

**MEETING OF THE BOARD OF COUNTY COMMISSIONERS  
SITTING AS THE GOVERNING BODY OF FIRE DISTRICT #1**

**REGULAR MEETING**

**August 11, 2004**

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at A.M., on Wednesday, August 11, 2004 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chair Pro Tem David M. Unruh; Commissioner Tim R. Norton; Commissioner Carolyn McGinn; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor, Ms. Kristi Zukovich, Director, Communications, Mr. Chris Chronis, Chief Financial Officer, Mr. Gary Curmode, Fire Chief and Ms. Lisa Davis, Deputy County Clerk.

**ROLL CALL**

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

**PUBLIC HEARING**

**A. 2005 SEDGWICK COUNTY FIRE DISTRICT #1 BUDGET.**

**1. PUBLIC HEARING REGARDING THE 2005 FIRE DISTRICT #1 BUDGET.**

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, "Commissioners we've had a public hearing, we've had two public hearings on this budget this budget includes a 1.87 mill tax increase that would begin the process and complete the relocation of fire houses to deliver a different service to the district than we've had in the past. This program would begin this fall we would begin some preliminary planning and hope to implement it vigorously in 2005. I would recommend Mr. Chairman at this point you open up the public hearings and hear from the public regarding the fire district #1's 2005 budget."

**Chairman Winters** said, "All right, thank you. At this time Commissioners, you have any questions or comments? Seeing none, we will open the public hearing, this is a public hearing to discuss the fire district budget for 2005, is there anyone here who wishes to address the Commission on the fire district budget? Are there any Citizens here who wish to addresses the Commission on this budget?"

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Seeing no one we'll close the public hearing, Mr. Manager, do we just need to go on to the next item? Madam clerk, would you call item 2."

### **2. RESOLUTION PROVIDING FOR FUNDING OF THE 2005 FIRE DISTRICT #1 BUDGET, APPROVING A 1.87 MILL INCREASE OVER THE 2004 BUDGET, PURSUANT TO K.S.A. 79-2925B.**

**Mr. Buchanan** said, "Commissioners, Chris Chronis needs to address you about the truth in taxation resolution that needs to be adopted."

**Mr. Chris Chronis**, Chief Financial Officer, said, "Commissioners as you know under state law if you raise property taxes above a certain amount you are required to adopt a resolution separate from the budget declaring your intent to take that action, we refer to that as the truth in taxation resolution, that resolution is in the back up material that's in your agenda packets, it was drafted by the county counselor. This year for the fire district we are proposing a budget that includes \$11,331,314.00 of property taxes to be levied of which \$10,930,400.00 would be used in the budget and the difference between the two of course represents anticipated uncollected property taxes, but that levy of \$11,331,000.00 exceeds the level that would allow us not to adopt a truth in taxation resolution, we are over the limit of the truth in taxation resolution by \$1023,896.00 and so it would be appropriate for you at this time to adopt a truth in taxation resolution."

**Chairman Winters** said, "Alright, thank you Mr. Chronis. Procedurally, I think we need to have a discussion from the bench about the budget in itself, and then if...would it be possible to have the discussion on the budget, vote on the budget and then if we vote on a budget that needs a truth in taxation we come back and do the truth in taxation? Because we haven't voted on this budget yet."

**Mr. Rich Euson**, County Counselor, greeted the Commissioners and said, "That's correct Commissioners I would recommend the statute requires you to adopt the resolution prior to approving the budget, so perhaps you could have the budget discussion at this point and time, comeback and adopt the truth in taxation resolution as necessary then adopt the budget as a statute complex."

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**Chairman Winters** said, “All right, that sounds good, and then during the discussion we’ll determine Commissioners intentions of whether to vote in favor of or in opposition to the budget, I think that will work. Commissioners, now is the time then really to have the discussion about the budget we had a rather detailed presentation last week by Chief Curmode that was an excellent job of proposing a plan that would realign and relocate a number of fire stations that over the past 10, 15, 20 years have now many of them become located some even within the City of Wichita and some that are not in the most strategic locations for them to present the best service to our customers in the fire district.

If you’ll remember, Chief Curmode did an excellent job of taking a number of locations and showing how relocating these fire department locations could in effect do a couple of things, one decrease time of service to many of our residents and in some instances decrease their ISO ratings so many citizens would in fact be seeing a reduction in their homeowner’s insurance. Now we have . . . there is a plan and an opportunity to keep the mill levy exactly the same and keep on doing business as we’ve been doing business. This plan, I believe, has a very modest mill increase on 1.87 mills that I think will come back to our citizens in many different locations in the county and it will allow the relocation and the reutilization of our assets in the best manner. One of the parts of this program that I thought was very important was the building of still very attractive buildings, but ones that are not as expensive as one would typically think of a fire house that’s going to be in the same location for 50 years, a 50 or 75 building. The fire district is fluid and is changing and in order to keep things in proper prospective I think we have been able to design and think about buildings. We have one in Andale that is inexpensive, built on County property in fact, and can serve a very good purpose. So I’m prepared to support this mill levy increase to start this relocation effort. Are there other comments about the fire district? Commissioner Unruh.”

**Commissioner Unruh** said, “Thank you, well I think that you’ve outlined the purpose or what we are planning to do to the broad concept of what were doing in fire district 1 and I’m going to be supportive of this new budget and mill levy increase. It seems like if we can improve our service for this type of an increase, if our plan in the future is to provide fire stations that are functional and they represent us well and do the job but are not necessarily 50-year buildings or 75-year buildings. It maintains our flexibility, which I think is a good strategy to take and I’m convinced that the work of the consultants in this area that gave us this advice is good, accurate work. So, in an effort to provide the services and there should be some direct financial benefit to the residents in that area, besides giving them fire protection, I’m going to be in favor of supporting this budget.”

**Chairman Winters** said, “All right, thank you. Other Commissioners we need your comments so we’ll know whether to move forward with the recommended budget or whether we need to do something else. Commissioner Norton.”

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**Commissioner Norton** said, “Well, I am going to vote for this today, I have voiced my concerns about the future of the fire district and what it does for the South side I don’t think it raises the level of services any and I pose that as the idea that if we continue to raise the mill levy it may push our partners down in Haysville to start rethinking whether they would want to start their own fire protection agency in their city. I don’t know that’s trying to be an alarmist, I think it’s trying to be a realist, certainly Derby has grown to the size where they’ve elected not to use our services, of course they never did, they had a volunteer service, but we gave them a plan and they elected to do it on their own, I think there’s a chance that Haysville, which I think is the largest municipality that’s served by the fire district anyway could have that same conundrum to deal with and I want to be sure that it’s on the record we’ve talked about, we understand that before we go down the path.

But I also understand that they willingly belong to the fire district and what comes with that and it is an issue of raising the votes in the water for the whole fire district and if you belong to it your going to participate in what it is that’s good for the whole fire district. I’m concerned with, if we relocate some stations, how long do we have to keep this mill levy at that level? Will there be a chance after we’ve built these stations to reduce that? What does that look like? And then what do we do with the property that we’re abandoning? Do we sell that on the open market and put that back into the coffers to reduce the mill levy? I think those are some things we need to be thinking about as we go through this process, because we continue to say we hate to raise taxes, yet we’ve done it in the fire district, I believe this will be the second year, and you know when you don’t want to raise taxes yet you keep doing it. That’s almost talking out of both sides of your mouth.

So I think, the good news for me is at least we went to a consultant, had an outside person put it through a filter, we’ve talked to a lot of citizens, we’ve talked about it a lot and although I don’t have a lot of stomach for raising the taxes, I’ll be supportive today.”

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

**Commissioner Sciortino** said, “Thank you, Mr. Chairman, I also will support the proposed adjustment to the fire district mill levy. Mr. Norton made a good point. If you take the entire fire district I could argue that anything we do in...pick an area...we do something in the northeastern section of the fire district, people in the northwestern section of the fire district aren’t going to see any benefit of it, but it benefits the greater good of the entire district. We have got a lot of fire stations that, because of the aggressive annexation of Wichita for the most part, but other communities, our fire station which was serving rural unincorporated areas is almost surrounded by a City and that’s why, one of the reasons, we’re talking to the City of Wichita.

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I guess they approved something yesterday about trying to figure out if we could improve the efficiencies of it we do that all the time with our county budget too, things that we do in one section of the county the other people away in this county are paying for it but they're not going to see any benefit of putting coal mix on a road in Cheney, they're not going to see any benefit of that but that's what we have to be charged with, is what's the greater good and how can we overall improve the efficiencies. And I think this was long overdue and I think we did it by the right steps. Haysville, I'm sure whenever they get to a point where they feel it's more efficient for them to have their own fire department they should look at it. Right now, it's been I guess less expensive or it's actually, you could argue, they haven't had to pay the full amount of what it would cost for that service. So, it's better to be part of us and those are the trade offs that we do everyday and I think this was well thought out and it's timely and I think I could justify to my citizens why this rate adjustment is necessary.

The other thing that was good to point out, if we have any assets that we need to get rid of, by statute, any revenue that comes in doesn't go into the county's general fund, it has to stay right there in the Fire district's fund and if there was some revenue excesses next year, we would have the option, 'Gee, keep the mill levy the same, reduce the mill levy because we sold this?', this and the other thing. So, I think any economies of scale that are given to the benefit will benefit the taxpayers in the fire district, so I think this was well thought out and I wholly support it. Thank you."

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

**Commissioner McGinn** said, "Thank you. Well, I just want to say I'm very supportive of our fire district. Our employees do a great job. I've been very supportive, if we need equipment, supporting tender trucks and rescue trucks, those kinds of things and I also think that the plan, the study that came back is a very good plan and it's needed and it will provide a better response time and help insurance rates out there in the county in our Fire District #1. But I've also shared with you that I guess I have a little difference, philosophical difference on how we fund that and get to the end goal.

I think that we need to work within the budget dollars that we already receive. The mill levy has increased over the years in the fire district and I think we need to work towards collaborative solutions and efforts with other fire districts around us and so I guess I just I have a difference of opinion on how we get to that end goal, so I am not going to support this increase."

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

**Commissioner Norton** said, "Just my final thought and this is another one of those future things.

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We've entered into an agreement on what, Station 38 now. Is that a made deal?" **Chairman Winters** said, "I think that's going to be an agenda..."

**Commissioner Norton** said, "Well, the city side is agreed."

**Chairman Winters** said, "We're going to have that on our agenda in a few minutes."

**Commissioner Norton** said, "Okay. Anyway, I think it's important now we move the dialogue forward over the next few years and look at the next 20, 30 years for the fire district. As annexation pushes us out and decreases the unincorporated areas, as small cities grow and may drop out of the service, now is the time to really think about full unification of the two fire departments, and I know Chief Curmode and Chief Garcia have continued to talk about that and dialogued about it, but I think we would be remiss and not have a future's approach to this subject if we don't really get serious about that today. Because you know what, the mill levy can't keep going up and us maintain that for very long and we know that the fire district's going to shrink, it's not going to get bigger, it's going to get smaller. Just a word of advise."

**Chairman Winters** said, "Thank you very much, Commissioner. Mr. Euson, it appears that on the fire district budget it's going to be a four to one vote, so we would need to pass the truth in taxation resolution?"

**Mr. Euson** said, "Yes, sir."

**Chairman Winters** said, "We're on item A-2. Is there a motion concerning this resolution?"

#### **MOTION**

Commissioner Sciortino moved that the 2005 budget for the fire district would require the imposition of \$11,331,314.00 of ad valorem tax levy this amount of property taxes requires us to adopt a truth in taxation resolution and I move that we adopt a truth in taxation resolution before we adopt the budget.

Commissioner Unruh seconded the Motion.

**Commissioner McGinn** said, "Just clarification here, since I'm not going to vote for the mill levy increase I just want to make sure that people know if I vote no on this it's because of that and not because I don't believe in the truth in taxation resolution."

**Commissioner Sciortino** said, "Well, you could vote yes on the truth of taxation and vote no on the

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other one. I mean that's..."

**Commissioner McGinn** said, "I think our counselor has advised that I vote no."

**Commissioner Sciortino** said, "Oh, no on both."

**Commissioner McGinn** said, "But I just want to make sure the record is clear it's not against the resolution, it's against the tax increase."

**Chairman Winters** said, "We understand that. Any other questions or comments? Madam clerk, call the vote."

**VOTE**

Commissioner David M. Unruh	Aye
Commissioner Tim Norton	Aye
Commissioner Carolyn McGinn	No
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

**3. ADOPTION OF THE 2005 FIRE DISTRICT #1 BUDGET.**

**Chairman Winters** said, "All right. Commissioners, we've had the discussion. Is there a motion concerning the Fire district budget?"

**MOTION**

Commissioner Sciortino moved adopt the Sedgwick County fire district 2005 total budge of \$12,879,742.00 the total budget includes a legal budget of \$12,864,742.00 with \$10,340,718.00 in budgeted ad valorem taxes or \$11,331,314.00 in ad valorem tax levy, which is approximately equivalent to 18.57 mills or 1.87 mill increase over 2004, subject to review and technical adjustments.

Commissioner Unruh seconded the Motion.

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### VOTE

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

**Mr. Buchanan** said, “Mr. Chairman if I may just take a minute to do the academy award thank you’s the citizens of Sedgwick County who participated in the public hearings and commented on line need to be thanked of course. The elected officials and division directors who helped this process over the last several months, department heads who worked diligently to make the numbers work, of course the people at the print shop who at the very last minute made changes and did whatever they needed to do to get us a document that made sense.

The budget office folks, Lucretia Burch, who just as a new mom and stayed at home and we, by the graciousness of our hearts, gave her a computer so she could tend to the baby and do the budget analysis while at home. And what a good employer we have to do that, right? We thank her for that extra effort. Chad VonAhnen and Pete Giroux, Lunda Asmani despite his typing ability does just superb work. Tammy Brandt, who makes it all happen and of course Renfeng Ma who directs the effort. CIP committee, David Spears led that effort again and thank you David, who was helped by John Schlegel, Ron Holt, Kathy Sexton, Chris Chronis and Bob Lankey, with the able assistance of Stephanie Knebel as a staff person and finally the Budget committee that advised me, changed my mind and really made this thing happen was of course Assistant Manager Kathy Sexton and Troy Bruun, Chris Chronis and Kristi Zukovich. So thank you to all those folks who really are a team effort and thank you Commissioners for another fine job.”

**Chairman Winters** said, “Thank you, Mr. Manager. We do have three items of new business in the fire district and we’ll take those at this time. Madam Clerk, call the next item.”

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**NEW BUSINESS**

**B. FIRE DEPARTMENT.**

**1. RESOLUTION AUTHORIZING FIRE CHIEF TO ENTER INTO AGREEMENTS FOR USE OF CERTAIN MEETING ROOMS.**

**Mr. Gary Curmode**, Fire Chief, Sedgwick County, greeted the Commissioners and said, “This is a resolution basically to allow the use of our conference rooms to be used by the public, we have done this since the inception of our fire district. We have adjusted them to make them similar to the rest of the areas of the county. I recommend that you approve these and I’m available for questions.”

**MOTION**

Commissioner Norton moved adopt the resolution.

Commissioner Sciortino seconded the Motion.

**VOTE**

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

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

**2. RESOLUTION AUTHORIZING CONVEYANCE OF A 1978 FORD TENDER TO THE CITY OF BENTLEY.**

**Mr. Curmode** said, “Again, Commissioners this is a surplus tender that we have that is no longer for our use on frontline use because the high response of alarm activity and this is where we can partner with other departments in our county. Bentley is one affiliated, along with Viola, in our county and this would go to Viola for the amount of \$1.00 and we would train them and they would be responsible for the upkeep at that point. So again I would recommend that you approve this resolution.”

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**Chairman Winters** said, "Thank you Chief, and this would be almost like still keeping this unit in service for County use."

**Mr. Curmode** said, "That's correct. We'll be able to use it in the north part of the county."

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

**MOTION**

Commissioner Norton moved adopt the resolution.

Commissioner Sciortino seconded the Motion.

**VOTE**

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

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

**3. MEMORANDUM OF UNDERSTANDING WITH CITY OF WICHITA FIRE DEPARTMENT FOR A JOINT SERVICE PILOT PROGRAM AT COUNTY FIRE STATION #38.**

**Mr. Curmode** said, "Basically, this is a memorandum of understanding for the pilot program at station 38. This was approved by the city council yesterday. They did have two caveats they added to the memorandum of understanding that I'd like to bring out. I might just state one of the paragraphs just to give an overall view. It is the goal of the city and county to ensure their citizens are provided the best emergency services possible.

In pursuit of that goal, the city and county will continue to explore and evaluate alternatives for emergency service deployment in joint service areas of Wichita and Sedgwick County. This effort is especially important on the East side of Wichita, an area of rapid growth with changing responsibilities for the deployment of emergency services.

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One of the areas the City Council wanted changed and was approved is that they will also put a city fire engine in that location so we'll have a county engine, a city engine and there will also be one EMS unit. The second change they made again would be on the pilot program, evaluation after one year and their statement was added. This determination will be based on a joint effort of the city and county fire departments, with final approval by the City Council whether or not the pilot program will continue, after they look at all the data and do a consensus of all the citizens. So with that being said, I'm available for questions and I would recommend that you accept and place it on file."

**Chairman Winters** said, "All right, so our discussion, and this is just a receive and file, doesn't take an action item, but we need to receive it and the discussion would be are we supportive of this, with the amendments as the Chief has just outlined. Commissioner Unruh."

**Commissioner Unruh** said, "Thank you. I just want to say that I'm very much in favor of this action, want to thank the Chief and Bob Lamkey and our staff for working with the City to make this thing happen. It's been a desire for quite some time and now it's finally come to fruition. I'd also like to recognize council woman Sue Schlapp, who represents that district of City of Wichita for her initiative and her persistence in stimulating the interest of the City Council and staff over there to get this done. I think this is an example of the cooperation and functional consolidation that has been on the...mind especially during this visioning process, so I think this will be a successful and profitable partnership for both of us. And so, very much in favor of it, congratulations to you Chief and congratulations to the City of Wichita and I think that it's a good move."

**Chairman Winters** said, "Thank you, sir. Commissioner Sciortino."

**Commissioner Sciortino** said, "Chief, I want to go over that first paragraph. What did they change in the first paragraph?"

**Chief Curmode** said, "It's not in the first paragraph. That was just a delineation of what the overall agreement is. The first change was the bottom paragraph, where it said the pilot program for combined deployment for county fire station."

**Commissioner Sciortino** said, "Okay, all right got that, but, that second sentence in the first paragraph, 'the City and County will continue to explore and evaluate alternatives for emergency service deployment'. What does that mean?"

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**Chief Curmode** said, “Basically, Commissioner, what that means is we’ll look at other areas of where the city and county are very close in responding automatically. And we’ll look at other ways where we can look at more economies of scale, if you will, and better response for the citizens and then we’ll bring those recommendations to the managers and to the councils.”

**Commissioner Sciortino** said, “Okay, but that isn’t EMS right...”

**Chief Curmode** said, “No sir.”

**Commissioner Sciortino** said, “That’s fine, oh, okay. And then on the pilot program the only governmental entity that can drop the pilot program is the City not the County?”

**Chief Curmode** said, “No we have the same option, it’s just they wanted it written in there that prior to this the fire department or staff was going to recommend and make the decision, the City Council wanted it so they would make the final decision on continued use of the agreement.

**Commissioner Sciortino** said, “Okay, got it. Well, I’m going to be very supportive of it. You’re very comfortable with it, are you not?”

**Chief Curmode** said, “Yes, Chief Garcia and I are very comfortable with it.”

**Commissioner Sciortino** said, “Great, thank you.”

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

**Commissioner McGinn** said, “I just wanted to concur with the comments that Commissioner Unruh had, we’ve been talking about this along time and I’m glad to see that were finally moving forward and I do want to compliment many of the people in the City of Wichita and Council member Sue Schlapp, you know it takes the right people in the right place to move forward, this only makes perfect sense for the taxpayers to have fire station that’s working cooperatively together in an area that we have a mix of some county services that need to be provided as well as the citizens of the City of Wichita so thank you, and I’m glad to see were moving forward and I hope this is successful and this maybe a guide to other things we can do in the future in the Fire district.”

**Chairman Winters** said, “All right thank you. Are there anymore discussion about this item? If not, I need a motion to receive and file.”

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**MOTION**

Commissioner Unruh moved receive and file.

Commissioner Norton seconded the Motion.

**VOTE**

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

**Chairman Winters** said, “Mr. Manager.”

**Mr. Buchanan** said, “Excuse me Commissioners, when you create a list to thank, someone always gets left off and I left off David Miller, who is a budget analyst who does the financial plan for us and helps us with the long range planning. I certainly didn’t do that intentionally, sorry David, he may not be as good looking as Lunda, but you’re...”

**Chairman Winters** said, “All right, is there other business to come before the fire district? All right, it’s going to be my intention to adjourn this meeting and then recess for about 10 minutes and then we’re going to come back and take an off agenda item regarding technical education. So if there’s no other business the Fire district meeting is adjourned and we will come back to our regular meeting in 10 minutes.”

**D. ADJOURNMENT TO ITEM E OF THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS**

There being no other business to come before the Board, the Meeting was adjourned at 11:24 a.m.

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

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

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**DAVID M. UNRUH**, Chair Pro Tem  
First District

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

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**CAROLYN McGINN**, Commissioner  
Fourth District

\_\_\_\_\_  
**BEN SCIORTINO**, Commissioner  
Fifth District

ATTEST:

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

APPROVED:

\_\_\_\_\_, 2004