

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

### **REGULAR MEETING**

**April 4, 2007**

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 4, 2007 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman David M. Unruh, with the following present: Chair Pro Tem Thomas G. Winters; Commissioner Tim R. Norton; Commissioner Kelly Parks; Commissioner Gwen Welshimer; Mr. William P. Buchanan, County Manager; Ms. Jennifer Magana, Assistant County Counselor; Ms. Claudia Blackburn, Director, Health Department; Mr. Brad Snapp, Director, Housing Department; Mr. Don Brace, County Clerk; Mr. David Miller, Budget Director, Division of Finance; Ms. Ann Smarsh, Accounting Director, Division of Finance; Mr. Chris Chronis, Chief Financial Officer; Ms. Irene Hart, Director, Community Development; Mr. John Schlegel, Director, Metropolitan Area Planning Department; Ms. Susan Erlenwein, Director, Environmental Resources; Ms. Deborah Donaldson, Director, Division of Human Services; Ms. Annette Graham, Director, Department on Aging; Ms. Chris Morales, Systems Integration Coordinator, Department of Corrections; Mr. Mark Sroufe, Superintendent of Parks; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Amanda Mathews, Communications Coordinator, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

### **GUESTS**

Ms. Lynn Ward, President, Junior League of Wichita.

Ms. Martha Sanchez, Member, Sedgwick County Mental Health Advisory Board.

Mr. Jeffrey Noyes, Member, Sedgwick County Physical and Developmental Disabilities Advisory Board.

Ms. Jill DiPuccio Giles, Senior Manager, Government and Economic Development Relations, Convergys Corporation.

Mr. Tom Ritchie, 13150 E. 29<sup>th</sup> Street, C & D Recyclers of Kansas.

Mr. Doug Sommers, C & D Recyclers of Kansas.

Ms. Margie Sanders, 5303 W. 37<sup>th</sup> Street N., Wichita, Ks.

Ms. Marilyn Gupton, 5320 W. 37<sup>th</sup> Street N., Wichita, Ks.

Mr. Joe Pajor, Public Works Department, Wichita, Ks.

### **INVOCATION**

The Invocation was led by Pastor Cathy Northrup of First Presbyterian Church, Wichita.



**Regular Meeting, April 4, 2007**

**PROCLAMATIONS**

**A. PROCLAMATIONS.**

**1. PROCLAMATION DECLARING APRIL 2 – 8, 2007 AS “NATIONAL PUBLIC HEALTH WEEK.”**

**Chairman Unruh** said, “Commissioners, I have a proclamation to read for your consideration.

**PROCLAMATION**

**WHEREAS**, the public health challenges facing our community are numerous. Among them are the risk of avian influenza, the threat of bioterrorism, and the constant risk of natural disasters including tornados, hurricanes and floods; and

**WHEREAS**, most Americans remain largely unprepared for a public health emergency; and

**WHEREAS**, emergency preparedness for the nation’s most vulnerable populations’ including mothers with young children, hourly-wage workers and people with chronic illnesses- is an even greater challenge; and

**WHEREAS**, local, state and federal governments along with numerous other organizations are making every effort to educate Americans about what they need to do to prepare for the next emergency; and

**WHEREAS**, comprehensive and coordinated plans should be in place at schools, daycare centers and homes to safeguard children from health emergencies.

**NOW THEREFORE BE IT RESOLVED**, that I, Dave Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim April 2-8, 2007 as

**‘National Public Health Week’**

in Sedgwick County and encourage all citizens to continue to be as prepared as possible for any and all public health risks.

Commissioners, you’ve heard the proclamation. What’s the will of the board?”

**Regular Meeting, April 4, 2007**

**MOTION**

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

Commissioner Winters seconded the motion.

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

**VOTE**

Commissioner Norton	Absent
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, “And Claudia Blackburn is here to receive the proclamation.”

**Ms. Claudia Blackburn**, Director, Health Department, greeted the Commissioners and said, “Thank you very much for the proclamation. We are celebrating National Public Health Week and our focus is on preparedness this week and we’d like to invite the public to join us at the Sedgwick County Zoo, in conjunction with the Easter Eggstravaganza, we will have a podium at the pavilion between 9 a.m. and 1 p.m. and we will be having a drawing for these nifty ready-tubes that are helpful during an emergency. They have flashlights and water and masks and different things in them to help people during an emergency. We are focusing on tips for preparedness and we will also have these emergency document holders that we will be giving away. These are really important. One of the things that we’re stressing for emergency preparedness is having all of your important documents in one place. It’s very hard to be organized about that and if you can take the time to put everything in one place and have it ready to go, if you’re in an emergency, it’s very helpful.

We’ll also be emphasizing preparedness on a budget, because a lot of people feel like they don’t have the money to accumulate non-perishable items and water and all the things they need, so we’ll be giving some tips about that. And also we’ll be doing some health screenings. We’ll have blood lead testing for children under six, diabetes screening and blood pressure screenings.

## Regular Meeting, April 4, 2007

And we will also be recruiting for our Medical Reserve Corps. This is a volunteer group that we have that helps us with our mass distribution, mass vaccination exercises and they would help us to respond to an emergency. So many things go on this week, in celebration of National Public Health Week, focusing on preparedness and staying healthy and thank you very much for the proclamation.”

**Chairman Unruh** said, “Well, thank you Claudia and thank you for your leadership in reminding us and giving us the information we need on how to really be prepared. I know that it’s something we all need to continually work on, continually be reminded of, so thank you for your work in that area.

Madam Clerk, call the next item.”

### 2. **PROCLAMATION DECLARING APRIL 15 – 21, 2007 AS “NATIONAL VOLUNTEER WEEK.”**

**Chairman Unruh** said, “Commissioners, I have another proclamation for your consideration.

### **PROCLAMATION**

**WHEREAS**, National Volunteer Week is a 33- year old tradition that recognizes and celebrates the tremendous efforts of volunteers across the country; and

**WHEREAS**, volunteer centers, nonprofits, businesses, government agencies, hospitals, faith-based organizations and schools utilize National Volunteer Week to highlight their own volunteers and support thousands of service projects in the community; and

**WHEREAS**, the Junior League of Wichita, Inc. is an organization of women committed to promoting voluntarism, developing the potential of women and improving communities through effective action and leadership of trained volunteers; and

**WHEREAS**, the Junior League of Wichita, Inc. has contributed over six million hours to the community through collaborations with other non-profits whose missions target the aging, children, the environment, supporting a positive image for the County of Sedgwick, eliminating violence, promoting volunteerism, and supporting women,

**Regular Meeting, April 4, 2007**

**NOW THEREFORE BE IT RESOLVED**, that I, Dave Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim April 15-21, 2007 as

**‘National Volunteer Week’**

in Sedgwick County and encourage all citizens to join with organizations like the Junior League of Wichita, Inc. to improve our community through volunteering your time and effort to a cause that is meaningful to you.

**MOTION**

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

Commissioner Parks seconded the motion.

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

**VOTE**

Commissioner Norton	Absent
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, “And excepting the proclamation is Lynn Ward. Is that correct?”

**Ms. Lynn Ward**, President, Junior League of Wichita, greeted the Commissioners and said, “That is correct. Thank you very much for the recognition and for the proclamation. I am Lynn Ward. I am president of the Junior League of Wichita. We are a women’s organization that was started here in Wichita in 1925, so we’ve been at improving the community for 82 years.

This year alone, we are devoting \$80,000 to the community through three different projects. One is \$10,000 to our Done in a Day projects. Another \$10,000 to a project with YEK, where we are teaching financial literacy to youth in high school classrooms and our third project is with the Wichita Public Schools, where we are purchasing approximately \$60,000 of new library books for schools at three of our GAP schools in the district.

## **Regular Meeting, April 4, 2007**

We are truly an organization of women that are devoted to improving our community and we thank you for this proclamation.”

**Chairman Unruh** said, “Well, thank you very much for being here today and thanks for the opportunity to recognize your good work in our community. The Junior League is known and your presence is felt and the work that you do is really very much appreciated for the betterment of our community and our county. I can’t help but comment on 6,000,000 hours. Was that the number?”

**Ms. Ward** said, “Again, since we were started in 1925, and with a membership of 900 members . . . or excuse me, 800 members currently, over those years you add up 82 years worth of members working in the community, yes that is correct.”

**Chairman Unruh** said, “Well, we very much appreciate not only the hours you put in, but the substantial investment that you make in our community, so thank you very much. Madam Clerk, call the next item.”

### **3. PROCLAMATION DECLARING APRIL 2007 AS “FAIR HOUSING MONTH.”**

**Chairman Unruh** said, “Commissioners, I have another proclamation to read for your consideration.

### **PROCLAMATION**

**WHEREAS**, the Congress of the United States passed the Civil Rights Act of 1968, of which Title VIII declared that the law of the land would now guarantee the rights of equal housing opportunity; and

**WHEREAS**, the County of Sedgwick is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all, and today, many realty companies and associations support fair housing laws; and

**WHEREAS**, the Fair Housing groups and the U.S. Department of Housing and Urban Development have, over the years, received thousands of complaints of alleged illegal housing discrimination and found too many that have proved upon investigation to be violations of the fair housing laws;

**WHEREAS**, equal housing opportunity is a condition of life in our county that can and should be

**Regular Meeting, April 4, 2007**

achieved.

**NOW THEREFORE BE IT RESOLVED**, that I, Dave Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim the month of April, 2007 as

**‘Fair Housing Month’**

in Sedgwick County and express the hope that this year’s observance will promote fair housing practices throughout the county.

Commissioners, your heard the proclamation. What’s the will of the Board?”

**MOTION**

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

Commissioner Winters seconded the motion.

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

**VOTE**

Commissioner Norton	Absent
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, “And Brad Snapp is here to receive the proclamation.”

**Mr. Brad Snapp**, Director, Housing Department, greeted the Commissioners and said, “Thank you, commissioner, for this proclamation. Housing is a basic need, shelter, and there are several barriers to finding housing. There’s some that we create on our own or don’t have a lot of control over. Affordability is one, sometimes we have credit issues that landlords might keep us from renting their properties or that we could qualify for a loan and sometimes there’s things in our background, our history that prevents us from doing that.

## Regular Meeting, April 4, 2007

But to have . . . to be denied housing based on discrimination, because someone doesn't want us, a person of color, a person of national origin, where they were born, where they worship, maybe their family consistency, whether they have children, is absolutely unacceptable and not only that, it's against the law.

I think sometimes . . . I'd like to think and I hope that people make these denials based on ignorance of the law and of fair housing, of good common sense principles and if that's the case, there's resources for them to know what the law is. I'd like to just give this number. It's actually the Kansas Housing Hotline is 1-800-752-4422, and discrimination. It's difficult to prove oftentimes, and if people feel like they've been discriminated, that actually counts as a claim and they can make a claim by calling the Kansas Human Rights number and that's 785-296-6692 or they can call the Sedgwick County Housing Department at 660-7270 and we can help them either make a claim, if there's a landlord out there, if there's a realtor that has any sort of question about what is acceptable and unacceptable, they can call us and we can direct them to the answer. Thank you again for this proclamation."

**Chairman Unruh** said, "Well thank you Brad and I think fair housing is a fundamental building block of a free society and we appreciate your leadership and Sedgwick County activity and continually promoting the principles of fair housing, so thank you very much. Madam Clerk, call the next item."

#### 4. **PROCLAMATION DECLARING APRIL 2007 AS "AUTISM AWARENESS MONTH."**

**Chairman Unruh** said, "Commissioners, another proclamation for your consideration.

### **PROCLAMATION**

**WHEREAS**, Autism is a pervasive developmental disorder affecting the social, learning and behavioral skills of those affected by it; and

**WHEREAS**, autism was once thought to be a relatively rare disorder, affecting only one in 10,000 people; and

**WHEREAS**, as more and more health professionals become proficient in diagnosing autism, more children are being diagnosed on the autistic spectrum, resulting in rates as high as one in 150 children; and

**Regular Meeting, April 4, 2007**

**WHEREAS**, while there is no cure for autism, it is well documented that if individuals with autism receive treatment early in their lives, it often is possible for those individuals to lead significantly improved lives; and

**WHEREAS**, the Center for Outreach and Services for the Autism Community (COSAC) along with Ambassador Sharice Miller, is spearheading an awareness effort to educate parents, professionals and the general public about autism and its effects.

**NOW THEREFORE BE IT RESOLVED**, that I, Dave Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim April 2007 as

**‘Autism Awareness Month’**

in Sedgwick County and urge all employees and residents to participate in our municipality’s Autism Awareness Month activity to become better educated about autism spectrum disorders.

Commissioners, you’ve heard the proclamation. What’s the will of the board?”

**MOTION**

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

Commissioner Welshimer seconded the motion.

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

**VOTE**

Commissioner Norton	Absent
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

## **Regular Meeting, April 4, 2007**

**Chairman Unruh** said, “And no one is here to receive the proclamation so we will pass that on to Ms. Miller and give her our best regards. Thank you. Before I call the next item, I just want to say that you notice that Commissioner Norton is not here, and early in the meeting I should have given a notice as to where he is, but he’s participating in a technical education and training authority retreat for these next two days, as we advance our efforts towards technical education and training in Sedgwick County, so that explains Commissioner Norton’s absence here today. With that, Madam Clerk, please call the next item.”

### **APPOINTMENTS**

#### **B. APPOINTMENTS. .**

##### **1. RESOLUTIONS (TWO) REAPPOINTING MEMBERS TO THE SEDGWICK COUNTY MENTAL HEALTH ADVISORY BOARD.**

- **TREVA LICHTI (COMMISSIONER UNRUH’S APPOINTMENT)**
- **MARTHA SANCHEZ (COMMISSIONER PARKS’ APPOINTMENT)**

**Ms. Jennifer Magana**, Assistant County Counselor, greeted the Commissioners and said, “Commissioners, these two resolutions would reappoint Treva Lichti and Martha Sanchez to the Sedgwick County Mental Health Advisory Board. I recommend you adopt the resolutions.”

**Chairman Unruh** said, “Thank you. Commissioners, we need a motion to adopt this resolution.”

### **MOTION**

Commissioner Parks moved to adopt the Resolutions.

Commissioner Winters seconded the motion.

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

**Regular Meeting, April 4, 2007**

**VOTE**

Commissioner Norton	Absent
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, “And here to administer the oath of office is County Clerk Don Brace and Mr. Sanchez.”

**Mr. Don Brace**, County Clerk, greeted the Commissioners and said, “Good morning, Martha. 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 Mental Health Advisory Board so help me God.”*

**Ms. Martha Sanchez**, Member, Sedgwick County Mental Health Advisory Board, greeted the Commissioners and said, “I do.”

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

**Ms. Sanchez** said, “Thank you. I would like to thank Commissioner Parks for the appointment in serving COMCARE. I do have a passion for serving the mental health community, so thank you.”

**Chairman Unruh** said, “Well thank you very much for your willingness to serve. We appreciate citizens who are willing to step up to the plate and help us provide essential services to our citizens. We do have a comment from Commissioner Parks.”

**Commissioner Parks** said, “I would like to thank you also for your service, not only in this organization and board, but to the community. I know you’re real busy and we just appreciate you and all the volunteer work that you do. Thank you.”

**Chairman Unruh** said, “Thank you very much. Madam Clerk, call the next item please.”

**Regular Meeting, April 4, 2007**

**2. RESOLUTIONS (THREE) REAPPOINTING MEMBERS TO THE SEDGWICK COUNTY PHYSICAL AND DEVELOPMENTAL DISABILITIES ADVISORY BOARD.**

- **JUDY B. LEE (COMMISSIONER UNRUH’S APPOINTMENT)**
- **JEFFREY NOYES (COMMISSIONER UNRUH’S APPOINTMENT)**
- **ANDY SCHLAPP (COMMISSIONER UNRUH’S APPOINTMENT)**

**Ms. Magana** said, “Commissioners, these three resolutions would reappoint Judy B. Lee, Jeffrey Noyes and Andy Schlapp to the Sedgwick County Physical and Developmental Disabilities Advisory Board. I recommend you adopt the resolutions.”

**Chairman Unruh** said, “Thank you and these are all my appointments.”

**MOTION**

Chairman Unruh moved to adopt the Resolutions.

Commissioner Parks seconded the motion.

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

**VOTE**

Commissioner Norton	Absent
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, “And County Clerk Mr. Brace is here to administer the oath to Jeff Noyes.”

## Regular Meeting, April 4, 2007

**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 Physical and Developmental Disabilities Advisory Board, so help me God."*

**Mr. Jeffrey Noyes**, Member, Sedgwick County Physical and Developmental Disabilities Advisory Board, said, "I do."

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

**Chairman Unruh** said, "Jeff, would you like to say something."

**Mr. Noyes** said, "I just want to thank you for the opportunity to serve again. It's been an honor and a privilege and I look forward to the next few years."

**Chairman Unruh** said, "Well once again to you also, would say we do appreciate citizens willing to spend their time and invest in the future of Sedgwick County, so appreciate your efforts. Thanks.

Okay Madam Clerk, call the next item please."

### **AWARDS**

#### **C. AWARDS.**

##### **1. PRESENTATION OF GFOA AWARD FOR DISTINGUISHED BUDGET PRESENTATION FOR THE 2007 ANNUAL BUDGET.**

**Mr. Chronis Chronis**, Chief Financial Officer, greeted the Commissioners and said, "I'm very pleased to be here this morning to make this presentation. The GFOA is the Government Finance Officers Association, which is the international professional organization of public finance and they have created this program some 25 years ago to recognize governments that achieve certain best practices that are recognized in the industry for the preparation and presentation of budgetary documents. In particular, what they are looking for are budget documents that serve the community well as a document that explains what the financial policies of the organization are, what the operations plan of the organization is for the upcoming year, what the financial plan is to pay for those operations and what the impact on future financial performance of the organization will be

## Regular Meeting, April 4, 2007

from the plan. And finally, they're looking for the document to serve effectively as a communications media. The budget is one of the key devices that we use in the public sector to communicate with our constituents, who after all are the people who are funding our operations and who we serve.

There are literally thousands of governments across the country that are eligible for this award for distinguished budget presentation. Every state, every county, every city and every special purpose district is eligible to receive it. Of all of those thousands of governments, something on the order of 10% actually receive the award currently. As I said at the outset, the award has been in existence for some 25 years. This is the 23<sup>rd</sup> consecutive year that Sedgwick County has received this award. There are only five jurisdictions in the entire country that equal or exceed Sedgwick County's tenure of receiving this award. It truly is a recognition of the continuation of excellence in the presentation of financial information to our constituents.

For the 2007 budget, the document was prepared after a long and arduous process that you're well aware of by David Miller, the county's budget director, and by the excellent staff of budget analysts who work with them. I believe many of them are in the room, standing right behind me here, and so I would ask David Miller to come up to the podium now and introduce his staff and to receive this award. He actually already has the award and I'll show it to you here.

If you walk into the finance division and the budget office, you will see a long, long row of these awards. As I said, this is the 23<sup>rd</sup> consecutive year that Sedgwick County has received it, and so I am truly grateful to David and to his staff for achieving that excellence for us."

**Mr. David Miller**, Budget Director, Division of Finance, greeted the Commissioners and said, "I just want to say that I have the great privilege every morning of coming to work and working with a great budget staff, and that staff includes: Tonya Cole, Chris Duncan, Bernadette Francis and Misha Jacob and Pete Giroux, who couldn't be here today and they are truly the ones that deserve the credit for receipt of this award and the receipt of this award over the last 23 years. Thank you."

**Chairman Unruh** said, "Well, let's express our congratulations. Well congratulations to the whole team and for the good work that you do and 23 years in a row, we're going to have to find a big wall to hang all those plaques, but I guess you've accomplished that part of it too. Well, thank you very much. It makes us proud to know that we are on the leading edge in this particular area of county administration and talented people make that happen, so we're very proud of you, and proud of the award. Thank you very much. Madam Clerk, call the next item."

**Regular Meeting, April 4, 2007**

**2. PRESENTATION OF GFOA CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING FOR THE 2005 COMPREHENSIVE ANNUAL FINANCIAL REPORT.**

**Mr. Chronis** said, “The budget, as we just discussed, is a document that explains what the government’s intensions are going forward. It explains what the county is going to do, and how it proposed to pay for what it does. The comprehensive annual financial reports of the county are a look back at what the county actually did and what its financial condition is as a result of what it did.

Once again GFOA, the Government Finance Officers Association has established this award that it calls a certificate of achievement for excellence in financial reporting and it has provided this award to jurisdictions that once again meet the highest standards of excellence in the presentation of their financial information and their audits. The award is provided after a peer review, and after a comparison of our financial statements to very well defined, established criteria. This is the 25<sup>th</sup> consecutive year that Sedgwick County has received this award. It has been in existence for a bit longer than the budget award that we just discussed. In fact, it has been in existence I believe for 33 years and so there are a few more governments that have achieved this award continuously than Sedgwick County, but I would guess few than 50 across the entire country and once again, the award can be earned by literally thousands of governments and fewer than 10% of those eligible have actually earned it.

So once again, the county has a very long record of excellence in the presentation of its financial information, and what does that mean for citizens? Well in short it means when we talk about transparency in government, the citizens have evidenced, through this award, that we are living up to that standard. We are providing information to the public in a way that is easily understood, that accurately conveys the results of financial operations and the county’s financial condition. This award was earned by the county’s accounting staff and the Deputy Chief Financial Officer at the beginning of the year, when we started preparing these financial reports, Shawn Henning was the county’s Accounting Director. She has now moved on to another jurisdiction, where she’s continuing her career. Her work was taken over by Ann Smarsh, our current accounting director, and she was ably assisted by Troy Bruun, the Deputy CFO, and by others in the Accounting Department of the county.

And so I would like to present this award, and I actually have it, to Ann Smarsh, and once again, if you go up into the Finance Division, you will see a long row of these awards in our office and you won’t see a row quite that long in hardly any other government in the country. That again represents a long record of excellence of financial reporting in this community, so Ann, would you introduce your staff please and say a few words.”

## Regular Meeting, April 4, 2007

**Ms. Ann Smarsh**, Accounting Director, Division of Finance, greeted the Commissioners and said, "I'd like to introduce all of the people who help every day and helped pull everything together for our comprehensive annual reports. In the back Troy Bruun, our Deputy CFO, who is helpful sometimes, Brandy Baily, Brandy is brand new with the county, Rick Smith, Sara Janse, Marty Hughes our Revenue Manager, and Ginger Radley, our accounting manager, could not be here today, so on behalf of all of them, we accept this award and we are looking forward to continuing to build an even stronger accounting team for the future. Thank you."

**Chairman Unruh** said, "Well congratulations to you and to your whole team. Once again, everything we said about how proud we are of you that we just said to the budget department also applies here. You all give us the confidence, as we go out into the community, to say 'we're doing thing right, we're doing things opening, we're doing things with a plan and we're reporting accurately, so thank you very much for all your hard work and we are proud of you."

Madam Clerk, call the next item please."

### NEW BUSINESS

#### **D. RESOLUTION AND AGREEMENT AUTHORIZING A FORGIVABLE LOAN TO CONVERGYS CUSTOMER MANAGEMENT GROUP, INC. FOR ECONOMIC DEVELOPMENT INCENTIVES.**

**Ms. Irene Hart**, Director, Community Development, greeted the Commissioners and said, "I have good news for you this morning and I'd like to talk to you about the county's portion of an incentive package that drew a major U.S. corporation here to Wichita. Headquartered in Cincinnati, Ohio, Convergys is the largest provider of outsourced call centers. Their 74,000 employees handled nearly 2,000,000 inbound calls daily for clients in a wide variety of industries including information technology, telecommunications, financial services, retail and e-commerce, pharmaceuticals, a wide variety of inbound customer service centers.

They have . . . their nearest facilities are in Lenexa and Olathe, where they employ nearly 800. Their U.S. facilities are at capacity. They started looking for another location, and through the Greater Wichita Economic Development Coalition, we were able to put together a proposal and a package of incentives that was successful and has resulted in their locating in Wichita on East Harry.

What that means is that within three years there will be 600 employees at this location on East

## Regular Meeting, April 4, 2007

Harry. Our portion of this agreement includes a \$25,000 forgivable loan. The return on investment for that loan is 2.39. That means for every dollar that we've invested in this forgivable loan, there will be returned to the community \$2.39 so it was a heck of a deal. Today with us, we have Jill Giles, who is the senior manager, Government and Economic Development Relations of Convergys and Kim Young, with the Greater Wichita Economic Development Coalition, who is the project manager on this. So I'd recommend you take the recommended action, and we do have people that would like to talk to you."

**Ms. Jill DiPuccio Giles**, Senior Manager, Government and Economic Development Relations, Convergys Corporation, greeted the Commissioners and said, "I wanted to thank you for considering our project for the County forgivable loan program. This funding will help offset the substantial investment in growing and developing the workforce within the Wichita area. The program also helped solidify our decision to work in your region.

Just wanted to emphasize again that Convergys is a global leader in also providing customer care, human resource and billing services, and we are the largest outsource contact centers services provider in the world.

For the sixth consecutive year, we are recognized by Fortune magazine as one of America's most admired companies. I mention this because it serves as a tribute to the dedication of our employees and their intense focus on supporting our clients every day.

As noted in our 2006 annual report, we have received record revenue and earnings, due to our key wins, clients wins around the world that are now driving our U.S. expansion. In Wichita, we found a suitable existing building that fit our needs, but we chose the Wichita area, of course, for the quality of the labor force, as well as the technology and transportation infrastructure. The skilled and dedicated workforce will meet the expanding needs of our clients and allow us to sustain the commitment we have made to the area and to the state.

Irene explained the project to you, so again, I'll just emphasize that Convergys provides competitive benefits, which are approximately 30% on top of our employee's base pay, including health insurance, of which 75% of the costs are paid by Convergys for the individual and the family coverage. We also offer dental, vision, 401K, life and disabilities insurance. We offer tuition reimbursement and discounted employee stock purchase plans on day one.

We have unrivaled career opportunities and a strong policy of promoting for within. You'll find agents that are now VPs and above at Convergys. We support career advances and because of the

## Regular Meeting, April 4, 2007

global footprint, there are ample opportunities for domestic and international postings.

Convergys prides itself on its corporate citizens and believes in giving back to the communities it serves. Examples of current Kansas support includes the corporations and employees donating resources to the United Way, Salvation Army, Red Cross and Cancer Society. We will continue this in Wichita as well.

Thank you again, we appreciate your support and partnership and you can be confident that this funding is a worthwhile investment for you and the State of Kansas. If you have any questions, please let me know.”

**Chairman Unruh** said, “Well, thank you. I don’t see any questions, but a comment from Commissioner Winters.”

**Commissioner Winters** said, “Well thank you very much. I do have a question for Irene, but Jill, I certainly appreciate your coming today and giving us this overview of your company. You do seem like a company that is concerned about employees’ welfare and again, in the community in which they live so I appreciate your comments very much.

I do have a question for Irene. Irene, and I know that you probably covered this, but I just wanted to reconfirm, when you were talking about the return on investment, we did the formula mathematic gymnastics that we look at in determining this return on investment and there was nothing unusual in this project and this project seems to be similar to those kinds of projects that we have encouraged in the past. Is that correct?”

**Ms. Hart** said, “Yes sir. The analysis is done by Wichita State University, so it’s not us sitting around trying to make the numbers work. It’s an unbiased one done by the Center for Economic Development and Business Research and it uses a standard formula that we’ve all agreed to.”

**Commissioner Winters** said, “All right, and so again, it’s not just trying to throw a dart at a board and think what’s going to happen. We really do put some reasoning behind that projection of that return on investment of 2.39. All right, thank you. That’s the only thing I have.”

**Chairman Unruh** said, “Thank you. Commissioner Parks.”

**Commissioner Parks** said, “I don’t know if this would be a question for Ms. Hart or Jill, but when . . . for the people out there watching, when are you going to start taking applications or do you

**Regular Meeting, April 4, 2007**

have kind of a target date on that?”

**Ms. Hart** said, “They’ll be beginning to take applications July 1.”

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

**Chairman Unruh** said, “Okay, well I think we’re very pleased to have this opportunity for investment here. Jennifer?”

**Ms. Magana** said, “I don’t believe you’ve call the vote on the agenda item yet.”

**Commissioner Winters** said, “No, we’ve not had a motion yet. If you’re ready for a motion, I’m prepared to make one.”

**Chairman Unruh** said, “I think we’re ready.”

**MOTION**

Commissioner Winters moved to adopt the Resolution; approve the Agreement and authorize intra-fund transfer of budget authority.

Commissioner Welshimer seconded the motion.

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

**VOTE**

Commissioner Norton	Absent
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, “Thank you. Thank you for being here. Madam Clerk, call the next item please.”

**PLANNING DEPARTMENT**

**E. METROPOLITAN AREA PLANNING DEPARTMENT (MAPD).**

## Regular Meeting, April 4, 2007

1. **MAPD CASE NUMBERS 2007-00001 AND 2007-00002 – ZONE CHANGE FROM “SF-20” SINGLE-FAMILY RESIDENTIAL TO “LI” LIMITED INDUSTRIAL AND A CONDITIONAL USE FOR A CONSTRUCTION AND DEMOLITION LANDFILL, GENERALLY LOCATED APPROXIMATELY 1/3-MILE WEST OF WEST STREET ON THE NORTH SIDE OF 37<sup>TH</sup> STREET NORTH. DISTRICT #4.**

### POWERPOINT PRESENTATION

**Mr. John Schlegel**, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, “This case that I’m presenting to you today, the applicant is seeking this limited industrial zoning and a conditional use to allow them to expand their existing construction and demolition, or C & D waste landfill onto this site. Their existing landfill is immediately to the east and I’ll go ahead to the aerial photo and you can see the current operation, just off to the east of the application site.

That about approximately a 36-acre site. The existing C & D landfill was approved by the county commission back in the year 2001. The operation of this C & D landfill in the future will be conducted in four phases. The first phase is the current operation area that you see on the aerial photo. The second phase, when that one is filled, will move onto the northern portion of the application area that’s before you today and when that phase is filled, they’ll move to a third phase which would be the southern portion of the application area. And then the final phase will be the area off on the eastern portion of the existing C & D landfill site, where they have their staging operation, their office and storage areas.

They expect that current site that they’re operating on now will last for approximately 10 more years. The area into which they’re seeking the expansion, the application area today, they expect to operate for an additional 15 to 25 years.

The eventual height of this C & D landfill will be up to 70 feet in height and will be a pyramid shaped configuration when it’s done. They’re currently taking 100 to 300 tons of material per day in their site recycling, up to about 60% of that material today.

You can see the current zoning of this particular site is SF-20 and it’s surrounded on two sides by other SF-20 zoning. To the east is LI zoning, on the existing landfill and the solid waste transfer station, just to the east. There’s some remnant LC zoning at the intersection there at West and 37<sup>th</sup> and then over at 37<sup>th</sup> and West. To the north of the site, across K-96, you can see the Brooks

## Regular Meeting, April 4, 2007

Landfill. Again, I'll point out with the arrow, this is the solid waste transfer site and their current operations off to the west, you can see the agricultural areas, the land is now is agriculture and then further to the west and to the south of 37<sup>th</sup> Street you can see some residential development. There's an airport landing strip right here on the corner, the southeast corner of 37<sup>th</sup> and Hoover.

The access to this site, to their current C & D landfill site, comes off of West Street, to the east along 37<sup>th</sup> Street and into their entrance at this point so there is . . . even though 37<sup>th</sup> Street is currently a dirt road, and unpaved, it's only for a short distance. There is a condition that's attached to the recommendation from the Metropolitan Area Planning Commission that if they would ever open an additional access point to this portion of the landfill that they would have to pave 37<sup>th</sup> Street to the county standards. To the best of our knowledge their plan though is to continue to use the entrance, at this point, off 37<sup>th</sup> Street and you can see that their access to the interchange . . . the West Street interchange of K-96 is very close and quick and easy for haulers to use.

The county Solid Waste Management Committee has reviewed this proposal and approved it as consistent with the local solid waste plan and Item F-2 on your agenda today will ask you to certify that this proposal is consistent with that local solid waste plan.

When this item was reviewed by the Metropolitan Area Planning Commission at its meeting on March 1<sup>st</sup>, they did recommend unanimously to approve this request with the conditions that are outlined in your staff backup report. No one at the MAPC meeting spoke against this, although there may have been some confusion, there may have been some people there that were interested in the item but they did not speak because there may have been some confusion about the procedure for them to speak.

We have received four protests from property owners in the vicinity of this. One of those property owners is within the notification area, but we have since also then received further correspondence indicating that they would like to withdraw that protest.

The protestor's issues with the proposed C & D landfill expansion really seem to revolve around the existing C & D landfill operation. They expressed concerns about the damage being done to 37<sup>th</sup> Street from the truck traffic accessing the landfill from Hoover Road rather than West, lack of enforcement of insuring that traffic use, West rather than Hoover, concerns about dust, noise, blowing debris and trash, some illegal dumping in the area along the roads and depreciation of property values, other debris that's been left in the road from traffic going to the landfill.

And with that, the recommendation of the MAPC is for approval, with the conditions that are listed in your backup report. I'll be glad to take any questions."

**Chairman Unruh** said, "All right, thank you John. We do have a question from Commissioner

## Regular Meeting, April 4, 2007

Parks.”

**Commissioner Parks** said, “I do have a legal declaration to make here on my speaking with several of the people involved here. I’ve had conversations with two of the petitioners against this expansion, the Hudsons and the Sanders. I’ve had a conversation and personally toured the site with Tom Ritchie and Mr. Sommers. Also, I’ve discussed this with many staff members, including Sue Erlenwein from the Health Department, Jim Weber and David Spears from Engineering and of course Mr. Schlegel is presenting this. I’ve also talked with an elected official, being the Sheriff, in that and I can get into a little bit of the schematics and logistics of that later on, if you’d want to, but I so know that I have a constituent here that would like to speak at some time.”

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

**Commissioner Winters** said, “Well thank you. I would also acknowledge that I have had discussions with a few people, not near as many as Commissioner Parks, but I have had a couple of discussions, but I have certainly not formed an opinion over any of those discussions.”

**Chairman Unruh** said, “All right, thank you. And for the record, I have not had any direct contact with anyone but have received e-mails, but have not yet formed an opinion so Commissioner Welshimer.”

**Commissioner Welshimer** said, “I’ve had no contact with anyone, so I have no opinion either.”

**Chairman Unruh** said, “All right, thank you. Well John, I do have just a couple of questions though. The height that the material can be built up to, the 70 foot, is that what’s permitted on the current operation?”

**Mr. Schlegel** said, “I believe so, yes.”

**Chairman Unruh** said, “So the application is consistent with that and is that pretty well consistent with the height of the Brooks Landfill across the road?”

**Mr. Schlegel** said, “No, I think Brooks would be a little higher. Let me see if I have any information on that. This site is not big enough to be able to take it up to . . . do you guys know the height of the Brooks Landfill? The Brooks Landfill is 100 feet.”

**Chairman Unruh** said, “So this is much less. And the applicant would be permitted an entrance on

## Regular Meeting, April 4, 2007

37<sup>th</sup> at the new area, at their discretion? They would just have to . . . it's required that they pave the road up to that entrance if they do that."

**Mr. Schlegel** said, "Right, condition D of the conditions listed in the MAPC recommendation would require that."

**Chairman Unruh** said, "Okay, thank you. Are there any other comments of Mr. Schlegel, commissioners? If there's not, this is not a public hearing but we offer the opportunity for . . . if the applicant wants to say something, now would be an appropriate time."

**Mr. Tom Ritchie**, 13150 E. 29<sup>th</sup> Street, Wichita, Kansas, greeted the Commissioners and said, "I'm president of C & D Recyclers of Kansas. I know that these facilities are very difficult for political individuals to have to deal with, because there's just really no way to make them a popular resort destination. We have, however, done our very best to make it as good a landfill as we can.

KDHE has called our facility a model facility. There are others in the state and we've done our very best. We have had difficulty with our 70-mile-an-hour winds this last year. We now have a full-time employee to pick up whatever blows off of it. Fortunately, most of it blows from the south toward the north and we've modified our procedures to minimize that. We recycled between 60 and 80 percent of the material that comes in. It's the right kind of material. We are aware of our neighbor's concerns and will take some steps to mitigate all that we can.

There are a few issues that our neighbors have that we have no control over and that is truck traffic on a dirt road. We don't own those trucks. They're not suppose to do that and I'm hoping that the county can figure out how to stop it by way of some signs and no truck traffic on this dirt road. The dirt road is in sand. When it rains, it becomes a hazard I guess. It's impassible, some comments that we've heard.

Secondly, we have no control over illegal dumping. We are not policemen. We will and have gone out and searched through whatever has been dumped and if we find a name in it somewhere we can turn them in, but nonetheless, this is an enforcement issue. It's beyond our control. Some of the traffic, truck traffic is individual trash haulers going to the transfer station. That could be stopped, but it's going to take some action that I can't take. We do have our general manager, Doug Sommers here, to answer any technical questions you might have. This requirement is that we will

### **Regular Meeting, April 4, 2007**

plant trees within one year and it will be many years before we get there, to this section, so the trees should have an ample opportunity to be big trees instead of little ones. Part of the problem with our existing facility is a requirement was that we plant American Sycamores. Well, they're pretty slow growing, so this requires evergreen trees and we can get some pretty good screening out of that, through the get-go, so I thank you for hearing our case."

**Chairman Unruh** said, "All right, thank you. Commissioners, do you have any questions for Mr. Ritchie. Okay, thank you. Yes sir."

**Mr. Doug Sommers**, General Manager, C & D Recyclers of Kansas, greeted the Commissioners and said, "A couple of issues that I'd like to point out or that I would like to hit on. There's been some discussion about the entrance coming off of 37<sup>th</sup> Street to this new area. There is a driveway on our plan to go in at that area. That driveway is to allow access for fire department, to allow service trucks to get in there when we need to service our equipment, but it has never been our intension to make that a customer entrance.

If I were to use that as a customer entrance, I would have to relocate my scales, my office, I'd have to put in a new waste treatment system, have to put electricity down there, on top of the paving requirement to get us down there, so it's cost prohibitive to try to move the entrance down there, so we will be continuing to use the current entrance."

**Chairman Unruh** said, "Okay, thank you very much. Okay, we have a question from Commissioner Parks."

**Commissioner Parks** said, "Mr. Sommers, on the driveway there, is that going to be open right-of-way or are you planning on closing that off until you use this portion? On the presentation we got, we have the area that's going to be . . . that's in question here is going to be sometime before that is used."

**Mr. Sommers** said, "Correct, correct. What we will be doing is there is currently a driveway, a culvert going in, more or less, where this driveway is going to be. That culvert will remain, because up . . . once . . . if we get approval, we will go in there and we will have to do some grading on this property so we can get down to the slopes and the elevations that we need in the areas where the trees and the screening are going to go in and the fencing is going to go in. That will be installed, but for the next ten years, this will continue to be a wheat field. It can earn viable income in

### **Regular Meeting, April 4, 2007**

farming, so we will keep it so that it is able, so as long as we can, we'll keep it to where it's able to be farmed."

**Commissioner Parks** said, "On one of my ventures out there, I did see that one of the illegal dumps occurred, right in that driveway and I didn't know if a fence or something would be appropriate to . . . or if there was some kind of gate or something."

**Mr. Sommers** said, "Yeah, I think fencing would be definitely appropriate and part of our plan is that we're required to fence off, so . . ."

**Commissioner Parks** said, "Very well, thank you."

**Chairman Unruh** said, "Thank you. Any more questions of the applicant? We have someone here who wanted to speak in opposition. Is that correct? Would you like to step up and state your name please."

**Ms. Margie Sanders**, 5303 W. 37<sup>th</sup> Street N., greeted the Commissioners and said, "I live at 5303 West 37<sup>th</sup> Street North, which is between Hoover and West Street. The unpaved portion of the street, which is approximately three-quarters of a mile of unpaved street.

We have lived there for approximately 25 years, my husband and our children. And we were told several years ago that the Brooks Landfill would be closing permanently, after several extensions of time and that there would be . . . that it would be replaced with another landfill further from the city or a nearby county. It didn't exactly happen that way. We have another landfill, dump closer to our house now, which is C & D Recyclers of Kansas. Our taxes keep increasing, but the resale value keeps decreasing because of the proximity to the landfill dump, transfer station, sandpit and heavy traffic associated with these businesses on our road.

Big trucks tear up our unpaved mile of road, between Hoover and West Street, with their constant traffic. The unpaved road becomes impassable for cars frequently after rain or snow because of the heavy truck traffic. I have taken several pictures of a worst-case scenario that happened about three weeks ago, on March 20<sup>th</sup>, when the road became absolutely impassable for passenger vehicles.

These trucks create deep ruts in the road and make it very difficult for other vehicles to get through,

## Regular Meeting, April 4, 2007

though the large trucks I realize are able to get on through that. We and our neighbors are forced to drive through this nearly impassable sections of road on a regular basis, going either direction, in order to get to work, school or appointments.

And we call upon our township people to repair the road, and get it graded again. The Park Township does a very good job of grading and repairing our unpaved road, but an unpaved road is not intended for heavy truck traffic, as we see on a daily basis. On a recent morning, we observed approximately 20 large trucks driving down the sand road in a two-hour period, this was the normal.

Part of the restrictions for C & D Recyclers includes the deliver of construction and demolition waste to the site shall be only by way of West Street to 37<sup>th</sup>, then west to the existing entrance drive of the applicant's construction and demolition landfill. This restriction, if enforced, would route traffic over paved roads, not the nearly one mile of unpaved roads on 37<sup>th</sup> Street, between West and Hoover. This is not being enforced, as far as I can tell, at this time, as we see on a daily basis, from the volume of large truck traffic past our house. What is to prevent it from increasing with the expansion of C & D Recyclers?

And you have already addressed the trash problems that are occurring on this road. We see that on a constant basis. A lot of this is from the construction and demolition material that is dropped off of trucks that drive down the gravel road, our road. Because of all the volume of traffic, it becomes very bumpy and this contributes to the problem as well. I've lost count of the number of flats and ruined tires for our cars from debris and nails dropped in our road. This demolition and construction debris, including old mobile homes, provides a shelter for rats and other disease-spreading mammals.

In summary, what is to stop C & D Recyclers construction and demolition landfill from expanding to becomes as large and as tall, 70 foot as I understand, as Brooks Landfill, with an increase of large truck traffic on our road, if we don't protest the doubling in size now of the area that they can use.

We were not notified by the Metro Area Planning Department or any other county agency of this zoning change, which occurs just a short distance from our home and I understand that they do have a restriction of 1,000 feet that they are required to notify. We are just beyond that, at approximately 1,200 feet and that is all I have and I thank you for the opportunity to speak."

**Chairman Unruh** said, "All right, thank you for speaking. Commissioners, any questions?"

**Commissioner Parks** said, "I just had a question, Margie, was that from the part that you read about the trucks not using the unpaved road, is that from the original C & D?"

**Ms. Sanders** said, "It is in the current restrictions that are proposed."

**Regular Meeting, April 4, 2007**

**Commissioner Parks** said, "Maybe Mr. Schlegel can answer that."

**Mr. Schlegel** said, "Yeah, condition number D addresses that and says 'the deliver of construction and demolition waste to the site shall be only by way of West Street to 37<sup>th</sup> Street and west to the existing entrance drive of the applicant's existing construction and demolition landfill.'"

**Commissioner Parks** said, "And who polices that?"

**Mr. Schlegel** said, "I'm sorry?"

**Commissioner Parks** said, "Who polices that? Who keeps track of that?"

**Mr. Schlegel** said, "Well, that would have to be, since it's on the county right-of-way, it would have to be I guess the county police, the Sheriff's Department, that would have to enforce that. I think what the C & D operator can do is help by working with the people that deliver material there, to make sure that they understand what they're suppose to be doing, but the actual enforcement would have to be done by law enforcement."

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

**Commissioner Welshimer** said, "Mr. Schlegel, 1,000 feet, for the neighborhood, that's as far as you have to go to notify neighbors that there's going to be a dump or a sandpit or whatever put in?"

**Mr. Schlegel** said, "That's the requirement is notify up to 1,000 feet and you can see that 1,000 foot line on the graphic that I've put up in front of you."

**Commissioner Welshimer** said, "And where does that rule come from? I mean, is that made by county or . . .?"

**Mr. Schlegel** said, "It's in the zoning code."

**Commissioner Welshimer** said, "Then county zoning code."

**Mr. Schlegel** said, "Okay, well it seems to me that that is not enough distance, because a large operation like this, with a 70-foot pile of material would be . . . pretty obviously would affect neighbors much further away from that. I think we should address that 1,000 foot rule. Anyway, that's my question."

**Chairman Unruh** said, "All right, thank you. Is there anyone else here who wants to speak on this zone issue before we restrict comments to the bench? Yes ma'am, if you'd want to state your

## Regular Meeting, April 4, 2007

name.”

**Ms. Marilyn Gupton**, 5320 W. 37<sup>th</sup> Street N., Wichita, Ks., greeted the Commissioners and said, “I own the property at 37<sup>th</sup> and Hoover, on the north side of the road and my husband inherited it from his parents when they passed away, but I’ve been out there for many years and have seen everything that goes on out there, you know, with the dumping, the tires and everything and I agree that . . . with Gwin, that I’m 1,200 feet away and I didn’t get a say-so in this either and I’m taking her side, because I didn’t think it was fair. Okay.”

**Chairman Unruh** said, “Okay, thank you very much. Okay, if there’s no other person requesting to speak, then we’ll just restrict the comments to the bench and commissioners, do you have any other comment or question? Commissioner Parks.”

**Commissioner Parks** said, “Well, since this is in the heart of the fourth district, I’ve spent a considerable amount of time up there at this site. In fact, the first day I went, I got a flat tire at 21<sup>st</sup> and West, so I realize that a nail cannot be policed very well. I mean, who can say where that came from, but . . . and a couple of weeks later, when I went down that road, I came up on a pretty nasty spot and didn’t get my car shut down in time and about wrecked my car when I hit it. I did talk with Ron Stanley with the Park Township. Apparently, he went out and did some work on that hole that was out there and this is sugar sand out there. It’s the nature of this area is sugar sand and any rock they put in there disappears pretty quickly, and he did fix that up a little bit. There are some drainage problems and I think they will continue, in Park Township, to continue to work on that.

With my tour that I took with Mr. Ritchie, I was quite frankly impressed with the amount of things that they do recycle out of there, that they’re doing I would say over half of their stuff that goes in there, a lot of that comes back out of there in terms of recycling and I commend them for doing that and keeping that. You can’t really . . . you can see the tall mountains of dirt from the highway, but they’re done a good job of berming it from K-96 in my opinion.

In talking with all of staff and everything, there are things that C & D is responsible for. There are things that Park Township are responsible for. There are things that the Sheriff is responsible for and there’s thing that the engineering department can do to assist them, and I think with all these things in place, that this can be a workable solution.

The Hudson’s did retract their petition, on that basis and I would remind that the people that the people that are against it, that this is a continuation of a conditional use, and we need to be notified when those conditions aren’t being met and through Mr. Wiltse’s office, or through the Sheriff or however we need to go about that, if that’s not responsive, certainly get together with me and I’ll find the appropriate department to get with you if this passes.”

## Regular Meeting, April 4, 2007

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

**Commissioner Winters** said, "Well, thank you. A couple of thoughts I guess. One and I understand the comments about the 1,000 foot notification area. I would say, and I'm certainly willing to think about that, I would say though that it is required to post a sign on the property that there is rezoning taking affect and that sign is up, because I was out there this week looking at this property and saw the sign and it's there.

And then some jurisdictions, you know, don't allow people to come to our meeting at this stage in the game and share their views with commissioners. They just take the testimony that happened at the planning commission as the public comment. And it's always been our policy to allow citizens to address us at this level if they have an issue that they want to talk about a zoning case, then they can talk to their commissioners right here at this meeting, so I think even when we consider the 1,000 foot we do give people an opportunity to participate in the process, either at the Metropolitan Planning Commission or here, where we'll freely listen to that.

Just a couple of thoughts, I remember back when Brooks Landfill was in the process of closing and it came to the county commissioners to enter into the landfill siting opportunities in Sedgwick County and as you all remember we had quite lengthy and long discussions about that. One of the things that we did say during that time period is that if we were not going to have a Subtitled D municipal solid waste landfill in Sedgwick County that we did need to make provisions for there to be ample locations for construction and demolition debris as the material that enters them is different than the materials that enters a Subtitle D landfill. And so then you begin to just look at the map of this area and you see that this is across the highway from the Brooks Landfill. It's on the same location as one of our two major trash transfer stations and it's again next door to an adjacent operating C & D landfill that's operating today. So as I think about those, I'm not sure I know a much better location to think about a C & D landfill than this one right next door to a currently operating C & D landfill.

And then I guess the other thing that had an impact, as I read the backup material, the county Solid Waste Management Committee has looked at this and proposed that this site go forward. The Metropolitan Area Planning Commission has heard the request and their vote was unanimous, twelve to zero, to move forward. And it is being recommended by staff that this is an appropriate land use at this location, so with those, I'm certainly willing to hear other talk but I think this looks like an appropriate place to expand the C & D landfill."

**Chairman Unruh** said, "All right, thank you. Commissioner Welshimer."

**Commissioner Welshimer** said, "Well this is a continuation of a conditional use. Obviously, we

## **Regular Meeting, April 4, 2007**

need sites like this and we have to find a place for them. That's always difficult. I don't agree that a sign saying we're going to rezone here is enough notification to neighbors, they may not drive by it, and they may not understand exactly what it means. I think they would be expect to be notified, and I would like, pending the decisions of the rest of the commissioners, to address this issue of the 1,000 feet when it comes to certain conditional uses. I don't think that that was enough here and I'd like to see us talk about that and see how we could correct that, because private citizen, homeowners, they've historically been at a disadvantage when they're up against a large company who is trying to expand of put something in there that's going to devalue their property.

But this is a conditional use continuation and it is in a site where we have had a similar use going on and so I'll support the approval."

**Chairman Unruh** said, "Okay, thank you commissioner. Well, I think the comments that have been made are pretty comprehensive and I'm in agreement with the general comments here. I think the conditions of approval are reasonable, continuation of an existing operation and we definitely need to have all the opportunities for recycling in our county that we can have. It's an important activity that's being efficiently accomplished, so in light of the fact that MAPC and the staff and the Solid Waste have all reviewed this, I'm going to be supportive of it.

At this time, commissioners, if . . . are there other comments, or are we ready for a motion?"

### **MOTION**

Commissioner Winters moved to approve the zone change and the Conditional Use, subject to the conditions recommended by the Metropolitan Area Planning Commission (MAPC); adopt the findings of the MAPC and authorize the Chairman to sign the prepared Resolution.

Chairman Unruh seconded the motion.

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

### **VOTE**

**Regular Meeting, April 4, 2007**

Commissioner Norton	Absent
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

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

- 2. MAPD CASE NUMBER 2006-00035 – RESOLUTION FOR CONDITIONAL USE TO PERMIT SAND EXTRACTION, GENERALLY LOCATED ON BOTH SIDES OF 61<sup>ST</sup> STREET NORTH BETWEEN TYLER ROAD AND MAIZE ROAD. DISTRICT #4.**

**Mr. Schlegel** said, “Commissioners, this item was one that you had previously heard and approved. We have since your action to approve this conditional use the staff has been working on drafting the resolution and brought it back at this meeting today for you to consider the wording of the conditions in that resolution.

However, since you don’t have a full board today, our recommendation is that you defer this until all five commissioners are present. We had originally been prepared to recommend you defer to April 11<sup>th</sup>, but because the applicant’s agent cannot be present on that date, we’re recommending today that you defer this until April 18<sup>th</sup>.”

**Chairman Unruh** said, “All right, thank you John. Commissioners, are there any questions? If not, we need a motion for deferral.”

**MOTION**

Commissioner Winters moved to defer Item E-2 until April 18<sup>th</sup>, 2007.

Commissioner Welshimer seconded the motion.

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

**VOTE**

Commissioner Norton	Absent
Commissioner Winters	Aye

**Regular Meeting, April 4, 2007**

Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Thank you, John. Next item please."

**NEW BUSINESS**

**F. CERTIFICATION THAT PERMIT APPLICATIONS TO THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT ARE CONSISTENT WITH THE LOCAL SOLID WASTE PLAN.**

**1. BROOKS LANDFILL PERMIT APPLICATION FOR A YARD WASTE COMPOSTING FACILITY, LOCATED AT 4100 NORTH WEST STREET, WICHITA, KANSAS.**

**Ms. Susan Erlenwein**, Director, Environmental Resources, greeted the Commissioners and said, "The Kansas Department of Health and Environment requires any solid waste permit to the Kansas Department of Health and Environment be certified by the local planning authority for solid waste. In this case that's the county commissioners. Today I have two solid waste permits before you. The first one is for the City of Wichita's composting facility. As you know, Brooks Landfill closed in 2001 and the City developed a construction and demolition landfill on the previous site. They also have had a half-acre site there for compost as a convenience for their customers.

At the current time, KDHE has changed the rules that says any compost facility located at another permitted facility needs its own permit, so the city has to go through the processes of obtaining a permit for the compost facility. They would like to increase the size from a half-acre to a five-acre site without their going through the process and develop a nice compost facility at this location.

The application has been through the Solid Waste Committee and it was unanimously approved for this compost facility. I'd recommend that you approve this, that it is consistent with the Solid Waste Plan, because the Solid Waste Plan does address the reduction of materials going to the final disposal facility and we encourage people to mulch mow or compost in our area and this would be a great advantage to our community. I'd be happy to answer any questions and Joe Pajor from the City of Wichita is here to answer any operational questions about the facility."

**Regular Meeting, April 4, 2007**

**Chairman Unruh** said, "All right thank you, commissioners, are there any questions about this application? Commissioner Parks."

**Commissioner Parks** said, "It's just kind of a continuation of what they have there now for a composting."

**Mr. Erlenwein** said, "That's correct. It's just permitting a slightly larger facility than what they have now."

**Commissioner Parks** said, "When you say slightly larger . . .?"

**Ms. Erlenwein** said, "It's what they have now for the compost right now is half an acre. This would be five acres."

**Commissioner Parks** said, "Is it closer to the roadway or anything?"

**Ms. Erlenwein** said, "No, it's on West Street, north of the C & D facility. You cannot see it from the roadway."

**Commissioner Parks** said, "And this facility now is in the City of Wichita, or it is still in the . . .?"

**Ms. Erlenwein** said, "It's in the City of Wichita."

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

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

**Commissioner Winters** said, "Thank you. I'm going to be supportive of this. Susan, you may know the answer to this. I would assume that this is probably the major site that the City of Wichita uses for their tree and limb and branch disposal and particularly in storm times this is probably when this gets the most use. Would that be correct?"

**Ms. Erlenwein** said, "I'll let Joe Pajor answer that."

**Mr. Joe Pajor**, Natural Resources Director, City of Wichita Department of Public Works, greeted the Commissioners and said, "This site is used exclusively for those customers of the C & D landfill, the Brooks C & D Landfill that bring yard waste as part of their waste disposal, so it's really designed as a customer convenience center to provide for a recycling opportunity so that that waste doesn't go into the C & D landfill, but we don't turn them around, having them haul it back

## Regular Meeting, April 4, 2007

out.”

**Commissioner Winters** said, “Okay, very good. Thank you for that explanation. That’s all I had.”

**Chairman Unruh** said, “I just had a question. This type of composting type material, I mean, people are charged to dump it off, to leave it and then as it goes through its process, then they come pick it up, is there a charge then for the material.”

**Mr. Pajor** said, “Yes, there is. What we do is we’ve incentivised our operating contract around the site, Harzog Environmental, that they are allowed to utilize this composting site and then sell the material to the market at whatever price people are willing to pay for it. I can’t quote the price, but it is for sale for people to make use of the compost produce.”

**Chairman Unruh** said, “All right, and there are not many sites around for this material. Is that correct?”

**Mr. Pajor** said, “That’s true.”

**Chairman Unruh** said, “All right, thank you. Commissioners, any other questions or comment? What’s the will of the Board?”

### **MOTION**

Commissioner Winters moved that the proposed permit application for a composting facility is consistent with the Sedgwick County Solid Waste Management Plan.

Commissioner Parks seconded the motion.

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

### **VOTE**

**Regular Meeting, April 4, 2007**

Commissioner Norton	Absent
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Next item please."

**2. C & D RECYCLERS OF KANSAS, INC. PERMIT APPLICATION FOR A SOLID WASTE LANDFILL - EXTENSION OF THE CURRENT C & D LANDFILL, LOCATED AT 4250 WEST 37<sup>TH</sup> STREET NORTH, WICHITA, KANSAS.**

**Ms. Erlenwein** said, "This is the continuation of the zoning case that you just heard about, the C & D Recyclers and the extension of the facility to the west. Again, KDHE requires this to be consistent with the Solid Waste Plan. It has been reviewed by the Solid Waste Committee and received their approval. I don't think I need to go into all the details again, since we just reviewed that but this C & D material is part of our solid waste plan. It is banned from the transfer stations and that requires the need for these facilities. We feel it is better handled at this facilities than the municipal solid waste facility, so I recommend that you find it consistent with the plan and representative from Ritchie's Company, such as Doug Sommers, is here to help answer any questions."

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

**Commissioner Winters** said, "Thank you. I guess I would just have two comments. Basically, even having said them in the previous item, when we considered this, based on the fact that at the time we were discussing Subtitle D municipal solid waste landfills, it was the commission's intension at that time that we would have places available for C & D landfills in Sedgwick County, so based on that, remembrance of those discussions and on the fact that Sedgwick County Solid Waste Committee has reviewed this and sees it to be consistent, I'm going to be supportive of this item."

**Chairman Unruh** said, "All right, thank you. Commissioner Parks."

**Commissioner Parks** said, "Under number 7.5, the proposed post closure site, nothing would

**Regular Meeting, April 4, 2007**

prevent this from being a recreational thing for a park or anything in the future, because we just have marked those three items, on page 122, if the kids wanted a ski slope or a sled slope there some day after it's closed down, that could happen."

**Ms. Erlenwein** said, "Quite often closed construction/ demolition landfills are used for parks or other recreational facilities. No landfill is good to put a building on because of the settling that occurs over time from the material, but yes, they can be used for recreation."

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

**Chairman Unruh** said, "Commissioners, any other questions? What's the will of the board?"

**MOTION**

Commissioner Winters moved to approve the Local Government Certifications and authorize the Chairman to sign.

Commissioner Welshimer seconded the motion.

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

**VOTE**

Commissioner Norton	Absent
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Thank you. Thank you Mr. Ritchie. Madam Clerk, call the next item."

**DIVISION OF HUMAN SERVICES- COMCARE.**

**G. RESOLUTION REGARDING LOSS OF FEDERAL ENTITLEMENT BENEFITS.**

**Ms. Deborah Donaldson**, Director, Division of Human Services, greeted the Commissioners and said, "This is a resolution that the National Association of Counties, NACo is requesting commissions throughout the country pass. It involves an issue that has been an ongoing concern of ours and that is the loss of Medicaid and Medicare benefits when someone is incarcerated but not convicted and you've got two issues. One, you've got individuals who are going into the jail who

## Regular Meeting, April 4, 2007

have a lot of healthcare kinds of needs, often, because they're on Medicaid and they lose those right away and they may never be convicted. I mean, it could be dismissed, you know, this type of thing, and yet the county ends up having to pay all the healthcare costs for those individuals. And secondly, once you do that, what happens is people can come out of jail and they have a lot of health issues and they essentially are uninsured and sometimes it can take an extended period to get them back on their healthcare kind of benefits and that can be people who are disabled, pregnant women, these kinds of issues.

And so I would be glad to read the resolution into the record that they're asking your approval on, and the resolution reads:

Whereas, U.S. Code of Federal Regulations, Title 42, Part 4325.1009 states that federal financial participation is not available in expenditures for services provided to individuals who are inmates of public institutions, and

Whereas, States being unable to assume the federal share of providing medical services to FFP eligible persons being held in county jails and detention facilities, tend to terminate or sometimes suspend eligibility, and

Whereas, this immediate cessation of benefits occurs prior to the issuance of formal charges or conviction, and

Whereas, counties must provide medical services to all persons incarcerated in local jails and detention facilities, and

Whereas, as the resolute of this regulations to immediately cease FFP for medical benefits, all costs of medical care must be borne solely by counties;

Now therefore be it resolved that the Sedgwick County Board of Commissioners request and strongly urges Congress to amend necessary federal regulations to allow federal participation for medical benefits to incarcerated individuals until convicted and sentenced to secure detention.

Request your approval and I'd be glad to answer any questions."

**Chairman Unruh** said, "All right, thank you Debbie. I think it's going to be very easy to be supportive of this. But currently, if someone is taken into our detention facility and they lose all of their medical benefits, when they leave that facility they are not immediately reinstated, but they have to go through an application process."

**Ms. Donaldson** said, "They have to go through the whole process again."

## Regular Meeting, April 4, 2007

**Chairman Unruh** said, "All right, I guess I misunderstood. I thought we had at least that portion of it corrected, but they . . . not so."

**Ms. Donaldson** said, "I think our SRS tries to work with us very much just to try to make sure they expedite that as much as possible, especially when you're dealing with someone that's disabled, but they still lose it and we still have to go through the process of getting them reinstated."

**Chairman Unruh** said, "Okay, thank you. Have we done any calculation as to what the financial impact of this type population would be to Sedgwick County or do we . . .? I know it's substantial, but have we identified that number at all?"

**Ms. Donaldson** said, "No, we don't have the number on that."

**Chairman Unruh** said, "Okay, thanks. Commissioner Winters."

**Commissioner Winters** said, "This then is coming out of an initiative that's being driven by the National Association of Counties, NACo?"

**Ms. Donaldson** said, "Yes."

**Commissioner Winters** said, "And so this resolution will just go into their . . .as they try to build grassroots support and lobby in Washington for this kind of help."

**Ms. Donaldson** said, "That's correct. Once it's signed, I will send it to NACo and they will use it as part of their lobbying efforts to get this changed."

**Commissioner Winters** said, "And you are on the Board of Directors of NACo and your particular affiliate group, what is that?"

**Ms. Donaldson** said, "National Association of County Behavior Health and Developmental Disability Directors."

**Commissioner Winters** said, "And so they're the ones that are really working on this issue."

**Ms. Donaldson** said, "No, this is coming straight out of NACo. Certainly the affiliate absolutely supports this, because it's a big issue for the affiliate but this is a NACo initiative."

**Commissioner Winters** said, "But it's becoming a major initiative. All right, thank you very

**Regular Meeting, April 4, 2007**

much. That's all I had."

**Chairman Unruh** said, "All right, thank you. Commissioner Parks."

**Commissioner Parks** said, "Well, as a long-time former Chief of Police, I'm going to support this action and I would hope that the law enforcement community out there would also use due diligence in the people that are placed in our jail and be aware of these kinds of problems and I don't know how many times I was called in the middle of the night with a situation like this and we got a hold of judge to get these people on through the process, get them booked, in and out pretty quickly so I would ask law enforcement community to enjoin us and cooperate with us in that also. Thank you."

**Chairman Unruh** said, "All right, commissioners, any other comment or question?"

**MOTION**

Commissioner Winters moved to adopt the Resolution.

Commissioner Welshimer seconded the motion.

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

**VOTE**

Commissioner Norton	Absent
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Thank you, Debbie. Next item please."

**DIVISION OF HUMAN SERVICES- DEPARTMENT ON AGING.**

**Regular Meeting, April 4, 2007**

**H. SIGNATURE AUTHORITY TO SIGN APPLICATIONS, REPORTS, PLANS AND OTHER DOCUMENTS FOR SUBMISSION TO THE KANSAS DEPARTMENT ON AGING.**

**Ms. Annette Graham**, Director, Department on Aging, greeted the Commissioners and said, “The Kansas Department on Aging requires annually that each area agency on aging in the state submit reliable evidence of who in the organization’s governing body is authorized to sign documents on behalf of the organization. This is a notarized affidavit of the Chairperson of the governing board, which identifies each person by their name, title and position of the governing board who have been authorized by the governing board to sign documents on behalf of the organization.

This affidavit allows the chair and the vice-chair to sign official documents, such as area plans, various program applications and notification of grant awards. The affidavit also allows designated staff to sign the monthly . . . various financial reports, cash requests, units of services reports and various other basic operating documents. I would be happy to answer any questions.”

**Chairman Unruh** said, “Commissioners, are there any questions for Annette? Commissioner Welshimer.”

**Commissioner Welshimer** said, “Is this a new authority?”

**Ms. Graham** said, “No, this is an annual requirement for this because the individuals who are authorized by the governing board usually change on an annual basis, so we do this every year.”

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

**Chairman Unruh** said, “What’s the will of the board?”

**MOTION**

Commissioner Welshimer moved to approve the Signature Authority and authorize the Chairman to sign.

Commissioner Parks seconded the motion.

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

**VOTE**

**Regular Meeting, April 4, 2007**

Commissioner Norton	Absent
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Thank you, Annette. Next item please."

**PUBLIC SAFETY- DEPARTMENT OF CORRECTIONS.**

**I. AMENDMENT TO AGREEMENT WITH UNIFIED SCHOOL DISTRICT NO. 259  
MODIFYING OUTCOMES TO THE TRUANCY PREVENTION PROGRAM.**

**Ms. Chris Morales**, Systems Ingration Coordinator, Department of Corrections, greeted the Commissioners and said, "This morning I am seeking your approval on this amendment to our agreement with United School District #259 for the Truancy Prevention Program. This particular contract allows 259 to provide services in elementary schools, nine of them and 11 middle schools.

One of my responsibilities is to monitor this particular contract, and one of the ways we do that is to do desk reviews of quarterly reports, but also to get out into the community with the programs and see how they're operating. On occasion, we will request the technical assistance from Dr. Delores Craig-Moreland with Wichita State University and that is what we did on this particular occasion, and she really took a look at each and every one of the outcomes and gave us some really great suggestions on how we can improve them and make them better, make them a little more understandable and clear so that everyone can see that the progress this program is making.

So one example of that that's contained in this contract amendment is we were looking at kids that successfully complete this truancy prevention program, how did they do the following school year, as far as their attendance but we were only looking at the kids that successfully complete it. One of the suggestions Dr. Craig made is let's look at all the kids, whether they successfully complete it or not and really start using that data to drive our program decisions, so that's an example of one of the technical changes that we made.

We are asking that you approve this amendment to this agreement and authorize the Chairman to sign. I'd be happy to answer questions for you."

**Chairman Unruh** said, "Thank you Chris. We have a question from Commissioner Parks."

## Regular Meeting, April 4, 2007

**Commissioner Parks** said, "Is this part of the half million dollar plan that is instituted during the year?"

**Ms. Morales** said, "The overall truancy program is over \$600,000."

**Commissioner Parks** said, "Okay. The 259 is one part of that? All the other, like seven school districts in the county, are they involved in any of this?"

**Ms. Morales** said, "Not at this time. Last year we did have Haysville and Valley Center as part of this. Again, when looking at the outcomes, the decision was made that the need wasn't quite as great as it is in 259, so the money was again shifted to USD 259."

**Commissioner Parks** said, "Okay. I would . . . I'll be supportive of this amendment, but I would really like to see the outcomes of that later on in the year and have a report on that. Thanks."

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

**Commissioner Winters** said, "Chris, just to clarify, we get prevention funds from two places, one our internal county prevention funds and then those funds receive from the State of Kansas. Do these particular funds, which place do these come from?"

**Ms. Morales** said, "These are the State of Kansas Juvenile Justice Authority funds."

**Commissioner Winters** said, "Right, okay. Thank you, that's the only question I had."

**Chairman Unruh** said, "Well this amendment to the agreement, it kind of . . . it modifies primarily our methodology. Is that correct? It doesn't really reduce our standards for outcomes."

**Ms. Morales** said, "It makes improvement . . . and I should have mentioned, this does not change anything fiscally either."

**Chairman Unruh** said, "Okay. All right, thank you very much. Well I will be supportive of this as soon as we have a motion."

### MOTION

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

Commissioner Welshimer seconded the motion.

**Regular Meeting, April 4, 2007**

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

**VOTE**

Commissioner Norton	Absent
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Next item please."

**J. AGREEMENTS (11) WITH SEDGWICK COUNTY CITIES FOR THE CHRISTMAS TREECYCLE PROGRAM.**

- |                       |                        |
|-----------------------|------------------------|
| ● <b>Cheney</b>       | ● <b>Mount Hope</b>    |
| ● <b>Clearwater</b>   | ● <b>Mulvane</b>       |
| ● <b>Colwich</b>      | ● <b>Park City</b>     |
| ● <b>Garden Plain</b> | ● <b>Valley Center</b> |
| ● <b>Kechi</b>        | ● <b>Wichita</b>       |
| ● <b>Maize</b>        |                        |

**Mr. Mark Sroufe**, Superintendent of Parks, greeted the Commissioners and said, "Since 2001, Sedgwick County has provided locations for citizens to recycle their Christmas trees. Each year, the sites are set up to accept trees from December 22<sup>nd</sup> through January 23<sup>rd</sup>. Sites are located in Cheney, Clearwater, Colwich, Garden Plain, Kechi, Maize, Mount Hope, Mulvane, Park City, Valley Center and Wichita are :Boston Park, Cowtown, Buffalo Park, Edgemoor Park, the Extension Office, Great Plains Nature Center, Osage Park and South Linwood Park.

During the first five years of this program, we've recycled just a little over 41,000 Christmas trees. I'll also add that the mulch is left on the site for the public to pick up and there's no fee for this. We request approval of the contracts and authorize the Chairman to sign."

**Chairman Unruh** said, "All right, thank you. All the mulch is usually taken?"

**Regular Meeting, April 4, 2007**

**Mr. Sroufe** said, “Absolutely.”

**Chairman Unruh** said, “Okay, good. All right commissioners, are there any questions or comment?”

**MOTION**

Commissioner Welshimer moved to approve the Agreements and authorize the Chairman to sign.

Commissioner Parks seconded the motion.

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

**VOTE**

Commissioner Norton	Absent
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, “Thank you, Mark. Next item please.”

**K. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING OF MARCH 29, 2007.**

**Mr. Iris Baker**, Director, Purchasing Department, greeted the Commissioners and said, “The meeting of March 29<sup>th</sup> results in eight items for consideration today.

**1) BRIDGE IMPROVEMENTS- PUBLIC WORKS  
FUNDING: PUBLIC WORKS**

This first item is bridge improvements for Public Works. Recommendation is to accept the low bid of King Construction Company Incorporated in the amount of \$219,964.55.

**2) CM-G CHAT- PUBLIC WORKS**

**Regular Meeting, April 4, 2007**

**FUNDING: PREVENTIVE MAINTENANCE ROADS**

Item two, CM-G chat for Public Works. Recommendation is to accept the low bid from A-Plus Incorporated in the amount of \$62,195.

**3) POLYMER MODIFIED RUBBER SEAL COAT- PUBLIC WORKS  
FUNDING: PREVENTIVE MAINTENANCE ROADS**

Item three, polymer modified asphalt rubber seal coat for Public Works. Recommendation is to accept the bid from Wright Asphalt Products in the amount of \$78,750.

**4) EMULSIFIED OILS- PUBLIC WORKS  
FUNDING: PREVENTIVE MAINTENANCE**

Item four, emulsified oils for Public Works. Recommendation is to accept the bid from SemMaterials for items one, three and five and for an initial purchase price of \$469,020.

**5) STANDBY POWER GENERATOR- FACILITIES DEPARTMENT  
FUNDING: EMERGENCY COMMUNICATIONS EQUIPMENT RESERVE**

Item five, standby power generator for Facilities Department. Recommendation is to accept the low bid from Decker Electric in the amount of \$30,750.

**6) DISASTER/ BODY BAGS- HEALTH DEPARTMENT  
FUNDING: MMRS KANSAS HIGHWAY PATROL**

Item six, disaster body bags for the Health Department. Recommendation is to accept the low bid meeting specifications from Transport Pouches for a total of \$9,989.92 and execute a one-year contract with two one-year options to renew.

**7) LAWN/ GROUNDSKEEPING SERVICES- DEPARTMENT OF CORRECTIONS  
FUNDING: DEPARTMENT OF CORRECTIONS**

Item seven, lawn and groundskeeping services for the Department of Corrections. Recommendation is to accept the low bid from Commercial Lawn Management for a first year cost of \$14,985 and execute contract pricing for one year, with two one-year options to renew.

**Regular Meeting, April 4, 2007**

**8) BROCADE SWITCHES- DIVISION OF INFORMATION & OPERATIONS  
FUNDING: DIVISION OF INFORMATION & OPERATIONS**

And item eight, brocade switches for the Division of Information and Operations and recommendation is to accept the bid from SKT in the amount of \$81,161.72.

Be happy to answer any questions, and I recommend approval of these items.”

**Chairman Unruh** said, “Commissioners, do you have any questions for Iris about items on the Bid Board? Seeing none, what’s the will of the board?”

**MOTION**

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

Commissioner Parks seconded the motion.

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

**VOTE**

Commissioner Norton	Absent
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, “Thank you, Iris. Next item.”

**CONSENT AGENDA**

**L. CONSENT AGENDA.**

**Regular Meeting, April 4, 2007**

- 1. One Temporary Construction Easement for Sedgwick County Project 634-32,33,34,35,36; widen 63<sup>rd</sup> Street South between Rock Road and the Butler County line. CIP# R-275. District #5.**
- 2. One Temporary Construction Easement and one Easement for Right-of-Way for Sedgwick County Project 628-9-2930; bridge replacement on 39<sup>th</sup> Street South (MacArthur) between 263<sup>rd</sup> and 279<sup>th</sup> Streets West. CIP# B-395. District #3.**
- 3. Eight Easements for Right-of-Way and one Temporary Construction Easement for Sedgwick County Project 805-J,K,L; recondition roadbed plus 6” bituminous surfacing on 119<sup>th</sup> Street West between 29<sup>th</sup> and 53<sup>rd</sup> Streets North. CIP# R-254. District #3.**
- 4. Agreement with Rooks County for access to Sedgwick County Treasurer’s Web Page’s Motor Vehicle Tax Estimator Application.**
- 5. Order dated March 28, 2007 to correct tax roll for change of assessment.**

**6. Section 8 Housing Assistance Payments Contracts.**

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V07011	\$355.00	Butler	Savannah Park
V07012	\$165.00	2	Main Street Place Res.
V07015	\$284.00	Butler	Chris Schild
V07016	\$269.00	Butler	Diane Harms
V07017	\$445.00	5	Oakview at the Park
V07018	\$205.00	2	Main Street Place Res.
V07019	\$305.00	2	Main Street Place Res.
V07020	\$240.00	4	Arc Real Estate

**Regular Meeting, April 4, 2007**

V07021	\$229.00	5	Springcreek Apts-PH I
07025	\$285.00	4	Randy Martin
V07026	\$226.00	4	Medicalodge, Inc.
V07027	\$297.00	4	Medicalodge, Inc.
V07030	\$226.00	4	Springcreek Apts-PH I
V07031	\$200.00	2	Haysville Housing
V07032	\$213.00	5	Springcreek Apts-PH I
V01064R	\$287.00	5	Springcreek Apts-PH 2

7. **The following Section 8 Housing Contracts are being amended to reflect a revised monthly amount due to a change in the income level of the participating client.**

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V03010	\$643.00	\$616.00
V05015	\$283.00	\$254.00
V06026	\$316.00	\$287.00
V05024	\$219.00	\$217.00
V2029	\$230.00	\$237.00
V871020	\$301.00	\$297.00
V05101	\$685.00	\$366.00
V04026	\$174.00	\$180.00
V06024	\$328.00	\$296.00
V06027	\$485.00	\$485.00
V05016	\$280.00	\$258.00
V03019	\$262.00	\$215.00
V06036	\$14.00	\$0.00
V04029	\$336.00	\$345.00
V06023	\$275.00	\$254.00
V99029	\$301.00	\$272.00
V04026	\$278.00	\$225.00
V04031	\$450.00	\$450.00
V06025	\$339.00	\$314.00
V05023	\$226.00	\$201.00
V05020	\$164.00	\$170.00
V03003	\$424.00	\$308.00
V05096	\$222.00	\$195.00
V06040	\$561.00	\$339.00

**Regular Meeting, April 4, 2007**

V05039	\$600.00	\$586.00
V03100	\$269.00	\$210.00
V05094	\$485.00	\$521.00
V06035	\$246.00	\$342.00
V06043	\$252.00	\$123.00
V04069	\$282.00	\$264.00
V06052	\$304.00	\$303.00
V04067	\$240.00	\$82.00
V04067	\$82.00	\$474.00
V04037	\$630.00	\$601.00

**8. General Bills Check Register(s) for the week of March 28-April 3, 2007.**

**9. Payroll Check Register of March 23, 2007.**

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, “You have the consent agenda before you and I would recommend you approve it and remind you that there is only 271 more days until the sales tax goes away.”

**Chairman Unruh** said, “All right, thank you Mr. Manager and commissioners, are there any questions?”

**MOTION**

Commissioner Winters moved to approve the consent agenda as presented.

Commissioner Welshimer seconded the motion.

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

**VOTE**

Commissioner Norton	Absent
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

## Regular Meeting, April 4, 2007

### M. OTHER

**Chairman Unruh** said, "Commissioners, we've come to the end of our agenda and I think we have no need for executive sessions or other meetings, so this is an appropriate time if you have other comments. I don't see anybody turning on their light, but I just want to congratulate our Director of Public Works and his department. I guess we had an article published in a new magazine about our use of post tension, haunch slab bridges. Is that correct, David?"

**Mr. David C. Spears P.E.**, Director, Bureau of Public Works, said, "Yes, sir that's correct. It's a very exciting article, especially if you're trying to get to sleep at night. It might make a pretty good read."

**Chairman Unruh** said, "Well, I thought it was noteworthy that our people authored the article that got printed and it spoke well of our public works department."

**Mr. Spears** said, "We're proud of our guys down there, and they're very professional and a lot of other folks, especially in this state, look towards us, at things we do and kind of copycat us a little bit."

**Chairman Unruh** said, "Well, we're proud of the work you do. One other item I wanted to say is I had the opportunity to attend a pre-convention luncheon for the 57<sup>th</sup> Annual Square Dance Convention that will be held in our city next year, in June, and there was a lot of people there and this was the pre-convention. The real thing, next year, is going to have 8,000 dancer here and a bunch of good folks who like to have a good time and they emphasize the fact that we're here to have a good time and dance, we don't cause problems and of the 8,000 people, a fellow talking, he said about half of us like to shop, so hopefully that will help our economy. But interesting thing about that group, a group that large and they have no hired staff, it's all volunteer and so it was pretty impressive, nice group of folks, look forward to having them here next year.

Commissioner Parks."

**Commissioner Parks** said, "Very quickly, congratulations Mr. Spears on the article in the engineering magazine. Also, along that line, there are going to be several bridges and a lot of

**Regular Meeting, April 4, 2007**

roadwork this summer. I would encourage people to have alternate routes, especially alternate emergency routes planned from their house to those facilities if they need to go around those construction zones and please bear with us on this, we will try to get you safely to your destination. Thank you.”

**Chairman Unruh** said, “Spoken like a good ex-police officer. All right, well commissioners, if there’s nothing else, we are adjourned.”

**N. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 10:47 a.m.

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

---

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

---

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

**Regular Meeting, April 4, 2007**

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

\_\_\_\_\_  
**KELLY PARKS**, Commissioner  
Fourth District

\_\_\_\_\_  
**GWEN WELSHIMER**, Commissioner,  
Fifth District

ATTEST:

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

APPROVED:

\_\_\_\_\_, 2007