"So, I strongly support it but, I guess what I'm saying is I feel like we need to walk before we run and so that's why I'm wondering if maybe we could look at a phase-in. Let's take on the transfer station. Let's take on household hazardous waste. Let's start next summer, even before 10-10-01, and have a strong education program on mulching and composting and letting people know there are other places out there that you can take your tree limbs. Those types of things. I know when we had the last storm, it was always, the radio announcement was 'take it to Brooks'. I don't think people really know that we have a wood recycle center that's cheaper than Brooks. We need to get that information out to people.

"So, that's one thing and then also, if we have a strong recycling education program, people can start to see how they can reduce their waste. So, I'm just going to throw that out because I know we're having a public hearing next week and I would like to see us, perhaps, walk before we run and phase some of

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these programs in.”

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

**Commissioner Hancock** said, “Thank you. I’m sorry. I have a question for Commissioner Sciortino. Commissioner, you use the term mandatory recycling.”

**Commissioner Sciortino** said, “Mandatory subscription, where we’re going to charge every citizen in Sedgwick County a fee to recycle and then, if any time they want to recycle, they’ll be given a bag. Yes, that was what I meant by it.”

**Commissioner Hancock** said, “Would you want to leave it like it is now, where you pay extra for recycling?”

**Commissioner Sciortino** said, “Well, I would love to see the haulers provide free recycling, as part of a lucrative package that they’re going to get by doing away with our trash. I would love to see free recycling. Right now, in lieu of mandatory subscription, the only thing that I’m left with is people who wish to recycle would pay for it because right now the converse would be that we, by our action, allow the haulers to charge 100% of the people and even if we get to 70 or 80% are recycling, we’re still imposing a punitive action on the rest of the people and I think we could get a lot closer to our goal by educating these people and letting them know that recycling is really the right thing to do. I agree with Commissioner McGinn. I don’t think you have to spank the child first. I think what you should do is try to educate the child in doing the right thing and if they continually refuse to do the right thing, then later on you can take punitive action.”

**Commissioner Hancock** said, “Yeah, okay. I appreciate that. I’m not sure. I’ll have to visit with about this, I suppose. I’m not sure I understand what you’re thinking on this. Recycling isn’t free. If everybody did it, it wouldn’t be free. It isn’t free now. It cost more money to recycle. And I don’t understand how it can be free.”

**Commissioner Sciortino** said, “I’m just saying a hauler could agree to absorb that cost, maybe take a slightly less profit picture for the ability of being able to collect 1,500 tons of trash a day, or whatever our total tonnage is. That’s probably dreaming on my part. But what I am against is the fact that, immediately, if we pass this, every hauler will be able to charge whatever they wish to every household in all twenty cities plus in the unincorporated areas where they haul a fee for recycling and they know that 100% of the

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people aren't going to recycle, so they're getting a free ride on a lot of homes and even if it goes from 10% to 40%, or 10% to 50%, they're getting a free ride on 50% of the homes. I just . . . it's the citizens who are paying for that and I don't think that's fair."

**Commissioner Hancock** said, "I just think . . . I know you, and you've been a big supporter of the private side over . . . and you have a deep belief that the private side does the right thing, due to competition. I don't know why you fail now to view it in that way. It seems to me that competition would do the thing we're asking them to do."

**Commissioner Sciortino** said, "Let me make it clear. I think we can impose some restriction on what the private sector can or can't do, or they don't get a license from us. There's some things that we could ask for, as a requirement of the licensing, like the Manager suggested on this ten bags, just say, 'I'm sorry. You've got a 90 gallon container, it's 'x' and they get to throw away 90 gallons'. We could just as easily say 'you charge 'x' and anyone that wishes recycling you can't charge them any extra money'. You can't bundle it. You can't hide it. It's no extra charge and it's part of the service you provide. Maybe none of the haulers would agree to that, but it'd be kind of nice to ask them."

**Commissioner Hancock** said, "Well, we'll have to visit. I would really be interested in seeing what the public has to say next week and we've got a lot of discussions. But we're well on our way. Commissioners, we've done a good job. Thank you."

**Chairman Winters** said, "Thank you. Susan, what you're requesting then is that we receive and file your report today and then that we set next week as a date to take public comment. Is there anything else that we need to include in this motion?"

**Ms. Erlenwein** said, "And if you want to set a date of September 13th to make a decision or leave that until after public comment."

**Chairman Winters** said, "I think, let's see what happens next week. Let's take one step at a time. I would say, though, and correct me if I'm wrong, any of you, next week what we want to take comment on and what we're working on here is curbside recycling and recycling efforts and Pay As You Throw. We're not talking about landfills. We're not talking about transfer stations. We want to know what you think about curbside recycling and Pay As You Throw concept. Those are the two issues that the Commission is dealing with now. Commissioner McGinn."

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**Commissioner McGinn** said, “I just want to know, can we maybe make sure our agenda isn’t too long, so that we have plenty of opportunity to hear public comment? I just would hate to have a real tight meeting but that’s okay. You can buy lunch.”

**Mr. Buchanan** said, “We’ve already reviewed some of the agenda items. I’d have to go look again. We can do what we can do. You want the Meeting to not exceed . . . ?”

**Commissioner McGinn** said, “Five o’clock.”

**Chairman Winters** said, “Could you get copies of today’s presentation in our hands?”

**Ms. Erlenwein** said, “Yes, sir. We’ve got copies.”

**Commissioner Sciortino** said, “Just one other question, Susan. The one thing that I’ve been getting my phone calls on and I’ve read stories in the paper, is a little bit of the frustration, we still can’t tell them how much it’s going to cost. And we’ve gone kind of like that and said well, it’s the private sector. I can’t believe for a minute that Waste Connection, Waste Management, these are companies. They’ve had, probably, mandatory subscription/ voluntary participation. They know pretty close what they’re going to charge for it. I can’t believe that it’s less than a year and they have no concept, or they don’t want to tell us any concept on what they’re going to do. Since we’re going to have a public hearing, if you could get some of these people to say ‘okay, we going to probably charge ‘x’. Just so people can get it. I mean, just see if they’d be willing to divulge some of these costs so that we can get our hands around, and the citizens can get their hands . . . ‘oh, that isn’t so bad, yeah I’ll be all for it’.”

**Ms. Erlenwein** said, “I’ll be happy to do that.”

**Commissioner Sciortino** said, “Okay, great.”

**Mr. Buchanan** said, “Commissioners, we will try to do that again. We share your frustration. The companies have been very helpful in this process. In this regard, they are holding their cards pretty close to their chest. They don’t want to create false expectations. They don’t want to set expectations that can’t be met. They don’t want to tip their hands to competitors. They’re just not . . . so it is continuing to be frustrating.”

**Commissioner Sciortino** said, “So, if they keep doing that then we’re charged with the responsibility of making some decisions and it won’t be until probably November 1st, when the person first gets their bill

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and when they get it, and we knew those charges maybe we wouldn't have done what we did. So, it's kind of putting us in a tough position, too."

**Mr. Buchanan** said, "We will visit with them again."

**Commissioner Sciortino** said, "Okay."

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

**Commissioner McGinn** said, "Oh, I just was agreeing with Commissioner Sciortino. We have a couple of companies that are all over the nation and have to go to transfer stations and to me it's ridiculous that we can't get some costs."

**Mr. Buchanan** said, "We agree."

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

### **MOTION**

Chairman Winters moved to Receive and File this report and that next week, August 30th, 2000 we set as time to receive public comment regarding pay as you throw and curbside recycling and try to do that as close to 9:00 a.m. as possible.

Commissioner Sciortino seconded the Motion.

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

### **VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye

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Chairman Thomas G. Winters                    Aye

**Chairman Winters** said, “Thank you, Susan. Let’s do a bit of housekeeping here. Commissioners, we haven’t had a break since 9:00. Do you want to take a break. I have written in my margin here to go to Item M-4, which is creating some road districts with our Bond Counsel, Joe Norton. We’ve got an Off Agenda Item we need to take up about Household Hazardous Waste. Do you want to take a break or do you want to just keep going?”

**Commissioner Hancock and Sciortino** said, “Five minutes.”

**Chairman Winters** said, “We’re going to take a five minute break.”

**The Board of Sedgwick County Commissioners recessed at 11:36 a.m. and returned at 11:44 a.m.**

**Chairman Winters** said, “I’ll bring the Meeting of August 23rd back in session. We were going to take an Off Agenda Item. Let’s go to Item M-4 and we’ll get Mr. Norton taken care of. Madam Clerk, would you please call Item M-4.”

**4. RESOLUTIONS (THREE) CREATING ROAD IMPROVEMENT BENEFIT DISTRICTS IN SEDGWICK COUNTY, KANSAS AND AUTHORIZING IMPROVEMENTS THEREIN.**

- !       **SALEM MEADOWS ADDITION; DISTRICT #2**
- !       **CESSNA ADDITION; DISTRICT #2**
- !       **SUNNYDALE FARMS ADDITION; DISTRICT #4**

**Mr. Norton** said, “I’m having computer failure here so bear with us a second.

**POWERPOINT PRESENTATION**

“There are three proposed road improvement districts for your consideration this morning, none of which requires a public hearing, so we can go through this information, you can vote on them separately, or vote

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on them together. Whatever the will of the Commission is.

“The first involves the Salem Meadows Addition Street Improvements. This is located in an area in the southern part of the County on 103rd Street South and U.S. Highway 81 or Broadway. The proposed benefit district is on the screen before you. The benefit district is outlined in red. There are six lots. Two lots, the smaller lots, proposed to be a little bit different assessment than the larger lots. The proposed method of costs estimate by the Bureau of Public Works is \$104,000. There are six parcels. Again, two of the lots are proposed to be assessed in a fractional basis that comes out to approximately \$15,000 a lot and four lots on a fractional basis that comes out to approximately \$18,500 per lot, which when spread over 15 years would be about \$1,500 or \$1,900 a lot, depending on the size of the lot. This is a 100% petition. Your charter resolution does not require a public hearing, although you may wish to receive public comment. We have prepared a resolution that would implement the creation of this district and authorize the improvements as have been discussed today.”

**Chairman Winters** said, “Joe, why don’t you just take all three of these and I’ll ask if there’s anyone here who wants to address the Commission on any of them and we’ll do them all at once.”

**Mr. Norton** said, “That would be great.”

**Chairman Winters** said, “Commissioner Sciortino, did you have a question?”

**Commissioner Sciortino** said, “Just one real quick general question. On some of these assessments, like that one you said it was \$15,000 per lot. Does the citizen have the option to just pay the \$15,000 and not be charged the 6% interest if he or she elected to do that?”

**Mr. Norton** said, “Sure, as you may recall, I went through that process this spring and summer. When the projects are complete and all the final costs are known, we have a public hearing. An opportunity for citizens to address the Commission with what the final cost estimates are and then the Commission levies the assessments. They have a 30 day period in which to pay all or a portion, or it’s spread over time at whatever the interest rate is on the County’s GO Bond Issues. We’ve estimated 6. We hope that’s high from the actual rate.”

**Commissioner Sciortino** said, “They have the option to pay at that time.”

**Mr. Norton** said, “That’s correct. The second project is called the Cessna Addition. Again, this is located down by the Cessna plant, by the Wichita Mid-Continent Airport. There’s one large tract

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proposing to be assessed for this project, which is basically some turn lanes and additional lanes on that road. Estimated costs of this project is \$220,000, all of which will be assessed to that parcel owned by Cessna. Again, the 100% petition signed by Cessna requesting this project to be made and permitting that the project be assessed to them.

“The third project is for Sunnydale Farms Addition. This is in the northern part of the County, at 101st Street North, east of I-135, at approximately Hillside. Again, there is a description on the screen before you of the proposed benefit district. There are twelve parcels in this district. The petition, signed by 100% of the owners of property, requests that these parcels be assessed evenly for the road created within that area. Estimate of costs by Public Works is \$93,000 which, when spread among the 12 parcels has a principle cost of about \$7,750 per lot or about \$800 per year spread over 15 years at 6%.

“Again, no public hearing is required. You may wish to take comments and if not, there are three resolutions which would create these districts which you could vote on separately or jointly.”

**Chairman Winters** said, “All right. I would ask, again this is not a public hearing, but is there anybody here in the Meeting Room this morning who would like to address the Board of County Commissioners on Item M-4, the creation of these three road districts? Is there anyone here who wishes to address the Commission? Seeing no one, Commissioners, you have further questions or comments? We can act on these all in one resolution, if it’s your desire.”

### **MOTION**

Commissioner Hancock moved to Adopt the Resolutions.

Commissioner McGinn seconded the Motion.

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

### **VOTE**

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

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

### **MOTION**

Chairman Winters moved to take an Off Agenda item regarding Household Hazardous Waste Facility siting.

Commissioner McGinn seconded the Motion.

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

### **VOTE**

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

### **OFF AGENDA ITEM**

**Mr. Buchanan** said, “We’ve had a number of discussions concerning the Household Hazardous Waste Facility. We have an opportunity to submit to the State of Kansas a grant which needs to be in before the first of the month that needs to identify the site. After considerable analysis, the staff at the staff meeting yesterday recommended you two different sites. We are now in a position to recommend the Stillwell site and would like you to affirm that by passing a Motion indicating that the site for the Household Hazardous Waste Facility should be at Stillwell.”

**Chairman Winters** said, “All right, Commissioners, questions or comments? We did have a discussion about this. Commissioners?”

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### **MOTION**

Commissioner McGinn moved to follow the recommendation of the Manager in siting the Household Hazardous Waste Facility on Stillwell.

Commissioner Sciortino seconded the Motion.

**Chairman Winters** said, "And this will allow us to proceed on then with the grant application to KDHE (Kansas Department of Health and Environment) and then details about this particular site will be forthcoming."

**Mr. Buchanan** said, "Yes, we will then begin . . . from this point forward, we'll begin the process of doing this project. Site analysis, design that sort of thing."

**Chairman Winters** said, "All right, very good. Commissioners, are there other comments or questions? Seeing none, call the vote please."

### **VOTE**

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

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

**Commissioner McGinn** said, "I just wanted to make a quick comment for those that use the Household Hazardous Waste Facility that this will be more centrally located and easier access."

**Mr. Buchanan** said, "Stillwell is a block and a half or two from Kellogg, which is real easy access. It's off Seneca Street. It is close to the center of the town. We know that people use the Household Hazardous Waste Facilities that are within a 6 to 10 mile radius. That's what the national studies are. So, this puts it closer to the center of the population of the community, yes."

**Commissioner McGinn** said, "I just think, by the location alone, it's going to increase people using that

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facility.”

**Mr. Buchanan** said, “Yes, ma’am.”

**Chairman Winters** said, “All right, thank you. All right, Madam Clerk, I believe we’re back to Item H.”

### **H. AGREEMENT WITH WICHITA STATE UNIVERSITY TRAINING PROGRAM FOR EMERGENCY MEDICAL SERVICE TO PROVIDE FIELD INTERNSHIPS TO TRAINING PROGRAM STUDENTS.**

**Mr. Pollan** said, “This is an agreement that we do with all of our educational institutions who send MICT students and EMTs and I would recommend that you allow the Chair to sign.”

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

#### **MOTION**

Commissioner McGinn 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.

#### **VOTE**

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

**Chairman Winters** said, “Tom, again congratulations on the new medical advisor. I think that Dr. Wagner looks like he’s going to be a real addition and so, I hope it works out well with your organization.”

**Mr. Pollan** said, “I do, too. Thank you.”

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Chairman Winters said, "Okay. Next item."

### **I. REVISED FISCAL YEAR 2000 NOTIFICATIONS OF GRANT AWARD (21) FOR TITLE III OLDER AMERICAN'S ACT PROGRAM.**

#### **SUPPORTIVE SERVICE PROGRAMS**

- | ACTIVE AGING: \$18,500
- | BUTLER COUNTY INFORMATION AND ASSISTANCE: \$21,250
- | BUTLER COUNTY HOMEMAKER: \$4,000
- | BUTLER COUNTY RESPITE: \$9,315
- | GOOD GRIEF OF KANSAS COUNSELING: \$1,888
- | HARVEY COUNTY HOMEMAKER: \$2,600
- | HARVEY COUNTY INFORMATION AND ASSISTANCE: \$18,000
- | HARVEY COUNTY PERSONAL CARE: \$5,400
- | KANSAS LEGAL SERVICES, INC. KANSAS SUPPORT SERVICES: \$20,008
- | KANSAS LEGAL SERVICES, INC. SENIOR LAW PROJECT: \$25,000
- | SENIOR SERVICES INFORMATION AND ASSISTANCE: \$25,000 CONGREGATE MEAL PROGRAM
- | GOOD NEIGHBOR NUTRITION: \$523,485 (FEDERAL), \$4,655 (STATE)  
HOME-DELIVERED MEALS PROGRAMS
- | EL DORADO MEALS ON WHEELS: \$26,337 (FEDERAL)
- | GOOD NEIGHBOR NUTRITION HOME-DELIVERED: \$144,000 (FEDERAL), \$55,000 (STATE)
- | NEWTON MEALS ON WHEELS: \$26,493 (FEDERAL), \$3,669 (STATE)
- | SENIOR SERVICES MEALS ON WHEELS: \$99,256 (FEDERAL), \$15,497 (STATE)

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**DISEASE PREVENTION/HEALTH PROMOTION PROGRAMS**

- !     **ACTIVE AGING: \$11,749**
- !     **BUTLER COUNTY HEALTH PROMOTIONS: \$3,000**
- !     **BUTLER COUNTY HEALTH SCREENINGS: \$13,543**
- !     **BUTLER COUNTY PHYSICAL FITNESS: \$6,500**
- !     **VIA CHRISTI HEALTH PROMOTIONS: \$14,042**

**Ms. Dorsha Kirksey**, Director, Housing and Community Services, Department on Aging, greeted the Commissioners and said, "I'm here this morning to present 21 Fiscal Year 2000 revised notification of grant award for Title III Older Americans Act funds. These funds are for 11 supportive service programs, 4 home-delivered meals programs, 1 congregate meal program and 5 disease prevention and health promotion programs. The programs are provided in the tri-county area of Harvey, Butler and Sedgwick Counties and the Harvey and Butler County Commission have approved the grants and have authorized our Sedgwick County BoCC Chair to sign them.

"These programs are for services to older folks in the tri-county area and enable them to remain in their homes for as long as possible. So, I'd be glad to answer any questions at this time."

**Chairman Winters** said, "All right, thank you, Dorsha. Commissioners, are there questions?"

**MOTION**

Commissioner Sciortino moved to Approve the Grant Awards 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	Abstain
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye

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Chairman Thomas G. Winters                    Aye

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

### **J. INCREASED PAYMENT STANDARDS FOR SECTION 8 TENANT HOUSING ASSISTANCE PAYMENTS.**

**Mr. Brad Snapp**, Director of Housing Office, Division of Community Development, greeted the Commissioners and said, “This morning you have a request to increase payment standards for the Section 8 tenant rental assistance. Payment standards are one of the factors we use in determining the amount of housing assistance for our clients. This would allow public housing authorities to raise or lower their payment standards between a range of 90 to 110% of the fair market rent. Our current payment standard is 90% of the fair market rent and we’d like to raise the one and two bedroom units to 110% of fair market rent and our three, four and five bedroom units to 100% of fair market rent. This would put us in line with what the Wichita Housing Authority has for their payment standards.

“The reason for increase are we have the Section 8 voucher and certificate programs have actually gone away and a new program has started called the Housing Choice Voucher Program. It’s designed to give tenants more choice in their housing, to deconcentrate high-poverty areas. This is figured by the gross rent. If the gross rent is higher than the payment standard, then the tenant cannot pay more than 40% of their adjusted monthly income. And if it’s lower than the payment standard then they have to pay 30% of their adjusted monthly income. What we saw was a lot of seniors and single-parents were having to move, once we did the calculations for the new housing choice voucher program, because their total family contribution, which means their portion of the rent and utility allowance was more than 40% of their adjusted monthly income. And their income was adjusted by, you know, if you’re a senior you can get a senior disability and any medical expenses you may have out of pocket and if you’re below 62 years old and you have children in the home, then you get a deduction for the number of children you have in the home, plus any child care expenses you might have.

“So, those things added together put a burden on some of our people using the one and two bedroom units. That’s why we want to raise that. So, if you have any questions I’d be glad to answer those for you.”

**Chairman Winters** said, “Thank you, Brad. Commissioners, questions or comments on this item? Commissioner Hancock.”

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**Commissioner Hancock** said, “Brad, will this decrease the number of clients involved in Section 8?”

**Mr. Snapp** said, “No, it will still have the same amount. HUD (Housing and Urban Development) has agreed, Congress has agreed to fund all the increments that we have. We have 297 and they will agree to fund those. What may happen is we’ll have to go into reserves, but the certificate program allow tenants to pay only 30% of the rent, and then the Housing Authority paid the rest. So, as those go away and we switch to this new program, it will be a bit of a wash but we’ll probably have some increased impact on our program.”

**Commissioner Hancock** said, “You have any idea what would cause the change in the calculation? Don’t you just love dealing with the federal government?”

**Mr. Snapp** said, “Yeah, I do. Well, it’s just the new standard. They just don’t want people to become rent-burdened and I think, in the past, people might have done that but it’s not a case where we’re going to over-subsidize somebody, because if our payment standard is greater than the fair-market rent, the tenant will pay 30% of their adjusted monthly income. They’re going to pay their portion.”

**Commissioner Hancock** said, “Okay, thank you, Brad. Thank you, Mr. Chairman.”

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

**Commissioner Gwin** said, “Just real quickly, is there still a fairly lengthy waiting list for folks wanting these kinds of services?”

**Mr. Snapp** said, “We’ve culled our list down. We have 41 people on our list now. We’re going to increase our acceptance. We do a one day per month right now. Actually, about a half a day. We’re going to increase that to two half-days per month to increase that.”

**Commissioner Gwin** said, “Are you aware of what the City’s waiting list is?”

**Mr. Snapp** said, “I think they have . . . I don’t know the number but I think it’s a multi-year, I think it’s 3 or 4 years on their waiting list.”

**Commissioner Gwin** said, “Geeze, okay, thank you.”

**Chairman Winters** said, “All right, thank you, Brad. Commissioners, other questions or comments?”

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**MOTION**

Commissioner Gwin moved to Approve the increased payment standards.

Commissioner McGinn seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, “Thanks, Brad. Next item.”

**K. WAIVER OF POLICY TO HIRE A FORENSIC ADMINISTRATOR AT RANGE 26,  
STEP 8.**

**Mr. Buchanan** said, “Commissioners, Dr. Mary Dudley had . . . at least she was here and is no longer. So, I don’t know whether . . . she’s disappeared. She’s still working for us. We’ve gone through an extensive search. Interviewed candidates nationwide. Found a candidate in-house. We are asking you to approve a waiver of the step for this position. It’s to hire a Forensic Administrator at Range26, Step 8. There’s funds available to pay this this year and next.”

**Chairman Winters** said, “All right, thank you. Commissioners, are there questions or comments of the Manager?”

**MOTION**

Commissioner McGinn moved to Approve the policy waiver.

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Commissioner Gwin seconded the Motion.

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

### **VOTE**

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

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

### **L. WAIVER OF POLICY TO HIRE A FACILITY MANAGER AT RANGE 26, STEP 4.**

**Ms. Kathleen B. Sexton**, Director, Division of Information and Operations, greeted the Commissioners and said, "We too did a nationwide search for a Facility Manager and you may know this position as Building Superintendent. After Lloyd Gilbreath recently left, we were real lucky to find someone with a lot of construction management experience. In fact, brought some candidates in from out-of-state but found in our own backyard a candidate here who has good qualifications. Has run his own construction business for the past 17 years right here in the Wichita community. I'd like to request your approval to hire that person at Step 4 of Range 26 for this management position."

**Chairman Winters** said, "All right, Commissioners, you've heard that. Questions or comments?"

### **MOTION**

Commissioner Hancock moved to Approve the policy waiver.

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

**Chairman Winters** said, “Can you tell us who this individual is?”

**Ms. Sexton** said, “Yes, his name is Steve Claassen. He’s owned Claassen Construction for the last 17 years.”

**Chairman Winters** said, “All right, very good. Thank you. Next item.”

**M. PUBLIC WORKS.**

**1. RESOLUTION ESTABLISHING TRAFFIC CONTROL DEVICES AT  
INTERSECTIONS OF SECTION LINE ROADS WITHIN OR ABUTTING  
PAYNE TOWNSHIP, SEDGWICK COUNTY, KANSAS, AND PROVIDING  
FOR THE ENFORCEMENT THEREOF. DISTRICT #1.**

**Mr. Mark R. Borst, P.E.**, Bureau of Public Works, greeted the Commissioners and said, “The resolution before you will establish traffic control at section-line intersections in Payne Township. This is a modification to the 1995 resolution, in that Payne has asked that five intersections be changed from no control to stop signs and one intersection be changed from a yield control to a stop control. They’ve asked for these changes and I recommend that you adopt the resolution.”

**MOTION**

Commissioner Gwin moved to Adopt the Resolution.

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Commissioner Sciortino seconded the Motion.

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

### **VOTE**

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

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

### **2. AGREEMENT WITH PROFESSIONAL ENGINEERING CONSULTANTS, P.A. FOR DESIGN AND CONSTRUCTION STAKING SERVICES OF SALEM MEADOWS ADDITION; STREET, DRAINAGE AND SITE GRADING IMPROVEMENTS PROJECT. DISTRICT #2.**

**Mr. Paul E. Taylor, P.E.**, Director of Sewer Operations and Maintenance, greeted the Commissioners and said, "Item M-2 is an agreement with Professional Engineering Consultants, P.A. for design and construction staking services in the Salem Meadows Addition for street, drainage and site grading improvements. The agreement is for a cost not to exceed \$13,700. All costs will be assessed to the benefit district through special assessments. We recommend that you approve the agreement and authorize the Chairman to sign."

**Chairman Winters** said, "All right, thank you. Commissioners, what's the will of the Board?"

### **MOTION**

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

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

**3. AGREEMENT WITH BAUGHMAN COMPANY, P.A. FOR DESIGN AND CONSTRUCTION STAKING SERVICES FOR SUNNYDALE FARMS ADDITION; STREET IMPROVEMENTS PROJECT. DISTRICT #4.**

**Mr. Taylor** said, "Item M-3 is an agreement with Baughman Company, P.A. for design and construction staking services in the Sunnydale Farms Addition for street improvements. The agreement is for a lump sum fee of \$7,750. All costs will be assessed to the benefit district through special assessments. We recommend you approve the agreement and authorize the Chairman to sign."

**MOTION**

Commissioner Hancock moved to Approve the Agreement 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
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Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "On the next item, Item M-4, we just completed that Item a few moments ago, so that item has already been handled. Madam Clerk, call Item N."

**N. REPORT OF THE BOARD OF BIDS AND CONTRACTS' AUGUST 17, 2000  
REGULAR MEETING.**

**Mr. Daryl Gardner**, Interim Director, Purchasing Department, greeted the Commissioners and said, "You have before you the items for consideration this morning. There are five items, I believe, for your action this morning.

**(1) PUBLIC WORKS TRUCK GARAGE ADDITION & EQUIPMENT STORAGE  
SHED- FACILITY PROJECT SERVICES & PUBLIC WORKS  
FUNDING: FACILITY PROJECT SERVICES**

"The first item is a Public Works truck garage addition, equipment storage shed. It was moved to accept the low bid of Williams Construction in the amount of \$191,000 without alternate. However, this vendor has requested to have his bid withdrawn due to an error in calculation of the bid. I would ask that your action be to refer this item back to Bid Board for reconsideration.

**(2) DISPOSABLE SHEETS AND PILLOW CASES- EMERGENCY MEDICAL  
SERVICES  
FUNDING: EMERGENCY MEDICAL SERVICES**

"The second item is disposable sheets and pillow cases for Emergency Medical Services. It was moved to accept the low bid of Matrix Medical in the amount of \$25,781.50.

**(3) MAINFRAME CPU HARDWARE MAINTENANCE- DIVISION OF  
INFORMATION AND OPERATIONS  
FUNDING: DIVISION OF INFORMATION AND OPERATIONS**

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“Item three is mainframe CPU hardware maintenance. It was moved to accept the sole source proposal of Mainline Information Systems in the amount of \$35,726.

**(4) ANTENNA SITE LEASE- EMERGENCY COMMUNICATIONS  
FUNDING: EMERGENCY TELEPHONE SERVICES**

“Number four is an antenna site lease for Emergency Communications. It was moved to accept the sole proposal of Pinnacle Towers in the amount of \$54,600.

**(5) PROJECTOR AND SOFTWARE- DIVISION OF INFORMATION AND OPERATIONS  
FUNDING: DIVISION OF INFORMATION AND OPERATIONS**

“Item five is projector and software for Information and Operations. It was moved to accept only bid received of Media Consultants Systems Integrators, in the amount of \$25,654.67.

### **ITEMS NOT REQUIRING BOCC APPROVAL**

**(6) GRADING, SUBGRADE STABILIZATION, BITUMINOUS SURFACING- PUBLIC WORKS  
FUNDING: PUBLIC WORKS**

**(7) WALK-IN FREEZER AND COMPRESSOR- FACILITY PROJECT SERVICES & JUDGE RIDDEL BOYS RANCH  
FUNDING: FACILITY PROJECT SERVICES**

**(8) EMERGENCY MEDICAL SERVICES 12-LEAD SYSTEM- EMERGENCY MEDICAL SERVICES  
FUNDING: EMERGENCY MEDICAL SERVICES**

“There were three other items on the Board that were all tabled. Those items were grading and subgrade stabilization for a road project, a walk-in freezer compressor for the Boys Ranch and the Emergency Medical Services 12-lead system.

“If you have any questions, I’ll be happy to answer them. Otherwise, I would like for you to accept the report of Bids and Contracts with the exception of Item 1, to refer it back to Bid Board for reconsideration.”

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**Chairman Winters** said, "All right, thank you. Commissioners, do you have questions or comments?"

### **MOTION**

Commissioner Sciortino moved to Approve the recommendations of the Board of Bids and Contracts with the exception of Item 1 which will be sent back for reconsideration.

Commissioner McGinn seconded the Motion.

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

### **VOTE**

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

**Chairman Winters** said, "Now, Daryl, do we need to take Off Agenda Item?"

**Mr. Gardner** said, "Yes, please."

### **MOTION**

Chairman Winters moved to take an Off Agenda item Minutes of the Board of Bids and Contracts Meeting of August 10th, 2000 Item 3: radio frequency radiation hazard assessment.

Commissioner Gwin seconded the Motion.

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

### **VOTE**

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

### **OFF AGENDA ITEM**

**Mr. Gardner** said, “Commissioners, this item was for radio frequency radiation assessment. It was to accept the only proposal received from Radio Frequency Safety International Corporation in the amount of \$15,000. This was to access the radiation on our antennae towers. If you have any questions, I’d like you to accept the only proposal.”

**Chairman Winters** said, “All right, Commissioner Sciortino.”

**Commissioner Sciortino** said, “I had a visit with Daryl, and I’m resigned to the fact that this is another federal law that we have to comply with and there’s no way we can get around it.”

**Chairman Winters** said, “You were the problem last week.”

**Commissioner McGinn** said, “No, it was Hancock.”

**Commissioner Sciortino** said, “I think it was Bill. It was not a problem. It was an opportunity to excel. We wanted a clarification on it and Daryl gave us a clarification and I, for one, have no objections to accepting this recommendation.”

**Commissioner Hancock** said, “There just doesn’t seem to be any better answer.”

**Chairman Winters** said, “All right, so what’s the will of the Board?”

### **MOTION**

## **Regular Meeting, August 23, 2000**

Commissioner Sciortino moved to Accept the recommendation of the Board of Bids and Contracts on this Item.

Commissioner Hancock seconded the Motion.

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

### **VOTE**

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

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

### **CONSENT AGENDA**

#### **O. CONSENT AGENDA.**

##### **1. Right-of-Way Agreements.**

- a. One Temporary Construction Easement and one Permanent Easement for Drainage for Sedgwick County Project No. 807-K, L, N 1/2 M; Maize Road between 21st Street North and 45th Street North; CIP #R-246. Districts #3 and #4.
- b. One Temporary Construction Easement for Sedgwick County Project No. 811-B-2423; Bridge on Ridge Road between 109th and 117th Streets North; CIP #B-389. District #4.

**Regular Meeting, August 23, 2000**

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

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V2055	\$375.00	5	La Tara Gwess
V2063	\$211.00		Darrell and Jeannine Lydick
V2060	\$248.00	3	Brentwood Apartments

**3. The following Section 8 Housing Contract is 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>
V96035	\$264.00	\$219.00

**4. Plat.**

Approved by Public Works. The County Treasurer has certified that taxes for the year 1999 and prior years are paid for the following plat:

Westbrook Manor Addition

- 5. Order dated August 16, 2000 to correct tax roll for change of assessment.**
- 6. General Bills Check Register of August 18, 2000.**
- 7. Payroll Check Registers of August 14, August 15 and August 18, 2000.**
- 8. Budget Adjustment Requests.**

## **Regular Meeting, August 23, 2000**

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, "Commissioners, you have the Consent Agenda before you and I would recommend that you approve it."

### **MOTION**

Commissioner McGinn moved to Approve the Consent Agenda as presented.

Commissioner Gwin seconded the Motion.

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

### **VOTE**

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

**Chairman Winters** said, "Before I recess this Meeting, is there any other business that needs to come before the Regular Meeting?"

**The Board of Sedgwick County Commissioners recessed into Regular Sewer District Meeting at 12:10 p.m. and returned at 12:15 a.m.**

**Chairman Winters** said, "I'll call back to order the Regular Meeting of the Board of County Commissioners, August 23rd, 2000.

"Is there other business?"

### **P. OTHER**

### **MOTION**

## **Regular Meeting, August 23, 2000**

Commissioner McGinn moved that the Board of County Commissioners recess into Executive Session for 40 minutes to consider consultation with Legal Counsel on matters privileged in the Attorney Client relationship relating to pending claims and litigation, potential litigation and legal advice and that the Board of County Commissioners return from Executive Session no sooner than 12:55 p.m.

Commissioner Sciortino seconded the Motion.

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

### **VOTE**

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

**Chairman Winters** said, “We’re in recess for Executive Session.”

**The Board of Sedgwick County Commissioners recessed into Executive Session at 12:15 p.m. and returned at 1:56 p.m.**

**Chairman Winters** said, “I’ll call back to order the Regular Meeting of August 23, 2000. Let the record show there was no binding action taken while we were in Executive Session.

“Is there any other business to come before this Board? This meeting is adjourned.”

### **Q. ADJOURNMENT**

**Regular Meeting, August 23, 2000**

There being no other business to come before the Board, the Meeting was adjourned at 1:56 p.m.

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

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

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**CAROLYN McGINN**, Chair Pro Tem  
Fourth District

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**BETSY GWIN**, Commissioner  
First District

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**BILL HANCOCK**, Commissioner  
Second District

**Regular Meeting, August 23, 2000**

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**BEN SCIORTINO**, Commissioner  
Fifth District

ATTEST:

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**James Alford**, County Clerk

APPROVED:

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