

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

September 24, 2003

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., on Wednesday, September 24, 2003 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Tim Norton; with the following present: Chair Pro Tem Thomas G. Winters; Commissioner David M. Unruh; Commissioner Carolyn McGinn; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Fire Marshall Greg Thompson, Fire District #1; Lieutenant Patty Peterson, Fire District #1; Ms. Jo Templin, Director, Division of Human Resources; Ms. Linda Kizzire, Deputy Register of Deeds; Ms. Sharon Christianson, Fiscal Associate, Register of Deeds; Mr. Marty Hughes, Revenue Manager, Division of Finance; Ms. Karen Duranleau, Assistant County Counselor; Mr. Robert W. Parnacott, Assistant County Counselor; Ms. Susan Erlenwein, Director, Environmental Resources; Mr. Ron Holt, Director, Division of Culture, Entertainment and Recreation; Mr. Ray Vail, Director of Finance, Department on Aging; Mr. Tom Pletcher, Clinical Assistant Director, Comprehensive Community Care (COMCARE); Mr. David Spears, Director, Bureau of Public Works; Mr. Jerry Phipps, Purchasing Agent, Purchasing Department; Ms. Stephanie Knebel, Director, Project Services; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

GUESTS

Ms. Frances Ervin, Executive Director, W.S.U. Educational Opportunity Centers.
Ms. Margaret Harris, Supervisor, Adult Education, Wichita Area Technical College.
Ms. Mary Jo Puddel, Center of Hope.
Mr. Carl Shackelford, University of Oklahoma.
Mr. Matt Johnson, Christian Radio 88.3 FM
Mr. William R. Powell, Wichita Mortuary Services.
King David Davis, Wichita, KS

INVOCATION

The Invocation was led by Phillip "Bo" Graves, Pastor of First Baptist Church of Haysville.

FLAG SALUTE

ROLL CALL

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

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CONSIDERATION OF MINUTES: Regular Meeting, September 3, 2003

The Clerk reported that all Commissioners were present at the Regular Meeting of September 3, 2003.

Chairman Norton said, “You have the Minutes before you. What is the will of the Board?”

MOTION

Commissioner Sciortino moved to approve the Minutes of the Regular Meeting of September 3, 2003.

Commissioner Unruh seconded the Motion.

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

VOTE

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

Chairman Norton said, “Next item.”

Commissioner Sciortino left at 9:11 a.m.

PROCLAMATION

A. PROCLAMATIONS.

- 1. PROCLAMATION DECLARING SEPTEMBER 21 – 27, 2003 AS “ADULT LEARNER WEEK.”**

Chairman Norton said, “Commissioners, I’d like to read the following proclamation into the record.”

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PROCLAMATION

WHEREAS, 75% of adult learners enroll for job-related reasons, but others take non-occupational courses for personal or social reasons; and

WHEREAS, the demographics of the global population are changing and one of the most significant changes that affect higher education is the changing profile of the adult learner;

WHEREAS, present adult learners have a heightened awareness of the importance of improving workplace skills and developing leadership as well as problem-solving skills to compete in a global economy; and

WHEREAS, the Educational Opportunity Centers Program hosted by Wichita State University and working in cooperation with surrounding educational institutions and community agencies provide education related assistance to 1,000 adult learners seeking to improve job opportunities through education;

NOW THEREFORE BE IT RESOLVED, that I, Tim Norton, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim the week of September 21-27, 2003 as

“Adult Learner Week”

in Sedgwick County and encourage institutions of higher education and community organizations to continue to promote and widen access to post secondary learning opportunities for adults.

Dated September 24, 2003. What is the will of the board?”

MOTION

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

Commissioner McGinn seconded the Motion.

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

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VOTE

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

Chairman Norton said, “And Frances Ervin is here to accept for W.S.U. Educational Opportunity Centers and several other people. You might want to introduce them, Frances.”

Ms. Frances Ervin, Executive Director, W.S.U. Educational Opportunity Centers, greeted the Commissioners and said, “Thank you for this proclamation. I am Frances Ervin, Executive Director of the Educational Opportunity Centers program at Wichita State University and I would like to introduce the other members of our advisory board who are supporters of educational opportunities for adults in Wichita.”

Ms. Margaret Harris, Supervisor, Adult Education, Wichita Area Technical College and U.S.D. 259 introduced herself.

Ms. Mary Jo Puddel, Chair, Advisory Board and served with Center of Hope, a non-profit agency to prevent homelessness in Wichita introduced herself.

Mr. Carl Shackelford, University of Oklahoma, College of Continuing Education, substance abuse prevention training for state agencies introduced himself.

Mr. Matt Johnson, Christian Radio 88.3 F.M. and a good friend of Frances introduced himself.

Commissioner Sciortino returned at 9:15 a.m.

Ms. Ervin said, “I’d like to add that our program serves 1,000 adults, Wichita/ Sedgwick County and Butler County and our services are free.”

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Chairman Norton said, “Well, if anybody can say something about adult education, at age 48 I went back and got my Masters in Adult Education. So I truly believe that it is a lifelong skill that we all have to have, to not only enhance our education, but just to enhance the quality of life. And I think we all find that once you get out of high school or get out of college, learning does not end. I mean, it is a lifelong process and regardless of your age or your economic condition, learning can go on and I think it’s very valuable. You do great work within our community and we really appreciate that.

Because as we find, as the world changes, people have to change with it and education is the way to do that. And it seems easier to change a child’s life at age five and six because they’re kind of empty and you can fill them up. Adults have a lot of baggage and a lot of things that go with it and to get into their psyche and into their intellect is a little harder and we applaud you for that. Thank you very much.

Clerk, call the next item.”

2. **PROCLAMATION DECLARING OCTOBER 5 – 11, 2003 AS “FIRE PREVENTION WEEK.”**

Chairman Norton said, “Commissioners, I’d like to read the following proclamation into the record.

PROCLAMATION

WHEREAS, in the United States, someone is fatally injured in a home fire roughly every 170 minutes; and

WHEREAS, one-half of home fire deaths occur in the 6% of homes with no smoke alarms; and

WHEREAS, having smoke alarms in your home reduces your chance of dying in a fire nearly in half; and

WHEREAS, by preventing the leading cause of home fires, and by developing and practicing a thorough home fire escape plan, people can greatly reduce their risk of fire; and

WHEREAS, the Fire Prevention Week 2003 theme, ‘When Fire Strikes: Get Out! Stay Out!’; and

WHEREAS, Sedgwick County Fire District #1 is dedicated to the safety of life and property from the devastating effects of fire.

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NOW THEREFORE BE IT RESOLVED, that I, Tim Norton, Chairman of the Board of County Commissioners, do hereby proclaim October 5-11, 2003 as

“FIRE PREVENTION WEEK”

in Sedgwick County and encourage every resident to participate in fire prevention activities at home, work and school, and to take steps needed to make their homes and families safe from fire.

Dated September 24, 2003. What is the will of the Board?”

MOTION

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

Commissioner Unruh seconded the Motion.

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

VOTE

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

Chairman Norton said, “And Chief Greg Thompson is here to accept from Sedgwick County Fire District #1. Welcome.”

Fire Marshall Greg Thompson, Fire District #1, greeted the Commissioners and said, “It’s an honor for me to accept this proclamation on behalf of the citizens of Sedgwick County and the members of the Fire District. I want to thank you for your dedication and support of this very special week for us.

I also wanted to share with you this morning some portions of a report that we just released last month from the National Fire Protection Association. It states that the home fire deaths are down sharply in 2002. The number of people who died in home fires here in the United States dropped an

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astounding, exceptional 14.1% last year as compared to 2001.

The NFPA report showed that 2,670 people died in home fires in 2002. This is the lowest number that the NFPA has ever recorded in a single year. And I think this reduction is especially significant because the home is where one is most likely to die in a fire. Four out of five fire deaths do occur in the home.

I feel this is also this significant reduction in home fire deaths bears witness to the decades long trend towards fire safety and safer homes. We can also thank our fire professionals around the country who work to protect and educate the public and we congratulate each other for our collective progress in choosing fire safety.

I also wanted to share with you several activities that we're going to be . . . very busy week for us. One of them that I did want to share with you, with cooler weather approaching and with natural gas prices expected to rise this heating season, many Sedgwick County residents will be counting on solid fuel appliances as primary, secondary and decorative sources of heat to keep them warm. Every year, the Chimney Safety Institute of America declares the week prior to Fire Prevention Week as Chimney Safety Week and the intent of this is to increase public awareness and the need for the proper installation, operation and maintenance of solid fuel appliances. And we have one of our captains in our department, Captain Bob Conger, has took it upon himself and he has set up a program and so this year, as this week will be September the 28th through October 4th and in cooperation with local businesses that Bob has contacted, along with Sedgwick County Fire District #1, we will conduct four solid fuel safety seminars at different businesses on Saturday, September the 27th and I wanted to let our viewers know about that.

At 8 to 9:30, they'll be at the Tru Value store in Haysville. From 10 to 11:30 they'll be at the Ace Hardware store out in Goddard and from 12:30 to 2 at the TMC Hardware store in Maize and from 2:30 to 4, at the Atwoods on North Broadway in Park City. So at each location we'll have about a 20 or 30 minute presentation and this can be followed by questions and answers and then there will be handouts available for people and we'll talk with them and give them some safety tips and instructions on solid fuel appliances, chimney fires and things like that. So we wanted to share that.

Additionally, this Tuesday is going to be our 5th grade luncheon that we have each year. This is a luncheon that's held out at the zoo and it's in cooperation with the Wichita Fire Department, Boeing Fire and McConnell. And we have about 2,000 kids that come out there and we have a great time. We have several demonstrations. Each of you will be receiving an invitation and we'd invite you to

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come out and take a look and share with us what the kids learned. It's a great learning experience for them.

Also, on Saturday October the 4th, as Kristi mentioned earlier, there will be an open house at our fire station in Bel Aire, 4343 North Woodlawn, from 1 to 4 and it will be lots of fun, some games, demonstrations of fire equipment and even some refreshments. So we'd invite all of you and the viewers to come out and visit with the firefighters.

One other program that we're very proud of and I want to bring Lieutenant Patty Peterson up, our public education officer, to give you a little background on that."

Lieutenant Patty Peterson, Fire District #1, greeted the Commissioners and said, "Thank you, Chief. I just wanted to share, this is our second year with what is called our Rooty Do Campaign. It's a new program that we started last year for area kindergarteners through fifth grade. And I think it's unique, because there were several county agencies that helped get this program off the ground. Don Stewart is one of our firefighters, he is the designer of the Rooty Do, which is a dog character that we use that the kids really seem to enjoy and also our county graphic artist, Tony Guiliano has helped me tremendously in the outlay of our worksheets. But I did want to just share them with you, because it is a new campaign and the word has gotten around really quick to the schools. In fact, they're going to be delivered next week to the schools but I've already had principals and teachers calling wanting to know when they're going to get it. So, I just wanted to share that with you. Thank you."

Chairman Norton said, "Thank you."

Fire Marshall Thompson said, "We'll also be conducting several safety tours, demonstrations at the fire stations. We'll be in the schools. We'll be doing fire drills, walk through familiarizations and demonstrations for all the kindergarten classes. So, we're going to have quite a busy week and just wanted to thank you again for your support and the issue of this proclamation recognizing Fire Prevention Week. Do you have any questions?"

Chairman Norton said, "Don't run off, Commissioner Winters does. But please introduce your other colleagues that are here with you today."

Fire Marshall Thompson said, "Okay, I have my other staff, fire prevention staff. Again, we have Lieutenant Patty Peterson, Captain Kevin Holman and Captain Walter Rooney."

Chairman Norton said, "Commissioner Winters."

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Commissioner Winters said, “All right. Well, Commissioners I guess one of the privileges of having been around a while is you can maybe go back and tell some institutionalized stories. And you know, if you think about fire prevention and you wonder why we’re involved in fire prevention, I hadn’t been a commissioner very long in the early ‘90s when the prevention folks had presented a program to Goddard school. And in that time, they talked about planning a family escape route. And as the children went home to this particular family, one of the children insisted that the family practice what they had learned from the fire prevention folks to plan an escape route.

Within a matter of weeks, that family’s house was caught on fire and burned. The family had an escape plan and they knew how to get out and they did. And you may never know that maybe they would have gotten out otherwise, but as a fire prevention person, I think you’d have to be pretty proud of the event of what I really believe was saving that family’s life. So fire prevention is . . . they’re at work and doing a good job and we need to continue to support that I think anyway we can. So, again, thanks to all of you in the Fire District who work on prevention issues. It’s very, very critical.”

Chairman Norton said, “It’s an interesting perspective I have, coming out of the retail industry. It was always sad to me that we’d have the first big fire of the winter, where maybe a house totally burned down, maybe somebody was injured and the next day I’d have a run on fire extinguishers and smoke detectors in my store. And I think we need to get upstream on that. You know, after you see the first devastating fire is not the time to go out and buy the fire extinguisher and the safety protection for your home, when we’re doing it right now, talking about it before the major wintertime is the time to really prepare your family for this. So I applaud the District for making sure people recognize that this is important to do now before winter sets in.”

Fire Marshall Thompson said, “Thank you very much.”

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

RETIREMENT

B. PRESENTATION OF RETIREMENT CLOCK TO SHARON CHRISTIANSON, FISCAL ASSOCIATE, REGISTER OF DEEDS.

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Ms. Jo Templin, Director, Division of Human Resources, greeted the Commissioners and said, "Today we are pleased to recognize and help celebrate by presenting our employee a certificate and a retirement clock from the county commissioners to celebrate a retirement. Sharon Christianson from the Register of Deeds will retire after 17 years of service."

Commissioner Winters said, "Thank you. Sharon, it's certainly a pleasure to be here and wish you well. I think Linda Kizzire from the Register of Deeds office has something to say. Bill Meek had talked to me earlier and Bill certainly wanted to be here today and I think that shows you that the issue . . . he certainly wanted to be involved in this and unfortunately he is out of the courthouse today. So, Linda would you like to make a couple of comments?"

Ms. Linda Kizzire, Deputy Register of Deeds, greeted the Commissioners and said, "Yes, please. Sherry, I would like to tell you how much it has been a privilege for me to work with you over these past years. You look her name up in the dictionary under 'kindness' or 'compassion' or 'friend' and Sherry, I'm going to miss you a lot and I am very glad to say I got the opportunity to work with you.

I know when we were going through the layoff and the budget crunch, you came and you said, 'Rather than laying someone off that has a family, I'll retire' so that you won't have to eliminate a position and that's a lot for one person to offer to do and I just want you to know, Sherry, that I'm going to miss you and I wish you well in Oregon. I know you're going to have a wonderful time and make a lot of new friends. And thank you for giving us, all of us, the little labels yesterday with your e-mail and your new address and phone number."

Commissioner Winters said, "All right. Well, Sharon, on behalf of the Board of County Commissioners we have a certificate that we'd like to give you, but we'd also like to present this clock on behalf of the citizens of Sedgwick County. Yours is one of those offices again that touches a lot of people and I'm sure you've come in contact with lots of folks over the years, as have the other register of deeds. I see there's a number of people from the Register of Deeds office here today to wish you the very best on this next step in your life. So, on behalf of the Board of County Commissioners and the citizens of Sedgwick County, we present you with this clock and wish you the very best in retirement. So, would you like to make a comment or two?"

Ms. Sharon Christianson, Fiscal Associate, Register of Deeds Office, said, "Thank you. Well, I want to thank Sedgwick County for my years here with you. I actually have had two different employment terms. I had two and a half years prior, so I almost made twenty years, not quite.

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But I am going to retire, going to relocate to Oregon and play some golf and go camping and just, I'm going to play. Thank you again, Sedgwick County."

Chairman Norton said, "Do you have family in Oregon? Is that what's drawing you to the great northwest?"

Ms. Christianson said, "I have a very good friend in Oregon."

Chairman Norton said, "Now we need the Paul Harvey side of this thing. What is the rest of the story."

Commissioner Sciortino said, "And maybe there's some indication of the generosity of her willingness to retire too. Don't forget, you've got to set that clock back two hours."

Ms. Christianson said, "Yes, that's correct. Thank you."

Chairman Norton said, "You're always welcome back, Sharon. Clerk, call the next item."

CITIZEN INQUIRY

C. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING "OUR CONSTITUTION AND THE RESPONSIBILITIES THEREOF."

King David Davis, Wichita, greeted the Commissioners and said, "It is good to see you again. Before I start my presentation, I would like to first compliment you, if that would be all right. With all the petty bickering, shallow arguing and backbiting going on in the world, it's good to listen to the soundness of your reasoning, watch you as you show one another courtesy and respect, despite some of your differences as a citizen and then to hear you speak up for the individual who sometimes gets lost in the shuffle. As a citizen who loves his country, the God of our nation, family and friends, I say thank you and hope you will continue to make us all very proud.

And thanks again for keeping the doors open to the voice of the little people. It is with great honor and humbleness of heart that I bring to you a tribute to our constitution and the responsibilities thereof, realizing of course you have probably heard every argument, reason, or legal ramification concerning our constitution. I don't want to insult you with information you may already know

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may be redundant in repetition. So I thought I would approach this from a different angle, I not having the luxury of being politically correct or in with the good old boy network or life having been served me on a silver platter.

I have found in my years of experience of being on my own, I have had to learn to survive, overcome obstacles and accomplish what others believed impossible by making sure what I believe in would hold up under the most adverse conditions and then making those things the foundation of my character, the framework of my thought and a compass upon which I sail my ship into the sea of life.

In essence, I had better make sure whatever it was that I am standing on would not fall apart under life's many pressures, adversities and unexpected surprises while as a man and as a nation who continues to rise from the rubble no matter how many times I or we get knocked down.

The word constitution has come to mean a lot to all of us. Webster's Dictionary defines it as the way in which a thing is made up, a system of fundamental laws and principles, a man or nation of strong constitution. I believe to truly appreciate the magnitude of our constitution, we have to equally recognize and give credit to the system of fundamental laws and principles that make it great.

For instance, our unanimous declaration, July 4th, 1776 declaring to the powers of the earth the foundation upon which our constitution would be built. Quoting, when in the course of human events it becomes necessary for one people to dissolve the political bands that connect them to another and to assume amongst the powers of the earth a separate and equal station to which the laws of nature and nature's God entitles us, each one a principle upon a principle, one foundation laid right on top of another upon which our constitution was built lock, stock and barrel.

The principles of God, the principles that make possible justice that's honorable and for all. To take the principles of God out of government would be the same as taking the steel out of the Empire State Building and the teeth out of the lion's mouth. How is the building to withstand without iron or the lion to protect us from wolves in sheep's skin with no teeth. This is why the constitution is to be the supreme law of the land. It is our inheritance. It is the sole responsibility of every citizen.

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Only in America are we born to be political. We cannot escape our responsibility, only to give it up to others who will then use it against us. The constitution, our unanimous declaration and the principles of honorable justice have been the bedrock upon which I have stood, our nation was built and our future depends.

Therefore, I would beseech and challenge you, who are vested with the people's authority, to protect and defend our constitution and to establish justice that's honorable, to become even greater examples of public servants who take their constitutional responsibilities seriously and fierce in their protecting and defending that which is precious to the rest of us.

You have a document, ordained of God, designed with wisdom and knowledge to establish justice that's honorable, secure liberty for the people and their children's children, not eat away at it like a cancer. In the future, it would be deeply appreciated to hear it mentioned more often from those paid to protect and defend it from those who see it as an obstacle to their greed, quest for power or special interest. From those of us less fortunate, we are counting on you once again, from all of us. Thank you."

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

MOTION

Commissioner Winters moved to receive and file.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

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Chairman Tim Norton

Aye

Chairman Norton said, "Next item."

PUBLIC HEARINGS

D. PUBLIC HEARING REGARDING SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO KANSAS DEPARTMENT OF COMMERCE AND HOUSING FOR CONSTRUCTION OF AN OAKLAWN COMMUNITY CENTER; AND ASSOCIATED RESOLUTIONS (THREE) AND AGREEMENT WITH DERBY SCHOOL DISTRICT.

POWERPOINT PRESENTATION

Mr. Marty Hughes, Revenue Manager, Division of Finance, greeted the Commissioners and said, "This morning we are conducting a public hearing to consider a Small Cities Community Development Block Grant application to be submitted to the Kansas Department of Commerce, but before we open the public hearing, I would like to give you a brief overview of the proposed project we have in mind for this year's grant application.

The Oaklawn/ Sunview community, located between Wichita and Derby in Sedgwick County has long been in need of a multi-purpose community center that could be used for social, educational and recreational activities by the residents in that area. The proposed grant application, if approved, would make the Oaklawn Community Resource Center a reality.

What makes this community eligible for these CDBG funding is that the target area that will be served by the community center is a census designated place whose residents are more than 51% low and moderate income. While the overall low and moderate income percentage for Sedgwick County is 29.2%, Oaklawn/ Sunview is 63.5% low and moderate income, which makes it eligible for this special funding.

As you can see on the map, the area outlined in blue represents the Oaklawn/ Sunview census designated place and the area outlined in red is the Carlton School grounds, which is where the project would be built.

Funding for the proposed community center comes from several sources, as we can see in this slide. United States Representative Todd Tiahrt has secured an Economic Development Initiative Grant

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in the amount of \$234,000. Sedgwick County will commit \$100,000 from the Commissioner's contingency fund toward the project. The Derby Citizens' Recreation Association has collected donations totaling \$16,000. They received donations from Boeing, Oaklawn Improvement District and the Oaklawn Neighborhood Association. And their final piece of the funding pie is the Kansas Department of Commerce Small Cities CDBG grant for \$400,000 which this application is for.

General breakdown of the project costs are: design and inspection for \$50,000, demolition for \$30,000, asphalt paving \$40,500 and building costs of \$629,500, bringing the total cost of the project to \$750,000.

This slide shows a floor plan of the proposed community center. As you can see, it includes a teen assembly area in the center of the facility and it would also be built as a safe room and then there's an area for Sedgwick County Sheriff's Community Policing program in this area and then there's an arts room, technology room, an administrative center, a nutrition room which is my personal favorite, an electrical and mechanical room, a storage room, two restrooms and then it's going to be adjacent to the Carlton gymnasium, so this will be an entrance to the Carlton gymnasium right here.

This is an aerial picture of the Carlton school grounds, and you can see there's a building right here that already exists. It will be demolished. It will be taken out and then the red outline is where the proposed community center will be built, in that area there.

In addition to the public hearing, there are several other requirements that must be met before a CDBG grant can be submitted to the Kansas Department of Commerce. I'd like to thank Aaron Blase, Assistant County Counselor, for preparing the following documents required by the grant. First we have an inter-local agreement with the Derby School District, USD 260, which was approved Monday night at their regular meeting. Under this agreement, USD 260 will provide the land to build the community center on. Once the building is constructed, USD 260 will own and maintain the building. The operation and maintenance of the building and the programs provided in the building will be administered by the Derby Recreation Commission through agreements with USD 260.

Second, we have a resolution certifying legal authority. This certifies that the Board of County Commissioners has the statutory authority to submit the grant application. This resolution also commits the county to dedicate \$100,000 in cash funds towards the project, as shown in the project funding screen. These funds have been identified by Finance as being available in the 2003 budget under the Commissioner's contingency budget.

Third, we have a resolution assuring operational and maintenance funding. This again is a

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requirement of the CDBG grant application process and it's stated in the resolution with USD 260, they'll be responsible for the cost related to the maintenance of the facility.

Fourth and final, we have a resolution of a residential anti-displacement and relocation plan, which shouldn't impact this project too much. In fact, shouldn't impact it at all. The only demolition planned for the project is that one existing structure adjacent to the Carlton gymnasium and there's no demolition of any housing units under this project, so no residential relocation will be needed.

This is an architect's drawing of the proposed Oaklawn Community Resource Building. This is our goal, to have this building standing and to have quality programs operating in the facility that will benefit citizens of Oaklawn and the Sunview community. I'd be glad to try to answer any questions you might have regarding the grant application project and I'd like to recognize Frank Sites and Misty Buchner with the Derby Recreation Commission. They're here in the audience and also Sergeant Brenda Dietzman with the Sheriff's Department with community policing team is here in the audience too.

Staff recommendations is to open and conduct a public hearing, approve the grant application and adopt the inter-local agreement and the resolutions."

Chairman Norton said, "Well, there's no comments from the Commissioners. I'll go ahead and open the public meeting and invite the public to make any comment, either pro or con on this presentation. Is there anyone that would like to make public comment? Okay, at this point I will close the public hearing and limit the comments to the bench. Commissioner Winters."

Commissioner Winters said, "Thank you, Mr. Chairman. I'm certainly going to be supportive of this project. The question I had is whose going to be involved in the selection of the contractor and the supervision of the construction process? Marty, I heard you say that after construction that the Derby School District will have maintenance from then on, but whose going to oversee construction?"

Mr. Hughes said, "Sedgwick County would be the grantee, if we get the grant, they'd be the grantee under the CDBG program. Sedgwick County would be responsible for the construction. I did some preliminary discussion with Stephanie Knebel in our Capital Projects office to have her review the budgets that we have and to make sure that they're in line with what would be expected and so it would be a Sedgwick County project."

Commissioner Winters said, "Okay, thank you."

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Chairman Norton said, "Commissioner McGinn."

Commissioner McGinn said, "Thank you. I'm certainly going to be supportive of this. I know this area certainly needs a facility such as this. But will we have one more step in the process? Like we're applying for the grant now to see if we get it, is that correct?"

Mr. Hughes said, "That's correct."

Commissioner McGinn said, "And then we'll need to approve the money before moving forward. Is that right?"

Mr. Hughes said, "Well, one of the resolutions here that we would approve today would be to commit the \$100,000 that Sedgwick County would put into the project. But before we could do anything, of course, we'd have to get the grant application approved by the Department of Commerce and it's a competitive application so there's no guarantee that we get it. But if we get it, then we would of course come back and go through the regular process of a construction project, you know a capital project, get approval on that."

Commissioner McGinn said, "Okay, thank you."

Chairman Norton said, "Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. I appreciate my colleagues supporting this measure. We've been working on this ever since Sergeant Dietzman came to me about four years ago with an idea. And candidly, I was a little bit overwhelmed by her vision and I'll admit it publicly, I didn't think we could ever get it off center.

But this young woman just didn't take no for an answer and she got . . . at one time we were talking to Big Brothers and Big Sisters. She cooped the Sheriff by saying that we'd provide free space for them and she got the . . . and the DRC was actively involved in it.

The thing that got me really off center and 100% in support of this was the response from the Oaklawn community. I mean, they started holding Sunday evening chili dinners and were real excited because they were able to get \$125 more for the project and \$15 here and etcetera, but they were really trying to work on the project and that got me excited.

Two years ago, if you recall, we did go ahead and commit \$100,000 and set it aside and last year we renewed that commitment again. Then, in talking with Todd Tiahrt earlier this year, he jumped on board and that was unexpected. We got real close with the National Guard but we missed an

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opportunity there because they had some funding for safe houses or something but we missed that. And if this grant is . . . if we're successful in getting this, this will now be the culmination . . . Brenda, I'm going to I guess call it a dream that you all had and I really hope that we're successful in this and I'm glad that we're going to be playing a small part in it. So, very supportive of the concept. Thank you."

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

MOTION

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

Commissioner McGinn seconded the Motion.

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

VOTE

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

Chairman Norton said, "Thank you, Marty. Next item."

E. PUBLIC HEARING REGARDING APPEAL OF DENIAL OF AN EMERGENCY VEHICLE PERMIT TO WILLIAM R. POWELL, ON BEHALF OF WICHITA MORTUARY SERVICE.

Ms. Karen Duranleau, Assistant County Counselor, greeted the Commissioners and said, "This item comes to you as an appeal from the denial of an application by William Powell for an additional permit for emergency vehicle status. He has applied on behalf of Wichita Mortuary Services and he currently holds 11 permits as an existing business. The application was denied by the Clerk's office and I would submit to you that the state statute does provide that the Board of

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County Commissioners can make this particular designation as an emergency vehicle status. You would need to know . . . decide whether this is necessary to the preservation of life and property.

If so, then I would recommend that you grant the application. If not, then I would recommend that you deny the application for the appeal. It does require a public hearing, so at this point, I would recommend that you open the public hearing. I believe Mr. William Powell is present today, and take any comments from him and others and close the public hearing and make one of those findings and either grant or deny the permit and I will stand by for questions. We have Brent Shelton and Bethany Carpenetti from the Clerk's office here if you have questions from them. But I will stand by. Thank you, Chairman."

Chairman Norton said, "I see no discussion to start out with. Do you have a comment before we do the public hearing, Dave?"

Commissioner Unruh said, "I'm sorry, no, go ahead."

Chairman Norton said, "At this point, I'll open the public hearing and accept public comment on this topic. If there's those that would like to come forward, you have five minutes. Please state your name and address."

Mr. William R. Powell, Wichita Mortuary Service, greeted the Commissioners and said, "Today we're asking you for an additional permit to be issued to our company so that we may put on an additional vehicle to the ones we currently have so that we can put more vehicles on a funeral service when we're needed.

We're here to promote the safety, as you've known. You gave me our permit a couple of years ago and again, we're just wanting to promote the safety of our citizens here in Sedgwick County. When we do have large services, it will enable us to put another vehicle on that to promote that safety."

Chairman Norton said, "Okay. Do we have questions of Mr. Powell? We can always call him back. Why don't we go ahead and complete the public hearing portion. Are there others that would like to speak? Anyone else like to speak to this topic? At this point, I'll close the public hearing and limit the comments to the bench. Commissioner Unruh."

Commissioner Unruh said, "Thank you. Karen, can you answer? What was the . . . remind me, what is the basis for the denial of this request?"

Ms. Duranleau said, "I believe the basis for the denial was that the police chief did not sign off on the application and that has been the procedure of the Clerk's office to deny those."

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Commissioner Unruh said, "Okay. But this business has been in operation in our county for some time with several vehicles."

Ms. Duranleau said, "Yes, it has."

Commissioner Unruh said, "Thank you. That's all I wanted to have clarified."

Ms. Duranleau said, "And I might remind the Commission, if I could, that this project is being considered for revision and determine whether the County procedures need to be changed. So, I just wanted to mention that, that if it's the will of the board, then these procedures can be changed."

Chairman Norton said, "Commissioner Sciortino."

Commissioner Sciortino said, "Well, the one thing that I think it's interesting for us to understand is that these permits are given to the vehicle, not to the company and every time a company wants to add another vehicle they have to get another permit for that specific vehicle.

Some years ago, there was a lot of controversy about this type of service and I think the City of Wichita was opposing it and they were having problems, I think with funeral processions in general in their community. At the present time, they permit funeral processions to go through the City of Wichita, and it's my firm conviction if there's going to be a funeral procession, these type of emergency vehicles enhance the safety, not only of the individuals in the procession, but civilians being notified that a procession is coming through.

The City of Wichita has it within their power, if they ever feel that this is something they don't want, they can ban funeral processions from entering their community and that would solve whatever perceived problem they have. But as long as funeral processions are authorized in Sedgwick County, it's my firm conviction that these type of vehicles are necessary for the safety of all citizens. So, I'm going to be supportive of granting the permit."

Chairman Norton said, "Commissioner Winters."

Commissioner Winters said, "Thank you. Karen, the recommended action calls for a proposed finding of fact. Do we need to say anything other than what Commissioner Sciortino has just said

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and the fact that Mr. Powell already has 11 permits and adding one more would certainly seem to be appropriate?”

Ms. Duranleau said, “I believe you have it covered with Commissioner Sciortino’s statement that this is necessary for the preservation of life and/ or property. So I think you’re fine and maybe you should just go forward and approve or deny.”

Commissioner Winters said, “All right, thank you.”

Chairman Norton said, “I see no other lights flashing for discussion. What is the will of the Board?”

MOTION

Commissioner Sciortino moved to approve the permit for the aforementioned findings of fact.

Commissioner Unruh seconded the Motion.

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

VOTE

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

Chairman Norton said, “Thank you, Mr. Powell. Just a note and comment here. We have had this come up three different times when I’ve been here as a commissioner, and it still seems that we don’t have a succinct policy countywide or in the small cities to guide us on this. It seems like today was less contentious and less argumentative as the other two times, but hopefully we’ll draft some dialogue and some discussion on this issue that will move us to good public policy that will be good for the funeral and mortuary industry and also good for the citizens and work for law enforcement in our community. Commissioner McGinn.”

Commissioner McGinn said, “I agree with you, Chairman Norton. I think if the Sheriff or the Chief has a problem with this, we need to all sit down and draft something either for our community

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or go to the state legislature or whatever. Instead of continuing to have these come before us, I think we need to figure out what we want and what's best for our community. Thank you."

Chairman Norton said, "Thank you, Karen. Next item."

NEW BUSINESS

F. REQUEST BY VALLEY CENTER FOR AN ISLAND ANNEXATION, GENERALLY LOCATED NORTH OF 89TH STREET NORTH, EAST OF I-135 AND WEST OF HILLSIDE.

Mr. Robert W. Parnacott, Assistant County Counselor, County Counselor's Office, greeted the Commissioners and said, "Late Friday, after the agenda had already been prepared and published, we received a formal notice from the city attorney for Valley Center withdrawing the resolution and asking that no further action be taken at this time. At some point, they may resubmit and we would have another 30-day clock that would start to set another date for the board to make their findings. But at this time, it doesn't appear that you need to take any action. And I could answer any other questions that might come up."

Commissioner Sciortino said, "Are we just to defer this item, or is this item just deleted from our agenda or what is it that we need to do?"

Mr. Parnacott said, "I don't think you need to take any further action. It's just . . . It's been withdrawn. It's not a deferral, because they'll have to resubmit."

Chairman Norton said, "Commissioner McGinn."

Commissioner McGinn said, "Bob, I don't know if you want to go into any detail or not, but I'm sitting here thinking about some of the folks out there in the Sunnydale area that are still sending e-mails and I don't know if they have some of this information too. They may be at home today watching to see what's going to happen here and, evidently, there's this court order to stop until there's a hearing."

Mr. Parnacott said, "Yes, we've been in contact . . . We've had regular contact with several people from that area and I did speak with one of them Friday and give them this information. There has been a court . . . temporary injunction issued. Park City sued Valley Center over a boundary

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agreement that they have that Park City believes Valley Center is violating and that is not in front of the board, of course, and that is between those two cities and is currently in the district court.

What the court ordered was a temporary injunction, which is just putting a status quo hold on everything until they resolve this dispute about the boundary agreement. Depending on which side wins, we may see this again of course, but for now it's not in front of us. But that's what happened, and we tried to communicate that to everybody that we can."

Commissioner McGinn said, "Okay. The action today though is not by a result of anything we did. It's by what's going on between the two cities and so that's why this is being withdrawn at this time."

Mr. Parnacott said, "Right. We were not a party to that lawsuit and are not a party of that lawsuit that is ongoing."

Commissioner McGinn said, "Okay, thank you."

Chairman Norton said, "We'll take no action on this, but just a general comment. It seems to me that, more and more, it's going to be critical that our Comprehensive Plan really describes boundaries, growth rings, service areas for communities. It seems like when we have these kind of dilemmas that the county gets kind of put in the middle many times. This one kind of went off the board today. It could come back, it could not, but we continue to see more and more of these between small communities, Wichita and small communities and somehow we need to guide the community, guide the planning commission, guide all the entities to come together to understand that boundaries, growth rings, service areas are important, that signed agreements are important. That we create a kind of action that makes sure that we have logical growth, logical annexations, logical decisions to make in the future and not end up with these kinds of problems.

That's kind of a general statement, but I think it's very important to our community to look at this not as a micro-problem but a very macro-problem as we move to the future. Commissioner McGinn."

Commissioner McGinn said, "I agree with you, Commissioner Norton and I think . . . and a lot of these cities that are growing together happen to be in my district, who are either growing into other small cities or are growing into Wichita and I think the last time the Comprehensive Plan was done for the whole county, I don't know that the small cities were very much involved. And I think, as we move forward and review the Comprehensive Plan in the future, I think we need to work very hard to get the small cities involved. We need to talk about where we think we're going to grow, so we don't have these kinds of things come up. So I hope that that's something that, in the very short

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period of time, we can sit down with all the cities in the county and actually have a planning day for our . . . for the growth of our communities.

And then also, the next step is you have your elected officials there, but then how do you get that information out to the citizens? I think that's what kind of miffed a lot of the people in this situation is they didn't really realize where all the growth areas were going, didn't realize what some of their neighbors were doing and so, it's my hope that we can have some kind of a planning summit, a growth summit or something here in the very near future. Thank you."

Chairman Norton said, "Commissioner Sciortino."

Commissioner Sciortino said, "I think . . . actually, commissioners, I don't know if you're aware of this, I know that Commissioner Unruh has been trying to work on maybe pretty much, Carolyn, what you're talking about. Basically, getting the communities together and can we have peace in the valley or how do we . . . can you give us a heads-up on what you're doing?"

Commissioner Unruh said, "Well, partly because of the result of the conflict here between Park City and Valley, and we're looking at some of the boundary disputes, if I can use that word, in District 1. We were able to call together the city manager and the councilperson from District 1 of the City of Wichita to meet with some folks from Bel Aire about some of the issues related to those two cities. And out of that came a suggestion for a summit that Commissioner McGinn has made some reference to, or that type of a concept.

We also were able to put Bel Aire and Kechi in the same room to talk about some of the issue that they have some disagreement or some areas of contention maybe is the right word. But there's a very good spirit of cooperation in both of those meetings and I think the city officials, council people, managers all would like to come together and avoid having to go to court to solve their issues. They'd like to have some agreements and live by them. And there was really some good progress made in those two meetings and so we're hopeful that a summit of some kind can be developed where we can have countywide agreements on . . . well, even inter-local agreements on where these cities are going to develop, where they're going to establish the boundaries and eliminate some of the hostilities and aggravations that arise. So we're looking forward to that progress coming to fruition and some good results coming out of it."

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Commissioner Sciortino said, “Well, commissioner, I’d just like to make one comment about it. I want to congratulate you on taking the initiative to try to do that. And if I understand it right, basically what you’re doing on the role of the county is kind of like a facilitator in trying to maybe sometimes be the referee and what have you.”

Commissioner Unruh said, “Well, hopefully avoid referee, but facilitation is what we’re wanting to do. But it’s really gratifying in fact to find that everybody really wants to get along, it’s just how to set a few ground rules so that there’s a framework, we can have conversation and avoid this type of conflict.”

Chairman Norton said, “Well, I think we find ourselves in a unique time in the history of Sedgwick County. The growth of the large cities and the small cities is putting us into some unique situations. When you look at what the census says, that Goddard is the number one growth city, Haysville is number ten, Kechi is number seven. Most all the communities have pretty good growth. Bel Aire was number one for a couple of years in a row in the state. So it’s pretty interesting and we’re going to have to deal with this and I think the more that we can broker those kinds of things early on, as opposed to catching them downstream will be better for us and better for the community.

Kind of dovetailing onto what Commissioner McGinn said, I think it will be powerful if we can pull the planning commissions and some of the electeds together from all the small cities and the Metropolitan Area Planning Commission at some time to at least get in the same room and understand each other. Some of the small cities really are in a silo when it comes to understanding the comprehensive plan and they know what they’re doing in their community, but they don’t understand the macro look at Sedgwick County and I think that’s going to be important that we try to broker that and I would be very supportive of any effort that we would have to try to do that here in the next four or five months, certainly before we do a comprehensive plan again.

Any other . . . I think we take no action. Do we have to take any action to take no action?”

Mr. Parnacott said, “I don’t believe so, sir.”

Chairman Norton said, “Okay, good. Next item.”

G. PRESENTATION REGARDING INCINERATION AND WASTE TO ENERGY FACILITIES.

POWERPOINT PRESENTATION

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Ms. Susan Erlenwein, Director, Environmental Resources, greeted the Commissioners and said, "I'm going to review incineration plants with you today, and that's basically facilities that burn trash. I want to, in my presentation, cover the basics of incinerations, the different types of facilities and how they differ from one another, ownership and operation of these facilities, the associated building and operation costs for incineration, and then briefly compared that with costs associated with other disposal options.

So, starting with the basics, in the United States there are approximately 120 incineration plants or facilities that burn trash. Of those, 102 recover energy from this process. The EPA has said that 15% of the nation's trash is disposed of through burning it. Another 23% is recycled, 7% is composted and then 55% is landfilled.

Of these incineration plants, the average capacity is 950 tons per day of the amount of trash they burn. It can be less than 200 tons per day for some facilities and as much as 3,000 tons of trash per day in others.

The last incineration plant was built over nine years ago and from the information we have found, that was in Fort Myers, Florida and it was a waste to energy facility built in 1994. The reason there's been a gap in time in building these facilities is several reasons. One is the clean air act made the building of these facilities more expensive and the operation more expensive because of the stricter rules in the emissions from the facilities.

Another is the Supreme Court ruled, in 1994, that trash is a commodity and you cannot control the flow of trash across state borders. Therefore, it's hard to guarantee a volume of trash coming into the trash facility and they need that volume to pay for the operation. And also you have tax incentives and grants that the federal government had in the '80s that have basically disappeared for the waste to energy facilities. So there are many reasons why there hasn't been one built in basically the past decade.

The waste to energy facilities are very . . . it's just a nice way of saying burning trash to generate electricity and they do it in different ways. I've grouped them into two groups. The first group is energy recovery and that's facilities that are common around the United States and abroad today. The commercial facilities that burn mixed solid waste. The most common facility is the mass burn facility. Basically, trash is taken inside a building, it's mixed in a chamber, the trash is burned, heating these steel tubes in the wall, water is flowed through those tubes, generates steam to produce electricity. So that's the most common type in operation today.

Modular facilities are much smaller. They're built at the factory and taken to site. They burn less than 200 tons of trash per day. Many cities join these together, so as the city grows, you add another module. It's basically like the mass burn, but on a smaller scale.

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And then the refuse derived fuel, there's a lot of presorting involved in the trash, to pull out the material that's inorganic. Then the organic material is shredded and put into brochettes or pellets that are then burned at that facility or can actually be taken off site to other facilities, like boilers that typically burn coal can burn the refuse derived fuel. So that's what's in action today commercially in the United States.

Then there's the new technologies or the pilot programs in the United States that haven't quite made it to the commercial stage yet or they burn a single source of material, like only tires or only plastic or hazardous chemicals. So if we look at those, pyrolysis is the term that's commonly used and that's inducing a chemical change through adding heat in an oxygen-free environment. What you receive from this, after burning the trash in that environment is gas, liquid fuel, carbon char and a slag material.

Another type of new technology is gasification. That's an advanced form of pyrolysis. It's at a higher temperature and you're creating what they call a synthetic gas or syn-gas and the in-organics are fused into a slag material.

Thermal depolymerization is basically like pyrolysis except it's putting it under pressure. So you're using the pyrolysis system, with pressure added. You can use a wetter material in thermal depolymerization. There's been a pilot plant in Pennsylvania for three years and in Carthage, Missouri near a turkey plant. It was supposed to open in the spring, but my information shows it just opened last month, a plant to burn 200 tons of material left over from the turkey plant.

Now, this facility will burn this leftover turkey guts and other associated material, 200 tons a day and from this will result in liquid gas, gas material, water and some solid material as well that can be used as fuel. I'm going to be watching this carefully to see how this progresses in the future. The people who have built the facility say that it can be . . . the temperature can be altered and the pressure altered to accept other materials, such as only tires or others. So we'll be watching this to make sure it works well in Missouri.

And then plasma torch, also called plasma arc, is where you induce a chemical arc in the gas stream, very high temperatures, 18,000 degrees, and this is really considered emerging technology.

So, as you can see, there are very many ways to burn trash to generate energy. But what we're really looking at are the ones that are on commercial scale in the United States, which would be those top ones, the energy recovery with mass burn being the most common in use.

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Now, these facilities are owned and operated in different ways. About half the waste energy facilities are privately owned in the United States. There are three joint public/ private partnerships and 25 facilities are publicly owned and operated by private investors. This pie chart shows the ownership of the waste to energy facilities, 50% private, 3% public/ private, 47% public. And realizing that even the public ones have private operations, so about 70% of all facilities are actually operated by private companies.

The incineration plants, like everything, has advantages and disadvantages. They conserve fossil fuel. Instead of burning petroleum, you are burning trash to generate energy. A thousand tons of municipal solid waste is equivalent to 1,600 barrels of oil. So, it does conserve petroleum.

It reduces the greenhouse effect, emissions of carbon-dioxide, methane and other gases. Since the Clean Air Act has added such strict controls on incinerators, they're much cleaner than they used to be 10 years ago. In fact, the EPA says they emit fewer gases than landfills today because of these new strict guidelines.

They avoid the leachate experienced in landfills because you're in a concrete building. You don't have the trash at these facilities in contact with the ground, so you don't have liquids coming out of it onto the ground.

They reduce the waste going to landfills by 90% by volumes, 70% by weight, but you still need a landfill because when you burn something there's what we call a fly-ash and bottom-ash created by the incinerators and that material still needs to be buried. The EPA requires that the ash be tested to see if it's hazardous and if it's hazardous, it must go to a more strict landfill called a Subtitle C Landfill, which has double liners and special safeguards because of the hazardous materials.

The flow control issues I mentioned earlier by the Supreme Court, many facilities were built in the '70s and '80s that have been shut down because the volume of trash that used to go to those facilities was no longer guaranteed, they did not have the volume coming across their scales and so they couldn't pay for the facility anymore. This makes it difficult to build new facilities, since you cannot guarantee the amount of material coming to your door.

And there are high costs associated with these facilities. Initial building costs are high, and operating. I'd like to review those now. The capital cost to build a waste to energy facility, based on 1,200 tons of trash a day, is around \$200,000,000 and this is based on national industry standards. Annual costs associated with the facility, well you have to pay down that \$200,000,000 so you have debt service each year, so that's over \$13,000,000. You have the annual operation and maintenance of the facility, which is over \$15,000,000 and it's high because you need specially trained personnel to operate the facility and the Clean Air Act requires so much done to clean the

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air emissions. It's very expensive each year. And the disposal of the ash I mentioned earlier can be over \$1,750,000 each year. So, because of these high costs, the calculated cost per ton you would have to charge at the gate would be over \$68 per ton.

Now, you might be able to have energy recovery from these facilities and make some money from selling the electricity. National revenues are between 15 to 25 dollars a ton. You'd have to do a local study to determine what actual costs would be here and what you could receive in revenue.

If you look at \$25 a ton, which is optimistic on the high side, your revenue could be over \$10,000,000 a year. This will obviously drive down the calculated cost that you would charge at the gate. Now it would be down to about \$43 a ton. This is optimistic. If you have the \$15 a ton number, this would be over \$50 a ton. And we don't know what the local market could bear. It could be even less than that."

Commissioner Sciortino said, "Is that where a company would have to agree to buy their energy from our plant. I mean, there would have to be a voluntary thing. Do the energy companies, are they forced to automatically buy?"

Ms. Erlenwein said, "There are some laws that require the energy companies to buy it, but it doesn't say how much they have to pay, so it could be very low. Or you could work a deal with a particular factory. In some cases, such as Tulsa, they generate steam that goes right across the road to a factory that uses that steam for its purposes. To compare this to national average tipping fee at waste energy facilities is over \$59 a ton.

Now to look at landfill costs, a 30-year landfill taking 1,200 tons a day will cost over \$70,000,000. The annual cost for paying down that debt service is over \$4,600,000. The operation and maintenance is much less than we just saw with the waste to energy facility because you don't have the same trained personnel that you need for that facility or the other rules from the Clean Air Act. So the calculated cost per ton is very low, \$16.18 per ton. Compare that to national average tipping fee, which over \$32 a ton or the Kansas average tipping fee at landfills is over \$33 per ton.

Our situation today in Sedgwick County is we have two privately owned transfer stations handling those 1,200 tons per day. We have a north station owned by Waste Connections, which charges \$38 a ton and a south station owned by Waste Disposal LLC, which charges \$40 a ton. I'd like to point out that those costs include state fees and local fees, where the other calculated costs did not. Also this includes any profit these companies are currently making and the others were strict, calculated costs. And to give you an example of profit, if you were to add \$10 per ton, you can make over \$4,000,000 a year, based on 1,200 tons a day. Obviously, you could divide that in half, if you only added \$5 to a ton.

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The difference is you'd have to look at the programs you want to pay for, how much money you would want to raise. You could pay for curbside recycling or yard waste or bulky waste collection, free dump days through this extra money. But whatever disposal option is selected, you have to make sure the prices are competitive. If you look at those initial calculated costs, if they're too high, you can't add as much money to it because you're driving it out of the competitive market.

Well, that's the basics of incineration. I'd like to ask you to receive and file this report and I'd be happy to answer any questions you might have. Thank you."

Chairman Norton said, "Okay. Commissioner Sciortino."

Commissioner Sciortino said, "A couple of just general questions. I know that the federal government decreed that trash is a commodity, but is it not true that, say for example if a city were to franchise their trash collection, could they then dictate where that trash goes?"

Ms. Erlenwein said, "Cities around the United States have worked agreements franchising, which is contracting for the collection of trash, and have designated a disposal option for that, yes."

Commissioner Sciortino said, "Now again, if I understand this correctly, if for example . . . and I don't know where we're going for sure, but say we go forward on this process and we decide that we want to run it, can we then control who brings in the trash, if the government runs a landfill as opposed to it being a private sector runs the landfill."

Ms. Erlenwein said, "This is more of a legal question. My understanding is if we are a market participant, which you just described that we are involved, we have much better control over what can come into the facility so you're not allowing importation. That doesn't mean somebody couldn't sue you over that, but I think you have a very good chance of winning and that might be something for an attorney to answer."

Commissioner Sciortino said, "Well, this is something I just wanted . . . Okay, that's all I had. Thanks."

Chairman Norton said, "Okay. Any other questions, discussion? Commissioner Unruh."

Commissioner Unruh said, "Some of the . . . Hello, Susan. Some of the assumptions made in the report that the \$200,000,000 cost for an incineration plant, that's based on the 1,200 ton per day volume?"

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Ms. Erlenwein said, “Yes, we looked at costs across the nation of building plants and you have a low range and a high range, so we took the average and multiplied that. There’s a formula for how many tons per day times a certain number to get the cost.”

Commissioner Unruh said, “Okay, but our average presently is, you’re estimating, about 1,200 tons per day?”

Ms. Erlenwein said, “Yes, it’s just slightly over that.”

Commissioner Unruh said, “Okay. The average capital cost then, based on incineration plants and the newest one is nearly 10 years old.”

Ms. Erlenwein said, “That’s correct.”

Commissioner Unruh said, “Did we apply any inflation factor to that, or you just took it what it cost ten years ago to come up with that number?”

Ms. Erlenwein said, “We worked with Chris Chronis to get some numbers. I think it is the 10-year-old number.”

Commissioner Unruh said, “Well, one report I was reading about this issue indicated that every plant built, succeeding the previous plant, was much higher. So I mean, it didn’t make any difference if it was exactly the same technology or in the same year category of regulation, but it was always higher. So I guess my point is, would it be fair to say that this likely could be a very much higher number?”

Ms. Erlenwein said, “That’s correct.”

Commissioner Unruh said, “Okay, I guess that’s all I wanted to say on that. And then the other question, I think you already answered, Commissioner Sciortino. But if it was waste . . . if we did make it a waste to energy plant, we can’t require anyone to buy that energy. Is that right? I mean, it would be a market-driven sale.”

Ms. Erlenwein said, “I do believe there’s a law that says the electric company has to pay . . . you know, buy it but they don’t have to pay a certain amount. There’s no guaranteed price.”

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Commissioner Unruh said, "Okay. I think that's all I've got right now. I scribbled some notes, I'll be back maybe."

Chairman Norton said, "Talk a little bit about some of immersing technologies. Pyrolysis, I continue to have people float that balloon up and say that we need to look at that. It seems to me that everything I've read about it, it works pretty well on a small scale, with a single source, single stream, single item. Talk a little bit about that, Susan."

Ms. Erlenwein said, "Okay. In the United States, there are some pilot programs. There's one up in Washington, Oregon State area that is receiving the single stream, as you mentioned. Because of the temperature in an oxygen-free environment, they manipulate it and it works well with a single source like only tires or only plastic, but when you start mixing in a mixture, like you'd commonly have at your household, it doesn't work as well. Even in regular incinerators, they have cranes that try to mix the trash that comes in, so it's more homogeneous when they burn it. And so with this process, it's been very difficult to get a mixed waste to burn without having a lot of leftover material, a lot of material you'd end up throwing away. And you normally need a certain minimum temperature and maximum temperature too high and you're going to have emissions that are not good, too low, everything doesn't burn correctly.

So you have to manipulate it very carefully and it's very difficult with the mixed waste. Many people are trying to work with this and to improve the system but right now we have not seen a facility that can do the mixed waste under the United States' laws."

Chairman Norton said, "Is it your understanding that when they do it, like for tires, that they have to strip the metal, like the radial metal out of there? I mean, it seems like that would . . ."

Ms. Erlenwein said, "Normally, what you do is shred that ahead of time and pull out some fluff material, the steel belts, before burning it. Some facilities are working on with higher temperatures, leaving that in and then having that left over as a slag material."

Chairman Norton said, "Okay. Is there any evidence that maybe that would be a technology we would want to pilot or try for the tires that continue to be a problem around, not even here, but the State of Kansas?"

Ms. Erlenwein said, "I'd like to see us do something with the thermal depolymerization that's going on in Missouri, watch that plant, see how it's operating and see if it, as they say, can be used for tires and other products to see if that would work."

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Chairman Norton said, "That's the one in Carthage, Missouri?"

Ms. Erlenwein said, "Yes that is."

Chairman Norton said, "And right now it's just for the turkey . . . is it Tyson?"

Ms. Erlenwein said, "It's Tyson's turkey plant. After processing the turkeys, they have some bones and guts and other materials left over that would be processed through this plant. And they're saving money with the company by not having the waste disposal and also they're making energy from it with byproducts that are sellable."

Chairman Norton said, "Isn't the difference there though that it's all organic and it breaks down to make . . .?"

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

Chairman Norton said, "Yeah, okay. Commissioner McGinn."

Commissioner McGinn said, "Well, that was kind of my question. You had talked about the pyrolysis versus the thermal depolymerization. Is the main difference is the . . . what's the main difference between that, temperature sensitivity or what?"

Ms. Erlenwein said, "There's . . . the main difference is thermal depolymerization is under pressure and it takes a wetter material. Pyrolysis kind of goes through two stages of heating. The first stage is drying the material, then it goes to the higher temperature. In thermal depolymerization, it takes the wet material, heats it, then drops the pressure, which basically dehydrates the material at that point. And so you get water out at that point, then it goes on, so you don't have to manipulate the material as much at the beginning."

Commissioner McGinn said, "Well, I thought I heard you say that that was a better method with tires when it sounds to me like the tires don't need to be dried out or anything. It's just a temperature sensitive thing."

Ms. Erlenwein said, "Well, it depends on where your source of tires are, if they've been stored outside, what kind of . . . you know, many tires we've come across with like our waste tire roundup, covered in mud, dirt, water. So do you want to go through cleaning those tires ahead of time?"

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Commissioner McGinn said, "So you would need to go through the thermal side of things. Okay.

Can we get some costs about what that would cost to do the tires?"

Ms. Erlenwein said, "I can look into that. I believe the plant in Missouri was \$20,000,000 to do 200 tons a day of turkey material, so we can check to see what it would cost for tires."

Commissioner McGinn said, "I was thinking the guy in Oregon was doing just tires."

Chairman Norton said, "He is, he's doing single-source, he's doing plastics but he also does a tire program."

Ms. Erlenwein said, "Is that the Conrad Industries?"

Chairman Norton said, "Yes, and they've been around. That more than just a pilot program now, I believe. He's been around for a number of years. The problem is trying to do it on a mass scale. I don't think you can do that."

Commissioner McGinn said, "You mean mass as in diversity of product."

Chairman Norton said, "And mixed products. I'm talking about taking solid waste and just putting it in there. There hasn't been any proof that he could do that, but there has been pretty good evidence that just taking a single source like tires, it works pretty well and is relatively economical and creates a product that he can market."

Commissioner McGinn said, "And it sounds like you can build these on a small scale."

Ms. Erlenwein said, "And that's what I mentioned earlier about the new technology grouping, is the fact that these are pilot programs or single source on a small scale. They are taking like just tires or just plastics. There's usually less than 200 tons of material a day."

Commissioner McGinn said, "Okay. But would fit into a tire program of some type that we're going to be doing actually next year. Did you say, is there a byproduct after it comes out on tires?"

Ms. Erlenwein said, "On tires, you'd probably have a carbon char material left over. I'd have to look into it some more."

Commissioner McGinn said, "But not something that could be reused, or do you know?"

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Ms. Erlenwein said, "Well, the char there are uses for because it is carbon material."

Commissioner McGinn said, "Okay. That's all I have right now."

Chairman Norton said, "Okay. Commissioner Sciortino."

Commissioner Sciortino said, "Well, you know this idea about disposing of tires kind of interests me. Now maybe I'm thinking wrong but if it could be done, if we had more tires, is there an economy of scale if we were to be able to deliver twice as many tires or three times as many, does that make it a little more economical to operate?"

Ms. Erlenwein said, "Yes, just like any facility, the more material that comes in. We generate basically one tire per capita a year."

Commissioner Sciortino said, "Yeah, but what I was thinking, Commissioners, is maybe we go educate our state and maybe there could be one or two or three of these facilities statewide and then we could have tire roundups on an annual basis or whatever and feed these plants and get the state to be part of the solution. Because we were so successful at Commissioner McGinn's backing here a couple of years ago, I think the state got scared and said, 'well, gee we can't fund this program anymore, it's been too successful' or something, which was kind of counterproductive, as far as I'm concerned. So that was just an observation on my part. Thanks. That's all I have."

Chairman Norton said, "Okay. Commissioner Unruh."

Commissioner Unruh said, "Thank you. I think that's a great suggestion, to see if the state wants to locate some centers for that single source disposal of that. And I'm fully convinced that these different technologies work and that they, perhaps sometime they can be expanded economically into a mixed municipal solid waste.

For right now, I'm trying to focus on whether or not this incineration option is viable for Sedgwick County now. And it seems like we've stepped through and made the decision, 'well they work', but can we afford them. And so that's kind of what I'm trying to keep focused on in some of my comments. If I repeat some things, well just forgive me. But Commissioner Sciortino just did a quick calculation on his trusty little calculator on a ten-year, 4% inflation that that \$200,000,000 gets close to \$296,000,000. I think that was the number he had there. If there's extra regulations that go on that, then that could drive that price up even higher.

If, during this ten-year period, since that last \$200,000,000 price was accurate, it's conceivable it

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could be \$400,000,000. If that's the case, trying to just figure the debt service and so forth, we could be looking at \$97 or \$98 a ton and that doesn't provide any of the other programs that we would like to have, curbside recycling and things of that nature.

So, I'm not really asking a question. I'm just kind of verbalizing some of my thinking here and you correct me if I'm wrong, but I mean, if that's the case, that's real expensive, whereas compared to right now we're paying \$38 to \$40 a ton tipping. We're still not providing those services in that tipping fee, but we're a long way away from \$100."

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

Commissioner Unruh said, "Okay. Well, now what's my next point here? What am I trying to say? As a comparison with solid waste disposal, and maybe . . . I guess I just want to ask, have you got information about any current tipping fees close by? My understanding is that both Cowley County and Sumner County are starting transfer station programs and have got bids on their disposal fee that is much less than ours. My point is, in comparison to solid waste disposal, if there are other counties around being served by the same companies at a lot less, we can probably do a lot better than we're doing now with a local landfill I guess is what I'm coming to and I just want your comment on that."

Ms. Erlenwein said, "Sumner and Cowley County have had transfer stations for years. They just recently went out to bid for a new hauling company to take the material and I believe it's going down to Oklahoma, so they've been doing that. Kingman County has no disposal facility. They direct haul. Harvey County has a transfer station that goes to Reno County. Marion goes up to Topeka and Butler has their own landfill."

Commissioner Unruh said, "Do you know what the competitive bidding is yielding in those counties?"

Ms. Erlenwein said, "I did not do research on that. I can and find out the prices for you."

Commissioner Unruh said, "All right. Well, the rumor is that it's a \$20 per ton tipping fee. If that is a correct rumor and I don't have documentation to it, well, that makes it one, that maybe we're paying too much. That's not the issue. The whole point is incineration compared to landfill, it looks like the gap is very large and we have a great deal of opportunity within the tipping fee cost to

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provide a lot of services we're not providing now and I guess that's where I'm focused and want to get to. So, more comment without question, if that's fair here. I'm done, thank you."

Chairman Norton said, "Commissioner Winters."

Commissioner Winters said, "Thank you, Mr. Chairman. Well just very briefly, I think I'm glad that Susan has made this presentation, put the material together for those who really wanted to re-look at this waste to energy and I can understand the desire to look at that because most of the time when you're in a public setting and you take a question from a citizen, a good 90% chance the question is going to be 'Why don't we incinerate' and two things, I guess I think Susan's numbers have again shown us that the gap is very large between the cost to incinerate and the cost to landfill and it speaks volumes to me to see that there hasn't been a new waste to energy plant built in 10 years. If it was the way to proceed, I think we would be seeing a lot of other communities do that.

And now, that's not to say that new technology may not someday come up with an answer that's better than landfilling and I certainly hope that the technology is someday there. But once other communities begin to build new technology plants in a really big way, then we'll know. And I'm not sure that I'm willing to put us on the cutting edge of some untried venture at the very beginning, but certainly want to keep our options as open as possible.

Some time ago, I came to the conclusion that waste energy was not viable and I think Susan's report today again verifies what I think we've known. Thank you."

Chairman Norton said, "Well, we've hashed out waste to energy. I think we've maybe come to some kind of conclusion that, as much as we wanted to hear the numbers and see the presentation, that it really just reaffirms what we've thought all along, is that even though I think there's some will that maybe that would be a technology we'd want to use, if it was cost efficient, that it doesn't look like any time in the future we're just going to be able to participate.

I would still like to see us consider one of the new technologies, if we could integrate it into a tire program because the state has a problem. If we could be the leader in that, it gives us a chance to kind of stick our toe in the water without drowning by making a big commitment, but to learn a little more about the technology. We tend to be a county that relies on technology and are innovators in the technology realm when you talk about our aviation industry and some other, Koch Industries and some of those kinds of places, so maybe that's something we need to push forward as a small part of waste to energy.

I guess I'd like to throw it back out to the commission to see what the will of the board is, what we'd like to do, whether we receive and file, whether we take any action, where do we go from

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here? You know, we've languished over the topic for a couple of years. We've had some new understanding so, is it five years. So certainly, when I hear numbers like transfer stations with tipping fees at \$20, then why are we paying 38 and 40. That's pretty provocative to me. Commissioner Sciortino."

Commissioner Sciortino said, "If there's no further comment, I'll make a stab at something here. I concur with what Commissioner Winters has said. I've always been intrigued by the exotic ways of disposing of our trash, but I've also always felt that it was substantially more expensive and I get real nervous investing three, four, five hundred million dollars to try something and then it not work and we're stuck with rather large debt. So, let me try something, to see if we can move this."

MOTION

Commissioner Sciortino moved to receive and file the report, continue the process of selecting a landfill as the final disposal option in Sedgwick County and instruct the manager to bring back an action plan that defines the steps necessary to locate and open a landfill and make recommendations on issues that must be addressed in the development of an RFP.

Commissioner Unruh seconded the Motion.

Chairman Norton said, "We have a Motion and a Second. Any discussion? Commissioner McGinn."

Commissioner McGinn said, "In this Motion and the action plan that the manager is to bring back . . . Okay, so we're going to have a thorough, in depth analysis of location in the county? Is that what that means, Commissioner Sciortino?"

Commissioner Sciortino said, "It says here, 'define the steps necessary to locate and open a landfill'."

Commissioner McGinn said, "Okay, so does locate mean best geological site?"

Commissioner Sciortino said, "No, it says, 'define the steps necessary to locate and open a landfill'."

Commissioner McGinn said, "Well, I guess I don't understand what that means. So does locate doesn't mean that you take in . . . you don't talk about the geology?"

Commissioner Sciortino said, "For me, it doesn't mean that we're going to do a geological study

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once again of the entire Sedgwick County. That does not mean that and that isn't my Motion."

Chairman Norton said, "Commissioner Unruh."

Commissioner Unruh said, "Does it mean that part of the manager's recommendations will include a recommendation to look at some alternative sites, perhaps, and do the geologic study and is that part of what the plan that we're asking the manager to put together includes? I mean, I think that's just part of what he's going to do for us."

Commissioner McGinn said, "I guess, I just want to know, is the location in total disregard as to what a suitable site is environmentally?"

Commissioner Sciortino said, "First of all, we can go backwards on here, the thing I drew up here, 'define the steps necessary to locate', doesn't mean we've predetermined a location. Now it's always been my contention, and even before I was first elected, that the regulations on a subtitled D landfill, okay, are environmentally sane no matter where you locate it and that the very reason for those regulations were to accommodate counties such as ourselves where we don't really have any ideal location for a landfill, but with the liners and the clay and the rocks it protects just about any site that you might want to locate a landfill. I've seen a geological study of Sedgwick County and there really isn't any quote, unquote ideal location for a landfill.

Now perhaps, Mr. Manager, for Commissioner McGinn's edification, could you maybe visit with us a little bit about what that means, 'defines steps necessary to locate'."

Mr. William Buchanan, County Manager, said, "Yes, I would be happy to visit."

Commissioner Sciortino said, "If you could visit with her and let her know."

Mr. Buchanan said, "I thought the question was, would I be happy to . . . would I visit with Commissioner McGinn and help define this and the answer to that is yes. My interpretation of what you are doing is for me to come back with a series . . . an outline of what are the actions, steps necessary and what are the decision points that are along the way. That does not mean coming back with a plan that's all wrapped up neat and nice. That there are clearly several decision points and by making a decision over here, we need to understand the consequences of the following steps. For instance, full blown recycling reduces the amount of tonnage into the landfill. Is that what we want to occur? Those are the kinds of consequences."

Commissioner McGinn said, "Okay and I guess the reason I asked the question, because I don't know what report you're talking about, but the reports I've seen, there are suitable sites for a

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landfill in this county and you're saying there aren't any, and so I guess I've not seen that report. So, that's why I wondered if that was just going to be a fact when it says, 'locate'."

Commissioner Sciortino said, "I think I said, commissioner, so there's no mistake, there's no ideal location for a landfill in Sedgwick County because of the geology as far as I know and I have no interest in further delaying this process to do another geological survey of the entire . . . and make everybody in every district nervous, 'oh, my gosh, are they going to do it here, are they going to do it here' and have a big uproar of all the citizens just fearing, because nobody wants it in their backyard."

Commissioner McGinn said, "I don't think we have to do a study. I think there's plenty of information out there about the whole geological structure of the county. We have enough information. I just didn't know if it was just going to be one site on the table or if there was going to be a few options. That was all."

Commissioner Sciortino said, "Why don't perhaps we wait until we find out what the manager comes back to you with and I'm sure you can discuss with him some of your concerns and maybe he could implement some of your concerns into his action plan."

Commissioner McGinn said, "Okay. And then the other question I had was this development of an RFP, are we going to talk about recycling and increasing that in our community and how we're going to reduce trash? Or what does that mean?"

Commissioner Sciortino said, "Well, it says, 'make recommendations on issues that must be addressed in the development of an RFP'. And if three of us feel very strong that we need to address recycling or reduction prior to issuing an RFP, that would be one of the issues that would be addressed."

Commissioner McGinn said, "So can we make that an issue today or not? If we want to step up the pace of recycling in our community, can we make that part of the RFP?"

Commissioner Sciortino said, "Well, I would think it would be better if we let the manager do his job and come back to us with an action plan and maybe perhaps have staff make recommendations to us on issues they think must be addressed and then we could debate it at that time."

Commissioner McGinn said, "Okay. I don't have a problem letting the manager do his job but I always thought we were here to set public policy and I thought . . ."

Commissioner Sciortino said, "We are and we will. We will be the commissioners that decide to

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sign off on the RFP before it gets submitted. It seems a little premature to start debating what should be in the RFP when we haven't even seen the action plan or defined the steps necessary to locate and open a landfill. We're going to have sufficient time, I think, to debate what we want in the RFP."

Commissioner McGinn said, "Okay. That's what I needed to understand. This is the first I've seen, and so I'm just kind of wanting to understand how that all works. Okay. Thank you, Commissioner Sciortino."

Commissioner Sciortino said, "Okay."

Chairman Norton said, "Before I go to Commissioner Unruh, if I might jump in here. I think where we're going with this, and we could have the debate here for a while, I see us moving towards letting the manager put together some things and then maybe at one of our Tuesday staff meetings, or a workshop, we let them give us a menu of his recommendations for the RFP so that we can either say yes, no, include that, don't include that and then it can come before us for the official vote. But that makes sure that the RFP is what we all would like to have layered into it, if that would be something we would want to consider.

I think we can certainly take the action today. That's a pretty broad based Motion, to get the manager started on bringing us some recommendations and then we could add, subtract, multiply and divide but maybe do that at a staff meeting or a workshop, where we can have that good dialogue like we do here without having to do it . . ."

Commissioner McGinn said, "Thank you, Commissioner Norton. And I was just trying to understand the process and how we were going to move on down the road."

Commissioner Sciortino said, "And that's why I think the way I had it worded, 'continue the process' of selecting it. I mean, this is not an end product."

Chairman Norton said, "Commissioner Unruh."

Commissioner Unruh said, "Well, thank you. I think most everything I was going to say has now been said, but siting is not part of this Motion and specifics on recommendations are not part of the Motion. We're going to get a bunch of if/ then type recommendations of decision points. So, if . . . then, if . . . then, if . . . then, so we'll know where we're going and have some opportunity to make decisions based on that.

That's the spirit of the Motion I Seconded, if that's what it is."

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Commissioner McGinn said, "Do we have an idea how long? Sorry, Bill."

Chairman Norton said, "You thought you'd escaped, huh."

Commissioner McGinn said, "I mean, a few months or six months?"

Commissioner Sciortino said, "Well, do you think you could be back . . . what, in a timely manner, what time do you think you could come back to us?"

Mr. Buchanan said, "I would be more than happy to give you a progress report in 30 days. Whether it's all complete by then, I don't know."

Commissioner Sciortino said, "How about as soon as possible?"

Mr. Buchanan said, "How about . . . and I will give you more . . . progress report before that, but we'll have some substance in 30 days, maybe not all wrapped up."

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

Commissioner Winters said, "Thank you, Mr. Chairman. When we voted to add a local landfill to our Solid Waste Plan for Sedgwick County, I was not in favor of that Motion or that change. But since that Motion was passed and the decision has been made to move forward with this process of using a local landfill, I do wish to be a part of the framing of the outcome of what that system will look like. So, I will support this Motion, and I will be an active participant in helping craft the RFP and the outcome. Thank you."

Chairman Norton said, "Well, I appreciate that Commissioner Winters. As we move forward, I think we need all the best minds pulling the plow together and understanding this, making sure that we don't make poor policy decisions or create unintended consequences. So I appreciate you jumping onboard. Any other discussion? Clerk, call the roll."

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye

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

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

Commissioner Sciortino left at 10:55 a.m.

H. AGREEMENT WITH EAGLES REALM, L.L.C. FOR USE OF SEDGWICK COUNTY PARK SEPTEMBER 26 – 29, 2003 TO HOLD A RENAISSANCE FESTIVAL.

Mr. Ron Holt, Director, Division of Culture, Entertainment and Recreation, greeted the Commissioners and said, "I'm standing in for Superintendent of Parks this morning, Mark Scroufe, who took a couple of days off. This is an agreement of the Eagles Realm LLC to use Sedgwick County Park for the Great Plains Renaissance Festival. The actual dates of the festival are February . . . I'm sorry, September 27th and 28th, although the agreement is for September the 26th through the 29th, a day before to allow for setup and a day after to allow for clean up.

This is the second year that this event will have been held at Sedgwick County Park and it's well received, well attended. The group is very responsible and we would recommend you approve the agreement and authorize the Chairman to sign."

Chairman Norton said, "Commissioner Winters."

Commissioner Winters said, "Thank you. And Ron, I assume that you wouldn't bring this before us if it didn't have all the necessary documentation, insurance and all that stuff now has been taken care of."

Mr. Holt said, "This has been thoroughly reviewed by the Finance Department from a financial consideration, as well as the Legal Department, including the certificate of insurance that includes the Board of County Commissioners as an additional insured."

Commissioner Winters said, "All right, thank you."

MOTION

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

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Chairman Norton seconded the Motion.

Chairman Norton said, "I have a Motion and a Second. Any discussion? The only concern I had on this was that we deferred it and now they've got advertising and everything going and now we could derail the whole thing by not accepting this today. That puts us in a little bit of a precarious situation, although I think they've got everything lined up, I've seen the promotions on television, I've seen signage up that it's going to happen, and yet we haven't authorize the agreement, so a pretty precarious situation. Just a comment. Clerk, call the roll."

VOTE

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

Chairman Norton said, "Thanks, Ron. Next item."

I. DIVISION OF HUMAN SERVICES.

DIVISION OF HUMAN SERVICES: DEPARTMENT ON AGING

1. AGREEMENT WITH KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES FOR DEPARTMENT ON AGING TO RECEIVE AND DISTRIBUTE USDA COMMODITIES.

Mr. Ray Vail, Director of Finance, Department on Aging, greeted the Commissioners and said, "This agreement is with SRS for delivery of USDA commodities. The contract allows for coordination of volunteer pickup with small cities in Sedgwick County and outside the city limits.

This is an income based program that allows eligible consumers to receive food products. Both Finance and Legal have approved it and we ask that you approve the agreement and authorize the Chair to sign and I'll answer any questions."

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

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Commissioner Sciortino returned at 10:57 a.m.

MOTION

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

Commissioner McGinn seconded the Motion.

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

VOTE

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

Chairman Norton said, "Next item."

2. AGREEMENTS (EIGHT) TO PROVIDE DELIVERY OF USDA COMMODITIES.

- **CITY OF VALLEY CENTER**
- **BENTLEY UNITED METHODIST CHURCH**
- **MULVANE AREA VOLUNTEER SERVICE**
- **ST. JOSEPH CATHOLIC CHURCH**
- **CHENEY FOOD BANK**
- **CITY OF CLEARWATER**
- **COLWICH COMMUNITY SENIOR CITIZENS**
- **MOUNT HOPE SENIOR CITIZENS**

Mr. Vail said, "This agreement is with the rural community groups for delivery of the USDA commodities. The contract allows for distribution of donated commodities. It's an income based program. It's been approved by Finance and Legal Departments and we ask that you approve the agreement and authorize the Chair to sign and I'll answer any questions."

Chairman Norton said, "Will of the Board?"

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MOTION

Chairman Norton moved to approve the Agreements and authorize the Chairman to sign.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Chairman Norton said, "Next item."

3. GRANT APPLICATION TO CORPORATION FOR NATIONAL COMMUNITY SERVICE FOR FUNDING OF THE RETIRED SENIOR VOLUNTEER PROGRAM.

Mr. Vail said, "This is a grant application to the Corporation for National Community Service for the Retired Senior Volunteer Program, RSVP. The purpose of this grant is to fund the RSVP program in Sedgwick County. The current sponsor of the program has chosen not to continue sponsorship for fiscal year 2004.

RSVP serves about 1,500 older volunteers, 55 years and older, doing meaningful volunteer activities in various community facilities and assisting the mentally and physically impaired, daycare centers and many other community organizations. As the recognized leader in aging services, we are applying for this grant to maintain the program in Sedgwick County.

In addition, two full-time employees will need to be added to the staffing table, contingent on approval of the grant application. Both Finance and Legal have approved this grant and we ask that you approve the agreement and authorize the Chair to sign and I'll answer any questions."

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

Commissioner Winters said, "Is there anyone in the audience that wants to speak to this?"

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Chairman Norton said, “We can certainly open it up to that. Are there those in the audience that would like to speak to this issue on the grant application? I see none.”

MOTION

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

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Chairman Norton said, “Thank you, Ray. Next item.”

DIVISION OF HUMAN SERVICES: COMCARE

- 4. AGREEMENT WITH DERBY UNIFIED SCHOOL DISTRICT (USD) 260, HAYSVILLE USD 261 AND MULVANE USD 263 TO PROVIDE MENTAL HEALTH SERVICES TO SEDGWICK COUNTY STUDENTS OF THE TRI-CITY DAY SCHOOL.**

Mr. Tom Pletcher, Clinical Assistant Director, Comprehensive Community Care (COMCARE), greeted the Commissioners and said, “The Tri-City Day School is a cooperative effort between the three school districts of Derby, Haysville and Mulvane and COMCARE. It’s a day school special

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education program that began in 2001 for severely emotionally disturbed students between the ages of five and twenty-one and serves up to thirty students who need increased structure.

The renewal of this agreement is to meet the mental health needs of Sedgwick County students attending the Tri-City Day School and developing a unified, integrative program to provide educational and behavioral health care services to students in a therapeutic school setting. I'd be happy to entertain any questions about this renewal."

Chairman Norton said, "I see none, but I continue to be very supportive of this because it is one of those collaborative efforts. We continue to talk about lack of funding and needing partnerships and this is a good example of that, where three school districts have pulled together and brought the capacity along with the county together to serve some underserved. Commissioner Sciortino."

Commissioner Sciortino said, "Just to . . . I had a chance here just last week to talk to Mike Palmarico, who is the superintendent of 260 and they're very pleased with the way this thing is working, so naturally I'm going to be very supportive. It does seem that they've been able to come together and get some economies of scale and the key issue is we've got a segment of our population that needs this service and it just seems to be working very well."

Chairman Norton said, "Well, when we talk about special needs kids and kids at risk on certain things, if everybody tries to do it in a silo it's very, very expensive and I think that's what we're finding out in outlying school districts that we try to provide these special services in every school district, it's very expensive. So to pull it all together certainly is an economy of scale and it makes a lot of sense. What is the will of the Board?"

MOTION

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

Chairman Norton seconded the Motion.

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

VOTE

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

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Chairman Tim Norton

Aye

Chairman Norton said, "Next item."

5. **COMCARE AGREEMENTS (TWO) WITH COMMUNITIES IN SCHOOLS OF WICHITA/SEDGWICK COUNTY, INC. RELATED TO THE COMCARE CAMPUS CONNECTIONS PROJECT.**
 - **PROVIDE PROFESSIONAL EVALUATION SERVICES**
 - **PROVIDE PROFESSIONAL CONSULTATION AND TRAINING SERVICES**

Mr. Pletcher said, "Commissioners, in 1999 the state legislature established the School Violence Prevention Funds following the events at the Columbine High School in Colorado. One way that these funds have been used locally has been to evaluate the Campus Connections program, which is a collaborative effort between COMCARE, Wichita Public Schools, Family Consultation Service, the Mental Health Association and Communities in Schools that was initiated during the 2001/ 2002 school year.

COMCARE has contracted with Communities in Schools to provide support and evaluation to the Campus Connections program. Through the renewal of this agreement, Communities in Schools will provide the evaluation services for the Campus Connection program, through the violence prevention grant funds received from the state.

The program encompasses the provision of a full array of community-based services that are provided in eight schools, with the participation of one affiliate, Family Consultation Services, providing therapeutic support and a business partner, the Mental Health Association, providing attendant care and parent support.

Due to Communities in Schools knowledge of the district, and their own support efforts provided in many schools, it was determined that they would be the best resource for evaluating this larger project of Campus Connections.

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The areas that are evaluated as far as outcomes go for this project include the academic performance of students, the attendance performance of students, as well as behaviors of the students involved. I'd be happy to entertain any questions that you have."

Chairman Norton said, "I see none. What is the will of the Board?"

MOTION

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

Commissioner Winters seconded the Motion.

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

VOTE

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

Chairman Norton said, "Thanks. Next item."

- J. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE, WITH DONDLINGER AND SONS CONSTRUCTION CO., INC. FOR SEDGWICK COUNTY PROJECT 636-25, 26; RAILROAD GRADE SEPARATION AT 71ST STREET SOUTH (GRAND AVENUE IN HAYSVILLE) AND THE UNION PACIFIC RAILROAD. CIP# I-78. DISTRICT #2.**

Chairman Norton said, "Are we done?"

Commissioner Sciortino said, "We're done with this gentleman."

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Mr. Pletcher said, "I'm sorry. I thought we had a third one on training for Communities in Schools. Were both of those . . .?"

Commissioner Winters said, "Those went together."

Commissioner Sciortino said, "We just approved both of those anyway."

Mr. Pletcher said, "That works for me."

Chairman Norton said, "You got out easy."

Commissioner Sciortino said, "Great report on that training service."

Chairman Norton said, "They were lumped all together as one item. Next item. Did we already called it?"

Mr. David Spears, P.E., Director/County Engineer, Public Works, greeted the Commissioners and said, "Item J is a modification of plans and construction, request number one for the Sedgwick County railroad grade separation project at 71st Street South, which is Grand Avenue in Haysville, and the Union Pacific Railroad designated as I-78 in the Capital Improvement Program.

There will be a net increase of \$28,338 due to variations in plan quantities from actual field measurements, for a crossroad pipe and the need to further stabilize drainage pipe bedding at the Cowskin Creek crossing of the railroad. I recommend that you approve the modification and authorize the Chairman to sign."

Chairman Norton said, "I see no questions. I would make the Motion, but this is a pipe that we found out, once we got ready to pull it out and replace it, was not near as long or as big as it needed to be. Is that correct, Dave?"

Mr. Spears said, "Well, yeah we call it a culvert pipe but the actual size of it is 12 feet by 13 ½ feet, so that's a pretty good size pipe and that's why it's a substantial increase in the cost. It has to be longer than was originally anticipated and we had to put in some rock bedding for stabilization, which was not also anticipated. That happens quite often when you get down and find out that you're in mud or sand and you have to stabilize the base so the pipe will stay there and not settle."

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MOTION

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

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Chairman Norton said, "Thanks, Dave. Next item."

K. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF SEPTEMBER 18, 2003.

Mr. Jerry Phipps, Purchasing Agent, Purchasing Department, greeted the Commissioners and said, "You have the Minutes of the September 18th meeting of the Board of Bids and Contracts and there were two items for your consideration.

**1) COURTHOUSE MAIN ENTRANCE- FACILITY PROJECT
FUNDING: CAPITAL IMPROVEMENT PROJECT**

Item one is courthouse main entrance revamp for Facility Project. It was moved to accept the low bid, including alternates one, two and three from Eby Construction for a total of \$1,224,100.

**2) SOFTWARE UPGRADE, MAINTENANCE & SUPPORT RENEWAL
FUNDING: SYSTEMS & SECURITY**

Item two, software upgrade, maintenance and support renewal for the Division of Information and Operations. It was moved to accept the quote from PCI Incorporated in the amount of \$25,200.

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I'll be happy to take questions, and recommend approval of the September 18th meeting of the Board of Bids and Contracts."

Chairman Norton said, "Talk a little bit about item number one. I understand that this came in a little higher, all the bids came in a little higher than our expected engineering estimate. Is that correct?"

Mr. Phipps said, "I'm going to have to refer it to Stephanie Knebel on this project."

Ms. Stephanie Knebel, Director, Project Services, greeted the Commissioners and said, "I didn't hear all of your question, but I think it was the low bid coming in higher than anticipated. Yes, that is correct and there is the follow on consent agenda item to increase the project budget to accommodate that higher cost."

Chairman Norton said, "What is our general policy, as far as coming in over the estimate? Do we generally accept or do we generally deny and rebid? Is there a thought process there? I just want to make sure we make this public, as we accept this because there may be some questions later."

Ms. Knebel said, "We have done a number of things. It depends on how much, but generally speaking, if everybody is in agreement with the scope and the work that's included in the project and we've done our work on getting what we believe is an accurate estimate, we proceed with going out for bid.

If bids come in higher than expected, we step back and we review the scope of work, we review the specifications and if we still believe that that truly is the work that needs to be done, typically in the past we have simply increased the project budget. I can't remember an example of where we reject bids and do it over again. That's not generally a good practice."

Chairman Norton said, "Okay. Commissioner Winters."

Commissioner Winters said, "Thank you. Well, I guess a couple of comments and you know, and I guess not to disagree with Stephanie, but I mean we had a couple of bridge projects here earlier that were over estimates and we did back up and say, 'Hey, we're going to take a re-look here and see if we can't do' and then when we found out we couldn't do any better, that seemed to be the price, well we eliminated a part of a project to make sure that we were in budget. So, I think we can do multiple kinds of things, from deciding to re-bid, but I guess we need to remember that that first estimate is just that, it's an estimate and we like them to be as accurate as possible, but once you put the bids out, you certainly can get something else.

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Now it is my understanding that I think we have had some of the projects that are going on here in the courthouse have come in under their projected budgets. And so, if you look at the courthouse as the entire complex, and what monies we've been spending to make sure this building stays modern and up to date and a good facility, I think money can be shifted from some of those projects that came in under to this project without really affecting our overall Capital Improvement Program. Is that correct, Mr. Manager?"

Mr. Buchanan said, "That's absolutely correct. Even with this shift, we're still on this entire complex that we've done over the last several years and that bond issue, about half a million dollars less than what we originally estimated."

Commissioner Winters said, "Thank you."

Chairman Norton said, "Commissioner Sciortino."

Commissioner Sciortino said, "Well, that was the comment I was going to make because I asked Kathy Sexton when this thing was on here and I think this particular item is a couple of hundred thousand above what they had estimated, but overall, she agreed with the manager's figure that this entire project, which is renovation including the 5th floor and the judges and the entranceway and the whole thing, is going to probably come in at under 500,000. So I was real comfortable with this and had no problem with it, but your point is well taken.

I mean, they just don't automatically accept a bid substantially higher. They always come to us to approve or disapprove or defer. I think we're going to have adequate information or adequate time, if we take exception. Tom's right, on those two bridge projects we said 'Hey, that's too much, wait a while and bid it again' and it came in at the same bid so I guess there wasn't any reason to wait. But anyway, that's all I had to say. I think, overall, we've done a tremendous job in what we've attempted to do in this building."

Chairman Norton said, "Dave, did you have a comment?"

Mr. Spears said, "Commissioner Sciortino just said it. Commissioner Winters had skipped that point that we re-bid those bridge projects about six months later, hoping for a better price. The contractors had said they'd have a lighter workload and the bids came in exactly, to the penny, the same price they did six months earlier. So we, basically, we wasted six months of time and it was a

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redundant process.”

Commissioner Sciortino said, “Well, maybe in retrospect we wasted, but I still think it was smart of us to at least try to see if we could get a lower price, but you’re right, the end result is it was delayed six months.”

Mr. Spears said, “When I say wasted, I was talking about a good six months of good weather to construct the bridge.”

Chairman Norton said, “Well, I’m going to be supportive of this. I just want to be sure that we have the dialogue and talk about it because we’ve had some others where it was over and we rejected the bids and started over. I think it’s imperative that if we don’t do this, we move forward.

The other part of it is that it gets to be expensive for people to put the bid process together and keep submitting bids and not getting them. I mean, you’ve got five or six companies. Before long they’ll say, ‘I’m not submitting a bid because they just keep asking me to keep putting this back together’ and it does cost them money. What is the will of the Board?”

MOTION

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

Commissioner Unruh seconded the Motion.

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

VOTE

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

Chairman Norton said, “Next item.”

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CONSENT AGENDA

L. CONSENT AGENDA.

- 1. Two Temporary Construction Easements for Sedgwick County Project #624-14, drainage improvements on Pawnee between 199th and 183rd Streets West. District #3.**
- 2. Notices of Hearing (two) for October 22, 2003 post annexation public hearings.**
- 3. Section 8 Housing Assistance Payment Contracts.**

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V03059	\$562.00	2	Chapel Ridge Apts.
V03070	\$599.00	2	SRB Rental Houses
V03071	\$265.00	5	Coffey Management LLC
V03072	\$650.00	2	Glenn E. Bridwell
V03073	\$475.00	Butler	John E. Wilkinson
V03074	\$421.00	Butler	Behnaz Raisdana
V03075	\$275.00	5	Cottage Grove
V03076	\$116.00	5	Springcreek Apts.
V03077	\$509.00	5	Hearth Hollow Apts.
V03078	\$266.00	5	Springcreek Apts.
V03079	\$545.00	5	Helms Properties
V03080	\$489.00	2	Arthur Hayzlett
V03081	\$185.00	5	Cottage Grove
V03083	\$450.00	5	William Favreau
V03084	\$340.00	5	Springcreek Apts.
V03085	\$285.00	Butler	Brookside Cottages
V03087	\$300.00	Butler	Walnut River Residences

- 4. 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>
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V020066	\$302.00	\$91.00
V010150	\$233.00	\$228.00
V2092	\$308.00	\$261.00
V2069	\$345.00	\$315.00
V2093	\$550.00	\$550.00
V010156	\$227.00	\$233.00
V99053	\$289.00	\$357.00
V2070	\$270.00	\$284.00
V20070	\$550.00	\$550.00
V20101	\$320.00	\$311.00
V20102	\$365.00	\$365.00
V020065	\$160.00	\$160.00
V2000	\$280.00	\$305.00
V020012	\$498.00	\$567.00
V99076	\$341.00	\$366.00
V98004	\$163.00	\$188.00
V01071	\$253.00	\$278.00
V03034	\$700.00	\$700.00
V03046	\$312.00	\$301.00
V03070	\$596.00	\$414.00
V2047	\$298.00	\$443.00
V01072	\$246.00	\$271.00
V99035	\$136.00	\$161.00
V99039	\$253.00	\$278.00
V01032	\$103.00	\$375.00
V020085	\$202.00	\$273.00
V03051	\$183.00	\$235.00
V03070	\$599.00	\$517.00

5. **Agreement with Dr. Heidi Steinshouer to provide psychiatric services for COMCARE patients.**
6. **Agreement with David Hon, M.D. to provide services as Assistant Medical Director for COMCARE.**

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- 7. Amendment to the Capital Improvement Program (CIP) to provide additional funding for the Courthouse entrance expansion project.**
- 8. Order dated September 17, 2003 to correct tax roll for change of assessment.**
- 9. General Bills Check Register(s) for the week of September 17 – 23, 2003.**

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

Chairman Norton said, “The will of the Board?”

MOTION

Commissioner McGinn moved to approve the consent agenda as presented.

Commissioner Winters seconded the Motion.

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

VOTE

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

Chairman Norton said, “Is there any other items to come before us today? Commissioner Winters.”

M. OTHER

Commissioner Winters said, “This is the ‘Other’ other section?”

Chairman Norton said, “This is the ‘Other’ other section.”

Commissioner Winters said, “Well, I just wanted to remind anyone that may be watching that we

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are not meeting next Wednesday. Several of us are going to participate in Lieutenant Governor John Moore and Governor Kathleen Sebelius' Prosperity Summit that's going to be here in Wichita and there are . . . several of us have been active participants in economic development, job creation, job growth. I think all of our commission is interested in moving plans forward and it appears that next Wednesday morning there will be that Prosperity Summit here and we'll be participating in that as opposed to being here at our meeting."

Chairman Norton said, "And before we move on, just to dovetail on that, I talked to Lieutenant Governor Moore at the Aviation Festival. He's had eight mini-summits with over 1,500 participants throughout the state and this summit that will be in Wichita will be the culmination of all those smaller summits and hopefully will set the state out on a pretty aggressive economic development plan. And I think it's pretty powerful that you brought that many people around the state together on one single issue."

Commissioner Winters said, "And next Wednesday is October 1st, isn't it? Yeah, it's next Wednesday. Making me nervous."

Chairman Norton said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you. I just wanted to make a comment that we were all out at the Aviation Festival and enjoyed the festivities there and just want to make a comment that I'm proud of our Air Force and the planes they fly and the way they fly them. That Hornet flies so fast you can't see it and then it flew so slow I thought it was going to fall out of the sky. I'm just absolutely amazed at what they can do. But it was a good event. I'm glad that Sedgwick County participated and I think it's going to just get bigger and better, so happy about that."

Also wanted to comment that Sedgwick County Zoo just received their American Zoological and Aquarium Association accreditation. It's a very long exercise, very stringent standards that they have to meet. And they just got that at a meeting up in Columbus, Ohio and Gale Malone, who is chairman of the board of directors of the Zoological Society was there, along with Mark Reed and others. And we didn't have to make any follow up reports or anything and our zoo is very well respected across the United States. And even to the point that our director was at a meeting recently where the zoo director of Zurich, Switzerland was there and he said, 'We're going to build a lion exhibit, I've heard that yours is the best there is' and so he wanted the plans for our lion exhibit to take back and build one in Zurich, Switzerland. So, it's a real compliment to our zoo and the citizens of Sedgwick County really need to be proud of that asset.

One last thing, the Bel Aire Days are this weekend, big parade, I get to ride in the parade, so if

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anybody doesn't have anything to do, well come up to Bel Aire on Saturday. The parade starts at 2:00 and right after that parade, I get to be a judge in the Dutch Oven competition. That's going to be great. Anyway, looking forward to a big day in Bel Aire. That's all."

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

Commissioner Sciortino said, "Well, I just want to say something about the air festival too. As you know, I was the single vote that didn't vote for us to participate funding it. It was done, at least for me, for justifiable reasons. But this is only I think the second year of the citywide or community wide participation and I was really impressed over how well, overall . . . there was one notable exception that we don't have to visit on here, but how well it got carried off because it was a fun time. You don't really realize how fast people jumping out of planes fall until they have smoke streaming from their ankle, and when they dive down head first and you see that smoke and how fast they're coming down, and then they wait . . . I don't know how far it was before they pull the shoot, 1,000 feet or something, but those cadets on that parachute drill team or whatever they call it, that was awesome.

And the sound of freedom, when that B-1 puts its wings back and lays its ears back, I mean it can scream and I think on purpose they said, 'Now if you'll look to your right' and then the thing came from the left and I loss my can of Coke right there. But it was beautiful. It was a fun time. This is something that for many, many years, 20-30 years, McConnell used to do kind of on their own, an air show or something and I think this really does have some tremendous capabilities of expanding and maybe even really attracting a lot of people eventually from outside of Sedgwick County to come and spend the weekend and that's real economic impact in this area. So I have a sneaking suspicion if we do something next year I probably will vote for it. That's all I have."

Chairman Norton said, "Good. Commissioner McGinn."

Commissioner McGinn said, "I just want to say, last weekend Valley Center and Sedgwick both had their festivals and great weather for it, great turnout for both of them. And Dave, I'll just share, don't run out of candy. I did again. I just give too much out early on, I think is my problem. But anyway, make sure you have plenty of candy."

Commissioner Sciortino said, "And then double it, whatever you think is enough."

Commissioner McGinn said, "And it was a busy weekend. We had the air festival activities. I had the opportunity to go to the Plane Crazy event Saturday night and that seemed to go very well

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too. The planes went from \$1,250 to I believe almost \$7,000 for some of them.”

Commissioner Sciortino said, “Who bought ours, do you remember?”

Commissioner McGinn said, “Les Eck bought ours and they’re trying to decide whether they’re going to display it in their new facility. We shared with them that if that didn’t work out, we would display it in the front of Cowtown. So, that money did go to Cowtown, as we decided that’s where that would go. And all these planes went to non-profit organizations, the money for that. So it was really a neat event that evening.

And then the other thing I was just going to share, I’m going to be out of town and I planned being out of town for about five months now and that’s why I won’t be at the economic summit but I want to say publicly thank you to John Moore, Lieutenant Governor and also our governor for doing this. I don’t know that this has been done in the past and I think it’s an asset that we have. Lieutenant John Moore from Wichita, to kind of help bring Wichita up to that northeast part of the state and share many of the things that are going on here and so I’m glad that I’m sure most of you are going to be able to attend and I think that’s going to be a great event for our state and our community. Thank you.”

Chairman Norton said, “Commissioner Winters.”

Commissioner Winters said, “Well, thank you Mr. Chairman. I just realized since we’re not going to meet next week, the weekend of October 4th both Maize and Goddard are having their fall festivals. So for folks out there in the Maize, Goddard area, October 4th is going to be a good weekend.

Back to the Aviation Festival, one last time, you know we had a lot of activities, a lot of Sedgwick County events going on and I wanted to thank Mike Pepoon for all of his work in working on this Aviation Festival, along with Andy Schlapp and Kristi Zukovich. They made our portion come off a lot better than I had feared it would, but it went very smooth and it was, again, a very good event and I’m glad we participated, I’m glad all the employees that helped make it work were doing their job, so thanks.”

Chairman Norton said, “Well I think, just a comment on the Aviation Festival, I think the numbers were excellent. I heard 35,000 people the first Friday night, which is a lot for the first night festival. That was brand new and then over 100,000 the Saturday and then Sunday, because of the rain, it was down but those are tremendous numbers of people and pretty exciting.

Carolyn and I did have a chance to go to the Planet Hollywood event and they had 560 people at that gala. That’s a large amount of folks for the first event, and raised \$78,000 by selling the planes that we’d all committed for, so I thought that was really good.

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Last week, Tom and I were at a human services summit in Topeka that brought together 25 county commissioners and all the human service heads at the state level to try to understand and develop a new way of delivering human services that is not only good for the constituents, but cost effective and eliminates the bureaucracy that we all have to kind of wrestle with some times. I don't know, Tom you may have a . . . You didn't talk about it, but you may have some thoughts on that too."

Commissioner Winters said, "Well, I thought it was a very good meeting that started a real dialogue between state and counties on let's try to get over the money issues and the reduction of funds and let's try to start talking about how we can do things differently and try to save some money and yet deliver more services. And so, I thought it was a very good beginning meeting. I anticipate that at our annual Kansas Association of Counties meeting in November we'll continue that dialogue with the secretaries, the cabinet level secretaries of the state in really realizing that counties are where the deliver of much of the human services functions come and I think those secretaries indicated their willingness to continue the dialogue and to really work with counties in a much perhaps different method."

Chairman Norton said, "I thought it was encouraging. I sat next to Janet Schelansky during the keynote presentation and there were several issues where it really talked about local government taking control of it and her head was nodding quite a bit that in the idea that maybe it's too top down in some cases and that they need to put a little more impetus on what local government has to do, particularly without the funding that they've cut from us.

So the good thing is that all the department heads and the secretaries of the different agencies were there and I think we started a great dialogue. It was just a beginning, but at least we're talking now. It's not a us against them kind of thing, it's not a Topeka against all the counties. I think we had some really good dialogues to start the day and then in the afternoon we broke up into small sessions, trying to chew up the elephant in smaller pieces.

Tomorrow I'm going to be at a government relations meeting. That's a small group, one county commissioner, one city official that had been appointed by the governor, with some other legislative kinds of folks to start working on government relations on how cities and counties and state get along, how they get out of each others kitchens and help each other, as opposed to getting in each others way. I think that will be encouraging.

Saturday I'll be speaking to the State Pride Convention on small communities and the Pride organization. And the last thing I've got is if you don't have anything to do Saturday night, after you've been to festivals and everything, Haysville is having casino night to raise money for their Pride group. So, if you have a little time you can stop by, 7:00 at Saint Cecilia's Church and get some fake money and they have an auction at the end. It should be a good, fun time. It's not going

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to be Las Vegas, but probably as close to Las Vegas in Sedgwick County as you'll get on Saturday night. That's all I have. Anything else? We're adjourned."

N. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 11:25 a.m.

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

TIM NORTON, Chairman
Second District

THOMAS G. WINTERS, Chair Pro Tem
Third District

DAVID M. UNRUH, Commissioner
First District

CAROLYN McGINN, Commissioner
Fourth District

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BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2003