

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

### **REGULAR MEETING**

**April 23, 2003**

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, April 23, 2003 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Tim Norton; with the following present: Chair Pro Tem Thomas G. Winters; Commissioner David M. Unruh; Commissioner Carolyn McGinn; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Don Brace, County Clerk; Ms. Irene Hart, Director, Division of Community Development; Ms. Susan Erlenwein, Director, Environmental Resources; Mr. Chris Chronis, Chief Financial Officer, Division of Finance; Ms. Shawn Henning, Director of Accounting, Finance Department; Mr. Marty Hughes, Revenue Manager, Division of Finance; Sheriff Gary Steed; Ms. Jan Kennedy, Treasurer; Ms. Marilyn Cook, Director, Comprehensive Community Care (COMCARE); Mr. Andy Schlapp, Director, Community Relations; Mr. Mark Masterson, Director, Department of Corrections; Dr. Timothy Rohrig, Director, Forensic Science Laboratories, Regional Forensic Science Center; Mr. David Spears, Director, Bureau of Public Works; Mr. Jerry Phipps, Purchasing Agent, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

### **GUESTS**

Ms. Deette Huffman, recipient, Community Enrichment award.  
Mr. Curtis McClinton, recipient, Community Enrichment award.  
Dr. H. Edward Flentje, Director, Hugo Wall School of Urban and Public Affairs, Wichita State University.  
Mr. Clement Dickerson, Member, Solid Waste Management Committee.  
Mr. Marty Cornejo, Member, Solid Waste Management Committee.  
Mr. David Lies, Member, Solid Waste Management Committee.  
Mr. Charles Hawthorne, Member, Solid Waste Management Committee.  
Mr. Mark Reed, Director, Sedgwick County Zoo.  
Lieutenant Colonel Lori DeJarmo, McConnell Air Force Base.  
Mr. Bob Brewer, Representative, SPEEA.  
Mr. Mario Cervantes, Public Relations, AFL-CIO.  
Mr. Nicki Soice, Chairman, Solid Waste Management Committee.

### **INVOCATION**

The Invocation was led by Mr. Bob Bruener of the Christian Businessmen Committee, Wichita.

**Regular Meeting, April 23, 2003**

**FLAG SALUTE**

**ROLL CALL**

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

**Chairman Norton** said, “Commissioners, at this time I’d like to take two Off Agenda items.”

**Commissioner Winters** said, “We’ve got the Minutes.”

**Chairman Norton** said, “Oh, I’m sorry. Consideration of Minutes, call the next item.”

**CONSIDERATION OF MINUTES:** Regular Meeting, April 9, 2003

The Clerk reported that Commissioner Sciortino was absent at the Regular Meeting of April 9, 2003.

**Chairman Norton** said, “What is the will of the Board?”

**MOTION**

Commissioner Winters moved to approve the Minutes of the Regular Meeting of April 9, 2003.

Commissioner Unruh seconded the Motion.

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

**VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Abstain
Chairman Tim Norton	Aye

**Chairman Norton** said, “Now I’d like to take two Off Agenda items. One is the McConnell Zoo Day proclamation and the second one is the community enrichment award, and I’d like to take those as Off Agenda items.”

**Regular Meeting, April 23, 2003**

**MOTION**

Chairman Norton moved to consider two Off Agenda items.

Commissioner Winters seconded the Motion.

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

**VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

**OFF AGENDA ITEMS**

**Chairman Norton** said, “And at this time we’ll move on the McConnell Zoo Day and Tom, I think you had . . .”

**Commissioner Sciortino** said, “Tom, did you have . . .”

**Chairman Norton** said, “We’re going to do them both. We’re going to do McConnell Zoo Day first.

**OFF AGENDA ITEM**

**PROCLAMATION DECLARING APRIL 25-27, 2003 AS ‘SEDGWICK COUNTY MILITARY APPRECIATION DAY AT THE SEDGWICK COUNTY ZOO’.**

**Commissioner Winters** said, “Well, thank you Mr. Chairman, I appreciate that. I think we certainly all, in the United States and around the world, know that we’re in a bit of a turbulent time and a few weeks ago my wife and I were driving back from Kansas City, thinking about what Sedgwick County could do as an expression of support and appreciation to the military folks who are our neighbors and partners and friends here in Wichita and Sedgwick County. And we struck upon the idea of perhaps having a zoo weekend at the Zoo.

## **Regular Meeting, April 23, 2003**

As I arrived back at the office, mentioned that to several of the commissioners, and you all just thought it was a great idea. We contacted Mark Reed and in fact Mark Reed had been thinking about the very same project. So, I think as we look forward to the end of conflicts all around the world, we still know that many families are disrupted and if there's something that we can do to make a weekend a bit more pleasant and relaxing, and at the same time show this community's support for all those that are involved in military service, I think we would agree that that is a good thing.

What I'd like to do is turn it now to Andy Schlapp, who is our Community Relations Director, let him explain a bit about what's going to happen and then if we have comments or questions after they make their presentation, then we can do that."

### **OFF AGENDA ITEM**

#### **POWERPOINT PRESENTATION**

**Mr. Andy Schlapp**, Director, Community Relations, greeted the Commissioners and said, "We're at a special time in American and world history and it's a very difficult time for many families in Sedgwick County. They're making sacrifices, as loved ones are over protecting freedom and liberty, whether it's in Iraq, Afghanistan and other parts of the world. So again, Commissioner Winters, you had this idea of what can we do for those families that are here to show that we're thinking about them and give them a special day.

Military at home in Sedgwick County, McConnell Air Force Base is home to the 22<sup>nd</sup> Air Refueling Wing, the 931<sup>st</sup> Air Refueling Group, Air Force Reserves and the 184<sup>th</sup> Air Refueling Wing, which is the National Guard. Along with that, there are many . . . there's a large military presence. The Army National Guard has quite a few battalions and groups here and there are many families that have loved ones serving in other parts of the military, whether it be here or in other parts of the country. So, they have a dramatic effect on our community, and they're a very vital and important part of our community.

If we look just at McConnell Air Force Base, there are 2,700 active military personnel on the base, with an extended family of 3,900 family members. They're a great neighbor to Sedgwick County. We appreciate their presence here and they support our community in many, many wonderful ways.

We want to be a good neighbor to them during these difficult times, so Sedgwick County and the

### **Regular Meeting, April 23, 2003**

Commission is honored to sponsor this event for the military families at our magnificent Sedgwick County Zoo. For a second, and many of you are aware of what a great zoo we have in Sedgwick County, but it opened in 1971 and it's ranked among the best zoos in the world. It's one of the leading attractions in Sedgwick County and the State of Kansas.

It's home to more than 2,500 animals and nearly 500 different species, showcasing them in many fabulous exhibits. Again, a few of them is the Koch Orangutan/ Chimpanzee Exhibit, the North American Prairie and the Flamingos. So, again, what we're here today is to announce is that on April 25<sup>th</sup>, 26<sup>th</sup> and 27<sup>th</sup> Sedgwick County will be hosting the Military Appreciation Days at the Sedgwick County Zoo and any military family or member of the military, all they need to do is show their ID and they can get into the zoo on one of those days.

And again, just to take us back to why we're doing this, President Bush, when he greeted the POWs as they returned from Iraq said, 'There's more than 250,000 American troops are serving in Operation Iraqi Freedom to protect our security and to free an oppressed people. Their families await their safe return and our grateful nation remembers them in our prayers'. And again, this is a small token that we can show those families.

So, at this time I'd like . . . There's two guests with us today, one if Mark Reed, the Director of Sedgwick County Zoo who will be up here in a second, and the other person who is here I found out is a neighbor, also from New York where I'm from, Lieutenant Colonel Lori DeJarmo who is also here."

**Mr. Mark Reed**, Director, Sedgwick County Zoo, greeted the Commissioners and said, "I just wanted to say that we are extremely proud to be able to offer this weekend to our military community members, their spouses and kids. We have additionally made sure that . . . contacted the National Guard units within our community, but extremely proud to host the McConnell Air Force family at the zoo. In addition, we are providing free train rides for all military family and dependents. And we're just looking forward to a great weekend and we'll show them a fabulous time at the zoo and we're very proud to be part of this. And we thank the Commission and all the people at the zoo for rallying around our troops and something we can do for them this weekend."

**Lieutenant Colonel Lori DeJarmo**, McConnell Air Force Base, greeted the Commissioners and said, "On behalf of Colonel Michelle Johnson, the commander of the 22<sup>nd</sup> Air Refueling Wing, the men and women of Team McConnell, both deployed and at home, we'd like to say thank you for your gracious invitation and the outstanding support this community has continued to show us in times of increased operations, tempo, deployments and stress.

When we're deployed, it's really important to us to know that our family members are being well cared for. This community, as a whole, has embraced us, and continues to do so and we are very

### **Regular Meeting, April 23, 2003**

grateful and we look forward to seeing you at the zoo this weekend. Thank you.”

**Chairman Norton** said, “Don’t run off. Commissioner Sciortino.”

**Commissioner Sciortino** said, “Thank you. Well, first of all, I just want to publicly thank . . . I’m a little bit irritated with him, but I want to thank Tom Winters for coming up with the idea. The reason I’m irritated, I wish I would have come up with the idea.

Colonel, we really appreciate McConnell Air Force Base. Not only are your men and women out there fighting and defending the types of freedoms that we sometimes, unfortunately, come just to take for granted. But you also are a very large employer in the area and you contribute to our economic development and well being. And the nice thing about your base, you don’t usually layoff the airmen, if things are getting bad. You keep a very steady employment for us, and I believe if we added the civilians and everybody, we’re close to 3,000 people that are working out there.

This is more to say just simply to those people, thanks. You know, when they do their duty and I got occasion to see one of the warrant officers that finally made it home from being a POW, just a bright young fellow, and I’ve got to tell you, if this is an example of the types of young people that we’re continuing to put out in our community, we’re okay. I don’t understand their music. I don’t understand the types of clothes they wear, I don’t understand the haircuts, those that still have hair, but we still put out a very good crop of dedicated young men and women. And this afternoon, I’m going to attend, I’ve been invited along with Mayor Mayans, to the Security Forces. I guess we got recognized as the best security force squadron in the world, I guess. But . . . and then, last Friday I was at an event that you all had at . . . Oh, not you, I’m sorry, the master sergeants had at All Star Sports, and they gave us an example of what those guard dogs do, and I’ve got to tell you, if a guy, a young fellow is walking with a German Shepard and he says ‘halt’, just halt because the dog is going to make you halt if you don’t. Thank you very much for being here and thank you for McConnell Air Force Base. We really appreciate you.”

**Lieutenant Colonel DeJarmo** said, “Thank you for your continued support.”

**Chairman Norton** said, “Thank you. The next item, I’m going to let Carolyn move around, because we’ve got two Community Enrichment Awards.”

**Commissioner Sciortino** said, “Can I interrupt one thing. Mark, how do the people that are in the military or dependants, what do they have to show or what have you to get in?”

**Mr. Reed** said, “Just show their military ID and we’ll let them in.”

## Regular Meeting, April 23, 2003

**Commissioner Sciortino** said, "Okay, all right. That's good."

**Chairman Norton** said, "We now have two Community Enrichment Awards and we'll call the first one. And Commissioner McGinn will be announcing that."

### **OFF AGENDA ITEM**

#### **PRESENTATION OF COMMUNITY ENRICHMENT AWARD TO CURTIS MC CLINTON.**

**Commissioner McGinn** said, "This morning we have two Community Enrichment awards that are very unique and different, but both very well deserving. The first one will be Curtis McClinton. Why don't you come on up here, Curtis, while I brag about you for just a minute.

It is an honor to recognize Curtis McClinton Senior with the Community Enrichment Award today for his admirable career in business and for his contributions to civil rights education in our community. Mr. McClinton graduated from Manual Training High School in Muskogee, Oklahoma and from Langston University in 1938. He later pursued a masters and doctoral level degrees from Wichita State University and Emporia State University.

Mr. McClinton began his career in 1942 as a teacher in real estate. In the 1940s, Mr. McClinton ran and was elected to the Wichita Board of Education. In addition, he was elected as the first African American Kansas state senator. Curtis R. McClinton Senior served in the Kansas House of Representatives from 1957 to 1959, where he served on the Building and Loan, Education Fees and Salaries and State Parks and Memorials committees. Committees have changed, I guess, over time. He also served in the Kansas Senate from 1965 to 1969, where he was active on the Education, Municipalities, Printing, Savings and Loan and Water Resources committees.

Currently, Mr. McClinton, who turned 90 on March 20<sup>th</sup>, is a licensed real estate broker in Kansas and Missouri, and president of Urban Housing in Wichita. As past president of the Wichita Branch NAACP and as an active member of a number of organizations in Sedgwick County, Senator McClinton has worked hard to advance the civil rights of African Americans in Sedgwick County. His work has enabled African Americans in our community to work as policemen, firemen, teachers, and many other professional positions.

Again, Mr. McClinton, it is my pleasure to give to you, on behalf of the Board of County

### **Regular Meeting, April 23, 2003**

Commissioners and citizens of Sedgwick County, the Community Enrichment award. You have certainly enriched and made our community better over the many years that you've served us. Thank you."

**Mr. McClinton** said, "Thank you very much. I appreciate this token for the services that I perhaps have given to the County. I'd like to pay tribute to those that are in the armed services. They're doing a magnificent job at working to preserve our freedom and make freedom all over the world.

Thank you for this opportunity. I shall always cherish it and it shall be a part of my memoirs. Thank you."

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

**Chairman Norton** said, "At this point, I'll have the Clerk call the next item, since we have it officially on the agenda."

### **COMMUNITY ENRICHMENT AWARD**

#### **A. PRESENTATION OF COMMUNITY ENRICHMENT AWARD TO DEETTE HUFFMAN.**

**Commissioner McGinn** said, "All right. Commissioners, this Community Enrichment award too is rather unique. Come on up here, Deette, and well deserving in our community.

Today, we have the great pleasure to recognize Deette Huffman with the Community Enrichment award for her work with one of our community's most prominent features, the Arkansas River. Now, Deette is from New York, so I'm sure she had to learn how to say that when she got here in Kansas, but I will refer to it as that, since I was born here. I'm not sure if she calls it Arkansas. Maybe it depends on where she is.

Deette was born in upstate New York on a dairy farm, but has lived in Kansas for over 50 years, where she's been very active in the environmental work. In 1964, Deette received her Bachelor's Degree from the University of Kansas and then went on to pursue her Master's Degree from Wichita State University, which she received in 1973. Through Deette's environmental work, she became interested in the Arkansas River. Deette soon found out that there was not one group in charge of improving the status of the river, and so she decided to take action.

She took on the project of protecting the river in 1997, and received a grant from the Sierra Club to

### Regular Meeting, April 23, 2003

found the Arkansas River Coalition. The coalition became incorporated in 1998. The mission of the Arkansas Coalition is to protect, restore and improve the entire Arkansas River watershed, from its beginning in Colorado, to its joining the Mississippi in Arkansas and to enhance the well being of all life that the river sustains.

As part of this effort, the Ark River Guardian program was established to teach volunteers about the importance and value of a river by monitoring adopted stretches along, on a seasonal basis. Under Deette's leadership, the coalition has set four goals to support their mission. These goals include forming local river groups along the river, monitoring surface and groundwater resources to assure a clean, healthy river, promoting improved natural areas with a good mix of recreational space and to educate the public on the history and the value of the river.

In 1997, the same year Deette founded the coalition, she was awarded the Stream Monitor of the Year award from the Kansas Wildlife Federation. Deette, on behalf of the Sedgwick County Commissioners, I'm very proud and honored to recognize you and your work that you've done to improve our environment, our environment, our community and most of all, our river. So, Deette, congratulations. And if you'd like to say a few things.

Deette has certainly made an impact on our Wichita area community, but she's moving now and she's moving up to McPherson, but I'm sure we will not hear the last from her, and she'll be monitoring things upstream. So, Deette."

**Ms. Deette Huffman**, Volunteer Arkansas River Coalition, greeted the Commissioners and said, "I want to thank Carolyn, who has been a real supporter of our work and has come to the meetings when she's been very, very busy doing other governmental things and she's taken the time to do that. In fact, she just recently took our river guardian course, and that was a couple of evenings.

At any rate, I would like to remind you all not to take the Arkansas River, and I do pronounce it Arkansas now, because I have to talk to people in Colorado and Oklahoma and Arkansas and they all pronounce it that way and it's hard to change it. So anyway, I'd like to remind you all that the river is extremely important and that we should not just be using it up, but we should try to understand what makes it work and to protect it. It's a resource that we have been given by nature and it is part of us and therefore we need to treat it the way we would treat our own bodies, because we're all one. I realize that's a very Indian philosophy, but it's something I do believe. So, I hope you will all become involved with the coalition, with the new people who are taking over. I'll be through in May, and I certainly appreciate this award. It means a great deal to me. Thank you."

**Commissioner McGinn** said, "I'd just like to share a couple of personal notes. One of the things is Deette has been out there, being an advocate and a teacher and those kinds of things, but she's also

### **Regular Meeting, April 23, 2003**

been out there in her jeans and tennis shoes picking up the river, the trash along there and in taking my class and just going down to an area that, from the road looks clean, you get down along the river banks and it certainly . . . it needs friends of the river to clean up.

But one other thing I would just like to share quickly, and that has to do with my philosophy on how we improve the environment, and that is that we have many groups that can be at extremes at some time, some points in time, but I think we all have that same common goal. We all want a clean environment, we want clean rivers, we want clean water. And it was about eight years ago maybe, seven, eight years ago that I met Deette and it was at this environmental thing, and here I had my Farm Bureau badge on, basically, and she had, it seemed like, I think it was Sierra Club or something at the time.

So, I decided to go over and strike up a conversation, because there was a few things that she had up there that offended me personally as a farmer. And as we began some discussion about that, you know, we both agreed that the end result was what we wanted, and how do we get there. And we're going to have to work together. We may have different ideas about how we get there, but eventually, the end goal is the same.

And I guess I wanted to share that was because at times extreme groups just want to throw things and call each other names, and Deette was the first person that stepped forward that said, 'We can work with you and we want to make a difference'. And so, that was really the first step in my past life, as far as building coalitions and building teams to move down the road in a positive direction. So, I thank you, Deette."

**Chairman Norton** said, "Thank you, Commissioner McGinn. Clerk, call the next item."

#### **PROCLAMATION**

#### **B. PROCLAMATION DECLARING APRIL 28, 2003 AS "WORKERS MEMORIAL DAY."**

**Chairman Norton** said, "Commissioners, I'd like to read the following proclamation into the record.

#### **PROCLAMATION**

**WHEREAS**, April 28 marks the 32<sup>nd</sup> anniversary when Congress passed the Occupational Safety

**Regular Meeting, April 23, 2003**

and Health Act (OSHA) in the United States; and

**WHEREAS**, in 1989, the first Workers Memorial Day was observed in the United States, to honor those workers who have been injured or died on the job; and

**WHEREAS**, the Workers Memorial Day is to remember these victims and to renew our workplace safety commitment; and

**WHEREAS**, in the United States each year, nearly 6,000 workers lose their lives in work-related accidents, 65 in the State of Kansas; and more than 1.8 million workers are injured; and

**WHEREAS**, this observance reminds us to encourage safety and health promotion in the workplace, with the goal of preventing accidents; and

**WHEREAS**, safety in the workplace doesn't happen by itself, but takes the commitment of organizations and employees to make the workplace safe.

**NOW THEREFORE BE IT RESOLVED**, that I, Tim R. Norton, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim April 28, 2003 as

**“WORKERS MEMORIAL DAY”**

in Sedgwick County, and encourage citizens to remember those workers who have died or been injured in the workplace and to recognize the importance in developing and following workplace safety programs.

Dated April 23<sup>rd</sup>, 2003.

And I believe Mario Cervantes and Bob Brewer are here to accept today. I would accept a Motion.”

**MOTION**

Commissioner Winters moved adopt the Proclamation and authorize the Chairman to sign.

**Regular Meeting, April 23, 2003**

Commissioner Unruh seconded the Motion.

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

**VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

**Chairman Norton** said, “Gentlemen.”

**Mr. Bob Brewer**, Representative, Society of Professional Engineering Employees in Aerospace, Wichita/ Hutchinson Labor Federation, greeted the Commissioners and said, “We graciously thank you for the proclamation that you issued today.

We know that recently Wichita has suffered some economic impacts and layoffs in a lot of the industries, as well as other jobs here. And we also understand that people are going to move into new careers, and we think that through the efforts of working with the labor in the community, as well as the local, county, state and federal governments, that supplying and providing a safe working environment for the labor communities here in the state is very important. And with that, we thank you for your efforts today.”

**Chairman Norton** said, “Thanks, Bob. Mario.”

**Mr. Mario Cervantes**, AFL-CIO Community Service Liaison, greeted the Commissioners and said, “On behalf of the Wichita/ Hutchinson Labor Federation of South Central Kansas, I want to thank you for proclaiming April 28<sup>th</sup> as Workers Memorial Day. Many of us, when we walk out the door and we kiss our wives goodbye or our husbands goodbye and our children, we may not know

## **Regular Meeting, April 23, 2003**

that we're not going to come back that day. And thousands of workers across the country do not. So organized labor is instrumental in developing safety and health programs into the workplace to help alleviate that problem and make conditions in the workplace better, whether it's in the office or whether it's in a factory here in town. So I want to thank you very much, on behalf of the AFL-CIO for proclaiming the memorial day April 28<sup>th</sup>."

**Chairman Norton** said, "Thank you for being here today. It's interesting that safety is important to the workers, but you know it's just good business too, because it's very costly, when we look at insurance rates and how businesses can be destroyed by one accident, particularly small business. It just makes good sense to protect workers and protect the workforce, because it's not only good for the families and the individual, it's also good for business. So, I really appreciate you being here today. Thank you.

Clerk, call the next item."

### **APPOINTMENTS**

#### **C. RESOLUTION APPOINTING MEMBERS TO THE SEDGWICK COUNTY ADVISORY BOARD OF ONSITE WASTEWATER SYSTEM INSTALLERS AND SEWAGE HAULERS.**

- 1. CHRIS BOHM**
- 2. VERN LIPPOLDT**
- 3. MICK HANSON**
- 4. TIM LUBBERS**
- 5. MONTY MUNYON**

**Mr. Rich Euson**, County Counselor, greeted the Commissioners and said, "Commissioners, last October you created this board, which is comprised of five members. Two of them have to hold a Sedgwick County license as an on-site wastewater system installer for Sedgwick County. One has to hold a license as a sewage hauler in Sedgwick County. One is to be a member of the general public residing in the unincorporated area and the fifth is to be a professional engineer as licensed in

**Regular Meeting, April 23, 2003**

the State of Kansas.

The persons who are proposed for this board do fit those categories and they are Chris Bohm, Vern Lippoldt, Mick Hanson, Tim Lubbers and Monty Munyon. Under our resolution, they all serve four-year terms and the purpose is to recommend policies and procedures to you for wastewater systems and to hear appeals from determinations made by the Director of Code Enforcement. I'd recommend that you adopt the resolution."

**Chairman Norton** said, "Okay."

**MOTION**

Commissioner McGinn moved to adopt the Resolution.

Commissioner Winters seconded the Motion.

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

**VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

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

**Commissioner McGinn** said, "Thank you. This is very new to us, as a County, and maybe the only county in the state that has oversight over wastewater treatment systems. In the past, you know, you pay your fee to get whatever system you need to have, and then from that point on, nobody is there to monitor, evaluate this type of system that's in the ground, and whether it's good for the environment. So we just got done talking about community enrichment awards, somebody improving the environment, I think this is a very positive step for us as a county to be doing this

### Regular Meeting, April 23, 2003

kind of thing, because there is better technology out there that can treat the water better, the affluent, and is better for our overall environment, whether its surface or groundwater. And so, I wanted to mention that because of the fact that this is very new and I think it's a very positive thing for our community. And I think some of the individuals that we're going to see here being sworn in this morning are very qualified, worked with them in the past, either on design or out digging holes and doing well-pluggings. I see Monty is out there all cleaned up. The first time I've seen him in a suit.

So, anyway, I'm just . . . I'm very supportive of this action, and am glad that we're doing this."

**Chairman Norton** said, "I believe . . . I see several of the individuals here to receive their oath. Are all five here today? That's wonderful. I'll call Don Brace forward to issue the oaths of office and if Chris, Vern, Mick, Tim and Monty would come forward, we'll swear you in."

**Don Brace**, County Clerk, greeted the Commissioners and said, "Please raise your right hand.

*I do solemnly swear 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 the Sedgwick County Advisory Board of Onsite Wastewater System Installers and Sewage Haulers, so help me God."*

**Mr. Chris Bohm, Mr. Vern Lippoldt, Mick Hanson, Tim Lubbers, Monty Munyon**, Member, Onsite Wastewater System Installers and Sewage Haulers, said, "I do."

**Mr. Brace** said, "Congratulations."

**Chairman Norton** said, "Now I would ask if any of the gentlemen would like to make a comment. It is a new board. I know I served on the city council in Haysville with Vern Lippoldt for 8 years, was it Vern, at least? And I do admire that he has been in the industry for many years. I think he'll serve well and he understands kind of the public service side of what he's going to be doing too. So, if there's any of you that would like to make a comment, we would certainly welcome that."

**Mr. Bohm** said, "And I've worked, over the last couple of years, a lot with Carolyn in getting some of this technology in the County and under use. And I think it's very good to have this technology and very good to have the oversight that we can hopefully provide. So, we take great pride in collectively being able to provide these services to the county. So, thank you."

**Regular Meeting, April 23, 2003**

**Chairman Norton** said, "Thank you, Chris. Anyone else? Vern."

**Mr. Lippoldt** said, "I would just like to say, I think this is a step forward in communications with the installers, with the people in the field and the government. We've had quite a lapse in that for the past quite a few years. And maybe we can put a little input into it and make it easier on you folks and you can us too. And that's by being able to communicate. We've never had this. I think it's a great step forward. Thank you."

**Chairman Norton** said, "Thank you. Anyone else?"

**Commissioner McGinn** said, "Monty, you're not going to say anything?"

**Mr. Munyon** said, "It's kind of unusual, but not today."

**Commissioner McGinn** said, "Well, I also just want to share, we're going to be leaning on you a lot. I mean, we're starting to break new ground here, but it's in a very positive way for the community, particularly the environment of our community. And so, we appreciate that you're taking the time to serve and we look forward to hearing back from you about different issues that are out there and situations. Thank you."

**Chairman Norton** said, "Appreciate it. Clerk, call the next item."

**DEFERRED ITEM**

**D. PRESENTATION OF CERTIFICATES OF COMPLETION FOR THE MINI-MPA EXECUTIVE DEVELOPMENT IN PUBLIC ADMINISTRATION PROGRAM FOR 2002-2003.**

- 1. RODNEY HORTON, DIVISION OF INFORMATION AND OPERATIONS**
- 2. RON MARSH, PUBLIC WORKS**
- 3. MARK MASTERSON, DEPARTMENT OF CORRECTIONS**
- 4. ANNE SMARSH, TREASURER**
- 5. DWAYNE WRIGHT, SHERIFF'S DEPARTMENT**

**Chairman Norton** said, "And I believe Dr. Flentje is here to make the presentations. Dr. Flentje."

## Regular Meeting, April 23, 2003

**Dr. H. Edward Flentje**, Director, Hugo Wall School of Urban and Public Affairs, Wichita State University, greeted the Commissioners and said, "Thank you for the opportunity to be on your agenda this morning, for the purpose of recognizing five individuals who are members of the Sedgwick County organization and who have completed a sequence of sessions in what we call the Mini-MPA.

If you'd give me just a moment to say a few words about that, this was a program initiated by Sedgwick County and the City of Wichita and the university in '96, so it, in a sense, has that history. Two years ago, we revised it significantly, and I think upgraded it and opened it to jurisdictions other than the two. And the class of, I think, 27 folks, it's a 16 week, three hours a week intense exposure to public policy, public management, public finance issues. The class of 27 or so involved managers from three counties, eight cities and four non-profit agencies in this area.

So, we are quite pleased with the progress of that. I would say that we very much appreciate the value that your organization places on employees and their development. We work closely with your managers and your Human Resources folks to make sure this is the very best program we can put together. It's targeted to professionals in your organization and others in the region who are moving into positions of management responsibility. Often, these folks have specialties, but it's intended to kind of provide a broader exposure to the kinds of things that you have to deal with often public policy, public finance and public management.

Our faculty, seven of our faculty members in the Hugo Walls School conduct these sessions and we appreciate the support. And one final item, one of the values we've found, we like to think that the facility has something to contribute, but one of the values is increasing communication and building relationships across jurisdictions. As I said, with a number of different jurisdictions involved, folks learn that those folks over there don't have horns and one eye and things like that, whatever that 'over there' is.

With that, let me ask these folks to come forward. Their supervisors, I think, are here today as well, to be part of this. Rodney Horton is Network and Telecommunications Manager in your Department of Information and Operations. Rodney, Congratulations. Came up in perfect order, the way these were laid out. Ron Marsh is Executive Officer in the Department of Public Works. Ron, Congratulations. Dwayne Wright is a Sheriff's Lieutenant and works as manager in your Corrections operation in the County. And Mark Masterson is Director of your Department of

### **Regular Meeting, April 23, 2003**

Corrections. And your County Treasurer did not go through the program, but accepting for Ann Smarsh, Deputy County Treasurer is your County Treasurer.

Again, thanks for the opportunity to be here today and recognize these folks and again, I compliment you and the leadership of the organization on the value you place on your employees and we want to be helpful when we can at the university in that regard. Thank you.”

**Chairman Norton** said, “Thank you, Dr. Flentje. I have just one comment. Having gone back and got my Masters at age 48, I’m a true believer in continuing education and I often talk about building our intellectual capital here at the County and I think that’s the way we do it, through broad-based educational value that we promote within the County system. And these individuals hold up that high regard for continuing education, and I applaud them for that, because it does help us become smarter and better at delivering good government. So, I appreciate that, doctor.”

**Dr. Flentje** said, “And I would add, I haven’t said a lot about, these folks do a lot outside . . . I mean they do the regular jobs and then do extra reading and a variety of things. The capstone session a couple of weeks ago was to sort out the AirTran Issue in the region and provided a way to look at an issue from the perspective of finance and policy and marketing, a number of things.”

**Chairman Norton** said, “Thank you. At this point, Commissioners, I have an Off Agenda item I would like to take. It’s Solid Waste Committee appointments. Several of those people are here to be sworn in as appointed, and I’d like to go ahead and take the Off Agenda item appointing Charlie Hawthorne, David Lies, Clem Dickerson and Marty Cornejo to the Solid Waste Committee.”

#### **MOTION**

Chairman Norton moved to consider an Off Agenda item.

Commissioner Winters seconded the Motion.

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

#### **VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye

**Regular Meeting, April 23, 2003**

Chairman Tim Norton

Aye

**OFF AGENDA ITEM**

**APPOINTMENTS TO THE SEDGWICK COUNTY SOLID WASTE MANAGEMENT COMMITTEE.**

- 1. RESOLUTIONS (TWO) APPOINTING CLEMENT T. DICKERSON AND MARTY CORNEJO (CHAIRMAN NORTON'S APPOINTMENTS)**
- 2. RESOLUTION APPOINTING DAVID LIES AND CHARLES HAWTHORNE (COMMISSIONER SCIORTINO'S APPOINTMENTS).**

**Chairman Norton** said, "And now I'd like to take that Off Agenda item, Solid Waste appointments, and Don Brace is here and so are our four appointees. And so, we'll ask them to come forward. I'm sorry, Mr. Euson. This is appropriate, I assume."

**Mr. Euson** said, "Yes, it is. We've prepared resolutions. These are reappointments. They're all terms that expire in December of 2004 and you should adopt the resolutions."

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

**Commissioner Winters** said, "So, do we need a Motion?"

**MOTION**

Commissioner Winters moved to adopt the resolutions.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye

**Regular Meeting, April 23, 2003**

Chairman Tim Norton

Aye

**Chairman Norton** said, "Mr. Brace."

**Mr. Brace** said, "Please raise your right hand."

*I do solemnly swear 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 Solid Waste Management Committee, so help me God."*

**Mr. Clement T. Dickerson, Mr. Marty Cornejo, Mr. David Lies and Mr. Charlie Hawthorne,** Members, Sedgwick County Solid Waste Management Committee, said, "I do."

**Mr. Brace** said, "Congratulations."

**Chairman Norton** said, "And I would ask these gentlemen if they have anything to say today, they're welcome to it. Chickens. Commissioner Sciortino."

**Commissioner Sciortino** said, "I just would like to say, not only to the two fellows that I had the privilege of reappointing, but to all of them that serve on any of our advisory boards, this is really a labor of love. This particular board has had to go through a lot of items. Some of them were somewhat contentious, but I just really appreciate that people are willing to serve. And I'm a little bit in awe of that, because this board spent I don't know how many hours, they continue to spend these many hours, and without them giving us advise and sometimes we don't take the advise, and they let us know that too I think, but I just really appreciate the effort and the work that you've put in and I compliment you, because without your help, we couldn't be doing anywhere near as effect a job as we try to do. So, thank you all very much. That's all I have."

**Chairman Norton** said, "Thanks, Commissioner Sciortino. Clerk, call the next item."

**Commissioner McGinn left at 9:50 a.m.**

**PUBLIC HEARING**

- E. PUBLIC HEARING AND RESOLUTION AUTHORIZING ISSUANCE OF \$4,420,000 AGGREGATE PRINCIPAL AMOUNT OF HEALTH CARE FACILITIES REFUNDING REVENUE BONDS, SERIES 2003 (CATHOLIC CARE CENTER, INC.).**

## Regular Meeting, April 23, 2003

**Ms. Irene Hart**, Director, Division of Community Development, greeted the Commissioners and said, “Last month, the Board of County Commissioners issued a resolution of intent to issue up to a little over \$4,000,000 in Health Care Facilities Refunding Revenue Bonds for the benefit of Catholic Care Center Incorporated. The next step in the process is for you to hold a public hearing and take comment. And then, should you elect to do so, to adopt the resolution and cause the bonds to be issued.

Tom Church, J.T. Klaus and representative of the underwriter are here, in case you have any questions about the project or how the issuance is going.”

**Chairman Norton** said, “Any questions of Irene before we open the public hearing? At this point, I’ll open the public hearing and accept any comments, pro or con, from the public. Is there anyone that would like to come forward? Seeing none, I will close the public hearing and limit the comments to the bench and questions to our visitors or Irene Hart. What is the will of the Board? Any discussion, questions?”

**Commissioner Winters** said, “Mr. Chairman, I think when we first started down this road, I think Mr. Tom Church did give us an overview of how things are going out there, and so I don’t know that we need to do that again. I think we’re all very enthusiastic about that facility and the work it does in the community and they’re doing a great job, and this will, hopefully be a benefit to them, let them serve their clients even more efficiently.”

**Chairman Norton** said, “Would you . . . I would entertain a Motion then.”

**Commissioner McGinn returned at 9:52 a.m.**

### **MOTION**

Commissioner Winters moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

**Regular Meeting, April 23, 2003**

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

**VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

**Chairman Norton** said, "That was quick and painless."

**Commissioner Winters** said, "Thank you all for being here."

**Ms. Hart** said, "I neglected to remark that our Bond Counsel, Joe Norton and his office is here."

**Chairman Norton** said, "You forgot my cousin, Joe?"

**Ms. Hart** said, "They were on the front row. I didn't see them."

**Commissioner Sciortino** said, "You want to make a disclaimer. It will be front headlines."

**Chairman Norton** said, "Nepotism."

**Commissioner Sciortino** said, "He was just joking, folks."

**Commissioner Winters** said, "Well, thank you all for being here, in case we did have a question."

**Chairman Norton** said, "Clerk, call the next item."

**NEW BUSINESS**

**F. DIVISION OF COMMUNITY DEVELOPMENT.**

- 1. AGREEMENT WITH KANSAS WORLD TRADE CENTER TO PROVIDE ECONOMIC DEVELOPMENT SERVICES RELATED TO ASSISTING LOCAL BUSINESSES WITH INTERNATIONAL TRADE.**

### Regular Meeting, April 23, 2003

**Ms. Hart** said, "For several years, Sedgwick County has contracted with the Kansas World Trade Center to provide economic development services related to assisting local businesses with international trade. In previous years, the World Trade Center was located at the Wichita Area Chamber of Commerce. Late last year, the board of directors moved the center to Wichita City Hall to collocate with other international trade organizations. The amount of the contract remains the same, as budgeted in the 2003 budget.

Services have changed to provide more support and assistance to our Foreign Trade Zone that's operated by Sedgwick County. Susan Sieffer, who is president and CEO of the Kansas World Trade Center, has planned to attend today but was called out of town for a funeral. I'd be happy to try to answer any questions that you might have."

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

**Commissioner McGinn** said, "Irene, what's the total budget for this department?"

**Ms. Hart** said, "The amount that Sedgwick County is contributing is \$50,000."

**Commissioner McGinn** said, "But what's the total budget? Is that the total budget?"

**Ms. Hart** said, "No it's not. It's a partnership with City of Wichita, Sedgwick County. The County Manager is on the board of directors. Can you provide . . .?"

**Mr. William Buchanan**, County Manager, said, "I don't know."

**Commissioner McGinn** said, "I mean, is this like a 50/50?"

**Mr. Buchanan** said, "No, there are contributions from the City of Wichita, whose paying more than the \$50,000. There are private memberships. There are contracts that have been entered. There's a couple of hundred thousand . . . I will get you the exact figure, later today."

**Commissioner McGinn** said, "But some of those other . . . If my memory is right, some areas outside of Sedgwick County, are those the partners you're talking about?"

**Mr. Buchanan** said, "Some private business partners, some people that want to belong to this. The Kansas World Trade Center is a franchised agreement from the World Trade Center of New York, and there's programs and activities that must be continued and followed to carry that brand name. And there are standard services which are provided for. We've asked for some services for us that

### **Regular Meeting, April 23, 2003**

are unique to Sedgwick County about the Foreign Trade Zone, and we expect them to perform those and we'll see if that occurs."

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

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

**Commissioner Sciortino** said, "Irene, on that, at some time, this isn't an emergency, but I would really like, I don't know if my colleagues would, kind of an update on that Foreign Trade Zone. You know, what's it doing, what's it costing the County, what kind of benefits are we getting for it, that kind of thing? I think that would be very informative for me. Okay, thank you."

**Chairman Norton** said, "Yeah, I think it would be appropriate to get some kind of an update. That was housed in the Chamber for many years and it's recently moved out of there, the partnerships have changed and I think I'd like some information on how it's working."

**Ms. Hart** said, "If I could clarify, we're talking about two different things now."

**Commissioner Sciortino** said, "No, I was saying the Foreign Trade Zone, not the World Trade Center."

**Ms. Hart** said, "Okay. So you want updates on both of them then."

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

**Chairman Norton** said, "Yes."

**Ms. Hart** said, "Okay."

**Chairman Norton** said, "Thanks, Irene. Clerk, call the next item."

**Ms. Lisa Davis**, Deputy County Clerk, said, "I need a Motion."

**Chairman Norton** said, "I'm sorry. What is the will of the Board?"

#### **MOTION**

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

Commissioner Winters seconded the Motion.

## Regular Meeting, April 23, 2003

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

### VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

**Chairman Norton** said, "Clerk, call the next item."

- 2. SOLID WASTE PROCESSING FACILITY CERTIFICATION FOR APPLICATION TO KDHE BY UNIVERSAL LUBRICANTS, INC. FOR A SOLID WASTE PROCESSING FACILITY/RECLAMATION FACILITY LOCATED AT 2824 NORTH OHIO, WICHITA.**

### OVERHEAD PRESENTATION

**Ms. Susan Erlenwein**, Director, Environmental Resources, greeted the Commissioners and said, "The Kansas Department of Health and Environment requires any solid waste associated permit to be approved for its consistency with our local solid waste plan. The company who is bring this application before you is Universal Lubricants, and they're located on North Ohio.

On this aerial map, you might be able to see 135, 29<sup>th</sup> Street, this is Ohio and this is the facility, so you can see it's an industrial area. And then this is a close up of their facility, which is located here. Universal Lubricants receives used oil, tests it, processes it, and then distributes it for use as fuel. They've been in business a number of years and KDHE has been aware of their processing facility. But just recently, KDHE has required them to go through this process and actually get a permit.

The Solid Waste Committee reviewed this at their last meeting, which was on the 21<sup>st</sup>. They agree that it is consistent with our Solid Waste Management Plan and recommends that for the Commission to review and approve that it's consistent with the plan. I'll be happy to answer any questions, and there are representatives from Universal Lubricants here to help answer any questions. Thank you."

**Chairman Norton** said, "I see no questions, at this point. What is the will of the Board?"

### **Regular Meeting, April 23, 2003**

**Commissioner Winters** said, "I guess I just have one question for Susan. Susan, there really . . . I mean, as far as I could tell, there's not a down side to this, is there? I mean, this is a good thing."

**Ms. Erlenwein** said, "Absolutely. They're taking a product that, in some cases, calls for disposal and they are taking that used product and recycling it into something very useful. So it is right there with our plan on minimizing waste and reusing products."

**Commissioner Winters** said, "And so has KDHE always regulated this kind of thing, or . . .?"

**Ms. Erlenwein** said, "Used oil has been kind of a gray area, and just recently they're starting to go statewide and starting to regulate these facilities."

**Commissioner Winters** said, "And the discussion at the Solid Waste Committee level was, again, positive and no real down sides discussed there?"

**Ms. Erlenwein** said, "That's correct. There were just a few minor clarification questions, but there was unanimous approval of this proposal."

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

**Chairman Norton** said, "Commissioner Unruh."

**Commissioner Unruh** said, "Well, as a small businessman who has used that facility for disposal of used oil, it's really a help to the small, independent automotive people and others who generate. They don't fit the definition of a small quantity generator, but they develop a little bit more waste product than that, but some of the availability of ways to dispose of that is pretty limited and it gets expensive, and this is one facility that was a real help to us. So, I'm very much in favor of this."

**Ms. Erlenwein** said, "Thanks. In fact, they're working with our Household Hazardous Waste Facility."

**Chairman Norton** said, "Good."

### **MOTION**

Commissioner McGinn moved to find the proposed permit application for a Solid Waste Processing/Reclamation Facility is consistent with the Solid Waste Management Plan, and that the area is properly zoned for this use; and authorize the Chairman to sign the

## Regular Meeting, April 23, 2003

Certification.

Commissioner Winters seconded the Motion.

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

### **VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

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

### **3. PRESENTATION OF SOLID WASTE MANAGEMENT COMMITTEE COMMENTS AND RECOMMENDATION REGARDING THE SOLID WASTE MANAGEMENT PLAN AMENDMENT.**

**Ms. Erlenwein** said, "The County Commissioners adopted a resolution on March 19<sup>th</sup> to amend the Solid Waste Management Plan. Part of that resolution asked for the Solid Waste Committee to review this amendment and make any comments on the plan. The committee looked at that at their last meeting on April 21<sup>st</sup> and the chair of that committee, Nicki Soice, is here to give you the results of that discussion."

**Commissioner Sciortino** said, "Now, Irene, we don't have anything in our backup."

**Ms. Erlenwein** said, "Since the meeting just occurred late Monday afternoon, I'm about to distribute that to you today."

### **OVERHEAD PRESENTATION**

**Ms. Nicki Soice**, Chairman, Sedgwick County Solid Waste Management Committee, greeted the Commissioners and said, "After I got the resolution, I looked at it, I really tried to read it and I thought, 'It is so broad, I'm not sure . . .', yeah, I was pretty sure what the committee would do with it and it could have taken them another 18 months to have tried to have discussed that."

### **Regular Meeting, April 23, 2003**

So, there were many ways that we could have approached it. A vote was one way to approach it, but we already have enough problems with voting and, in essence, in February the committee voted on a similar, very similar proposal. So, I visited with Chairman Norton and asked, 'What would be most helpful for you, what do you need from us at this point in time, that would help you, as you make the next moves, whatever those may be?' And so, he and I . . . He said you would need some input, some feedback, some comments. So I developed a process that would use a survey. It would elicit some written response and it would get some verbal response to some questions that all cover that same proposal that the resolution that you had given us.

So, this morning what you have in front of you is the results of that survey. The first three questions, when I saw these and tallied them up yesterday, they solidified for me why the committee has had so much difficulty. And it isn't difficulty in the sense that these people are doing battle, it is simply that we have trouble making some progress sometimes. You'll see that there's a real polarization. In essence, these three questions probably line out to the vote that we would have taken. If you drew a line right through the middle, between the first three sets of answers and the second three sets of answers, then you'll see your negative and positive ends. We end up with ten individuals who are strong on one side, not just strong, but totally focused in that area and ten individuals who are totally focused . . . or eleven, rather, on the other side.

When we came down to the question of, 'Should the plan include both a landfill and transfer stations' however, that polarization broke, for whatever reason, and we ended up with 19 votes to the negative side that no, it should not include both. Is that how the committee would have voted? I would not dare to predict how the committee votes, but it's somewhat of an indication for you.

The next four questions are relative to the bans that are currently in place in the plan. The first question indicates that this is not a committee that is totally polarized, except probably on that one issue. The ban on C & D, they swing back over and are totally supportive of that particular ban. When we come to the fifth question on mandatory recycling with voluntary participation that is highlighted on yours because the committee is all over the map on that one.

Now, I made a grave mistake when I did this, because over that weekend, Waste Connections had mentioned the possibility of blue bag. Does that have anything to do with this question? I have no way of knowing. I don't know whether it effects it or not, and I probably should have asked them another question, but did not.

Volume based trash with three sizes of containers, you'll see that we end up with, again, another mix. The ban on leaves and grass, and I went down to the next four sets of questions, or the next set of questions. There has been some commentary from committee members as to maybe we should

### **Regular Meeting, April 23, 2003**

not have the ban on leaves. Maybe that piece should be dropped out. So, I asked, you know, should we only ban grass, should we only ban leaves. And you'll see that the will of the committee was that we don't just ban grass and that we don't just ban leaves, because they see those as being intertwined, even though, and it is significant, on number 9, that all of that polarization has been eliminated. This is a committee that can work together on some of the issues, but they have these two areas that they cannot.

When we get to question eleven, the question of importing trash, the committee again swings towards they are not supportive of that. You have 22 votes, not votes. That is not a vote. That is simply a statement from them, in a written format. And should we be structured to accept only Sedgwick County's trash, again we see that polarization, which reinforces what we saw.

The next question was how many landfills? If a landfill is supposed to be in the plan, how many? For me, this was a surprise that we had six who said 'one'. That we had 20 that said 'more than one'. The next question . . . the committee was not happy over this question and you need to know this. On question 14, who should own it? They were quick to point out to me that I had not given them all of the options that any of these could have been a utility. And so I smiled at them nicely and said, 'You're right, but please fill it out anyway'. And I think we only had to toss out one, maybe two of them that didn't quite comply.

Ten first choices went to privately owned and operated. The only thing of significance there is that there were no second choices. That particular one got no second choices, and you can see how it fell out from there on down.

On the second page, I asked them a question, if you had to cut one of these, which one would you cut. They were a little divided between the mandatory recycling fee with voluntary participation and between volume-based trash. There were a few comments made on the back that it bothered them about the number of containers and the sizes of containers. So I don't know what that means. It just means . . . I don't know what it means. I didn't try to assess this. You should never try to assess this group. What they did want to keep was the ban on Construction and Demolition waste.

From there, I went into two questions. We did discuss with them that many people come to a question with different goals in mind. People may do recycling for different reasons. They may do it to make money. They may do it to preserve resources. They may do it to keep things out of the landfill. Knowing that, I then asked them what is the strongest reason to include a landfill in the Sedgwick County Solid Waste Plan and these were their responses. Now what I thought would happen was that, because of the way it was set up, that we would end up with five to ten responses. But I forgot it was this committee and we ended up with 26 different ones. So, I could have just given you the list, but I tried to break it into categories. These categories became a little telling as I

## Regular Meeting, April 23, 2003

got into it.

The categories that I broke it down into, and you'll have to go through it for yourself, because some of them had more than one item. It kind of fell under the issue of control, economics, impact and other. And typically the other is, 'I don't want to do this', okay, but under control, economics, and impact.

The second question that I asked them to write was 'What do you think is the strongest reason to leave the plan as it is?' And I might overlay this one right over that, Susan. Those fell into categories of environmental, programs, economics and other. Do you see the difference, and does this in fact go back to those first three questions? This may be a separation of those that see it as an economic question and those that see it more as an environmental question. Neither camp is wrong and neither camp is totally right, but that does happen to probably be one of the issues of polarization.

There were other written comments that they made. That is on the next sheet. I won't go through those for you. I elicited responses to some written questions that were, again, part of the resolution. I tried to take it from the system as it is to the pieces that were in the resolution and asked them the strengths of the current system. There were 29 responses, what are the weaknesses of the current system. There were 15 responses, what are the pros of having a landfill in the Solid Waste Plan. There were ten responses, what are the cons. There were 19 responses and reasons to include both in the plan only drew 9 responses from the group.

The positive impact that we could expect to see, the negative impact and reasons for importing trash into the county. There were a few other comments that you'll find on the very last sheet. This is the input that Chairman Norton had asked for. Did we take the vote, no, and it was probably a pretty unpopular motion at that point in time to say to them, 'We're not going to do a vote' because I know many of them came expecting to do that. Do you have the essence of a vote? I hope so. Do you have any questions?"

**Chairman Norton** said, "We do. Commissioner Sciortino."

**Commissioner Sciortino** said, "I don't have any question of the presenter, but Mr. Euson, I'm a little confused. We had asked, I thought, the Solid Waste Committee to give us their comments on the proposed amendment, and I don't know that we got what we asked for. I mean, did we? I mean, I know we got this survey thing, but I still don't know, is this what we asked? I mean, we asked for comments specifically on the proposed amendment and I don't know. What are those? Did you ever get comments on the proposed amendments, or I don't know what the committee's thought process is on the proposed amendment. I have a suspicion, but I don't know."

### Regular Meeting, April 23, 2003

**Mr. Euson** said, "I guess this document speaks for itself, to the extent that it answers that question."

**Commissioner Sciortino** said, "We got into a lot of questions that I didn't realize we were asking them to do. You know, should we ban grass clippings? We were asking about this proposed amendment and I don't know . . ."

**Mr. Euson** said, "Yes, and as I recall, the question was 'Should you have a landfill option in addition to a transfer station as part of the Solid Waste Plan' and I think that this document does tend to answer that. I don't know . . ."

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

**Ms. Soice** said, "And may I say something here too. At our February meeting, we had a Motion on the table that was voted on by this committee. It is right here. She says read it out loud. The Motion, at that time, was 'I move that the Solid Waste Committee recommend that, as a part of the planning for changes in the solid waste management system the County Commission amend its Solid Waste Plan to permit it to receive and review proposals for a landfill in Sedgwick County'."

**Commissioner Sciortino** said, "And what was that vote?"

**Ms. Soice** said, "It failed. We had one abstention. It was 15/ 13, one abstention, I believe."

**Commissioner Sciortino** said, "Fifteen against and thirteen for and one abstention. Okay. I guess that answers the question."

**Ms. Soice** said, "Yeah. For me, this was a reiteration of that same resolution and for us to vote on it again meant we had to have a two-thirds vote. So, I didn't bring it to a vote. It was not the staff . . ."

**Commissioner Sciortino** said, "But for you to vote on it, you would have needed a two-thirds. What does that mean?"

**Ms. Soice** said, "Because the committee had already voted on that proposal, and I thought this was the same proposal that was in the resolution, it would have required a two-thirds vote of the committee by Roberts Rules."

**Commissioner Sciortino** said, "To take it to a vote?"

## Regular Meeting, April 23, 2003

**Ms. Soice** said, "Yes, sir."

**Commissioner Unruh** said, "To reconsider."

**Commissioner Sciortino** said, "Okay. What I wanted from the committee, and I don't think that I got it, I don't necessarily wanted them to vote 'Yes, we want this/ No, we don't'. I wanted comments on the amendment, reasons why you thought the amendment was good, reasons why you thought the amendment was bad. I understand the makeup of the committee. I think it was kind of close, but I think the majority of the committee does not advise us to even consider a local landfill. I mean, that was what was voted on in February.

I wasn't aware, Mr. Chairman, that we were going to have all these questions and what have you. But I'm done, I'm done. Thank you."

**Chairman Norton** said, "Commissioner Unruh."

**Commissioner Unruh** said, "Well, I guess I had just a little bit of different perspective on it than Commissioner Sciortino. I was going to compliment you on the information that you gave us. It is, in my opinion, kind of a reaffirmation of the vote that was taken in February. But it gives us, I think, specific comments and a detailed analysis of the thinking of the committee. And so, I'm happy with the report we got. I think it gives us the information we need and the reasoning for it. And so I just compliment you on this approach to giving us the feedback and I'd compliment you on your skill in leading a diverse committee on a contentious issue."

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

**Commissioner McGinn** said, "Well, my first question was going to be about the back two pages but I think I've got that all figured out now, how you tabulated that, and that I think does give us a feel for where we really are on this one through six part of this. And this is something that I want to thoroughly look over and I think this is very helpful, to tell you the truth. I agree with Commissioner Unruh.

We know that there's some polarization on that committee, and we would be back to whether it's plus or minus one or two either way and it doesn't really tell us how they really feel about things. And so, I'm going to be looking through this and trying to sort through and digest this just a little bit, as we move forward. So, interesting way of doing it and I guess you and Commissioner Norton did that, and so I appreciate that and we'll see where we go from here. So, thank you."

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

### Regular Meeting, April 23, 2003

**Commissioner Winters** said, “Well, I’m going to say it looks to me like it contains useful information that’s kind of broken out in a different way than I expected, but I think we can get out of it what we need. So I say good job, Nicki.”

**Chairman Norton** said, “Well, as Nicki and I have visited several times in phone conversations and as I looked over what she developed, I’m in lockstep that it’s the kind of information we had to have. It wasn’t as simple as just looking at our resolution and saying yes or no, because there’s too many divergent opinions there to say yes or no un-quantitatively.

I think I challenge the group to be open and honest that day, but that we weren’t going to take a vote. That ultimately it’s going to come down to the elected officials that sit at this Bench to change the solid waste plan if we so deem necessary. We’re moving, at least five and 0, lockstep to engage the Solid Waste Committee, the MAPC and the public in making that final decision. And I thought it was imperative that we had that kind of information that everybody had a chance, at least after we said that we were moving ahead, five and 0 to include it, to get their . . . to have their ability to say what they thought, without going through the contentiousness of voting one more time. We’d had a vote. I think it showed that it went one way but it was relatively split. I mean, it was votes both way. I think these numbers and these comments will at least give us some good information to try to process and digest, as we move forward on this really, really tough issue.

So, Nicki, I think you did a wonderful job. I didn’t stay and observe, because I didn’t want to be obtrusive to the kinds of conversation, good open conversation that you thought you had to have a chairman, and I think you did that. That’s my perspective.

I think we can argue all day long, which I think people will, as to what these numbers will tell us. We’ll try to process that and figure that out. This is a very, very tough issue for our community. I take it with high regard that we have to use everybody’s abilities to weigh in on this.

I spoke at a Lions Club last night, and I asked them about this issue. At my son’s baseball game I asked them about this issue. At my church, after Easter service, I talked to five people about this issue. It’s that important that we get everybody’s feedback, because it effects everybody and I think this certainly disseminates information from people we’ve appointed that gives us a really good starting point of what we want to do with our resolution. So, I appreciate that.”

**Ms. Soice** said, “I did try, on the questions, to make sure that every question on this survey was somehow re-asked, either in written form or in verbal form. I would tell you that the committee really wore out. It’s an exhausting piece and it would have worked nicely if we could have gotten

### **Regular Meeting, April 23, 2003**

them in small groups and moved them back out, but the way the room is set up, and because we have public there, it's not always possible.

If there is more, Commissioner Sciortino, that you'd like for the committee to examine, ask questions, please call and we'll see what we can add to that.

The very last sheet is simply the tally, as you look at the rows of numbers, that is the individuals responses all the way across the bottom shows the median response, meaning if I lined them all up, what would the middle one be and the average response to those questions. And it will give you one other look at it."

**Chairman Norton** said, "Any other questions of Nicki or Susan today? What is the will of the Board?"

#### **MOTION**

Commissioner McGinn moved to receive and file.

Commissioner Unruh seconded the Motion.

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

#### **VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

**Chairman Norton** said, "Thank you very much, Nicki, Susan. Next item."

- 4. SEDGWICK COUNTY SOLID WASTE MANAGEMENT PLAN FIVE-YEAR REVIEW AND UPDATE FOR SUBMISSION TO KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT (KDHE); AND COMMENTS FROM THE APRIL 14, 2003 PUBLIC HEARING ON THE FIVE-YEAR REVIEW AND UPDATE.**

#### **POWERPOINT PRESENTATION**

## Regular Meeting, April 23, 2003

**Ms. Erlenwein** said, “The Kansas Department of Health and Environment requires counties to develop a solid waste plan, but they also require annual updates, and every five years we review that plan. KDHE has developed guidelines to assist counties in their endeavor. Part of their guidelines are basically saying is a review of changes in the solid waste system, what was the system like five years ago when the plan was first adopted and what’s happening today. They also require a look at the planning horizon, a ten-year view into the future. They require a public hearing as well.

Some of the basics required by KDHE is the current committee composition. As you know, there are 30 members on the committee. They represent first, second and third class cities, unincorporated areas, waste haulers, disposal facilities, general public and private business. So it is a diverse group. They also require us to look at population changes, and looking at the census from 1990 to 2000, it shows that Sedgwick County has grown 12% over those 10 years. And any resolutions passed in the last five years by the board have been included as appendix A, so any solid waste related items are in that appendix.

The Municipal Solid Waste Facility has changed over the last five years. Five years ago, Brooks Landfill was open and it received just over 1,500 tons per day average and that’s a seven day a week average. Today, we have two transfer stations, one located north, on located south, and they average just over 1,200 tons of trash a day, and again, that’s a seven day average. So, that’s a 22.4% decrease in the amount of municipal solid waste going to a disposal facility like this.

The main reason for that was the County’s ban on construction and demolition material from the transfer stations. So that’s something else that occurred. Five years ago, construction and demolition material went to Derby Transfer and Recycling down on K-15 and Brooks Landfill. Record keeping was not the best at that time and calculation of material received was over 76,000 tons in that year.

Today, we have three new facilities. Derby closed their construction/ demolition facility. Brooks opened a new construction and demolition landfill. We also have CDR and C&D Recyclers and you can see they received almost 124,000 tons of material last year. That’s a 62% increase in construction and demolition material, and I think a lot of this is due to better record keeping at these facilities than what we had five years ago.

Compost facilities, there’s been one main compost facility in our community. It’s Wood Recycling Compost Center. In the last five years, they’ve received over 98,000 tons of material. The main difference today from five years ago is the type of materials received. Grass clippings and yard

### **Regular Meeting, April 23, 2003**

waste and wood waste is common, but they also added food waste and they have a program with schools to receive food waste from the schools, sheet rock, grain and manure. So they're increasing the diversity of material.

Recycling, one of the changes we've seen is the materials received at the facilities. Mainly Weyerhaeuser dropped glass from what they received at the end of 2002. This affected the curbside recycling and the drop-off bins. Weyerhaeuser always received magazines and catalogs, if you took it to their facility, but now those have been added at the drop-off bins and the curbside recycling. So, people saw a decrease in glass but an increase in magazines and catalogs.

Also plastic has had its ups and downs. Plastic was never received at the drop-off bins in the parking lots at the stores. Plastic numbers 1 and 2 is received curbside in the past and it still is. Some businesses created a variety of mechanisms to receive numbers three through seven plastic, and they have come in business and gone out of business. There are a couple of curbside recyclers that take material to different locations, and they receive a larger variety of plastics than those that take it to Weyerhaeuser.

Recycling and curbside, one of the big differences besides the material I mentioned is that Bel Aire franchised the collection of curbside recycling in 2002. On the drop-off recycling bins, we increased the number of drop-off locations from 15 to 19 and this map shows these locations in the middle of the circles and the kind of yellowish area is a two and a half mile radius around the drop-off bin, 86% of the households in Sedgwick County are within two and a half miles of a recycling drop-off bin. The blue area stretches it out to three and a half miles and 96% of the households are within that area. So if people are inclined to drive at least three and a half miles, they can recycle.

Specific materials need to be addressed in our update. Medical waste, there is a transfer station called Stericycle and they transfer medical waste to an incinerator in Kansas City. Asbestos can be taken to the Brooks C & D Landfill. Other materials, batteries, used oil, white goods, are all addressed in our recycling guide. We don't want to constantly do a new guide every time a business goes out of business or adds new material, so we update this regularly on our Sedgwick County website.

We also have a new Household Hazardous Waste Facility. This shows the old facility, which was located south of town, and it was a temporary facility when they started. You can see, it was a smaller facility. In 1997, they had limited hours of operation, 9 to 1, Tuesday through Saturday,

### **Regular Meeting, April 23, 2003**

and received over 2,000 customers that year. They also received over 237,000 pounds of household hazardous waste. This map shows the old facility location as the blue triangle, and the new facility is more centrally located and it's the red dot.

The new facility just opened in 2002. As I mentioned, it's centrally located, has extended hours of operation, two evenings a week it's open till seven p.m. and Saturdays it's open from nine to three. It received, this facility along with the old facility, since they were both open in 2002, over 7,000 customers and over 404,000 pounds of household hazardous waste. So you can see quite an increase of customers and materials.

One of the key new things about the facility is our swap and shop. The facility had, just from October through December of last year, over 200 people go to the swap area and take home material. They do not have to bring something to take something home and if they pick something up and don't use all of it, they can bring it back for free. So it's a wonderful service that decreases our disposal costs at this facility and allows residents to get materials.

Special events also occurred the past five years. We had the waste analysis in 1997 and 1998, where we sorted through trash, divided it into fifty-two components. We did this for this long a period so we can see seasonal changes in the trash. The pie chart shows that most of the material received at Brooks Landfill was paper, 30%, the next was construction/ demolition material, 19 ½%, then yard waste was 12 ½% and other materials: food, plastic, metal, glass and other. So from this study, we could target our reduction into these areas, such as our ban on C & D.

Another special event we had was our tire amnesty program in June of 2000. You can see from this photograph, the large variety of tires we received for that week. We worked with Public Works Department, they allowed us to use a north yard and a south yard to give people two different areas to take the tires. They were received for free. We received 115,804 tires at this event, but the state looks at it as the size. You can see some of them are large tractor tires, others may have been motorcycle tires, so they have a formula where they calculated to passenger tires equivalence, it was over 218,000 tire equivalence. The state picked up the tab for the disposal of these tires, and it was over \$301,000. So this was a very popular event. We worked with educating the community about coming here and worked with townships for their illegal dumping problems with tires to bring those to this program.

### **Regular Meeting, April 23, 2003**

Another program, Christmas tree recycling, in 1997 there were seven sites. We've increased that to 18 sites around the County.

Illegal dumping is something we've looked at. What we discovered is that no one was really keeping track of the number of incidents, so our department started working with the people who clean up the illegal dumping incidents, such as City Public Works, County Public Works and the townships, and asked them to report to us how many reports they were getting and how many sites they cleaned up. From 2001 to 2002, the number of reports of illegal dumping increased just less than 2%.

The County looked at this as an ongoing problem. We've always had illegal dumping, we will always have, and so the best thing is to target those who do this, and so we increased the penalties and we also worked with Farm Bureau to create illegal dumping signs to show that these fines can go up to \$1,000 and to call 9-1-1 when they see an incident. These are put out at the spots, throughout the County, where we have illegal dumping as a problem.

On the planning horizon, when the state asked us to look over the next ten years, the committee will continue to meet and review permits and grants as they come up. We'll continue to have our annual updates and five-year review and the County can change the plan at any time. So, when the plan is changed, we will notify KDHE as these changes occur, whether that's changing the disposal system or implementing new bans, or changing how we recycle materials.

Thank you very much and one last thing, Solid Waste Committee did review this Monday and they did approve the five-year plan update and we did have a public hearing on the 14<sup>th</sup>. The Commissioners have received the Minutes, should have received that yesterday, from that public hearing. We also received written comments at that meeting and on-line comments and you've received those. I'd ask you to approve this update and will forward it to KDHE. KDHE requires that we have this to them by April 30<sup>th</sup>. Thank you and I'd be happy to answer any questions."

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

**Commissioner Winters** said, "Susan, does the plan talk about recycling percentage numbers and . . . the question I had, I guess, was help me understand, in one of your first slides you were talking about there's been a 22.4% decrease in the tonnage going to the two transfer stations, as opposed to going to Brooks Landfill. So it would look to me like I know that not all C & D is being recycled, but a significant part of it is. The comment was made at our . . . from the general public that we were recycling at less than 3%. Can you help me understand all those numbers?"

**Ms. Erlenwein** said, "If you look at the amount of material that residents recycle, looking at curbside recycling and drop-off bins, by weight that would be 3%. But communities don't just look

### **Regular Meeting, April 23, 2003**

at residential recycling. They also look at what businesses recycle and industries and we're at 12% if you look at the materials going into our two main facilities, Weyerhaeuser and Kamen that worked with us. It's probably higher than that, but many industries do not give us numbers. They consider recycling a commodity and they don't like to give their numbers out to their competitors. So even though we've asked different businesses to give us the recycling numbers, we're not always able to receive those.

And that's why it's hard to make apples and apples comparison of our community to others. Some communities include yard waste in their recycle numbers, others don't. So, it's very difficult to do a national comparison and it's also difficult to do a comparison of our status now to five years ago, because how we are tracking it and our availability of data is different."

**Commissioner Winters** said, "Well, it would look to me like that if we had a 22% decrease in tonnage from Brooks to the transfer stations now, that that 22% is going someplace and I would have to think that I don't believe the City is recycling at their C & D site, but I think the rest, the other C & D recyclers or other C & D facilities are recycling a significant amount of material."

**Ms. Erlenwein** said, "Yes, they are."

**Commissioner Winters** said, "So it would look to me like, if it's not going to a transfer station, and it's not going to a landfill, it looks to me like somebody is recycling that. And so I'd think that that recycling number would be . . . to say, talk about 3% is not correct in my estimation."

**Ms. Erlenwein** said, "I agree."

**Commissioner Winters** said, "Is that kind of . . . is there any place in this plan where that kind of . . . in the report to KDHE that that's talked about?"

**Ms. Erlenwein** said, "The percentages are not. I can add that to a letter that we send to the state pointing out how we can calculate a percentage of recycling."

**Commissioner Winters** said, "Well, I think it would be at least an interesting discussion to have, perhaps at another time. That's all I had, sir. Thanks."

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

**Commissioner Sciortino** said, "Yeah, Susan, to kind of follow up on that, I'm trying to remember, but I know we had talked to Ritchie and we had talked to Cornejo and the figure of 70 or 80% was being recycled. Marty, you're in the room right now, what percentage, at your C & D, are you

### Regular Meeting, April 23, 2003

recycling of the material? Just a ballpark, don't have to worry about getting real . . .”

**Mr. Marty Cornejo**, Member, Solid Waste Management Committee, said, “I'm going to say probably 40.”

**Commissioner Sciortino** said, “Forty percent. Okay, that was lower than I . . .”

**Mr. Cornejo** said, “Like anybody else's figures, dirt, asphalt, concrete, C & D.”

**Ms. Erlenwein** said, “And actually, Marty, I think you're being conservative on that number.”

**Mr. Cornejo** said, “Probably so.”

**Commissioner Sciortino** said, “Okay. That's still a substantial number, but of the concrete and asphalt, what percentage are you recycling of that, just those two items?”

**Mr. Cornejo** said, “A hundred, 100% if we can get to it. Some of it is mixed and we can't get to it and it gets by. We'll recycle 100% of that.”

**Commissioner Sciortino** said, “Okay. And one more . . . maybe I'll get to the answer. What percentage of the total amount of C & D does concrete and asphalt make, of the total stuff that you take in?”

**Mr. Cornejo** said, “Over 50.”

**Commissioner Sciortino** said, “Okay. So, if you're recycling 100% of 50, that would be 50% of the whole? Is that right?”

**Mr. Cornejo** said, “Pretty close.”

**Commissioner Sciortino** said, “Okay. All right, thanks. That's a pretty substantial number and I think that's what Tom was trying to come out at.”

**Ms. Erlenwein** said, “And they recycle drywall and wood and other materials, metals as they can. So the C & D facilities are doing an excellent job, especially the private ones, of pulling that material out.”

**Commissioner Sciortino** said, “And I can also understand why the haulers, maybe, don't want to give out the number of people that are taking the recycling bins or what have you, but . . . About what percentage, Jim, would you say are people that are . . . I mean, if you wanted. . .”

**Regular Meeting, April 23, 2003**

**Jim** said, "We're based about 6%."

**Commissioner Sciortino** said, "Okay, and maybe that's where that low number is, because somebody could be recycling, but maybe they're not recycling things that are real heavy is the point."

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

**Commissioner Sciortino** said, "Because I think we're doing a little better job than that too. Okay, thanks."

**Chairman Norton** said, "Okay. No other questions? Any other discussion? What is the will of the Board?"

**MOTION**

Commissioner Sciortino moved to approve the Sedgwick County Solid Waste Management Plan Five-Year Review and Update, and approve submission to KDHE; and receive and file the public hearing comments.

Commissioner Unruh seconded the Motion.

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

**VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

**Chairman Norton** said, "Thank you, Susan. Next item."

**G. DIVISION OF FINANCE.**

**Regular Meeting, April 23, 2003**

- 1. RESOLUTION DECLARING IT NECESSARY TO CONSTRUCT IMPROVEMENTS TO AN EXISTING ROAD IN THE COUNTY; PROVIDING FOR ISSUANCE OF GENERAL OBLIGATION BONDS TO PAY THE COSTS THEREOF; AND PROVIDING FOR PUBLICATION AS REQUIRED BY LAW.**

**Mr. Chris Chronis**, Chief Financial Officer, greeted the Commissioners and said, "And before I begin this item, I would like to introduce to you our director of accounting, who was hired about three weeks ago. Standing beside me is Shawn Henning. Shawn comes to us from the City of Wichita, where she worked for the past 11 years. The first three of those, she was their internal auditor, and for the last eight years she was the City's controller. And so, she is extremely well experienced for our position. As our director of accounting, she will oversee, of course our general accounting operations, and preparation of our financial statements, but in addition to that she will oversee grant management, payroll, accounts payable, cash management, the investment program and debt administration. So it's a very broad portfolio that she takes on for us and we're very lucky and happy to have her here."

**Chairman Norton** said, "Welcome. Any comments?"

**Ms. Shawn Henning**, Director of Accounting, Finance Department, said, "I'm just glad to be here and trying to get my feet on the ground and learn about the organization."

**Commissioner Winters** said, "It's good to have you here."

**Mr. Chronis** said, "And so this item will fit into Shawn's portfolio. The action that's before you is a resolution that declares the necessity of widening 63<sup>rd</sup> Street South, between Hydraulic and K-15 and it also provides for the issuance of General Obligation Bonds to pay for a portion of that project. Specifically, we have adopted in our Capital Improvement Program, a 5.3 million dollar project for this road widening, of which \$4,000,000 is to be funded with bond proceeds. The residual, the 1.3 million dollars, is to be funded with the local option sales tax.

The resolution is the first step in the process of issuance of those bonds. Following adoption of this resolution, it will be advertised twice in the daily record, which is the Derby Reporter. I'm sorry, I didn't say that right, but you know what I'm talking about. And following those advertisements, then a 90 day protest period will be initiated. That protest period allows citizens to protest the issuance of General Obligation Bonds for this project if they choose to do so. Petitions representing 3% of the number of voters in the last gubernatorial election from Sedgwick County must sign the

**Regular Meeting, April 23, 2003**

petitions and submit them to the County Clerk. That process will culminate in late July, and we expect to sell these bonds in early August. I'll be happy to answer any questions that you might have about the project or our financing plans. And Joe Norton, who is our bond counsel as you know, is in the audience and can answer questions about the resolution which he drafted."

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

**Commissioner Winters** said, "I just have one question for County Counselor Rich Euson. Rich, you've reviewed all this resolution and everything appears to be in order according to state statute?"

**Mr. Euson** said, "We have and it is in order and we have approved it."

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

**Chairman Norton** said, "Any other discussion?"

**MOTION**

Chairman Norton moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

**Chairman Norton** said, "Thank you, Chris. Clerk, call the next item."

- 2. GRANT APPLICATION TO BUREAU OF JUSTICE ASSISTANCE FOR ELIGIBLE FUNDS UNDER THE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM FOR FEDERAL GRANT YEAR 2003.**

### **Regular Meeting, April 23, 2003**

**Mr. Marty Hughes**, Revenue Manager, Division of Finance, greeted the Commissioners and said, “States and units of general government that have authority over correctional facilities or detain undocumented criminal aliens for a minimum of four days are eligible to apply for the State Criminal Alien Assistance Program funds. The open application period for the 2003 program was originally set for April 7<sup>th</sup>, 2003 to May 31<sup>st</sup>, 2003, but has been moved back to April 14<sup>th</sup> through June 6<sup>th</sup>. There were delays in opening the application period to give the Bureau of Justice Assistance a chance to update their website. They’ve done that and so now it’s open, so it’s ready to take application. The Sheriff and Finance staff have been working with Justice Benefits Incorporated staff to collect and analyze the data needed to submit to the Bureau of Justice Assistance through the on-line application process.

There are three changes in the grant program this year that may effect the final grant award amount and I’d like to kind of give you an update on what those things are. First of all, probably the biggest one is the amount appropriated by congress for the 2003 program is \$250,000,000 and that’s down \$295,000,000 from last year’s amount of \$545,000,000, so that’s obviously going to have a big impact for all of the grant applicants, including us.

The incarceration threshold changed from 72 consecutive hours last year to four consecutive days this year, which could be a benefit, depending on when a person came in, when a prisoner came in. If they came in like the last hour of the first day and left the first hour of the last day, that could be in there for like 50 hours instead of 72 hours. So, that could be a benefit or not, depending on when a prisoner came in.

The third change in criteria is that the eligibility criteria changed from just being incarcerated for a felony to a misdemeanor charges to actually having a conviction and that’s going to be a big change, especially local government, you know jails and correction facilities. It probably won’t be that big a change for the state, because the state facilities have convicted . . . all their prisoners are convicted felons, or you know . . . So it probably won’t be a big change for them. They’ll probably end up getting more money out of the deal than the locals will. But anyway, those are the three major changes in the program this year. And so, we’d like to get your approval to go ahead and apply for that grant application on-line and see how we come out this year.”

**Chairman Norton** said, “Okay. Are there any questions of Marty? I see none.”

### **MOTION**

Commissioner Sciortino moved to Approve the Grant Application and authorize on-line

**Regular Meeting, April 23, 2003**

submission; authorize the Chairman to sign and submit all necessary documents, including a grant award agreement containing substantially the same terms and conditions as the Application; and approve establishment of budget authority at the time the grant award documents are executed.

Commissioner Winters seconded the Motion.

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

**VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

**Chairman Norton** said, “Thanks, Marty. Call the next item.”

**H. SHERIFF’S DEPARTMENT.**

**1. GRANT APPLICATION TO BEAUMONT FOUNDATION OF AMERICA FOR 2003 COMMUNITY GRANT FUNDS FOR THE EXPLOITED AND MISSING CHILDREN UNIT.**

**Sheriff Gary Steed** greeted the Commissioners and said, “Commissioners, as you know we partner with the Wichita Police Department and SRS to provide a task force called the Exploited and Missing Children’s Unit. And that unit’s mission is to protect our children, investigate crimes regarding children. And one of the most important investigations they do has to do with Internet crimes and sexual predators on the Internet.

This grant that EMCU is applying for would provide for a mobile laptop computer system that would be taken out into the community to various organizations and places in our community and

### **Regular Meeting, April 23, 2003**

provide training for parents and children, in particular low-income parents and children, to make sure that they know how to use the computers and to be safe when they're using the Internet, to protect them from sexual predators in particular and also to teach the parents how to manage the computers and use their computers so that they can follow up on where their children have been on the Internet.

So, it's a good preventative program. It's for 12 laptop computers and they anticipate, should this grant be approved and they get the computers, that they would do five to twelve presentations per month with this system. So, I would ask that the Commissioners approve the grant application and authorize the Chairman to sign the documents."

#### **MOTION**

Commissioner McGinn moved to approve the Grant Application and authorize the Chairman to sign all necessary documents, including a grant award agreement containing substantially the same terms and conditions as this Application; and approve establishment of budget authority at the time the grant award documents are executed.

Commissioner Winters seconded the Motion.

**Chairman Norton** said, "I have a Motion and a second. Any other discussion? I just have one comment. As Chair, I get to sit on this particular group and I've only made . . . I think we've only had one meeting that I've attended. I've got to tell you, I was scared senseless when I started hearing the information that they have to deal with. And I think any time that we can apply grant funds for this kind of deep remiteration of what's going on, this is very important. But it's pretty scary out there. If the public knew what was really going on in some of this venue, so I applaud you for this, Sheriff."

**Sheriff Steed** said, "Thank you."

**Chairman Norton** said, "Clerk, call the roll."

#### **VOTE**

**Regular Meeting, April 23, 2003**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

**Chairman Norton** said, "Thank you, Sheriff. Clerk, call the next item."

**2. GRANT APPLICATIONS (FIVE) TO KANSAS CRIMINAL JUSTICE COORDINATING COUNCIL FOR BYRNE GRANT FUNDS.**

- **CRIME SCENE LATENT PRINT IMAGER**
- **DIGITAL VOICE RECORDER SYSTEM**
- **LCD PROJECTORS**
- **REPLACEMENT RADIOS**
- **MOBILE DATA TERMINALS**

**Sheriff Steed** said, "Commissioners, this is another grant application that we would purchase some much needed equipment. The equipment includes a fingerprint imager, a digital voice system, which is a fairly elaborate recording system that officers do dictated reports on, some LCD projectors so that we could have those in classrooms. Virtually everybody now a days does Powerpoint projections, so we need some in our training classrooms and free up the ones we have for presentations and such.

The radios include 25 portable radios. Many of our radios are becoming outdated and we have to continually replace some of those and this grant would take care of that. And of course, it includes 13 mobile data terminals at our replacement computers . . . for our computers that are in the vehicles out on patrol. I would request that the Commissioners approve the grant applications and authorize the Chair to sign."

**Chairman Norton** said, "I see no questions. What is the will of the Board?"

**MOTION**

Commissioner Unruh moved to approve the Grant Applications and authorize the Chairman to sign all necessary documents, including grant award agreements containing substantially the same terms and conditions as these Applications; and approve establishment of budget authority at the time the grant award documents are executed.

**Regular Meeting, April 23, 2003**

Commissioner Winters seconded the Motion.

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

**VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

**Chairman Norton** said, “Thanks, Sheriff. Clerk, call the next item.”

**I. RESOLUTION RELATING TO THE SEDGWICK COUNTY TREASURER’S ACCEPTANCE OF INSTALLMENT PAYMENTS OF NON-DELINQUENT PERSONAL PROPERTY TAXES; AND RELATED FORM AGREEMENT AND PAYMENT GUIDELINES.**

**Ms. Jan Kennedy**, Treasurer, greeted the Commissioners and said, “You have in front of you a proposed resolution. Since this would be under some home rule rules, the guidelines that relate to the prepayment of non-delinquent taxes and the agreement for non-delinquent taxes. This images what we did in February of this last year . . . or a year ago February, excuse me, for real property, to enable our citizens to use a financial tool of budgeting a little more economically for people on fixed incomes, for people who have just refinanced, and we’re only expanding what we’re doing in real estate by request of citizens to include non-delinquent personal property, which could be business property, airplanes, jet skis, whatever.”

**Regular Meeting, April 23, 2003**

**Chairman Norton** said, “This also includes, Jan, manufactured homes, does it not?”

**Ms. Kennedy** said, “Yes, manufactured homes, unless they’re permanently affixed to the land, are personal property, not real property. So we inadvertently left out a segment of our population who could use this tool for their own homes if they didn’t have a mortgage and an escrow.”

**Chairman Norton** said, “Okay, good. Any other questions or discussion?”

**MOTION**

Commissioner Sciortino moved to adopt the Resolution; and receive and file the form agreement and payment guidelines.

Commissioner Unruh seconded the Motion.

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

**VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

**Chairman Norton** said, “Thank you, Jan. Clerk, call the next item.”

**J. DIVISION OF HUMAN SERVICES.**

**COMCARE**

**1. AGREEMENT WITH UNIFIED SCHOOL DISTRICT 259 ESTABLISHING A COOPERATIVE ARRANGEMENT TO PROVIDE MENTAL HEALTH SERVICES FOR CHILDREN.**

**Ms. Marilyn Cook**, Director, COMCARE, greeted the Commissioners and said, “We are nearing the completion of actually the second year of the Campus Connections program, which was formerly known as the Co-location program. And the agreement that you have in front of you is the agreement for the current school year.

### **Regular Meeting, April 23, 2003**

This is a collaboration among USD 259, Communities in Schools, Family Consultation Services and COMCARE. We operate this program in five elementary schools, three middle schools and two high schools in USD 259. USD 259 provides space and support for our providers and we have been working, for a long time it seems, between last fall and early this year, to come up with an agreement to allow our program staff and providers to use the school's existing data connections in all their schools, rather than having to go through the expense of providing our own lines in those schools and that's a primary reason why this agreement has taken so long. We did manage to do that in all of the schools and they all are now connected, so that the COMCARE staff can directly put their documentation into the computer systems at the schools that feed that information back to our on-line medical record.

The schools appear to be very happy with this program. We are very happy with many aspects of this program. There are always things that we would do to change them. Communities in Schools has done a survey recently, and I thought I'd just review just a couple of general comments that came from that. School staff was very appreciative of the support that they received from the mental health staff and the mental health staff seemed very pleased with the positive reception that we received in the schools. They were also, school staff was very pleased with services and the extra support for children and they saw Campus Connections not only as valuable for children, but to their families as well.

School staff also saw Campus Connections as a resource for crisis management for students that were involved in the programs, but they didn't hesitate to ask us questions about other children that were in crisis and we helped them with those children as well, and they were very appreciative of that. And another comment was that they agreed that the importance of regular communication was very, very important to the success of children in school and by us being there, sitting on the child's study teams and meeting with the teachers and parents it made a very big difference.

Due to the dollars available, due to paying one subcontractor, namely Family Consultation Services, were recently very significantly reduced, that was in the newspaper last week, due to the current financial environment of the county and the larger state. So we have been looking at the situation and seeing what we can do and make possible for next year with the reduced amount of funding that's available and we hope to . . . we have about four options that we're looking at right now and we hope to have a conclusion to that by the end of May.

We request that you accept the agreement and I'd be happy to answer any questions you might have about this one."

**Regular Meeting, April 23, 2003**

**Chairman Norton** said, “Well, I see no questions. It’s interesting that several of us went to the CIS annual Star awards and you find out real quickly what kind of kids and how many kids are being touched by these services, in collaboration with CIS and this is a wonderful program that brings together the capacities of several different organizations to be sure that they help kids, particularly those that might need some kind of mental health services. So I think it’s a great program. What’s the will of the Board?”

**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 David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

**Chairman Norton** said, “Next item.”

- 2. CONTRACT RENEWAL WITH CITY OF WICHITA, KANSAS WHEREBY COMCARE WILL CONTINUE TO PROVIDE ADMINISTRATION OF THE CITY SPECIAL LIQUOR TAX PROGRAM.**

**Ms. Cook** said, “The City of Wichita contracts with Sedgwick County for COMCARE’s addiction treatment program to provide administrative services for the City’s special liquor tax program and

**Regular Meeting, April 23, 2003**

that letter of agreement is a renewal for an option for another year of that service. Total amount of the contract is \$98,585.

The primary services that are provided as a result of that contract is that the COMCARE addiction treatment services staff monitor 17 contracts for 12 different service providers. Some of them have more than one service in place. We provide technical assistance to them to improve grantees process and written reports are accurate. We review progress on the outcomes once a quarter and help them look at corrective action when that is necessary. We also monitor monthly financial reports for the programs. We chair the quarterly liquor tax coalition meeting. We have been responsible for writing clinical components for the Request For Proposals that come up when extra money is available and we conduct site visits for all of the provider programs. We are recommending that you accept that contract.”

**Chairman Norton** said, “Okay. Once again, I see no questions. What’s the will of the Board?”

**MOTION**

Commissioner Unruh moved to approve the Contract Renewal and authorize the Chairman to sign.

Chairman Norton seconded the Motion.

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

**VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

**Chairman Norton** said, “Thanks, Marilyn. Clerk, call the next item.”

**3. FISCAL YEAR (FY) 2003 BUDGET TRANSFER REQUEST TO KANSAS DEPARTMENT OF CORRECTIONS.**

**Mr. Mark Masterson**, Director, Department of Corrections, greeted the Commissioners and said, “This is a technical budget adjustment item. The department operates two adult community correction programs that are state funded. We have about a \$42,000 surplus in one program in the

**Regular Meeting, April 23, 2003**

personnel category and we have a shortage in the other, so this is a request to transfer those funds so that we can fully utilize our state grant from Intensive Supervision program to Adult Residential. I ask that you approve the transfer.”

**MOTION**

Commissioner McGinn moved to approve the FY 2003 Budget Transfer Request and authorize the Chairman to sign.

Commissioner Winters seconded the Motion.

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

**VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

**Chairman Norton** said, “Next item.”

**4. GRANT APPLICATION TO KANSAS JUVENILE JUSTICE AUTHORITY FOR FUNDING OF LOCAL JUVENILE JUSTICE PROGRAMMING.**

**OVERHEAD PRESENTATION**

**Mr. Masterson** said, “Commissioners, this is the annual funding application to the state Juvenile Justice Authority for our local prevention and graduated sanctions programs. The purposes for these programs, as you know, are to prevent and to address juvenile delinquency in the 18<sup>th</sup> Judicial District, which is Sedgwick County.

Before presenting the funding recommendations, I’d like to share a few of the positive results juvenile justice reform has had in our community over the past three years. The results are depicted on the chart and you can see that juvenile crime arrests, juvenile court filings, the numbers of kids that we have in the state’s custody, the most expensive end of the system and the number of juvenile correctional facility commitments are all going down and have all gone down over this three-year period.

### Regular Meeting, April 23, 2003

The results are very impressive to get all of these indicators moving in that direction over the same period of time. This is not the result of any single program that accomplished these things, but the overall impacts of the prevention funds, both the juvenile justice county prevention funds and other community prevention funds and the early intervention focus that we took in our plan to work smarter with the money that we had, get people connected to services earlier. And we've seen some pretty impressive results and we certainly hope these trends can continue."

**Commissioner Sciortino** said, "Mark, before you go forward, if you don't have it you don't have to . . . for me it would be more impactful if I could know what the percentage of change was. Like does that 263 constitute 5%, 1%? Is there a way to tell us what the percentage . . .?"

**Mr. Masterson** said, "I'm not sure I can calculate the percent. I can tell you, on arrests, that it's down to a little over 3,000 juvenile crime arrests in 2002 and that went down 263, so it's 263 more than that in 2000."

**Commissioner Sciortino** said, "You could figure out a percentage that way. If this is 263 less than what it was last year, that should be an easy way to figure a percentage, shouldn't it?"

**Mr. Masterson** said, "Yeah. I'm not sure I could do it standing here in my head."

**Commissioner Sciortino** said, "I meant if you could give us that in an e-mail or something."

**Mr. Masterson** said, "Absolutely. I have a nice chart with all that on it that I can send to you. What's impressive is to look at the trends since '97, when we really peaked and the way that trend line is going, that some really positive impacts are occurring."

**Commissioner McGinn** said, "He thought since you got that Mini-MPA, that also meant you could do the calculations."

**Chairman Norton** said, "Wasn't there a math portion of that?"

**Mr. Masterson** said, "No."

**Chairman Norton** said, "It's about 9% drop."

**Commissioner Sciortino** said, "I'm interrupting again, but I mean, if you have some numbers that

### Regular Meeting, April 23, 2003

are impressive showing a trend since 1997, why don't you send us a press . . . because you know we've been really laboring over prevention funds and outcomes, what have you. Well, this could be testimony that we're doing the right thing. And if you could put it in a spreadsheet to show it's trending down, maybe the press would pick up on that and that would be a very positive story for us. That's why I was asking."

**Mr. Masterson** said, "I have all of that in charts that I'd be happy to provide."

**Chairman Norton** said, "Great. Thanks."

**Mr. Masterson** said, "Today's item . . . for state fiscal year '04 we'll have less funding for the second year in a row. The process that we go through to . . . The process that the Juvenile Corrections Advisory Board goes to in developing these recommendations to bring to you is depicted on the chart. We have two committees, a prevention committee and a graduated sanctions committee composed of members with expertise in those areas. They look at the details about how the programs are performing. They have the providers come in and present what they think they'd need for the coming year and answer questions. And then we receive the funding numbers and then put together the difficult task of trying to fit the programs to the funding numbers.

And so that's the process that they follow. It goes to the Corrections Advisory Board and then brings it to this Commission and if you approve the plan, we forward it on to the State Juvenile Justice Authority.

This is the funding plan for 2004. Under prevention, under the prevention category, that one fund of dollars that we receive, and you can see the dollar, 1.2 million dollars, and how we arrived at that. We will be funding . . . in this fund, we were able to fund all of the current programs, but at a lower service level. We had to cut about \$140,000 out and we accomplished that by cutting 10% of the first four programs and 25% of the functional family therapy program.

The larger cut, the functional family therapy, was made to reflect the actual number of clients served. So it was basically one caseload, one therapist and that better matches the actual utilization of that program. And so that's how we arrived at the prevention number.

Under the intervention/ graduated sanctions section, funding was reduced by a little over \$124,000, but it's in this fund area where we've experienced significant cuts and we've experienced significant cuts in the current year. Those included, you may recall, elimination of the day reporting program, plus we had to absorb about a quarter million dollars of costs for client transportation and client clothing into our juvenile case management program budgets.

These impacts, combined with the increased cost of doing business, made the choices more

### **Regular Meeting, April 23, 2003**

difficult. After careful review, the advisory board recommends funding the required core programs, which are the three shown under the core program area, Intake and Assessment, Intensive Supervision and Case Management, at the current services level. These programs are the foundation for community-based services that protect public safety and hold juvenile offenders accountable for their actions.

They recommend funding the D.A.'s diversion program and the Detention Advocacy Service at a reduced service level and, unfortunately, the Multi-Systemic Therapy program, or MST program, had to be eliminated. That decision was based upon the low numbers of clients served, compared to the other programs in this area. We had to figure out a way to serve the most clients and minimize the impact of these reductions as best possible and that was the decision that was arrived at.

All of the programs before you for consideration are current programs. I can try to review each one of them in detail with you if you'd like or I can stop there and simply answer questions."

**Chairman Norton** said, "Commissioner Sciortino had a question, but he left."

**Commissioner Winters** said, "I think you already answered his question."

**Chairman Norton** said, "He turned it off and turned it back on. I think he maybe had another one but he snoozes, he loses. Anyone else have questions? Do we want more information or are we okay with what we've got here?"

**Commissioner Winters** said, "I think we've got plenty of information. It's . . . Again, this is going to be an area where state funding is going to have an impact, but I think Mark and his group and the Juvenile Correction Advisory Board, Team Justice has done a good job in trying to make reductions in the best places possible. And it's not a good thing, necessarily, to see the one program go away, the multi . . . what is that, Mark?"

**Mr. Masterson** said, "MST, Multi-Systemic Therapy."

**Commissioner Winters** said, "Right. Because one of the things about it is it was a high intensity, I mean it was one caseworker person spending a lot of time with one family and I think it was probably a good program, but you certainly don't get the wide spread coverage that we're looking for. So, I'm prepared to make this Motion, if we're ready. I think we've got enough information. I think Mark and his folks are doing a good job, under the circumstances. Did you have another question for Mark?"

**Commissioner Sciortino returned at 11:15 a.m.**

### Regular Meeting, April 23, 2003

**Commissioner Sciortino** said, "Yeah. Mark, if I heard you right, on the beginning, you had said that even though we're showing that we're doing a pretty good job and we're trending down, our funds are being cut. Is that basically what I heard you say at the beginning?"

**Mr. Masterson** said, "Yes."

**Commissioner Sciortino** said, "Okay. Well, I would like to have . . . I don't know if it should be you or you in conjunction with Kristi or working together with Mike Pepon or something, but I'd like to make a real strong presentation to show to our delegation, you know, why are you throwing the baby out with the bathwater? What better outcome measurements do you want than showing that we're trending downward and you're going to cut our ability to continue to improve in this area. I mean, I don't know if we're going to go anywhere with it, but at least show them that we're trying to do the best we can and this is a program that maybe, instead of this idea we're going to cut 10% across the board and stuff, maybe there are some programs that should be increased funding. So, that's what I was trying to get at. So, that's all. Thanks."

**Chairman Norton** said, "Commissioner Winters, did you have . . .?"

**Commissioner Winters** said, "No, I was just . . . just to follow up with Commissioner Sciortino, I think Sedgwick County is becoming well known around the state for our juvenile justice programs and a lot has to do with Mark and his staff and the advisory board. So, Commissioner Sciortino, I think that that is something we need to have in our toolbox, in our quiver when we visit with other folks about here is a successful program going on in Sedgwick County with juvenile justice and if the numbers were trending the other way, we would, you know, not be able to make that argument. But I think you're right and if Mark would even give us some additional information that we could have in a kind of simplified form so, as we talk about the community, we'll be giving out accurate information that will be helpful."

**Commissioner Sciortino** said, "Yeah, I mean they may not do anything, but at least we'll have the ability to present them a success story and then, if they can justify why they need to cut, fine let them justify it."

**Mr. Masterson** said, "I would assure you that I did make those presentations at the appropriations committee, the ways and means committee and the oversight committee to share our numbers and I

**Regular Meeting, April 23, 2003**

will be happy to get you that information.”

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

**Chairman Norton** said, “Well, I happen to concur. I mean, with limited resources out there from the state, you would think they would want to put the money in where they’re getting the biggest bang for their buck, and they can spread it a mile wide and an inch deep other places, but truthfully they’ll get a lot more for their money if they put it into Sedgwick County right now. And I think that’s got to be the message we send the legislatures.”

**Commissioner Sciortino** said, “Right. We’re number two but we try harder.”

**Chairman Norton** said, “That’s it.”

**MOTION**

Commissioner Winters moved to approve the Grant Application and authorize the Chairman to sign all necessary documents, including a grant award agreement containing substantially the same terms and conditions as this Application; and approve establishment of budget authority at the time the grant award documents are executed.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye

**Regular Meeting, April 23, 2003**

Commissioner Ben Sciortino      Aye  
Chairman Tim Norton              Aye

**Chairman Norton** said, "Thanks, Mark. Next item."

**K. GRANT APPLICATION TO KANSAS CRIMINAL JUSTICE COORDINATING COUNCIL FOR A BYRNE GRANT TO PURCHASE A DNA ANALYZER.**

**Dr. Tim Rohrig**, Director, Forensic Science Laboratories, Regional Forensic Science Center, greeted the Commissioners and said, "Before you this morning, you have a grant application to the Kansas Criminal Justice Coordinating Council, commonly known as the Byrne grant. One of the target areas for funding for these Byrne grants is for improvements in crime laboratories to assist in combating violent crime. And to this end, we're seeking to purchase through the grant another DNA analyzer.

Currently, we have one DNA analyzer in the center, shared amongst four scientists. This analyzer was brought in 1996. Last year, we saw a 40% increase in the number of DNA cases requiring examination. So, this will tremendously help us with through put and getting correct results out in a timely fashion to assist law enforcement in the investigation of violent crime and the adjudication of these cases, once they go to trial.

The amount of this grant is \$115,000. I would like to recommend that you approve the grant application, authorize me to sign the appropriate paperwork so I can submit this in a timely fashion, and then when the grant is awarded, to establish the budget authority for such award."

**Chairman Norton** said, "I see no other questions. Forty percent sounds like a lot. What kind of caseload is that?"

**Dr. Rohrig** said, "It's tremendous. Right now, one analyst can handle, depending on how complicated the DNA case is, three to four cases a month. And so we're talking about almost an analyst and a half or more, as far as additional casework. We've made some improvement in the laboratory to increase efficiencies on our big cases and we do meet with law enforcement and the DA's Office to make sure we're testing what needs to be tested but nothing more, so we kind of put our efforts where they're best needed. But I think we're doing a good job, but this will definitely help us improve our ability to provide these results in a timely fashion."

**Chairman Norton** said, "And this capacity that you're building serves more than just Sedgwick

**Regular Meeting, April 23, 2003**

County too. Is that not correct?"

**Dr. Rohrig** said, "Well, that is correct in a sense, but about 97% of the work that is done in the forensic laboratories is support of Sedgwick County law enforcement agencies only. So we do some amount of work outside of the County. The bulk of that is in support of the District Coroner at the center to facilitate toxicological examinations for out-of-county autopsy reports."

**Chairman Norton** said, "Okay, excellent. Any other discussion? I would entertain a Motion."

**MOTION**

Chairman Norton moved to approve the Grant Application and authorize the Chairman to sign all necessary documents, including a grant award agreement containing substantially the same terms and conditions as this Application; and approve establishment of budget authority at the time the grant award documents are executed.

Commissioner Sciortino seconded the Motion.

**Commissioner Sciortino** said, "I have a comment."

**Chairman Norton** said, "I have a Motion and a Second. Any other discussion? Commissioner Sciortino."

**Commissioner Sciortino** said, "This is just a housekeeping thing. This is the second time we've mentioned that we're applying for a Byrne grant and if anybody is watching on television, that isn't Burn, B-U-R-N, it happens to be an individual, B-Y-R-N-E. Just in case they're thinking, 'Why . . . what's a Byrne grant got to do?' It's an individual. So, that's all I had. Thanks."

**Chairman Norton** said, "Okay. Any other discussion? We have a Motion and a Second. Clerk, call the roll."

**VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

### **Regular Meeting, April 23, 2003**

**Chairman Norton** said, "Thank you, Doc. Appreciate it. I see Doctor Dudley here today too. Thanks for coming."

**Commissioner Sciortino** said, "She's got an ulterior motive. I've got to discuss it when we talk about 'other'."

**Chairman Norton** said, "Okay. Clerk, call the next item."

#### **L. DATE FOR PUBLIC HEARING REGARDING A PROPOSED AMENDMENT TO THE SEDGWICK COUNTY SOLID WASTE MANAGEMENT PLAN.**

**Mr. Schlapp** said, "I'm hoping you have at least one more Motion in you. Item L is setting a public hearing on the resolution that has been proposed to change the Solid Waste Plan. If we go back to March 19<sup>th</sup>, we started that process at that meeting to direct MAPC to look at that resolution and determine if it was consistent with their plan. They will bring that agenda item to you next week, but I was at that meeting and that was approved unanimously by the MAPC that it is consistent with the Comprehensive Plan.

The second issue was that the Solid Waste Committee needed to look at the resolution and make review and comment and they presented that today and you will have time to review that before any decisions are made.

So, at this time, it is appropriate to set a public hearing to get the public's comments and the public's views on that resolution and how we move forward. After that public hearing is when the Board would then decide whether they want to adopt that resolution and change the solid waste plan or not. If the resolution is approved to be changed, then it would be sent to KDHE for their review and comment and we would then be dealing with KDHE on how that change would be made.

So today I would recommend that you guys set the public hearing for May 12<sup>th</sup>, 2003 at 7:00 p.m. at the Sedgwick County Zoo Education Center and direct the County Clerk to publish notice of the hearing, as required by statute."

#### **MOTION**

Commissioner McGinn moved to Set the public hearing for May 12, 2003 at 7:00 PM at the Sedgwick County Zoo Education Center; and direct the County Clerk to publish notice of the hearing as required by statute.

**Regular Meeting, April 23, 2003**

Commissioner Unruh seconded the Motion.

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

**VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

**Chairman Norton** said, "Thank you, Andy. Clerk, call the next item."

**M. MODIFICATION OF PLANS AND CONSTRUCTION WITH KLAVER CONSTRUCTION CO., INC., REQUEST NUMBER TWO AND FINAL, FOR SEDGWICK COUNTY PROJECTS.**

- 1. 604-14-648, BRIDGE ON 61<sup>ST</sup> STREET NORTH BETWEEN 183<sup>RD</sup> AND 199<sup>TH</sup> STREETS WEST; CIP #B-342; DISTRICT #3**
- 2. 775-Q-4325; BRIDGE ON 359<sup>TH</sup> STREET WEST BETWEEN 6<sup>TH</sup> AND 15<sup>TH</sup> STREETS SOUTH; CIP #B-361; DISTRICT #3**
- 3. 781-P-5100; BRIDGE ON 311<sup>TH</sup> STREET WEST BETWEEN 4<sup>TH</sup> STREET NORTH AND 6<sup>TH</sup> STREET SOUTH; DISTRICT #3**
- 4. 608-27-5005; BRIDGE ON 45<sup>TH</sup> STREET NORTH BETWEEN BROADWAY AND HYDRAULIC; DISTRICT #4**

**Mr. David Spears**, P.E., Director/County Engineer, Public Works, greeted the Commissioners and said, "Item M is a modification of plans and construction, request number one [sic] and final, involving four Sedgwick County bridge projects. The first is a bridge on 61<sup>st</sup> Street North, between 183<sup>rd</sup> and 199<sup>th</sup> Streets West, designated as B-342 in the Capital Improvement Program. The second is a bridge on 359<sup>th</sup> Street West, between 6<sup>th</sup> and 15<sup>th</sup> Streets South, designated as B-361 in the CIP. The third is a bridge on 311<sup>th</sup> Street West, between 4<sup>th</sup> Street North and 6<sup>th</sup> Street South, designated as B-366 in the Capital Improvement Program. And the final bridge is on 45<sup>th</sup> Street North, between Broadway and Hydraulic, designated as B-440 in the Capital Improvement Program.

**Regular Meeting, April 23, 2003**

The project has been completed and is ready to be finalized out. There will be a net increase of \$177.30, due to variations in plan quantities from actual field measurements. I recommend that you approve the modification and authorize the Chairman to sign.”

**Chairman Norton** said, “David, are any of these bridges in my district?”

**Mr. Spears** said, “No.”

**Chairman Norton** said, “That’s what I thought.”

**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 David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

**Chairman Norton** said, “Thanks, Dave. Clerk, call the next item.”

**N. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING OF APRIL 17, 2003.**

**Mr. Jerry Phipps**, Purchasing Agent, Purchasing Department, greeted the Commissioners and said, “You have the Minutes of the April 17<sup>th</sup> meeting of the Board of Bids and Contracts and there are

**Regular Meeting, April 23, 2003**

two items for your consideration.”

**1) ROAD IMPROVEMENTS- PUBLIC WORKS  
FUNDING: DEBT FINANCING/ SALES TAX**

Item one is road improvements at 63<sup>rd</sup> Street South, from Hydraulic to K-15. It was moved to accept the low bid from Ritchie Paving for \$3,264,989.85.

**2) UNIFORMS- EMERGENCY MEDICAL SERVICES  
FUNDING: EMERGENCY MEDICAL SERVICES**

Item two, uniforms for the Emergency Medical Department. It was moved to accept the low bid, less items 22, 23 and 24, with Baysinger Police Supply to execute a contract not to exceed \$40,101.90.

I'd be happy to take questions and recommend approval of the Minutes of the April 17<sup>th</sup> meeting of the Board of Bids and Contracts.”

**MOTION**

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

Commissioner Winters seconded the Motion.

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

**VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye

**Regular Meeting, April 23, 2003**

Chairman Tim Norton

Aye

**Chairman Norton** said, "Thank you, Jerry. Next item."

**CONSENT AGENDA**

**O. CONSENT AGENDA.**

- 1. Fifteen Temporary Construction Easements for Sedgwick County Drainage Project to reconstruct Idlewild Street and provide drainage between Clifton and the Big Arkansas. District #5.**
- 2. Line item adjusted budget request to State Juvenile Justice Authority.**
- 3. Lease Amendment for space at 438 West 15<sup>th</sup> Street that is used by the Health Department.**
- 4. Application for License to Retail Cereal Malt Beverages.**

Applicant Name

Business Name

Joseph M. A. Sroufe

Lake Afton Bait Shop

- 5. Order dated April 16, 2003 to correct tax roll for change of assessment.**
- 6. General Bills Check Register(s) for the week of April 16 – 22, 2003.**

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

**MOTION**

Commissioner Sciortino moved to approve the consent Agenda as presented.

Commissioner Winters seconded the Motion.

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

**Regular Meeting, April 23, 2003**

**VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

**Chairman Norton** said, “At this point, Commissioners, I believe we have an Executive Session.”

**Commissioner Winters** said, “You want to talk about just some other stuff before we go off the air?”

**Chairman Norton** said, “I think that would be okay. So, are there any other items to come before the Commission? Commissioner Winters.”

**P. OTHER**

**Commissioner Winters** said, “Well, anybody that’s tuned in and watched the latter part of our show, I would remind folks that this coming weekend, the Zoo is going to be open free admission for military folks, any of our friends . . . and their dependents. So, any of our friends and neighbors who are serving at McConnell or in one of the reserve units in various parts of the town, it’s the Commission’s way to say, you know, thank you, we’re concerned about you and your families in this time of stress and often times separation. So, we hope that any military folks that are looking for an opportunity this coming weekend, take the family, the kids and go out to the Zoo and enjoy one of the worlds finest zoos and do that on compliments of the Board of County Commissioners. Thank you.”

**Chairman Norton** said, “Wonderful. Commissioner Sciortino.”

**Commissioner Sciortino** said, “Yes, two things. As I mentioned earlier in the meeting, I’m going

### **Regular Meeting, April 23, 2003**

to go this afternoon over to McConnell to attend the 22<sup>nd</sup> Security Forces Air Force Inspection Team reception. They were voted as the best security force squadron in the entire air force and I just think that's a neat thing and I want to go there.

And then, I was handed this and I think this is Dr. Dudley's subtle way of reminding you and I that we made the mistake last year of agreeing to attend the clean up and planting or whatever we did over there and that's going to be May 10<sup>th</sup>, it's on a Saturday, from 8 to noon. They're not going to charge us this year for coming and they're going to even give us a free tee shirt, bagel, coffee, snacks and door prizes and then they turn around saying what they want us to donate if we want to come, but there's no money.

Anyway, we did this last year to kind of dress it up. Is it okay if I do my tomato plants again this year? Okay, I'm going to put in tomato plants, so they're going to dress up that area a little bit, so it's there if anybody wants to come and clean up."

**Chairman Norton** said, "Is it okay if I put in rutabaga plants? Thank you, Ben. Commissioner McGinn."

**Commissioner McGinn** said, "I was just thinking, you could have some very interesting door prizes coming from your department.

Just for our viewers out there, there is a KDHE hearing on site-specific water rigs, particularly over the equus beds, tonight at the Extension Office at 7:00. And then also this weekend lots going on. Super Fly '70s, the Kansas African American Museum, I believe they're close to sold out and excited that four Commissioners have committed to that event. I think it's going to be a very fun and exciting evening."

**Chairman Norton** said, "I'm coming just to see you in your '70s outfit, Carolyn."

**Commissioner McGinn** said, "I think it's going to be a great time. And you know, if you remember the '70s, everybody could dance, okay. So, just when you think you're really good though, the following Friday Gregory Hines will be here also. The museum, along with WSU, is sponsoring that as well. So if you want tickets on that, call the museum for more information.

And then the other thing, the event that I've been working on for some time now, that's going to come off, I think, as another great year and that's the Spruce Up the Town at Cowtown. We have a number of volunteers that have called in to say they're going to paint and I'm overwhelmed by the

### **Regular Meeting, April 23, 2003**

amount of people who have . . . businesses that have donated time and money to rebuild a gutted building out there and it's solely designed for our volunteers and interpreters, because right now they don't really have a good place to put costumes, when it's 100 degrees out there at Cowtown, they don't have a place to go relax, take a break and those kinds of things. And so, we have just about everything donated, except the shingle roof has been very difficult, but we're continuing to work on that.

And we'll be printing up who all's donating and those kinds of things and I hate to list them now, because I know I will miss somebody. But anyway, I'm glad to hear that I think all Commissioners are coming out. To give Commissioner Sciortino some extra incentive . . ."

**Chairman Norton** said, "A gold plated brush."

**Commissioner McGinn** said, "I want to make sure it fits."

**Commissioner Sciortino** said, "If I don't accidentally make it, you'll understand why."

**Commissioner McGinn** said, "I just wanted to fit that before Friday, so we'll see you out there as well. Thank you."

**Commissioner Sciortino** said, "Well, hope springs eternal."

**Chairman Norton** said, "Thank you, Commissioner McGinn. I have just one thing. Yesterday, at City Arts, the City, County and legislature met and I've got to tell you, I thought that it was a new day had dawned, because I think we all tried to talk about being lockstep and unified in our efforts to advocate for City of Wichita, Sedgwick County and the south central region. I think it was very important for us to have a meeting of the minds and start building that relationship. I'm thoroughly convinced that we have to work on relationships first and work on tasks second. And I think that's what will get us through these tough times and I think it was another good step for us to take with our legislators and our partners at the City of Wichita and hopefully this will be kind of a new dawning of cooperation in these tough times.

Now, I would entertain a Motion for an executive session."

#### **MOTION**

Commissioner Winters moved that the Board of County Commissioners recess into Executive Session for 15 minutes to consider consultation with legal counsel on matters

**Regular Meeting, April 23, 2003**

privileged in the attorney/ client relationship relating to pending claims and litigation, potential litigation and legal advice and that the Board of County Commissioners return from Executive Session no sooner than 11:47 a.m.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

**The Board of Sedgwick County Commissioners recessed into Executive Session at 11:34 a.m. and returned at 12:00 a.m.**

**Chairman Norton** said, "Is there anything else to come before the Board of County Commissioners? I'm sorry. We're back from Executive Session. No binding action was taken, as according to Kansas statute. Mr. Counselor, is there anything else to come before us today? Commissioners, anything else? We are adjourned."

**Q. ADJOURNMENT**

**Regular Meeting, April 23, 2003**

There being no other business to come before the Board, the Meeting was adjourned at 12:01 a.m.

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

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**TIM NORTON**, Chairman  
Second District

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**THOMAS G. WINTERS**, Chair Pro Tem  
Third District

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**DAVID M. UNRUH**, Commissioner  
First District

**Regular Meeting, April 23, 2003**

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**CAROLYN McGINN**, Commissioner  
Fourth District

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**BEN SCIORTINO**, Commissioner  
Fifth District

ATTEST:

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

APPROVED:

\_\_\_\_\_, 2003