

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

### **REGULAR MEETING**

**December 4, 2002**

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, December 4, 2002 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Ben Sciortino; with the following present: Chair Pro Tem Betsy Gwin; Commissioner Tim R. Norton; Commissioner Thomas G. Winters; Commissioner Carolyn McGinn; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Ms. Jan Kennedy, Treasurer; Mr. Richard Vogt, Chief Technical Officer; Mr. Don Brace, County Clerk; Mr. Mark Borst, Traffic Engineer, Bureau of Public Works; Mr. Jerry Day, Construction Maintenance, Bureau of Public Works; Ms. Kristi Zukovich, Communications Director; Ms. Susan Erlenwein, Director, Environmental Resources Department; Mr. David Spears, Director, Bureau of Public Works; Mr. Jerry Phipps, Purchasing Agent, Purchasing Department; and Ms. Lisa Davis, Deputy County Clerk.

### **GUESTS**

Mr. Bob Scott, Owner, Prairie Pines Christmas Tree Farm.  
Captain Minor, McConnell Air Force Base.  
Ms. Phyllis Jacobs, Member, Mental Health Advisory Board.  
Mr. Mike Kellam, KPTS.

### **INVOCATION**

The Invocation was led by Mr. David Cline of South City Baptist Church, Wichita.

### **FLAG SALUTE**

### **ROLL CALL**

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

### **CONSIDERATION OF MINUTES:** Regular Meeting, October 30, 2002

The Clerk reported that all Commissioners were present at the Regular Meeting of October 30, 2002.

**Chairman Sciortino** said, "Commissioners, I believe that you've had a chance to review the Minutes of the meeting of October 30, 2002. What's the will of the Board?"

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**MOTION**

Commissioner Gwin moved to approve the Minutes of the Regular Meeting of October 30, 2002.

Commissioner Norton seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

**Chairman Sciortino** said, "Thank you. I believe that we're going to go ahead and defer Items A because I don't think Mr. Scott is here yet probably because of the inclement weather, and also Item B. I think that they're not here yet either. Is that correct? Okay, so let's defer Items A and B, give them a chance to get through on the inclement weather and perhaps maybe we should take one of these Off Agenda items."

**Commissioner Gwin** said, "I think, since the appointee is here."

**MOTION**

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Commissioner Gwin moved to consider an Off Agenda item.

Commissioner Norton seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

**Chairman Sciortino** said, “Who wants to . . . Rich, are you going to want to talk to us about this item for Ms. Jacobs?”

**OFF AGENDA ITEM**

**RESOLUTION APPOINTING PHYLLIS M. JACOBS, R.N., M.S.N. (COMMISSIONER NORTH’S APPOINTMENT) TO THE SEDGWICK COUNTY MENTAL HEALTH ADVISORY BOARD.**

**Mr. Richard Euson**, County Counselor, greeted the Commissioners and said, “Yes, Commissioners. The Manager is helping me out with some paperwork that I apparently left behind and I apologize.

We have prepared a resolution that would appoint Phyllis Jacobs to the Sedgwick County Mental Health Advisory Board and would ask that you approve the resolution.”

**MOTION**

Commissioner Norton moved to adopt the resolution.

Commissioner Gwin seconded the Motion.

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

**VOTE**

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Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

**Chairman Sciortino** said, “Thank you. And Ms. Jacobs, if you’ll come up to the podium, Mr. Brace will swear you in.”

**Mr. Don Brace**, County Clerk, said, “Raise your right hand please.

*I do solemnly swear or affirm that I will support the Constitution of the United States, the Constitution of the State of Kansas and faithfully discharge the duties of the office of Sedgwick County Mental Health Advisory Board, so help me God.”*

**Ms. Phyllis M. Jacobs**, Member, Sedgwick County Mental Health Advisory Board, said, “I do.”

**Mr. Brace** said, “Congratulations.”

**Chairman Sciortino** said, “Ms. Jacobs, feel free to say a few words if you’d like.”

**Ms. Jacobs** said, “I am looking forward to serving on the Mental Health Advisory Board. I have been working in psychiatric mental health nursing for about the last 30 years, both in the service area and in teaching of mental health nursing and I am looking forward to serving.”

**Chairman Sciortino** said, “You started working in this field when you were eight.”

**Ms. Jacobs** said, “Thank you very much. Right out of college I started working in the field.”

**Chairman Sciortino** said, “That’s great. If you’ll wait just a second, I think Commissioner Norton has a comment.”

**Commissioner Norton** said, “Well, obviously Phyllis has tremendous credentials that she brings to the County and to the Mental Health Board, but I’ve got to tell you she’s got dedication, because she showed up here to take her oath of office on a pretty lousy day. So you started off on a really good foot and we appreciate you serving.”

**Ms. Jacobs** said, “Thank you. I’m looking forward to it.”

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**Chairman Sciortino** said, "Thank you very, very much and good luck in the new venture and we'll be looking forward to some of the advise that you'll be giving us. Thank you. Next item please."

**DEFERRED ITEM**

**C. ADDENDUM TO LEASE WITH IPC RETAIL PROPERTIES, LLC PROVIDING FOR EXPANSION OF THE BRITTANY TAG OFFICE.**

**Ms. Jan Kennedy**, Treasurer, greeted the Commissioners and said, "I'd like to withdraw the item please to have more time to come up with additional solutions."

**MOTION**

Commissioner McGinn moved to withdraw Item C.

Commissioner Gwin seconded the Motion.

**Chairman Sciortino** said, "Any discussion? Commissioner Winters."

**Commissioner Winters** said, "Yes, Commissioners. I did just want to acknowledge that I have visited with the Treasurer about this issue and I support her need for space and I don't think there's any of us that don't understand the space constraints but I've visited with the Treasurer, told her I'd be glad to help get involved in this and see if there's some plan that we could come up that hopefully would be a little better. Not saying that this is a bad plan, but I would like to be involved with the Treasurer and be glad to do that. So, for your information, I'm going to support this motion to defer."

**Chairman Sciortino** said, "We'll even let you take the lead and work with her and try to come up with a solution."

**Commissioner Winters** said, "No, no, no."

**Chairman Sciortino** said, "I thought that what I heard you say."

**Commissioner Winters** said, "I'm going to be helpful in the process."

**Chairman Sciortino** said, "Yeah, okay. The only question I had, Jan, that thing was kind of tied together, where you were having to renew the lease in the existing facility plus expanded. Is that correct? I don't know who I should be asking that question to."

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**Ms. Kennedy** said, “No, sir we have a lease at Brittany that’s on the existing space.”

**Chairman Sciortino** said, “Okay, and that isn’t up for renewal right now.”

**Ms. Kennedy** said, “We were going to tie it to the new space to extend it.”

**Chairman Sciortino** said, “I understand.”

**Ms. Kennedy** said, “But no, it doesn’t expire for another year.”

**Chairman Sciortino** said, “Okay. So I mean, we don’t have to worry about if we’re going to defer this for a while, that you’ll be out of a lease in your existing space.”

**Ms. Kennedy** said, “We’re not going to be homeless there, no sir.”

**Chairman Sciortino** said, “Okay, good. So, we have a Motion to withdraw and a Second. So, Clerk call the roll.”

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

**Chairman Sciortino** said, “Thank you very much, Jan. I think Mr. Scott is here. So we’re going to now go back to Item A please. And I’m going to slowly try to make my way down to the podium.”

**AWARDS**

**A. PRESENTATION OF AWARD TO BOB SCOTT, PRAIRIE PINES CHRISTMAS**

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### TREE FARM.

**Chairman Sciortino** said, "I think it's very fitting today that it's wintry weather but it's Christmas time and I think this is a beautiful day to recognize this very special person. For 11 years now Bob Scott of Prairie Pines Christmas Tree Farm has been very good to Sedgwick County and he has donated a holiday tree each year for our courthouse. And you see what we have down there this year. Every year it seems to be getting better and better.

What was it, last year or the year before, we rode all the Clydesdale horses or whatever and that was neat. But I recall my first year as commissioner, Commissioner McGinn and I helped to raise the tree. This year, I was there in spirit because I can't raise anything. This was, I think, Commissioner McGinn actually was twisting my arm to get me to agree to do something and she got a little more aggressive than she should have but it's not in very good working order but it's not something that I could have done this year.

But Bob, your generosity has helped us to make our lobby a very festive occasion for the holiday season for these many years and each year you bring us something different and more beautiful than the tree that we had before. So, on behalf of the Board of Sedgwick County Commissioners, I'd like to present you with this Sedgwick County medallion. Very few of these have been issued over the years and they're done as our token of appreciation for your continuing tradition for the past 11 years. And of course, now that we've given you this beautiful present, we hope that you'll continue for many more years. If you'd like to say something."

**Mr. Bob Scott**, Owner, Prairie Pines Christmas Tree Farm, said, "I'd be delighted to. I am indeed impressed and this is very nice. I appreciate it very much because we all do things not to be recognized but to make a better community and I have to be very careful how I say this, knowing my present environment, but you know there's a lady who said, 'it takes a village' and it does take a village and we're a great village and thank you all for making it work and for accepting it and of course we'll keep on going with the tree. Thank you. Twenty foot next year."

**Chairman Sciortino** said, "If there's any comments or something, as I'm making myself back."

**Commissioner Gwin** said, "You have Item B is here too, if you'd like to just stay down there or is that part of your deal, or is David doing that?"

**Chairman Sciortino** said, "I think David is going to present it. I'll just sit in the back."

**Commissioner Gwin** said, "Stay down there."

**Chairman Sciortino** said, "Moving isn't my best suit. All right, so why don't we call, Clerk call

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the next item please.”

**B. PRESENTATION OF AWARD BY THE “22D” SECURITY FORCES SQUADRON AND TEAM MCCONNELL FOR OUTSTANDING SUPPORT OF HOMELAND DEFENSE OPERATIONS.**

**Mr. David Spears**, Director/County Engineer, Public Works, greeted the Commissioners and said, “I’ll just give you a little background here. In the aftermath of 9/11, McConnell asked us to help them with some security items that they had. And mainly that concerned our people, as far as closing down Rock Road for them. And I want to specifically thank Jerry Day, who is here this morning from our staff, and Mark Borst. Jerry is the head of our sign crew and Mark is our Traffic Engineer. And let me tell you that when McConnell calls us, we don’t know what day it’s going to be or what time and I know the guys had to work on weekends sometimes and whatever. We had to . . . and it’s not a simple thing doing traffic control on Rock Road and diverting traffic over to Webb. And so I want to thank the guys for that. They deserve all the credit and here this morning from McConnell is Captain Minor and I’ll turn it over to him.”

**Captain Minor**, McConnell Air Force Base, greeted the Commissioners and said, “Thank you very much. Ladies and gentlemen, I’d just like to take this time to publicly recognize the hard work that Sedgwick County Public Works has demonstrated, the cooperation that they’ve joined with us and our Homeland Defense efforts. After the atrocities of 9/11, Mark and Jerry stepped to the forefront. I wish I could put them in uniform, because they were there, every time I needed them they were there and they made something that seemed very difficult happen very smoothly. Their cooperation was outstanding.

For that, I would like to recognize them with a certificate of appreciation. From the men and women of the 22<sup>nd</sup> Security Forces Squadron and the men and women in leadership from McConnell Air Force Base, I would like to present this to you, certificate of appreciation to Traffic Operation and Maintenance crew. Thank you very much.”

**Mr. Jerry Day**, Sign Crew Chief, Bureau of Public Works, greeted the Commissioners and said, “It’s been a real honor to work with McConnell Air Force Base after 9/11 and it has been a lot of work and I think we stepped up and met the challenge good.

As you folks all know, sitting up there, Commissioner Sciortino, you guys are only as good as the people below you and good hard work goes into everything and we try our best and just proud to be here.”

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**Mr. Mark Borst**, Traffic Engineer, Bureau of Public Works, greeted the Commissioners and said, “Jerry took most of my words so I won’t repeat them. And I had to write mine down, and Chairman Sciortino as well. I just want to list the other members of the crew, so that you all know who they were and this is in alphabetical order: Bob Baufman, Lonny Beck, Sharon Crully, Jerry Day, Mark Espinoza, Wess Hill, Dick Robbins and Mike Peters. They did everything asked of them, good weather, bad weather, regular hours, overtime hours, did a fantastic job and made us all look very good.”

**Chairman Sciortino** said, “Those of you that know me, you know what my initials are so I’m not afraid to talk. We’ve had a very good relationship with McConnell Air Force Base over the years. They have proven to be a very good neighbor and friend. And this balancing of security, plus trying to maintain an open arterial was something that we just . . . it was just like ham and eggs. When we have our meetings with the officials there, they understood our concerns and our citizens concerns. They worked with us and we worked with them and we’re even still continuing to look at more long-term permanent solutions so that McConnell Air Force Base can always have the security they need, which will in turn perhaps ensure the fact that they will be there with viable missions into the future. So I want to thank also, there’s going to be an event in January that Michelle is working on right now, the production is in place on that and we hope to have an announcement in January about the new base commander and a project that she’s working on very diligently. And at any rate, thank you very much for being the citizen and the neighbor that you’ve always been. So, thank you very much.”

**Commissioner Gwin** said, “Thank you. And I agree, Mr. Chairman. McConnell is an important part of this community and we appreciate their presence. But on a daily basis, I guess, we don’t think Mark and Jerry and their crews but we know you guys are out there hustling every day, responding to the needs of the people of this county. When the weather really turns bad, we know that Public Works folks are out there making it better for us. So thank you guys for everything you do every day of the year for the people of Sedgwick County and Captain from McConnell and Team McConnell, thank them for being here with us too.”

**Mr. Day** said, “I’d just like to thank you again and I’d also like to thank my crew, because they put their backbone into it and made it possible.”

**Commissioner Gwin** said, “You bet. Thank you guys. Congratulations.”

**Chairman Sciortino** said, “Next item please.”

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**NEW BUSINESS**

**D. TREASURER’S OFFICE.**

**1. RESOLUTION AUTHORIZING CERTAIN PERSONAL PROPERTY TAX JUDGMENTS TO BECOME DORMANT.**

**Ms. Kennedy** said, “Before you, Commissioners, I have the personal property tax resolution to outlaw those that by statute are over 20 years old and can no longer be collected, this formalized the process under the statutes. This year the amount is significantly lower than it has been the last few years, because this represents the year that automobiles went off of the personal property tax role and on to the VIPS system. So this year, even though it’s half a million dollars, it considerably less than it has been because it doesn’t include any old property tax statements that were issued for automobiles. I would request that you adopt the resolution. Are there any questions?”

**MOTION**

Commissioner Gwin moved to adopt the Resolution.

Commissioner Norton seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

**Chairman Sciortino** said, “Thank you, Jan. Next item.”

**2. PRESENTATION OF THE 2003 TAX DISTRIBUTION CALENDAR.**

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**Ms. Kennedy** said, “We try every year to notify not only Sedgwick County, but all of the taxing authorities within the boundaries of our county, as to what the distribution dates will be in the upcoming calendar year for the various types of taxes that I distribute. This gives them an opportunity to plan their budget, knowing when their cash is going to come in. We believe they utilize this information. I certainly hope they do. I know our budget and finance department does and certainly it helps them in making plans for their cash flow needs. So what you have is just for your information and to receive and file but shows when the distributions will be made on the various types of taxes. Are there any questions?”

**Chairman Sciortino** said, “And this is something that you would just send out to all of the entities so that they would all have a copy?”

**Ms. Kennedy** said, “Yes, sir. That’s my practice.”

**MOTION**

Commissioner McGinn moved to receive and file.

Commissioner Gwin seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

**Chairman Sciortino** said, “Next item please. Thank you, Jan.”

**E. AGREEMENT WITH KANSAS PUBLIC TELECOMMUNICATIONS SERVICE, INC. TO PROVIDE LIVE COVERAGE OF WEDNESDAY BOARD OF COUNTY**

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### COMMISSIONERS MEETINGS.

**Ms. Kristi Zukovich**, Communications Director, greeted the Commissioners and said, "Each year, it's my pleasure to bring this item before you. This is our annual agreement with KPTS and we work as partners to share the work of local county government with the citizens of our community. Providing live coverage gives us an open arena for citizens to see the decisions that you make and the work that the county employees do every day and we get to have folks see that as it occurs, so it's not something they have to read in the paper the next day or see on the evening news. If they tune in at 9:00 on Wednesdays they can actually see decisions as they are being made.

We get many, many benefits from this coverage. One is citizens get to learn about the wide range of our services that we provide. We often showcase the many great things that our employees do and they get to see how employees, their neighbors, their friends, their family members actually directly impact their lives. And I've said this before but we're reaching children in our community because we get to help teach them a government lesson at 9:00 on Wednesdays when they might be expecting to watch Barney or other children's programming. So, it's civics, early civics.

Commissioners, we have done this for many, many years. I have Mike Kellam, who is the production director for KPTS. We had Dale Goter with us for many years and he's moved on to do other things there at KPTS but Mike is our production director and I asked him, I said, 'Well, have you been able to figure out from the folks over there actually how long the county has been live on Channel 8' and he said, 'It's been so many years', he said there was somebody that said, 'Has it been 25 years?' So we're not really quite such how long it's been but it's been a great opportunity, I think, for Sedgwick County and for the citizens to see the work of county government. And I would ask that you approve this agreement for 2003 and authorize the Chairman to sign. And I'm not sure if Mike has any comments he'd like to make as well."

**Mr. Mike Kellam**, Production Director, KPTS Channel 8, greeted the Commissioners and said, "It's kind of a different thing being on camera. We at KPTS, we're really happy to be continuing to work with the county on the Commission meeting. It's been our pleasure to do it. I think it's been about 25 years, but we're not really sure. I talked to the person that's been at the station the longest and he said, 'Oh, since the mid 70s' so we're very pleased to be working with the county, bringing this to the public."

**Chairman Sciortino** said, "All right. I think we do have some comments or questions before we take a vote on it. Commissioner McGinn."

**Commissioner McGinn** said, "Just some clarification. We're paying for 50 broadcasts, but if we know ahead of time that we need to cancel, we do not get charged for that. Is that correct?"

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**Mr. Kellam** said, "I don't believe so. Actually, I know sometimes the broadcast runs a little long or a little short and we actually . . . I think the county pays . . . it's a time increment and I believe . . . I don't know if it's a half an hour or an hour."

**Commissioner McGinn** said, "And it's prorated after a certain time, correct? Okay, the other question I have is for Kristi. I meant to pull my budget book this morning. I didn't get that done but it seems like there was some discussion about us purchasing some kind of equipment so that we could do more on-site, county on cameras or other kinds of things that we might want to feature the county. Is that going to happen and is that included in here at all?"

**Ms. Zukovich** said, "Last week, we had an item on Bid Board for cameras and tripods and equipment and it's for us to have digital equipment and we are working actually with Channel 8 so we can be able to use that equipment here to broadcast the . . . Channel 8 will continue to be live on Channel 8 but it will also provide us a digital information that we can then use on our website and then once we also have those cameras, we can use them for interviews, we can use them for training sessions, we can use them to let people know about what's going on about specific services and activities. So that process has been started and we hope to have the rest of the equipment come in during the first quarter of next year and it will give us opportunity to continue the live broadcasts, continue the partnership with Channel 8. We'll use cameras here. It will still be on Channel 8, like everyone sees it, but then we'll also have the opportunity to use that same video on our website."

**Commissioner McGinn** said, "Will we be running that video for the entire meeting, that digital camera?"

**Ms. Zukovich** said, "Right."

**Commissioner McGinn** said, "Okay. And then will we put the entire thing on the website or just pieces of it?"

**Ms. Zukovich** said, "Well, we're working with . . . It's another partnership with DIO and Kathy Sexton's folks over at DIO and what we're hoping to do, our vision is to take the agenda, much as it's identified into the segments of Item A, Item B and to be able to have those segments on our website, so if folks were interested in one particular segment, rather than watching the entire commission meeting, they could click on that specific segment."

**Commissioner McGinn** said, "That would be great. And you think that it's possible that we could have that up and running sometime next year?"

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**Ms. Zukovich** said, "We are very hopeful that that's going to be in place, probably the second quarter. We've got to get all the equipment and things in."

**Commissioner McGinn** said, "And then if we want to run a 9-1-1 feature or something, we could go right down there, use whatever is in that camera and broadcast, like if we have a short meeting or something."

**Ms. Zukovich** said, "Exactly."

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

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

**Commissioner Winters** said, "Thank you. Well, Mike I just wanted to share with you and have you share with the other folks at KPTS how much I appreciate the partnership that we've had. I mean, I'm sure there's not many folks that think this is must see TV, but it is always surprising to me, throughout the course of a week, how many people will say or mention that we saw part of your broadcast or your rebroadcast. So I think it is important that . . . I mean, I don't think people are necessarily looking for the commission meeting, but somehow they stumble onto it and I think . . ."

**Commissioner McGinn** said, "It catches their attention."

**Commissioner Winters** said, "It catches their attention for a bit. So I think it is good and I think you all do a good job with the process of putting that out there. Plus I think you're still the best source of information for local and statewide discussion, public discussion on issues that are out there in the arena. So I think your station is doing a great service for Sedgwick County and I'm looking forward to another year and maybe 25 more. So, if you would relay that thanks to the rest of the station folks, I'd appreciate it."

**Mr. Kellam** said, "I sure will."

**Chairman Sciortino** said, "Thank you. Commissioner Norton."

**Commissioner Norton** said, "I have the greatest admiration for KPTS and I would be remiss for Don Gekots if I didn't say they're in a pledge drive right now and non-profit money is tough for everybody. So, if you like what you see on KPTS. We might be the downside."

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I have just an antidote. My daughter, Laura, has her three granddaughters watch us for at least the first five minutes. She's teaching them the pledge of allegiance, so she gets to do it with grandpa every Wednesday and the oldest granddaughter, Kirsten, is about learned it now, so we're moving on to the other two. So we do, you're right, we do access the younger kids. Now, their attention span only gets them through the pledge of allegiance, and then they zone out pretty quickly."

**Chairman Sciortino** said, "Then they start looking for Barney. Is that it?"

**Commissioner Norton** said, "You do great work. Yes, thanks."

**Chairman Sciortino** said, "Well, speaking of pledge drives, if anybody is out and they think Sedgwick County is doing a good job, and we're having some problems and if you want to send us some extra money to offset some of the cuts, then we'd accept that as a pledge. Seriously, thank you very much for the hard work that you've done, plus the dedicated cameramen that are here every time, they're on time, they run the cameras very professionally. You've got a good crew. So, all right, thank you ever so much. What's the will of the Board on this item please?"

**MOTION**

Commissioner Winters 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
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

**Chairman Sciortino** said, "Thank you again. Next item please."

**F. PRESENTATION OF UPDATE ON THE SEDGWICK COUNTY SOLID WASTE COMMITTEE.**

**POWERPOINT PRESENTATION**

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**Ms. Susan Erlenwein**, Director, Environmental Resources Department, greeted the Commissioners and said, "I'm really pleased to be here this morning, after the snowy roads and being stuck by a train for 15 minutes. So I'm here today to give you an update on the Solid Waste Committee. As you know, the committee is appointed by the County Commission and they're an advisory group to the commission. Just over a year ago, the commission directed the committee to revisit our Solid Waste Plan, which was adopted in March of '97 and to look at the major components of the plan, such as waste minimization, collection and disposal options and the committee has been meeting monthly since this time and discussing those issues. They are to make recommendations on the different components of the plan back to the Commissioners, either affirm what's in the plan already or to make changes, whether those be major changes or minor changes to what's currently in the plan.

Since the plan was adopted in March of '97, we have 11 members who were on the committee at that point who are still on the committee now. So we've had turn-over since then. In fact, we've had 27 different people come and go on the committee during that five-year period. Because of this, we felt a need to review what's in the plan and the components to bring everyone up to speed so we're starting at the same level place for all of the committee members. And since it has been five years, we felt it necessary to review national trends that are out there, what's changed in trash collection or waste minimization or disposal options so all the committee members are having the same information.

And the committee members have asked for a lot of additional research on what other communities are doing in the nation and in the state, so we've had to do a lot of research for the committee so they would know exactly what's out there, what options are available.

In addition to this, the committee has had to do business as usual. The purpose of the committee is to meet and discuss certain items related to solid waste, such as grant proposals. The Kansas Department of Health and Environment requires any grant that goes to them to first go through the local solid waste committee and the committee must decide if it's consistent with the solid waste plan. So we've had seven grant proposals this last year and we've also had four permanent applications for KDHE and those have gone through the committee and then those are forwarded to the commission for your approval.

We've taken one field trip with the committee. This was in addition to the normal monthly meetings, this was an additional meeting and the committee members went to the transfer station and the closed landfill and they looked at the compost facility and the household hazardous waste facility and a recycling facility. So they wanted to see what was in operation in our community. And for the newer members, we had a half-day workshop to try to get everyone up to speed and

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unfortunately even after all of this, we had new committee members come on and have to spend additional time with them. So you can see the committee has been quite busy over the past year reviewing what's out there and also doing business as usual.

One of the things the committee has done already is made some recommendations on certain components of the plan. Construction and demolition materials are currently banned from the transfer station. The committee looked at this and felt that this ban should continue no matter what the disposal option is in the future. If it's landfill, incinerator or transfer station, they feel it is important to ban this material because it can go to construction/ demolition landfill and recycling facilities and some of the facilities recycle up to 70% of the materials.

They also looked at the ban that we have that's supposed to take place January 2003, that's what's currently in the plan, on grass clippings and fallen leaves and the committee members felt it was important to continue this ban.

The committee looked at the current plan for curbside recycling to start in July 2003 where the residences would have mandatory pay, it would be part of their bill, but voluntary participation. They felt recycling was important and convenience, recycling was important, so they voted to continue that part of the plan. And again, all of these are looked at no matter what the disposal option is, they felt these were important components prior to disposal.

And along with the recycling, they felt a volume based trash rate or also known as pay as you throw is important to where people would have a choice of the size of trash container and the smaller the container, the less they would pay for the trash disposal. And that was to be implemented along with curbside recycling in July 2003 per our current plan and they again reinforced that, as well as the waste minimization goal in our current plan of 40%. So they were looking at overall minimizing as much waste as possible, prior to final disposal, no matter what that disposal option might be.

And collection is something they also looked at. We currently have a free market system of collecting the trash, the resident or private business calls for the trash hauler, they pick the hauler of their choice to collect the material. They said to keep this status quo, to have free market collection, but to encourage other cities within our community to look at franchising and discuss that as a way of reducing the solid waste collection cost. Since collection is the majority of the cost of any trash bill, that's why they recommended that."

**Chairman Sciortino** said, "Susan, how do they have both? How do they maintain status quo and the free market system, but also encourage franchising? That's like oil and water."

**Ms. Erlenwein** said, "Right. There was a lot of discussion at the committee meeting on that. This was actually on the second proposal. The first proposal was to just keep status quo and free market.

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Then a lot of the committee members were concerned about the cost of collection and they added on to that ‘Well, we keep it but encourage cities to look at franchising under home rule within a city and see if the city itself would want to franchise collection’.

And in the past months we’ve hired a consulting company, HDR Engineering, who has built and designed incinerators, transfer stations and landfills across the nation so they’re well versed in all of the disposal options and they have come to the committee meetings and given the members information on different disposal options. They’ve reviewed federal, state and local regulations on the different disposal options. The design criteria for the different types of facilities, and the operation criteria for these facilities. The committee has, through this whole process, requested additional research of staff and the consultant to come back with more information on areas of concern. So the committee has been looking at all of these and they’re in the process of discussing the different disposal options. At our last meeting, which was this past Monday, they voted to increase the meeting times to three hours starting at the January meeting and we hope to have a final decision for the commission on disposal options the beginning of next year.

So the committee has been working long and hard on this. We have a lot of good volunteers on the committee and they hopefully will have a decision for you early next year. Thank you very much. I’d be happy to answer any questions for you.”

**Chairman Sciortino** said, “Susan, we have some. Could you get a little closer in defining early of next year? Could you give us a month?”

**Ms. Erlenwein** said, “I’m anticipating February meeting.”

**Chairman Sciortino** said, “Okay. February would be when you would be making a presentation to us with the final recommendations?”

**Ms. Erlenwein** said, “That’s correct. After the committee . . . They meet the first Monday of every month, so after their decision, it would be coming back to the commission.”

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

**Commissioner Gwin** said, “Thank you. Susan, with all the review and getting folks oriented and going back from . . . probably to step one, has there been any opportunity to look at new technologies or has this been just routine what we currently have?”

**Ms. Erlenwein** said, “At our meeting two months ago, the consultant reviewed incineration and

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new technology options. We discussed pyrolysis at that meeting and in fact, it was discussed at the meeting this past Monday as well from one of the committee members who was the chair of our new technology subcommittee. That's something we're still looking at. There are some units in place. There's one in Germany that burns mixed municipal solid waste. So, that sounds like a field trip to me."

**Commissioner Gwin** said, "Yeah, sure does. All right, thank you Susan. Thank you, Mr. Chairman."

**Chairman Sciortino** said, "Any other questions of Susan right now?"

**Commissioner McGinn** said, "I do on that note, just to follow up on. There are a certain number of individuals in this community that continue to throw around some tapes, either on incineration or pyrolysis or a combination of both. Could you explain to me a little bit? Is it all the same plan? Because you hear from individuals from all throughout the county, but I don't know if they're talking about the same . . ."

**Ms. Erlenwein** said, "I believe they are talking about pyrolysis, which is a high temperature, oxygen-free environment for burning the trash. Many of the pyrolysis units that are out there burn a low amount of trash per day, meaning maybe 20 tons per day where we produce 1,500 tons with C & D and without the C & D it's down to like 1,200 tons. They also tend to be single-source trash, meaning it's only burning plastics or only burning yard waste or only burning medical waste, instead of the combination of mixed solid waste and that's why the unit in Germany is of interest. So the plants, most of them are talking about this one up in Oregon that I've seen a tape on, the Conrad facility up there and that's what I keep seeing passed around."

**Commissioner McGinn** said, "Okay. And I guess when people call me about it, I depend on our Solid Waste Committee and Environmental Resources that it's not economically feasible etcetera. But their argument is that this would work here in Sedgwick County. And my question is if they have the opportunity to present and I think they have, have they?"

**Ms. Erlenwein** said, "The information has been presented to the committee on that, that's correct."

**Commissioner McGinn** said, "Are they not getting the information as to why it would not work, or are we not listening to why it would work? I don't know."

**Ms. Erlenwein** said, "I think there's a strong desire by people in the community to burn trash and they feel you get rid of it once and for all with incineration, not realizing there's an ash left over you

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still have to dispose of. In pyrolysis, the leftover material is usually a glass slag that can be used, that's why it's very intriguing to go that route. The problem is for a community with the volume of trash we have, we really don't have a good plant in progress to say yes it will work in our community. The technology and the price just isn't there yet for a community of our size. For a small amount, like 20 tons a day we've seen plants in operation, for 1,200 to 1,500 tons a day we have not. So we've been trying to get the message out that it's the volume of material and the type of material combination that we're looking at."

**Commissioner McGinn** said, "Okay. Well, that would be my hope is that we're explaining this and not just saying thank you for your presentation and then they go out the door and then they don't understand why we're not looking at it.

The other thing is we're not sure what this final . . . I mean, I have some ideas what this final disposal will look like here in our community, but is there a chance . . . I don't know if the state allows you to do this. Can you have some of these experimental types, final disposal options out there doing small volumes just to continually be looking at new technology?"

**Ms. Erlenwein** said, "Yes, you could have a pilot project in addition to a disposal option where you take some of the material and go through a pyrolysis. The Dallas/ Fort Worth Airport is building a small pyrolysis plant for the trash in that area. So you could have a small plant to handle some of the material to gear up to see how it will work."

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

**Chairman Sciortino** said, "But why would we want to do that? We already know those small volume projects work. What would we get by doing another one here?"

**Commissioner McGinn** said, "I'm talking about . . . yeah, today they work for small volume but as technology continues to progress, would it someday be feasible to do large volumes? I'm talking ten years down the road."

**Chairman Sciortino** said, "I understand that. But if you want to start a project, or a pilot project, you'd start with low volume. I assume you don't want a pilot project with 1,500 tons so what would that prove, if we funded that project, what would that prove that the other small . . . Somebody will have to bite the bullet and go with the big project to see if the big ones work. I mean, I don't know what additional information to balance the cost . . ."

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**Commissioner McGinn** said, "If those individuals are wanting to invest and do that kind of thing, my question was can you have both in a community. Is the state allowed to do that? That's what my question was."

**Chairman Sciortino** said, "I think you'd be allowed to do that. It would just depend on how we set up our permitting fees or whatever. I would think they would. Any other question? Commissioner Norton."

**Commissioner Norton** said, "Just several comments. I made it to the last solid waste meeting and I was struck with the gridlock that they're at right now. They had some motions that talked about disposal methods and trying to craft some kind of a recommendation. It came out to be a 12 to 12 vote and Nicki Soice had to break the tie and the particular motion fell away. They didn't recommend anything. And I guess my challenge would be that we need to maybe start showing up there, talking to our representatives and they need to move to a mandate one way or another. I think it's going to be acrimonious for them to send a recommendation to us that's a 13 to 12 vote or whatever. That we need to hear a strong feeling, one way or the other and I hope that the Solid Waste Committee will dig into their information and make that some kind of a resolution that can come before us that really speaks to what the community wants and gets off of this bantering back and forth and many agendas and everything and come up with a good solution. Twelve to twelve votes are not going to give us a mandate and my feeling is if they keep doing that then it's ultimately going to come to us and we're just going to say we're going to do what we think needs to be done because they're really not coming to conclusions, as far as I'm concerned. They're still arguing really fine points and then splitting the voting almost exactly."

The second thing is I think we need to have some dialogue on the lawn and leaf ban and on the recycling. The market for recycling is very poor and I think to move rapidly towards what our plan is could be disastrous for the community in these economic times and I continue to get quite a bit of feedback from citizens on the lawn and leaf ban. You know, I've had three or four letters, couple of e-mails and several people contacted me at neighborhood meetings going they think that's a bad deal, if we don't have some kind of solution for where the leaves and the grass clippings go. And I don't think we have that for them, I don't think we have options, so I think we need to have some dialogue about that. I don't know if today's the day, but sometime soon."

**Chairman Sciortino** said, "This dovetails into something I wanted to ask Mr. Euson. Right now, if I'm correct and Susan or Richard whoever, if we do nothing grass clippings and leaves or yard waste will be banned effective January 1<sup>st</sup>, 2003. If we do nothing, mandatory subscription, voluntary participation in the recycling will become mandatory effective July of 2003 and if we do nothing, that volume based trash container thing will become effective. So if we want to consider putting a moratorium on those or . . . I guess moratorium is a good word, doesn't that take some

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action on our part, Mr. Euson?”

**Mr. Euson** said, “Yes it does.”

**Chairman Sciortino** said, “Well, I don’t know how you all feel. I, personally, feel that we should be seriously considering a moratorium, but I don’t know if we want to . . . If you all have had enough time to think about this to discuss that and make a decision now from the Bench, or we put it maybe on as an agenda item next week to discuss it but I’m willing to listen to your thoughts on that, but I do think it needs to be discussed because if we don’t do anything, they will be in effect.”

**Commissioner Norton** said, “Well, certainly the lawn and leaf ban, from my perspective, is coming up at warp speed and you know, the truth is, we can debate it and talk about it and that’s the only thing that’s been on our mind for the two years that I’ve been on here. I think we know all the information. I’m willing to make a . . . at least on the lawn and leaf ban, make some kind of a quick resolution to it, even if it’s postpone it for three months or whatever.”

**Chairman Sciortino** said, “Well, if we do this, I would almost like to put a moratorium, an indefinite moratorium on it. The reason . . . There’s three things that are going on in our community right now. One, there’s a lot of flux. The City of Wichita is thinking about franchising. We’re trying to maybe perhaps resurrect and re-look at local landfill. The economy is really what’s motivating me more than anything about thinking about a moratorium. I have no doubt that the haulers will figure out a way to remove leaves and grass clippings. I believe at one time Mr. Spencer was saying something about ten dollars a month and they would haul it away and I’m sure Mr. Frankenberry would be willing to accept it. I understood 50 cents a bag or something, if you brought it up there. So there’s a way of disposing . . . There’s another fellow on some other county that’s willing to set up a whole new . . . So I’m sure that they would figure out a way to get rid of it, but it would be an additional cost to the homeowner.

The recycling thing that bothers me right now, we’ve had a whole sea change. The concept is great, but so many things are now being banned from recycling, because they can’t figure a market for it, to just all of the sudden charge people and they really won’t have that many items that they can recycle. There’s a lot of seniors out there, and Margaret Miller comes to mind, that recycle everything they possibly can, but because of costs, don’t feel they can afford to pay their hauler an extra four or five dollars a month, so they’re taking it to the drop-off bins. Well now, even though they’ve been avid recyclers, they would be charged for that and these economic times, I have a

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problem with that. But I'm willing to talk about it today or I'm willing to put it on an actual agenda item for next week where we can discuss it in depth, but I for one would be considering seriously putting a moratorium on these three items. Commissioner McGinn."

**Commissioner McGinn** said, "Thank you, Mr. Chairman. I guess it was my understanding that this was coming on the agenda for next week for discussion. And so . . ."

**Chairman Sciortino** said, "Is that true already?"

**Commissioner McGinn** said, "I'm fine with waiting to have that discussion, thorough discussion on that next week. As far as landfill recommendations, Commissioner Norton that you brought up, I guess I wasn't at the meeting so I'm not clearly understanding. I thought that the charge of the committee was to say if we are to have a local landfill, this is what we want it to look like. And I don't know why there would be split votes there and that kind of thing and maybe that's not what they're doing."

**Ms. Erlenwein** said, "That's what they're doing."

**Commissioner McGinn** said, "Okay, so we've got 12/ 12 on what we want the landfill to look like."

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

**Commissioner McGinn** said, "Okay, and then I guess I'm ready to take on the responsibility. Ultimately, it comes to us anyway. So I mean, yes it would be nice if the majority was going to go a direction that we liked, but I don't even know what it is that they're going to recommend to us and to me, I've always felt like it ultimately was going to come to our lap and we'd make that decision."

**Chairman Sciortino** said, "Ultimately, it will be dumped in our lap."

**Commissioner McGinn** said, "Yes, it will be dumped in our lap. The other thing on the leaf ban, I guess my biggest frustration has been I have probably the oldest parts of Sedgwick County in my district and you know, we've talked since I've been on the Bench, talked about educating people about mulching mowers and those kinds of things and composting and those are all very good, and I think that has increased. I hear people talk about their compost pile and that kind of thing. But I happen to have neighborhoods that have small yards and large trees and if you've looked at them, you can be knee to waist-high deep in some of those yards and it's just impossible mulch or to

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compost.”

**Chairman Sciortino** said, “And if you composted, you’d be waist-high in compost, because there isn’t enough room.”

**Commissioner McGinn** said, “Have a big field of dirt I guess, eventually. So my frustration is that I don’t see any solutions to help ease our community into that yet. Yes, we have wood recycle, but we haven’t really put it all together or helped people figure out how they’re going to get the leaves there without an expensive price to pay to do that. And so, I have a great deal of concerns about that and I’m not . . . We’ll have the discussion next week, but I don’t feel that I’m going to be fighting hard to do that, although I want to continue people to mulch and continue to encourage people to compost as well. But I will wait to have that discussion next week.”

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

**Commissioner Winters** said, “Thank you. Too, I think that next week would probably be a time frame, and so I guess then what we would do is discuss these issues that are coming up by the end of the year. And I certainly agree with a number of the things that were said here about economic times and the dynamics continue to change. I think I’m still somehow going to be trying to talk about minimization as an important part of our whole system. That’s been one of the foundations since the beginning is try to minimize the amount of municipal solid waste that needs to be in a landfill and we have had some successes. I mean, currently the C & D restriction is working. I mean, we have one C & D, new operation here that’s recycling over 80% of what’s being taken to this facility and there are a couple of others I think that are doing very well. So there have been some successes. I think we’ve had a success, although everybody is focused on the restrictions of glass not being able to be recycled now but we had a plus, because we’re going to be able to recycle magazines and inserts, catalogs and that kind of thing. That is a heavyweight volume that hopefully will set off.

The one that’s been a cruncher though is this leaf issue and I’ve said for several probably years, if I get a call from a constituent today talking about solid waste, the leaves will be the question that they’re uncertain about. So I’m open to that. I just think that there is solutions to a number of these issues and I think we need to remember that we have had some successes as we’ve gotten to this point. So, I’ll be ready to be here next week.”

**Chairman Sciortino** said, “Okay. Well, and I’m glad we’re going to be able to discuss it. On the

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12/ 12 thing, when the committee was charged with trying to figure out yes they would support the concept of a local landfill under these conditions, I'll just be truthful with you and up front. What I perceive, because there are some of us on the Board now that really want to re-look at realistically is it an appropriate thing to start talking about a local landfill again. And you can kill the concept with kindness. In other words, you can put so many restrictions on it that, for practical purposes, you couldn't site a landfill.

Let's say, for example, there's people that adamantly don't want a landfill in Furley, just use that as an example. You could put certain restrictions that would eliminate Furley from any consideration. And I do believe there's some of that going on in the committee and that's probably why you had the 12 to 12 tie."

**Ms. Erlenwein** said, "And Commissioner Norton is correct. That happened at this past meeting and that did die and that was specific, I think, to the eastern part of the county. The other votes have been more 18 to 6 or that particular vote was tied but other votes have been more lopsided to where it was very definite one way or the other."

**Chairman Sciortino** said, "Well, my hopes is that the committee would try to put what I would call as responsible restrictions, I mean reasonable restrictions to just make sure that, if we decide to site a local landfill, it would be environmentally safe, and not just put it so it would be so onerous and then maybe that would be embarrassing to this board if we'd have to override their recommendations. But that's just my thoughts on it. So, okay, is there any other . . . Yes, Commissioner McGinn."

**Commissioner McGinn** said, "I just have a quick question you sparked. So during this discussion that they had a 12/ 12 they were kind of talking site specific, where those kinds of things coming up?"

**Ms. Erlenwein** said, "It was more of a recommendation on geology of an area, that some of the wording of that motion was site specific and that's why I feel it died."

**Commissioner McGinn** said, "Because I have envisioned that we're going talk about, if we're going to have a landfill, what do we want it to look like and any place in this county is open game where that landfill can go."

**Ms. Erlenwein** said, "I agree and I think that's why this motion died. I was even asked my opinion at this last meeting and I said it was too specific of a motion."

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**Chairman Sciortino** said, "Because we were hoping the committee could get comfortable with the concept of a landfill and then we would make the decision what would maybe be the best location."

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

**Chairman Sciortino** said, "Okay, I don't think there's any other questions. So, do I have a Motion to receive and file?"

**MOTION**

Commissioner Norton moved to receive and file.

Commissioner Gwin seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

**Chairman Sciortino** said, "Thanks, Susan. Next item please."

**G. PUBLIC WORKS.**

- 1. CONTRACT WITH PARSONS BRINCKERHOFF QUADE AND DOUGLAS, INC. TO PROVIDE ENGINEERING SERVICES ON SEDGWICK COUNTY PROJECT 811-J, N ½ K, WIDENING OF RIDGE ROAD BETWEEN K-96 AND 53<sup>RD</sup> STREET NORTH. CIP# R-282. DISTRICT #4.**

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**Mr. Spears** said, “Item G-1 is a contract with Parsons Brinckerhoff Quade and Douglas to provide engineering services for the Sedgwick County road widening project on Ridge Road between K-96 and 53<sup>rd</sup> Street North designated as R-282 in the Capital Improvement Program. The total cost is \$345,437, which includes surveying, hydrology, permits for the Division of Water Resources, geology, right-of-way documents, utility coordination and design. I recommend that you approve the agreement and authorize the Chairman to sign.”

**MOTION**

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

Commissioner Winters seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

**Commissioner McGinn** said, “Can I just make a comment real quick before we move on to the next item? This area is an area that’s experienced a great deal of growth and I just want to share that we’re not out there just looking at places to four-lane. If you look at the growth patterns and some of the activity that’s going on even north of 53<sup>rd</sup> Street, I see this as a very good project in that we are looking ahead, that this will need to be done. And depending on budget cuts, those types of things, about the time that we get to this it’s going to be very much needed. So I just wanted to add that.”

**Chairman Sciortino** said, “No, I think it’s a very worthwhile project. I think we all agree to that. Clerk, next item please.”

- 2. CONTRACT WITH PROFESSIONAL ENGINEERING CONSULTANTS, P.A. TO PROVIDE ENGINEERING SERVICES ON SEDGWICK COUNTY PROJECT 817-V, W, X, WIDENING OF MERIDIAN BETWEEN 47<sup>TH</sup> AND 71<sup>ST</sup> STREETS SOUTH. CIP# R-281. DISTRICT #2.**

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**Mr. Spears** said, "Item G-2 is a contract with Professional Engineering Consultants to provide engineering services for the Sedgwick County road widening project on Meridian between 47<sup>th</sup> and 71<sup>st</sup> Street South designated as R-281 in the Capital Improvement Program. The total cost of this engineering service shall not exceed \$649,898. I recommend that you approve the contract and authorize the Chairman to sign."

### **MOTION**

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

Commissioner McGinn seconded the Motion.

**Chairman Sciortino** said, "Any further comments on this one?"

**Commissioner Norton** said, "Just a couple of comments, Mr. Chair. I think this is very similar to the previous one that Carolyn has in her district. It's an area that's growing. When you look at the Southlakes area, a recreational area, Campus High School and then the growth of Haysville and that area, it's pretty imperative that we look at this now, get it designed and ready to go. Obviously, it won't be built next year. It will be a couple of years out and I think by the time it's ready to be built, it's going to be dramatic at what the traffic there is. I see it every day and it's interesting that some of the little arterials that come off of there, over around West Street and everything, Dave and I have been talking about an area, it's just a small road where there's a cemetery and we thought, 'Ah, there couldn't be much traffic on there' and all the sudden we do some studies and it's what, 5,400 cars . . ."

**Mr. Spears** said, "5,300, yes."

**Commissioner Norton** said, "5,300 a day and you're going, jimany, we would have never suspected that, so that whole area is just starting to build some real traffic patterns that we need to take care of pretty quick."

**Mr. Spears** said, "Meridian has 7,700 right now."

**Commissioner Norton** said, "So it's approaching that."

**Chairman Sciortino** said, "And what is the normal restrictions, what close to 10,000?"

**Mr. Spears** said, "Yes."

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**Chairman Sciortino** said, “And this is a few years out. That will probably be right on time.”

**Commissioner Norton** said, “With the growth pattern over there, with the amount of homes, just the homes platted along Meridian, it will take us to that probably in the next two years.”

**Chairman Sciortino** said, “Okay. Any further comments, Commissioners? If not, what’s the will of the Board? We already did that. Then why don’t you call the vote.”

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

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

**3. MODIFICATION OF PLANS AND CONSTRUCTION WITH CORNEJO AND SONS, INC., REQUEST NUMBER ONE, ON SEDGWICK COUNTY ROAD PROJECT NO. 608-27, 45<sup>TH</sup> STREET NORTH BETWEEN OLD LAWRENCE ROAD AND HYDRAULIC. CIP# R-294. DISTRICT #4.**

**Mr. Spears** said, “Item G-3 is a modification of plans and construction, request number one for the Sedgwick County road improvement project on 45<sup>th</sup> Street North between Old Lawrence Road and Hydraulic designated as R-294 in the Capital Improvement Program. There will be an increase of \$23,747.25 to add rock and tensor to stabilize the sub base so that the project may begin this winter. I recommend that you approve the modification and authorize the Chairman to sign.”

**MOTION**

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

Commissioner Gwin seconded the Motion.

**Chairman Sciortino** said, “I have a Motion and a Second. I do have one comment or one question

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of you David. Do we already have funds here to take care of this one? Given the state's making some major cuts in our roads and bridges and highways, are we assuming that we are going to get some monies that are going to pay for this that may not?"

**Mr. Spears** said, "We're okay on that. We had originally budgeted \$400,000 for this project and the bid came in at \$290,000."

**Chairman Sciortino** said, "That's fantastic. But I guess my question is still valid. When we budgeted it, was it being budgeted based on revenue that we anticipate will come from the state, and are those funds still coming?"

**Mr. Spears** said, "The money is there now."

**Chairman Sciortino** said, "Okay. That's all I was asking. Okay, all right. That's fine. What's the will of the Board on this item please?"

**Commissioner McGinn** said, "We already did that. We need to vote."

**Chairman Sciortino** said, "Well then, why don't we vote?"

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

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

- 4. MODIFICATION OF PLANS AND CONSTRUCTION WITH KING CONSTRUCTION COMPANY, INC., REQUEST NUMBER ONE AND FINAL, ON SEDGWICK COUNTY BRIDGE PROJECT NOS. 616-16-3148, BRIDGE ON 13<sup>TH</sup> STREET NORTH BETWEEN 151<sup>ST</sup> STREET WEST AND 167<sup>TH</sup> STREET WEST, CIP# B-330; AND 803-DD-360, BRIDGE ON 135<sup>TH</sup> STREET WEST BETWEEN 111<sup>TH</sup> AND 119<sup>TH</sup> STREETS SOUTH, CIP# B-370. DISTRICT #3.**

**Mr. Spears** said, "This is also a modification of plans and construction, request number one and

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final for Sedgwick County bridge projects on 13<sup>th</sup> Street North between 151<sup>st</sup> and 167<sup>th</sup> Streets West and on 135<sup>th</sup> Street West between 111<sup>th</sup> and 119<sup>th</sup> Streets South designated as B-330 and B-370 in the Capital Improvement Program. There will be a net decrease of \$23,023.35 due to variations in plan quantities from actual field measurements. I recommend that you approve the modification and authorize the Chairman to sign.”

**Chairman Sciortino** said, “Thank you. Any questions or comments of David? If not, what’s the will of the Board?”

**MOTION**

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

Commissioner McGinn seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

**Chairman Sciortino** said, “Thank you, David. Next item please.”

**Mr. Jerry Phipps**, Purchasing Agent, Purchasing Department, greeted the Commissioners and said, “You have the Minutes of the November 27<sup>th</sup> special meeting of the Board of Bids and Contracts.”

**Chairman Sciortino** said, “No we don’t. That’s the problem. We were asking if we had it and we don’t have it. So if you have one, maybe you could share it with us.”

**Commissioner Winters** said, “Maybe we could take up the off agenda items and come back to this.”

**Chairman Sciortino** said, “Why don’t we do that and give you a chance to Photostat those and get

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them out to us. Okay, so why don't we hold off on yours for a minute and we'll go ahead and entertain . . ."

**Commissioner Gwin** said, "Mr. Chairman, do you want to take these both at the same time or just do one?"

**Chairman Sciortino** said, "Let's do . . ."

**Commissioner Winters** said, "Let's do them both."

**MOTION**

Commissioner Winters moved to consider two Off Agenda items, one to review state budget cuts and one regarding jail population consultant.

Commissioner Gwin seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

**Chairman Sciortino** said, "Thank you. And I think Mr. Chronis is going to be the presenter. Is this going to be subtitled 'the second shoe has dropped' or something?"

**REVIEW OF STATE BUDGET CUTS**

**POWERPOINT PRESENTATION**

**Mr. Chris Chronis**, Chief Financial Officer, greeted the Commissioners and said, "Something like that. On Tuesday of last week, Governor Graves announced a series of budget cuts that have been well covered in the news media and I'm sure everybody who is watching this has heard about those

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but we wanted to take a few minutes this morning to talk to you about how those cuts will effect Sedgwick County government specifically.

Among the cuts that the governor announced was the elimination of demand transfers for the remainder of the state's 2003 fiscal year. What that means in plain English is the loss of general revenue to the county totaling 1.3 million dollars for the county's 2002 budget year, that one that is currently in progress and ends at the end of this month and an additional 3.42 million dollars out of our '03 budget, our 2003 budget that begins January the 1<sup>st</sup>. A total of known cuts from the governor's actions of 4.72 million dollars. Again, 1.3 million of that is this year, this month actually and 3.42 million dollars will occur next year."

**Chairman Sciortino** said, "Chris, can I interrupt for a minute. This is money that we already had budgeted that would come and, based on that we spent money, and this is something that . . . Okay, so if I understand . . ."

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

**Chairman Sciortino** said, "This year we have to look at how to make up a 1.3 million dollar cut in our general fund revenue and next year 3 . . . whatever the difference."

**Mr. Chronis** said, "The sum of those bottom three numbers, which is 3.42 million, that's correct."

**Chairman Sciortino** said, "Okay, got it."

**Mr. Chronis** said, "In addition to those known cuts in general revenue, revenue that is not specifically dedicated to any particular program, the governor announced a 3.9% reduction in the budgets of virtually every state agency for the remainder of the state's 2003 budget year.

We receive a substantial amount of funding from those state agencies because we partner with those agencies to provide service delivery in this community and I've listed here the agencies that are at the greatest amount of risk from those sorts of budget reductions. Those 3.9% state department cuts have not yet been specifically identified, those agency heads are now reviewing their budgets, figuring how to absorb the 3.9% cuts and over the next several weeks and probably several months we will hear how their implementation plans specifically effect Sedgwick County. It is likely that we will see reductions in specific project funding effecting COMCARE, our mental health programs, the developmental disabilities programs, aging services, public health and corrections. In each of those areas, as you know, we are the service delivery agent for a substantial amount of state funded activity in Sedgwick County.

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Additionally, our jail, our Adult Detention Center receives approximately a million dollars a year in fees from the state for housing state prisoners. During the last legislative session, there was some discussion of the state reducing the amount that they pay for those fees and that action finally was not adopted, so we are receiving today a rate of approximately \$52 per day for every state prisoner that we house. It is entirely possible that the State Department of Corrections, in trying to figure out how to address their 3.9% budget cut, may find a way to reduce the payments to Sedgwick County for housing prisoners on behalf of the Department of Corrections.”

**Chairman Sciortino** said, “Chris, let me ask you one question while you just mentioned that specific. Does the County have the right to refuse to house a state prisoner, especially given the fact that we’re having a hard time housing our own, can we say no, if the fees are so out of line or we run out of space, do we have the option to turn down?”

**Mr. Chronis** said, “As I understand it, we do not. We have no option in that.”

**Chairman Sciortino** said, “So they could say a dollar and we’d have to take them?”

**Mr. Chronis** said, “That’s correct.

**Chairman Sciortino** said, “Okay. Is that true, Mr. Euson, as far as you know?”

**Mr. Euson** said, “As far as I know, that is true, yes.”

**Chairman Sciortino** said, “Okay.”

**Mr. Chronis** said, “Our Emergency Medical Service provides a substantial amount of service to patients who are covered by Medicaid by the state health care funding mechanism for people of low income. It is entirely possible that the state agency that provides those Medicaid payments may find a way to change the regulations governing those payments so that we receive lower reimbursements from those Medicaid payments and that could effect EMS.

And finally, we are expecting funding from the state specifically next year for the Haysville rail overpass and for a couple of other bridges. Now the KDOT, the Kansas Department of Transportation, was one of the very few agencies that was spared from the governor’s 3.9% budget cut. However, the governor among his cuts, said that the state general fund will not pay back a

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\$95,000,000 loan that they received from KDOT that was to be repaid by June 30<sup>th</sup> next year. To the extent that KDOT doesn't receive that \$95,000,000, it in effect is a budget cut that they're going to have to figure out a way to absorb.

And finally, I mentioned Medicaid with regard to EMS, but we also received Medicaid payments, significant Medicaid payments, in COMCARE, Developmental Disabilities, Aging services and public health. As of yesterday, Sedgwick County had received a total of 14.7 million dollars in Medicaid payments this year, just this year. To the extent that the state changes the Medicaid reimbursement regulations by denying eligibility, by toughening up the eligibility standards, by reducing the reimbursement rates, that could have a dramatic effect on our ability to provide services."

**Chairman Sciortino** said, "Before you switch back, I have one other question, if you go back to that first one again. I think it needs to be said that that 4.72 that we know, that's just for the first six months of 2003 and there's very little anticipation that the new legislature coming in is going to reinstate that. So I think realistically, we're still looking at darn near \$10,000,000 that's going to adversely affect our 2003 budget."

**Commissioner Winters** said, "I think that's what the rest of his presentation is about."

**Chairman Sciortino** said, "Did I just kill your . . ."

**Mr. Chronis** said, "No, sir but you ought to be doing this presentation. You have it precisely right. This chart is intended to show the compressed nature of this budget cut that has been announced by the governor. The state's budget year began last July and extends through next June. So the first five months of that year, the gray section on the left side of this chart, is already behind us. The cuts will actually occur in the white section of this chart, from December the 1<sup>st</sup> through June the 30<sup>th</sup>. Our 2003 budget year begins January the 1<sup>st</sup> and extends through next December. The last six months of next year, the gray on the right side of this chart are in the state's 2004 budget year and that budget will be determined by the next legislature in the spring. We fully expect that there will be further cuts that we will suffer as a result of the legislature's action to balance the state's budget next spring. We don't know about those yet. All we know about at this point is 4.72 million dollars of general revenue losses in what effectively is a seven month period, plus yet to be determined

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specific program cuts that will also occur in that very abbreviated seven month period, and so we're going to have to find ways to absorb all of those.

So what are we doing in response to this? Well, as it happens, before the governor announced his budget reductions last Tuesday, the county manager had already asked every agency manager in Sedgwick County to identify ways to reduce their locally funded 2003 budget by 10%. That request we had briefed you on previously and it's similar to a process that we went through a year ago with regard to the current year's budget. That is in process right now. We expect those proposals to be delivered to the budget office next week and, through the balance of next week, the manager and a few people he designates will prioritize those requests or suggestions that are received from the operating departments. In mid-December, the manager and the assistant county manager and myself will be visiting with you to discuss those suggestions and those priorities, with the idea that at the end of the process we'll have a consensus on what reductions in the 2003 budget we are willing to make if economic conditions or state budget cuts mandate them and we'll have a prioritized list from which we'll be able to draw to actually make reductions as the needs arise.

Now because of this 4.72 million dollar reduction, or actually 3.42 million dollar reduction in the 2003 budget, there will be some cuts implemented immediately. That is, we will start January the 1<sup>st</sup> with a budget that is 3.42 million dollars less than you originally adopted and those reductions will be based on this prioritized list that is being developed over the next several weeks. As the state agencies tell us what specific program cuts they're going to make in COMCARE, Developmental Disabilities, Aging services and so on, we will identify additional targeted reductions in those specific service areas and we'll bring those to you before we actually implement them, because we anticipate that those actions will not be on this prioritized list."

**Chairman Sciortino** said, "Do we know yet . . . I know the governor has mentioned that . . . I thought I heard the figure \$28,000,000 cut in SRS but do we know when SRS will be prepared to let everybody know when?"

**Mr. Chronis** said, "Secretary Shelansky has scheduled a tele-conference this afternoon for people around the state who are interested in her budget and she is supposed to announce, during that tele-conference, how she is going to implement the 3.9% reduction in SRS and we will have people in attendance."

**Chairman Sciortino** said, "How much was that . . . was that total figure that the governor . . . What was that figure? Do you remember? I thought I heard the figure \$28,000,000 but I don't know if that was . . ."

**Mr. Chronis** said, "It was 25.3 million dollars for SRS and additional amounts for the state hospitals that are under the purview of SRS. The total SRS reduction, including the state hospitals, was 26.6 million dollars."

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**Chairman Sciortino** said, "Thanks."

**Mr. Chronis** said, "So we will begin 2003 with a reduced budget, based on the cuts that we know have been made. The economy continues to be in not as good a shape as we would like. If economic conditions continue to deteriorate, and our revenue streams continue to decline as they have over the last half of this year as we've discussed with you, then we will also use this prioritized cut list to make reductions to accommodate those needs with the objective of keeping a budget that is balanced throughout 2003."

The budget that you adopted back in August for 2003 includes 218.1 million dollars that is locally funded. That is it is property tax revenue, local option sales tax revenue, fees that we impose for a variety of services and everything like that, 218 million dollars of our budget. We have another 95.3 million dollars of the budget that you adopted that is funded principally by grants from either the state or federal government or by county reserve funds, for a total adopted budget of 313.4 million dollars."

**Chairman Sciortino** said, "So roughly about a third of our total budget we rely on funds coming other than county generated tax dollars."

**Mr. Chronis** said, "Other than current revenue, yes that's right, current locally generated revenue. That budget that you adopted funds a total of 2,749 positions. Those are the people that deliver services in this community for Sedgwick County and you also adopted a Capital Improvement Program that is almost \$158,000,000 over a five-year period and of that total five-year period, 20.3 million dollars is expected to be spent in 2003 for projects that you have already approved, including the Haysville overpass and bridges and roads and a variety of other improvements."

**Chairman Sciortino** said, "Chris, I've got to keep asking these. The 20.3 million, was that anticipated to be bonded, or was that going to come out of our general fund?"

**Mr. Chronis** said, "The 20.3 million dollars is the total Capital Improvement Program for 2003. A portion of it is funded with bonds and the balance is funded with either local sales tax or general revenues of the county."

**Chairman Sciortino** said, "Okay."

**Mr. Chronis** said, "I've listed here the general recommendations that I would make today, based on what we know and what actions the state has taken and these are essentially the same as the recommendations that I presented to you in a work session a couple of weeks ago, when we talked

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about the general state of the economy and its effect on Sedgwick County finances. For 2002, I recommend that we take no further action than what we have already done. As a practical matter, we have 26 days left in this year. There is not a way that we can effectively cut 1.3 million dollars out of this year's budget and I don't know that there's really much point in even going through that exercise. The practical effect of that 1.3 million dollar reduction in 2002 is to reduce our ending fund balance by that amount of money.

Going past December 31<sup>st</sup>, I think it's going to be critical that we keep our focus on those activities that we undertake that are critical to this community and that we target the cuts that we have to make on those activities that are non-essential governmental activities."

**Chairman Sciortino** said, "Now, Chris, that's where the Devil is in the details.

**Mr. Chronis** said, "Absolutely."

**Chairman Sciortino** said, "You haven't said 'retain essential services' like if that's roads, bridges, fire, police. Whose going to be . . . we're going to be the ones that are charged with the responsibility of deciding which are mission-critical programs and which are non-essential activities."

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

**Chairman Sciortino** said, "You're going to give us that small portion of the job."

**Mr. Chronis** said, "That's correct. That's why you make the big bucks."

**Chairman Sciortino** said, "Did you want to say something right now. Commissioner Winters."  
**Commissioner Winters** said, "Well, if we're having discussion now. I guess in follow up, I think one of the things that I'm going to try to be looking at is that if there's specific state dollars that fund specific programs, if they're reduced then that program is going to be reduced. So it's not going to be like we're going to have to make some decision that . . . I mean, there are going to be tough decisions, but we need to make sure that citizens know that if there is a reduction it's because the state has decided to reduce the funding of program 'x'."

**Chairman Sciortino** said, "And that would mean that they felt that that program could be reduced and not adversely effect the citizens."

**Commissioner Winters** said, "That's correct."

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**Mr. Chronis** said, "That's certainly an acceptable way to do business, but that may not be the way that you actually decide to do business once you know what those state reductions are. It may be that you decide . . . and I'm just picking at random here some possible actions, it may be that you decide that a massive cut in aging services that are funded by the state is not something that we are willing to do, and we instead would rather reduce other services that the county provides and use that funding to continue some of those aging services. So those are the kinds of trade-offs that we'll have to be discussing, as we learn more about what state reductions are going to be given to us.

I think, beyond the debate about what's essential and what's non-essential, we need to be very cautious at this time about any suggestion to add new programs or to expand an existing program or to add new staff to the county. This is the time to be very cautious about growing the budget.

And finally, I think it's critical that we preserve cash. We have healthy cash balances right now. We've managed our finances specifically to have those balances for use in emergencies and this certainly qualifies as an emergency. But it's important that we use that cash sparingly. One of the reasons that the state has such a severe budget problem right now is that they have used all of their cash to balance their budget in a single year, last year. They started this year with essentially no cash and so they have nothing to fall back on to address problems that have occurred during the course of this year, as they have announced as they do every month that revenues are coming in slower than they had anticipated and the budget shortfall is growing, they don't have any cash in the bank that they can use to continue programs. That's why we're having to deal with these massive cuts. So it's important that, locally I think, that we hang on to that cash very carefully.

As the state announces additional cuts, as we expect them to from these targeted program reductions and then moving into the last half of next year, as the state starts their 2004 budget year, as those additional cuts are announced, that may cause a more rapid use of county cash than we are counting on right now. And right now, I have to tell you that the long-term financial plan that we've discussed with you any number of times calls for our cash to be depleted at the end of 2004. That's the position that we're in as a result of the reduction of demand transfers that the governor announced last week."

**Chairman Sciortino** said, "And that's assuming no further cuts that are going to be coming. That isn't assuming . . . like they're talking about another 6 or 700 million in 2004. That was not anticipating that."

**Mr. Chronis** said, "That's correct. To the extent that we experience additional cuts, beyond those

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that we know about right now, it will speed up the rate at which we use that cash and run out.

Now, it's difficult I realize to say we don't want to add new programs and we don't want to use our cash because there are a lot of needs in this community and I've listed here just a few of the items that we have talked about in this organization that are not in the current 2003 budget. And each one of these, if we choose to fund it, will require a draw-down on cash, or in some way or another. And so we have a lot of challenges ahead of us. I think it's important that we keep in mind the importance of maintaining the county's excellent financial condition. That has long-term implications for this county, for the level of taxes that we have to charge. It's important that we find ways to deliver essential services, but that we start being selective about what essential really means. If you have any questions, I'll be glad to answer them. That's essentially the presentation that I wanted to give you."

**Chairman Sciortino** said, "Commissioners, any comments on . . . One question, Chris. Could we get a hard copy of this presentation where we could read over it and kind of mull it over?"

**Mr. Chronis** said, "Sure."

**Chairman Sciortino** said, "As I understood what you're saying right now, we don't have to do anything to finish up 2002."

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

**Chairman Sciortino** said, "And where the challenge is going to come is trying to stay ahead of the anticipated downturn for 2003 and beyond."

**Mr. Chronis** said, "That's right."

**Chairman Sciortino** said, "But that's boiling it down. Well, we definitely have an interesting challenge ahead of us and it will need some good, solid thinking and is going to have to be done. I agree with Commissioner Winters. I would love to be able to let the state feel the heat. For example, if they cut a particular program, we just passed that program on to the citizens and let the state take the heat, because it was their decision to do so. My concern is again, like you shared, from a practical matter we're dealing with these people locally and I don't know if we're going to have the ability to do that. It's going to have some interesting times and I do applaud you and Mr. Buchanan. You all anticipated this a year and a half ago and started taking steps and that was why we were able to get through our budgeting process in 2003 without an increase in the mill levy. It would have made me more comfortable had the state been a little bit more forthcoming in letting us know these additional cuts, which I have to believe they were anticipating having to make, and had

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they given us those back last spring, we would have had more flexibility, including maybe anticipating a tax increase to offset some of these but our budget is set, if I understand it right. 2003 we can't change the budget, as far as additional revenue. All we can do is reprioritize who gets the money that we know is coming in."

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

**Chairman Sciortino** said, "Okay. Any other questions? Commissioner Norton."

**Commissioner Norton** said, "Just a couple of comments. I'd like a little information on temporary notes and our bond rate and some of that, as we look forward to some of these big issues that . . . Obviously, we don't want to put cash into them if we don't have to, but what does it look like if we still have the will to try to do them and have to bond them. So I'd like to have some information on that. If we have to do some kind of temporary note till we can bond them a couple years down the road. Do we have that mechanism to do that? What does it look like? What's the bond rate? How do we get to that? Because I don't think, you know when you talk about the jail, if you talk about a couple of other of these things that we've worked real hard on to put them out five years or six years doesn't make sense, because the state has a problem. It's not us and we owe it to our local folks to still be aggressive and be progressive and understand the local economy and do the right thing for the four walls of our county and to say to heck with the state because all government is local and we are the locals that control our own destiny and I'd like to see us make sure we understand all the funding mechanisms that are in our tool box, other than just state monies and cash.

This would be a good time to have a little paid advertising for Internet sales. There's needs to be a tax on Internet sales and if you have any power out there, anybody that's listening, they need to start calling their congressman and their senator to make sure that Internet sales can be taxed locally and that revenue stream comes back into municipalities and counties. Because you know what, we're getting taken to the cleaners on that and it's debilitating to small towns, even more than it is to counties.

The other thing is I think it's time to start talking about the 1% sales tax lid that the state has imposed on counties and it takes a tool out of our tool box if we have to raise money and it's their problem that they have imposed on us and if we're going to have wiggle room to raise taxes and to do some good things locally, they need to lift the tax lid and let us control that and we'll bear the brunt of our own constituents saying you spent too much money or you should have done that, but at least put that tool back in our tool box. So just a couple of comments."

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**Chairman Sciortino** said, “All right. Well, I’ll have just one maybe closing comment. I really think that Sedgwick County really wants to be part of the solution. We understand the state’s got some serious problems and we want to do our share. And I would hope that when the state is making their additional cuts in 2004 they will not have any sacred cows for political reasons that they don’t want to touch, and specifically I’m talking about education because for some reason that was pretty much totally ignored, K through 12, and it seems like most of the cuts are going to come in the social service areas and what have you and I don’t . . . I have a problem with just . . . You know 10% across the board, do this and that because, as you so eloquently stated in one of your memos, that doesn’t take into consideration the levels of need each individual program has and this is going to be an interesting time for us, but I’m confident that we have the horsepower here on this Commission to manage through it because of the good work that some of our staff is doing for us. What’s the will of the board on this item here?”

### **MOTION**

Commissioner Gwin 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 Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

**Chairman Sciortino** said, “And that takes care of Off Agenda item b. And now we’ll take up Off Agenda item c, which is a report regarding the jail population consultant.”

### **REPORT REGARDING JAIL POPULATION CONSULTANT**

**Mr. Buchanan** said, “A couple of weeks ago that you requested a report regarding the parallel track

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that we are working with the Sheriff's Department and the Sheriff regarding the jail. The first track, several weeks ago we entered into a contract to examine the site that the current, existing jail is located on and to hire an architect to help us think through how to maximize that site but the second part of this program, a second part of the plan is for us to begin to think through how do we manage the jail population in a way that's different than it is today. And that's not to suggest that today it's being managed poorly. It's my belief that the Sheriff and the Sheriff's Department is doing an exceptional job of taking, with the tools that they have, to reduce the population in the jail or to move it out as quickly as possible.

There are consultants around the country and we've begun to identify those. We've met with the Sheriff and we have an agreement pretty much in principle about how to proceed. We believe a consultant . . . and part of that agreement would be to include people from COMCARE, staff, the District Court judges, District Attorney, some law enforcement agencies, federal and state law enforcement agencies, municipal court, public defender and adult corrections to be at the table as stakeholders to help think through a request for proposal.

A request for proposal we think at this point, and we haven't fleshed out all the details, but certainly would be to understand the process currently and understand what we do in Sedgwick County and then try to understand an analysis of how the world might be, if you will. We need to prepare a shopping list of alternatives to incarceration programs that the County could consider, understand what impact those programs would have on other counties and our own county, mental health court, drug court, those sorts of issues that we are currently aware of but have not implemented. We need to prepare a recommendation for expanding existing programs and the impact that this will have.

We already have some existing programs and we need to figure out how we can expand them in a way that makes sense to keep the population down, what types of beds should be constructed at existing sites, what types of beds should be constructed at a satellite site and finally should the work release program be expanded.

We believe . . . so we are going to develop, with this group, a request for proposal and be able to have that on the street for examination sometime after the first of the year."

**Chairman Sciortino** said, "Okay. There's a couple of comments. I think Commissioner McGinn was first."

**Commissioner McGinn** said, "Thank you. I was out of town when you guys approved this and I think you've kind of answered that. I just . . . one of the things that people bring to my attention and I think is very much needed is you look at some of the people that are in the jail. This is going to include we build a minimum security place that has drug addiction programs or whatever, instead

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of just putting those kinds of people in a maximum security. So it's going to take a look at all of that, is that correct?"

**Mr. Buchanan** said, "Yes, ma'am, absolutely."

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

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

**Commissioner Winters** said, "Well I guess I was confused right up to the very end maybe but in the very end then you said that this group of local folks is going to put together a request for then those who are in this type of business to come forward because I agree with you. I think the Sheriff and his staff are doing an excellent job. I think the D.A. is doing a good job. I think everybody is doing their job of what they're supposed to do. They're doing it well. But who is the advocate for some new creation, whether it be drug court, mental health court or that. And I guess if this group is going to then put together a request for proposals, is that what I hear that they're going to do?"

**Chairman Sciortino** said, "The request for proposal will be for a consultant, is it not?"

**Mr. Buchanan** said, "The task at hand is to assemble the group and have the group start working on a request for proposal. The staff will be . . . the Sheriff's Department and the Manager's Office will help staff that committee to write a request for proposal so that national consultants can review the requests and submit proposals to assist us in this process. I think it is essential for us to not only understand clearly how things work and make the system in Sedgwick County as efficient and as effective as possible, but also we need to examine what works other places and can that be adopted to Sedgwick County and how could we go about doing that."

**Commissioner Winters** said, "I agree and I do not want to offend any of the people that are in the system and working the system now because I believe they're all doing a good job. For them, the easiest solution is to build more beds. For us, that's the hardest solution. And we just need to make sure that we've looked every place we can look before we make that decision. That's going to be easy for some and hard for us."

**Mr. Buchanan** said, "Commissioner Winters, that's how I've interpreted what the Commission

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said and that's our . . . I know the road to hell is paved with good intentions, but that's our intent."

**Commissioner Winters** said, "Okay. Thank you."

**Chairman Sciortino** said, "Because Gary Steed would argue that that facility is both a maximum and a minimum security facility, depending on what pod you're in or what have you and I think what Commissioner McGinn is talking about . . . Well, one of the things that Tom was visiting with the last time, do we have . . . what I was hoping would come out, we would get our hands around over the last 24 months or something we've seen DUI incarcerations go up 327% and at the present time minimum security . . . they have to be in jail, no question about that, but our demand on minimum security has raised from 300 to 900 inmates, so that we could get a feel for what type of expansion needs to be done because this is going to be kind of hard all of the sudden say 'well, we just built this jail, so we'll double the space and add another 30 million' and there's also some other people out there, I think, wanting to come to us and be part of the solution too, which I would hope that they would get a time to make presentation to us once we get our hands around what the totality of the problem is. Commissioner Gwin."

**Commissioner Gwin** said, "Thank you. I'm certainly going to be interested and see what happens next. The consultant then, once he's selected, these folks are going to kind of create the framework of information that we need from that individual or are they just going to . . .? Tell me specifically. If they're going to get together and help us evaluate RFPs or are they going to create the RFP?"

**Mr. Buchanan** said, "This group of stakeholders is going to do two or three tasks. One certainly would be to bring their expertise to the table and then, using that expertise, help frame the issues in the RFP. They're not . . . Our staff will write it but because of their extensive knowledge, I don't think we need to be talking about corrections solutions without the public defender and the DA and those kinds of people in the room.

We will create an RFP and then go through a selection process and some of these people probably would be on the committee to review consultants."

**Commissioner Gwin** said, "Okay, the RFP is going to be created by County staff."

**Mr. Buchanan** said, "Yes."

**Commissioner Gwin** said, "Okay. All right, thanks."

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**Chairman Sciortino** said, "Bill, let me just said it again. I'm trying to get just ordinary speaking here. Gary probably has a feel for how many more beds he needs to be comfortable, to handle our needs for the next 15 or 20 years. So we know a number."

**Mr. Buchanan** said, "Yes."

**Chairman Sciortino** said, "What I want to know is like right now 1,100 people are over there. How many of those only require minimum security, how many of those require maximum security and go back a couple of years and just see which of those areas has increased the most."

**Mr. Buchanan** said, "You've asked a question that there is not a simple answer to and let me give you an example. It was told to me that over a recent weekend there were five people in the Adult Detention Facility that had we had mental health disability services available someplace else could have been someplace else, didn't have to be in the jail. So you need systems in place, you need mental health systems, you need counseling systems, you need drug courts, you need other things in place before you can say 'Well, four more people or six more people could be removed from the jail'. Currently, there is no place for those folks to go and so a judge is not going to put them on the street. He has no alternative."

**Chairman Sciortino** said, "I'm not talking about putting them on the street. I'm talking about people that really legitimately need to be in jail. They committed a crime that requires them to be incarcerated for a period of time, but their crime is a non-violent crime that wouldn't need the maximum security that this jail could afford."

**Mr. Buchanan** said, "Well, again, without system in place it's hard to answer that question and that's one of the things the consultant will do. The consultant will tell us 'Look, every day there are ten people that could be someplace else, there's 15 that could be over here, there's 4 more that could have ankle-bracelets on' and so as we have done in juvenile, as we've continued to reduce the populations in juvenile and keep it at least at a steady rate, there's a whole series of programs. There's outside placement, there's home arrest, there's day reporting, there's a whole series of continuing . . . home reporting system has disappeared."

**Commissioner Winters** said, "I'd just like to make one last comment. And I think we are certainly going to continue this discussion. I think Ben and I are actually talking about two different things and maybe that's where we need to head to is I think I am kind of talking about what are those other systems out there that could be put in place. He's talking about someone that needs to be in jail, but does not need to be in a secure facility, different character. An example . . . and I think both of them need to be answered."

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**Mr. Buchanan** said, “And that’s why we’ve included, part of the study, how many beds, what types of beds and how many, what about work release, what about satellite facilities. So I think . . . it is my hope that once the consultant does a report that all your questions will be answered.”

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

**Commissioner Winters** said, “Well, I think we’re all on track. We just want to hear this story, hear this discussion.”

**Chairman Sciortino** said, “Because I think whatever we do we want to be looking at a long-term solution to a problem that isn’t going to go away. So, okay, thank you very much.”

**MOTION**

Commissioner Gwin moved to receive and file.

Commissioner Norton seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

**Chairman Sciortino** said, “Why don’t we now take back Item H, which is the report of Bids and Contracts. We now have the backup material with us.”

**H. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ SPECIAL MEETING OF NOVEMBER 27, 2002.**

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**Mr. Phipps** said, "There are five items for your consideration.

**1) POWER FEED- DIVISION OF INFORMATION & OPERATIONS  
FUNDING: INFORMATION SERVICES EQUIPMENT RESERVE**

Item one is a power feed for the Division of Information and Operations. And it was moved to accept the quote from Westar Energy for \$134,073.

**2) SELF CONTAINED BREATHING APPARATUS- FIRE DISTRICT  
FUNDING: FIRE DISTRICT ADMINISTRATION**

Item two, self-contained breathing apparatus for the Fire Department. It was recommended to accept the bid, the only bid received from Roberson Fire and Safety for \$30,587.

**3) IDLEWILD STREET RECONSTRUCTION- PUBLIC WORKS  
FUNDING: STORMWATER MANAGEMENT**

Item three, Idlewild street reconstruction, Public Works Department. It was moved to accept a low bid from Cornejo and Sons for \$324,662.75.

**4) PRECAST CONCRETE- PUBLIC WORKS  
FUNDING: PUBLIC WORKS**

Item four is precast concrete for the Public Works Department. It was moved to accept the low bid of Wichita Concrete Pipe for \$33,394.60.

**5) LASER PRINTERS & LABEL WRITERS- DISTRICT COURT  
FUNDING: DISTRICT COURT CASE MANAGEMENT PROGRAM II**

Item five, laser printers and label writers for the District Court. It was moved to accept the low bid meeting specifications for item one from PC Mall for \$10,962 and a low bid, complete bid meeting specifications for items two and three from Telestar Corporation for a total of \$3,861 for a grand total of \$14,823.

I'd be happy to take questions and recommend approval of the Board of Bids and Contracts."

**Chairman Sciortino** said, "We have some questions or comments. Commissioner Norton."

**Commissioner Norton** said, "Talk about the power feed, the backup supply. Is that an emergency generator or is that a whole new line and why does it not go down, if the main power goes down?"

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**Mr. Phipps** said, "This was a project, it was taken on by Richard Vogt and they had researched several ways of getting backup power to the data center and they've explored diesel generators and second feeds from other substations and even us having our own gas turbines but they had concluded that the best way is just to run a feed tap, which is furnished from our regular lines through the Old County Courthouse, from Westar."

**Chairman Sciortino** said, "But isn't the Commissioner's question valid? If the power line goes down, we don't have a backup, right? I mean, that's Westar Energy and they supply the power."

**Mr. Phipps** said, "That information can be addressed by Richard Vogt."

**Mr. Richard Vogt**, Chief Technology Officer, Division of Information and Operations, greeted the Commissioners and said, "The line we want to run is to an alternate grid. Several grids come together here at Central and Main and in actuality the courthouse that we're in right now is on one grid, the data center across the street is on a different grid. The data center is on what we would call a less reliable grid. Westar's . . . that grid has gone down due to a lot of inclement conditions. They have more wires above ground and so that a problem with that grid. We want to tap into the more reliable grid that this courthouse is on. If one grid goes down, the other grid we believe, in most cases will continue to be up. And it just doubles our reliability for the power to the data center. So no, If the power goes off in that grid, it does not mean that the power is going to go off on this grid that the courthouse is on and we'll still be up and running."

**Commissioner Norton** said, "How many times have you had power outages that shut you down completely in the last five years?"

**Mr. Vogt** said, "The last five years, I believe it's three, two or three. We've had more outages than that. We do have what's called a UPS, an Uninterrupted Power Supply that keeps us up for a while, less than an hour when the power goes out. So I think it's two or three times when we've exceeded the power in the last four years. I believe it's two times in the last four years."

**Commissioner Norton** said, "The UPS, is that generator driven?"

**Mr. Vogt** said, "No, it's not. It's a series of what looks to be like car batteries, a whole battery of batteries that stores power and cleans up the power as well for us."

**Commissioner Norton** said, "Emergency generator was considered or not?"

**Mr. Vogt** said, "Yes. Emergency generator, a diesel generator that we have over here was considered. The cost was similar to what this feed would be, plus there was really no place to put it

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over there. Diesel generators are very noisy. They require significant maintenance but you have to test them every week, start it up. There is a certain amount of smoke and exhaust that can damage some of the historical buildings over there. So there was a lot of problems with the diesel generator. So we did look at those and said that with the reliability that this grid, this particular grid has that it would be a better choice to go with a second grid or backup grid.”

**Commissioner Norton** said, “Do we have to have both grids or can we just ask to be hooked on to the Sedgwick County grid, which is the most reliable, and reduce it and not have the cash outlay?”

**Mr. Vogt** said, “The problem is that we already have all of the costs paid for for the original grid. Getting rid of it wouldn’t save us any money, because they’d still have to run the line, do the subterranean things that they have to do, run the conduit, run the cable. So there are going to be costs associated with going to the new grid that are not compensated by going off the old grid. So we’ll keep what we have and simply add to the reliability of the power that’s coming to the data center by adding the second grid.”

**Commissioner Norton** said, “On the three power outages you had, what were the implications to the county on those three?”

**Mr. Vogt** said, “Well, we’re 24 by 7 operations and so, unfortunately the times where actually we went down were during the week, during a weekday. One was late in the afternoon but nevertheless impacted people in all of the buildings, computers go down, servers go down, printers go down, the whole operation. So much reliance, we have so much reliance as an organization on the computers now that, for example, we have over 1,700 computers on our system and when the data center goes down, all the critical servers go down, all 1,700 are not able to use those systems. So their work is diminished or completely terminated because of their reliance on those computers and on those servers. So it does impact us, say far more than it did 10 or 15 years ago when we were much more paper-based.”

**Commissioner Norton** said, “What was the average length of downtime for those three events?”

**Mr. Vogt** said, “I don’t have that off the top of my head. I know that they were down less than four hours in both of those cases. I don’t know exactly what the outage was, but it was . . . I don’t think

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it was longer than four hours in either case.”

**Commissioner Norton** said, “Okay, that’s all I have.”

**Chairman Sciortino** said, “Thank you. I just have one question of the gentleman from Bids and Contracts. We’re done with you. On item two, it seems like a basic item, a self-contained breathing apparatus. If these other four companies sell these products, why didn’t they bid?”

**Mr. Phipps** said, “We currently have this brand at the fire department we’re using which require certification and quite a lengthy set of parts that they have to keep on hand.”

**Chairman Sciortino** said, “Okay, so they don’t sell Interspiro products, so they couldn’t bid.”

**Mr. Phipps** said, “That is correct. Roberson Fire is the only vendor in this state that has the right to do that.”

**Chairman Sciortino** said, “Why did we then send out bids?”

**Mr. Phipps** said, “Because we try to make them sharpen their pencils a bit and if we can purchase it from another state, perhaps that’s even an option.”

**Chairman Sciortino** said, “Did we send a bid to any other state?”

**Mr. Phipps** said, “Laeradal Medical Corporation is back east.”

**Chairman Sciortino** said, “And they sell Interspiro product?”

**Mr. Phipps** said, “Yes.”

**Chairman Sciortino** said, “So these other people sell self-contained breathing apparatuses but not this particular brand.”

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

**Chairman Sciortino** said, “And we made the decision that we wanted only that brand or only that brand would work for us?”

**Mr. Phipps** said, “To match existing, what we already have now in service now that’s been a number of years with the fire department.”

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**Chairman Sciortino** said, "Okay. Okay, that's all I had. Any other questions or comments? What's the will of the Board on this item please?"

**MOTION**

Commissioner Winters moved to approve the recommendations of the Board of Bids and Contracts Special Meeting November 27, 2002.

Commissioner Gwin seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

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

**CONSENT AGENDA**

**I. CONSENT AGENDA.**

- 1. Two Temporary Construction Easements, one Permanent floodway Reserve Easement and one Sanitary Sewer Easement for Sedgwick County Greenhaven Drainage Project. CIP# D-2. District #5.**
- 2. Agreement with Russell County Treasurer providing use of Sedgwick County's on-line Motor Vehicle Tax Estimator.**
- 3. Lease Amendment with Ecco Development Corporation extending the lease of space housing the Purchasing Department at 604 North Main Street, Suite F, Wichita.**

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4. **Notices of Public Hearing (four).**
  - **Public hearing December 18, 2002 regarding adoption of International Residential Code, 2000 Edition, as amended**
  - **Public hearing December 18, 2002 regarding adoption of International Building Code, 2000 Edition, as amended**
  - **Public hearings January 22 and January 29, 2003 regarding post annexation comments**
5. **Order dated November 20, 2002 to correct tax roll for change of assessment.**
6. **General Bills Check Register(s) for November 20 – December 3, 2002.**

**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.”

**Commissioner Winters** said, “No, we don’t have the Consent Agenda either.”

**Chairman Sciortino** said, “I do. Okay, well four of us can . . .”

**MOTION**

Commissioner Gwin moved to approve the Consent Agenda as presented.

Chairman Sciortino seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

## Regular Meeting, December 4, 2002

**Chairman Sciortino** said, "Thank you. Is there anything else to come before this Board at this time? Commissioner Norton."

### J. OTHER

**Commissioner Norton** said, "I just wanted to let everyone know I was in Topeka yesterday working on the BEST committees. I'm going back again Thursday and then go back again the next week and then hopefully we'll be done with our task and it's a pretty interesting process to dig pretty deep into the bowels of state organization and try to figure out the good things they do that need to be enhanced and the things that maybe need some work and try to help solve . . ."

**Chairman Sciortino** said, "We're getting ready to try to do that locally. Maybe we can use your expertise."

**Commissioner Norton** said, "I'll be burned out by the time that happens."

**Commissioner Gwin** said, "How optimistic are you for a substantive change in the groups that you're working on?"

**Commissioner Norton** said, "I'm very optimistic if there's political will and it's no different than what we deal with. If it's political will to look at certain parts of the organization and say, 'You know what, that can go away or that can be changed' it will happen. It's no different from other bureaucracies though. You're insulated from some of the things that are in the organization and whether you can determine if they're really important enough to continue or not is going to be the charge and I'm glad that's somebody else's decision. All I'm trying to do is find information."

**Chairman Sciortino** said, "But there is a lot of things that the governor herself will have the authority to do, as far as cuts, if indeed she had . . . well, again, political will."

**Commissioner Norton** said, "That's it. The other thing I had is I stopped in at a Department of Aging meeting the other day. It was for talking about outcomes and I think they had great dialogues with all the different groups in the area and I got to speak for just a second. They had a guest speaker that was lined up, not me, but they asked me to speak anyway and I challenged them to continue to look at outcomes, just like we are for juvenile justice and some other areas. You know, the money is pretty short. It's going to be hard to come by and it's not good enough any

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more just to say we've always done it or it makes us feel good that we're delivering this service. It's really about delivery and outcomes and what the final product looks like, not entitlement or making the providers feel good. It's really delivering services down to the constituents. So it looked like a great meeting. They had some good dialogues and some interactions, so hopefully they came to some good conclusions, because they've got some tough decisions to make in the Department of Aging, at senior centers with money going away in their areas too. That's all I have."

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

**Commissioner McGinn** said, "Thank you. This morning, I had an opportunity to serve breakfast at the Red Stocking Kansas Children's Service League at Carlos O'Kelly's and this organization provides a lot of adoption services, adoption search, counseling, foster grandparent program and does a lot of things. I thought the reason I'd bring that up, after we heard all the gloom and doom this morning, this has been a great fundraiser. I think they had 700 people last year that they sell tickets for breakfast and I'm not sure if the participation was as high. It seemed to be very, very busy, even due to the weather. So I think that this is a great thing they have going. This is about the third or fourth year I had the opportunity to go out there and it seems to be very successful and I think we're going to need to see more of those kinds of programs to help get these services that are doing such a great job in our community through tough times."

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

**Commissioner Gwin** said, "The only thing I thought maybe the public would be interested in, because they don't see it, is this afternoon is the annual employee's service awards presentation and recognition that we do every year to recognize those folks for their years to service to this community. So most of us or a lot of us will be down there thanking those people for their tenure and service that they provide."

**Commissioner Norton** said, "And it's humbling when you hit the 30 year awards and the 32 year awards."

**Commissioner Gwin** said, "Yeah, isn't it. So that's always fun, always a good time. We'll be downstairs doing that later."

**Chairman Sciortino** said, "Good. Anything else, Commissioners? This meeting is now adjourned."

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**K. ADJOURNMENT**

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

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

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**BEN SCIORTINO**, Chairman  
Fifth District

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**BETSY GWIN**, Chair Pro Tem  
First District

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**TIM R. NORTON**, Commissioner  
Second District

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

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**CAROLYN MC GINN**, Commissioner  
Fourth District

ATTEST:

\_\_\_\_\_  
**Don Brace**, County Clerk

APPROVED:

\_\_\_\_\_, 2002