

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



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Meeting Minutes

Wednesday, June 13, 2018

9:00 AM

BOCC Meeting Room

Board of Sedgwick County Commissioners

Pursuant to Resolution #007-2016, adopted by the Board of County Commissioners on January 20, 2016, members of the public are allowed to address the County Commission for a period of time limited to not more than five minutes or such time limits as may become necessary.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Sedgwick County, should contact the office of Crissy Magee, Sedgwick County ADA Coordinator, 510 N. Main, Suite 306, Wichita, Kansas 67203. Phone: 316-660-7056, TDD: Kansas Relay at 711 or 800-766-3777

Email: Crissy.Magee@sedgwick.gov, as soon as possible but no later than 48 hours before the scheduled event. Please include the name, location, date and time of the service or program, your contact information and the type of aid, service, or policy modification needed.

ORDER OF BUSINESS

CALL MEETING TO ORDER

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:09 a.m. on JUNE 13, 2018 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman David T. Dennis, with the following present: Chair Pro-Tem Commissioner David M. Unruh; Commissioner Michael B. O'Donnell II; Commissioner Richard Ranzau; Commissioner James M. Howell; Mr. Michael Scholes, County Manager; Mr. Thomas Stolz, Deputy County Manager; Mr. Eric Yost, County Counselor; Mr. David Spears, Assistant County Manager of Public Works, Facilities Maintenance, Project Services and County Engineer; Mr. Brent Shelton, Economic Development and Tax Systems Director, Division of Finance; Ms. Joan M. Tammany, Executive Director, COMCARE; Ms. Susan Erlenwein, Director, Environmental Resources; Ms. Cindy Le, Environmental Project Manager, Environmental Resources; Ms. Carli Sanchez, Principal Management Analyst, Division of Finance; Ms. Adrienne Byrne, Health Director, Sedgwick County Health Division; Mr. Justin Waggoner, Assistant County Counselor; Mr. Joe Thomas, Director, Purchasing Department; Ms. Kate Flavin, Public Information Officer; Ms. Lynda Baker, Deputy County Clerk.

GUESTS

*Dr. John Rhodes, President, Derby Historical Museum
Mr. Lonnie Wright, 1721 S. Lulu, Wichita
Mr. Alan Trenary, 1461 N. Burns Street, Wichita
Mr. Marc Hammann, President, Wichita Amateur Radio Club, Inc.
Ms. Teresa Day, Interim Executive Director, Kansas Aviation Museum*

INVOCATION: Pastor Justin Jamis, Mt. Vernon United Methodist Church.

FLAG SALUTE

ROLL CALL

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

Chairman Dennis said, "Next item, please."

PUBLIC AGENDA

Chairman Dennis said, "Thank you. We have a couple people signed up to speak on the public agenda today. First of all is Mr. John Rhodes. If you'd approach the podium and please state your name for the record.

Dr. John Rhodes, President, Derby Historical Museum, greeted the Commissioners and said, "Actually, I'm here just to support your item E on the agenda, so if we could wait and speak at that time."

Chairman Dennis said, "You are welcome to wait until that time. I'll give you three minutes at that time then."

Dr. Rhodes said, "Thank you."

Chairman Dennis said, "Thank you. Okay, next we have Lonnie Wright. Would you please approach the podium. We all know who you are Lonnie, but please state your name for the record."

Mr. Lonny Wright, 1721 S. Lulu Street, greeted the Commissioners and said, "Last week there was some criticism about a Commissioner taking action without the rest of the Commissioners knowing about it. I'm also concerned about this. Although each Commissioner just has one vote, that a Commissioner can direct Citizen Boards on what they can propose in codes negates that. I'm specifically talking about Commissioner Howell and the Plumbing Board [Board of Appeals of Plumbers and Gas Fitters] and Commissioner Ranzau with the Wastewater [Advisory] and [Water] Well [Construction Advisory] Boards.

"I feel these boards should be able to provide their advice to you, and that the directions of the Commissioners, which I presume is being made in your behalf, or that's the way it's understood, and that you don't know about it. I think that those items should be separated. To me, this reminds me of like 2016. At the end when the Commissioners saw they were losing the majority, they rushed through a bunch of actions. With the new majority, I had hoped that they would just reverse all of them, but you've taken them slowly and deliberately and evaluated them, like today's vaping thing. Both Commissioners Howell and Ranzau are facing perhaps tough elections. I feel we're seeing a replay of strong actions, and that their proposals should be identified separately from what the Citizen Board recommend. Thank you."

Chairman Dennis said, "Thank you, Lonnie. Appreciate it."

Mr. Wright said, "I expected Commissioner Howell to talk. Commissioner Ranzau, I would like to add that I feel I'm friends, good friends with both of these guys, so it's just on this issue."

Chairman Dennis said, "Commissioner Ranzau."

Commissioner Ranzau thanked the Chairman and said, "On the wastewater issue, what exactly are you concerned about? Are you talking about the recent thing we just did here?"

Mr. Wright said, "Your changes to the codes. This has been going on about a year as I have been attending them. Wanting less, wanting them to change what the code requirements are, you know, we see the sheets with the red lines and the directions that you've made that I know you feel are proper and less restrictive and doesn't really hurt safety or protection."

Commissioner Ranzau said, "Right."

Mr. Wright said, "But the Citizen Boards, while they're being obedient, that is not what they agree. I think their recommendations to retain what they feel is safe and proper

should be presented separately from what your directives are.”

Commissioner Ranzau said, “Okay.”

Mr. Wright said, “Thank you.”

Commissioner Ranzau said, “Well just so you know, there’s three different things that we’re looking at. They’ve gone through the Advisory Board multiple times, and I’ve taken...”

Mr. Wright said, “Yes.”

Commissioner Ranzau said, “...many of their recommendations. Only one of them has came forward to actually be changed, and that was one that was supported by the Advisory Board.”

Mr. Wright said, “But they are still looking at the codes...”

Commissioner Ranzau said, “Right.”

Mr. Wright said, “...and your recommendations, and they come back the next meeting and it’s no, now this is what Commissioner Ranzau says, and they have a feeling that they’re receiving direction from the whole Commission, and I don’t think the other Commissioners are aware of what your directives are. I think those should be separated when we consider them for action.”

Commissioner Ranzau said, “Okay, well the thing is it’s not uncommon for a Commissioner to take a lead on a particular issue, whether it’s this or some other sorts of things. At various times throughout the past, the Commissioners had been briefed on this, and certainly if it ever comes before the Commission, then they’re totally briefed on those things and then it’s a Commission decision, you know, yea or nay.”

Mr. Wright said, “Alright, well thank you.”

Commissioner Ranzau said, “Yes.”

Chairman Dennis said, “Thank you. Commissioner Howell.”

Commissioner Howell thanked the Chairman and said, “I just want to say, Lonnie, I do appreciate you, and we are friends, even though we may disagree on things, it’s fine. I think it’s fine that you came to our meeting this morning and shared that. I do think that the public might be wondering, scratching their head a little bit about the plumbing reference. I just want to let the listeners know, there’s two plumbing codes. There’s a Uniform Plumbing Code (UPC) and an International Plumbing Code (IPC). They are used in various places across the country, and right now in Sedgwick County, we have what’s called a dual code opportunity, although the International Plumbing Code has not had any amendments, we’re simply using the code as it was published. I’ve been working with our staff for almost three years now, trying to see if there is a way for us to allow International Plumbing Code in Sedgwick County primarily because I think it’s good for consumers, and it’s good for builders and developers. It’s an economic development perspective, I think that it’s a good code and it works.

“It’s not perfect, and so it does require some amendments, but we’ve been working for three years now trying to get that proposal completely to the end point. We’re still not

quite there yet. So I appreciate the work of the board. I appreciate the work of staff, I appreciate you, Lonnie, but this is a, ultimately it's a policy choice by the Commission. We've got to get that thing packaged up in such a way that the Commission has a chance to actually vote on those opportunities as they come, and the full Commission will at some point be fully briefed and fully make a policy decision on those points if that's what's good for Sedgwick County. But, so it's not me making things happen, I'm simply, you know, offering ideas and things I think are interesting, at least to me. Whether my colleagues agree or not, we'll have a chance to see that in the future. So I do think that right now International Plumbing Code is something I would like to see, not just allowed to be used but also amended so it's more usable, and my opinion on the Uniform Plumbing Code is the same. I think there are some changes that have been made that don't need to be made on the Uniform Plumbing Code to make it more usable.

"Ultimately maybe we'll end up at the same point in two different directions, it's possible. Nevertheless, it's a good discussion, and I'm not against the board, I'm not against you, and I appreciate the work of our staff and the work of the board. We'll have the chance to look at those things as a Commission at some point in our future. So that's how the process works. There's nothing wrong with the process, it is working. I have not been personally involved in attending those meetings and demanding anything. I'm allowing them to do their work and bring us their conclusion. So we'll see where that ends up, and hopefully that'll be something we can support."

Mr. Wright said, "You call staff into your office and direct them what you want them to put in the code that gets proposed. I disagree there's an economic concern. I think going to the government code just confuses the whole thing. Trades for over a year have been able to select which code they prefer. "It's like a thousand remain with our private code and only 10 for the government code. So yes, the issue is in controversy, but I think you're having a much stronger hand than what you're recognizing."

Commissioner Howell said, "Ultimately if those ideas are adopted in those amendment packages, that's what the board can choose to do. We have the right to amend them or to accept it or reject it as a board, and that'll happen at some point in our future when they bring us that package. So once again, those are my ideas on the front end trying to incorporate those ideas and something I think would be something the board should consider, and I would like to see them adopt those ideas. But whether they choose to do that or not is up to them. But the end of the day, we've got right to either agree or disagree and potentially even amend their package. So I would like to see that they would at least hear us on the front end if we have an opinion about something. The one thing you're referring to I think is the nail plates. The Uniform Plumbing Code allows smaller nail plates than the International Plumbing Code. For whatever reason they do not amend that into the package and I think they should have. If the smaller nail plates are good for Uniform Plumbing Code, they should be allowed for International Plumbing Code, and for whatever reason, they didn't do that."

Mr. Wright said, "You should be aware that the nail plates are something nationally that have been re-looked at. We particularly had that in the mechanical code. Both codes have come out since the international codes, the firemen took over for that, they've gone to safety, which has increased the cost, so both codes have dealt with the nail plates. I don't see that as a real issue. You're not presenting your ideas, you're giving directions, and I think that's what the difference is. The board doesn't really have an option. The staff reports to us what they're told that you want in the code."

Commissioner Howell said, "Okay."

Mr. Wright said, "So I would like it distinguished from what your ideas are from what your directions are."

Commissioner Howell said, "Okay, well I work with my staff and I give them my ideas, and they take that back and forth and you can certainly ask them. I appreciate your opinion, but I disagree with your opinion, so thank you for sharing this morning."

Mr. Wright said, "So you feel the plumbing board does not have to accept your directives or your ideas."

Commissioner Howell said, "They do not have to accept my directives. Those aren't directives anyway. They don't have to accept my ideas. If they don't want to, they don't have to do that, that's true."

Mr. Wright said, "Thank you. I just want to reiterate I do feel I am friends with both Commissioner Ranzau, good friends with Commissioner Ranzau and Howell."

Commissioner Howell said, "By the way, you still owe me a hamburger. I took him out last time, and we both enjoy hot hamburgers, and so..."

Mr. Wright said, "True."

Commissioner Howell said, "...it's your turn now, so let's do that again soon, okay?"

Mr. Wright said, "Alright."

Commissioner Howell said, "Thank you."

Commissioner Howell said, "Lonnie, thank you very much. For those who don't know Lonnie, he's probably the most informed citizen in Sedgwick County."

Mr. Wright said, "I greatly enjoy our meetings. I've attended, in October I will have attended the [Wichita] City Council meetings for 20 years and attended our meetings for seven years. Certainly I've learned a lot. I wish more of our citizens could be aware of how complicated our businesses are and all the services that we do. It's a real interesting story, and I'm pleased that we have responsible electeds that help us make those decisions. I enjoy it. Thank you."

Chairman Dennis said, "Thank you, Lonnie. We respect your comments. Okay, that was only two folks that had signed up on the public agenda. Is there anyone else in the audience that wishes to speak at this time? Sir, if you'd approach the podium and state your name for the record, and you have three minutes."

Mr. Alan Trenary, 1461 N. Burns Street, greeted the Commissioners and said, "I moved here from Colorado back in 2009, 2010. My grandparents lived in Sedgwick County in Wichita. My grandparents lived in Wichita my entire life as I was growing up, and I was in Colorado all this time. The suicide prevention is a big issue with me. My stepfather blew his brains out with a shotgun. He was a Vietnam Veteran, and he had indicated to me there was no problem. Oh let me, I got to go to work now, and go put on his work clothes. He had not had his job for three years and it'd been like three months before he killed himself, and he had been unemployed for three years, but he

very diligently hid this from me. So the suicide issue is a big thing to me. To me, it's like the, if you've ever seen the Bugs Bunny cartoons where the little devil pops up and is whispering in this ear, and the little angel pops up and is whispering in this ear. It's very, it has huge, huge symbolism of what it's like.

"I have struggled with suicidal, you know, thoughts and actions. My entire adult life I've had these issues, and I know how to recognize it, and I handle it. It's ongoing with the cigarettes and cannabis, which is a huge issue to me. I'm a son of a son of a son of a son of a farmer, there's four and a half square miles of land sitting idle in Oklahoma in my family that I would like to be able to grow industrial hemp on.

"You go to the Capital and you look at all the frames, on every place where there is a statue and stuff, there's hemp leaves. If I go out in my garden today and put a pot seed in the ground and it comes up and law enforcement should come around, it would result in civil asset forfeiture and my mother losing her property because this plant came up instead of that plant coming up, or somebody smoking this cigarette instead of smoking marijuana results in them getting arrested. This is a huge, huge trigger for me. Cell phones are a huge trigger for me.

"Three years ago I was taking my daughter to Oregon to do a civilian, she was going to work with children of people doing job training. We were driving up there in Wyoming on I-(Interstate) 80, and I was trying to talk to her, and she was sitting there playing with her cell phone. Yeah, dad. I got mad and started sulking. I fell asleep, crossed over, and before I knew it, the mile marker on the other side of the road was right where the hood meets the fender, took out that mile marker, spun out across the highway, rolled the car three times and I probably have heard 20 words out of my daughter since. Father's Day is coming up this weekend. You want to talk about a trigger. I too appreciate what you all do. I too appreciate city governance, but I want you to be aware, you know, these talking about this and that, these little decisions and stuff like that.

"My emotional companion, the woman that I had a tight relationship with back in Colorado is battling an antibiotic-resistant bacteria that she picked up in the hospital when she had lung cancer surgery to remove part of her left lung, and she's gone from being 120, a hundred and such pounds down to 90, 92, 93, 94, 95, and she can't catch her breath. My mother has COPD (Chronic Obstructive Pulmonary Disease), is on oxygen 24/7 from smoking cigarettes my entire life growing up. It's a huge issue to me, and it's a trigger, so every time somebody is smoking or is using a vape device or every time somebody is smoking a cigarette, it's a trigger. I have to push this stuff down. I am very cognizant of it. I want to, again, express my appreciation for the work that the public servants do, and you know, all the media and all this stuff, I appreciate it tremendously. I appreciate Lonnie. I see him around at all the meetings that I go to (inaudible)."

Chairman Dennis said, "Thank you, sir. Your time is up."

Mr. Trenary said, "Thank you so much for your time and your consideration. I appreciate it."

Chairman Dennis said, "Thank you sir. Is there anyone else in the audience who'd like to speak at this time? Seeing none, Madam Clerk, next item."

CONSIDERATION OF MINUTES

A [18-469](#)

REGULAR MEETING MINUTES OF MAY 23, 2018.

All Commissioners were present.

Chairman Dennis said, "Thank you. All the Commissioners have had a chance to review the minutes from May 23rd, 2018."

MOTION

Commissioner Dennis moved to approve the meeting minutes of May 23, 2018

Commissioner Unruh seconded the motion.

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

VOTE

<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Chairman Dennis</i>	<i>Aye</i>

Chairman Dennis said, "Next item, please."

Approved

PROCLAMATIONS

B [18-479](#)

PROCLAMATION DECLARING AMATEUR RADIO FIELD DAY.

Read by: Chairman David Dennis or his designee.

RECOMMENDED ACTION: Adopt the proclamation.

Chairman Dennis said, "Thank you. I have a proclamation that I'd like to read."

WHEREAS, Amateur Radio operators are celebrating over a century of the miracle of the human voice broadcast over the airwaves; and

WHEREAS, Amateur Radio Operators have also provided countless hours of community services both in emergencies and to other local organizations through the Wichita Amateur Radio Club since 1932, and

WHEREAS, amateur radio provides resources in support of STEM curriculum; and

WHEREAS, Sedgwick County recognizes and appreciates the diligence of these 'hams' who also serve as weather spotters in the Skywarn program of the National Weather Service; and

WHEREAS, the ARRL Amateur Radio Field Day exercise will take place on June 23rd–24, 2018 and is a 24-hour emergency preparedness exercise and demonstration of the Radio Amateurs' skills and readiness to provide self-supporting communications

without further infrastructure being required.

NOW, THEREFORE BE IT RESOLVED, that I, David T. Dennis, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim June 23, 2018, as

AMATEUR RADIO FIELD DAY

and call upon the people of Sedgwick County to acknowledge the importance of amateur radio and amateur radio operators in their Field Day Exercise and encourage schools, businesses, media, religious institutions, civic and service organizations and the general public to join members of the Wichita Amateur Radio Club in celebrating Amateur Radio Field Day.

Chairman Dennis said, "Commissioners, you've heard the proclamation."

MOTION

Commissioner Dennis moved to adopt the proclamation.

Commissioner O'Donnell seconded the motion.

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

VOTE

<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Chairman Dennis</i>	<i>Aye</i>

Chairman Dennis said, "Thank you, and accepting this today is Marc Hammann, President of Wichita Amateur Radio Club. Welcome. If you'd approach the podium, and you may speak if you'd like to."

Mr. Marc Hammann, President, Wichita Amateur Radio Club, greeted the Commissioners and said, "I would like to thank the Board of County Commissioners for their considerations of the amateur radio operators in Sedgwick County and the surrounding area and our field day exercise. It prepares us to better help in the event of emergencies and things to help protect the citizens of Sedgwick County. Thank you very much."

Chairman Dennis said, "Thank you, and thanks for being here today. We appreciate it, and we're honored to pass the proclamation for you, sir. Next item, please."

Adopted

APPOINTMENTS

- C** [18-480](#) RESOLUTION REAPPOINTING SUSAN ERLLENWEIN TO THE DEPARTMENT HEAD POSITION AND TONYA BUCKINGHAM TO THE ALTERNATE ELECTED OFFICIAL POSITION (BOARD OF COUNTY COMMISSION REAPPOINTMENTS) OF THE SEDGWICK COUNTY GRIEVANCE BOARD.

Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

Chairman Dennis said, "Thank you. Mr. Yost."

Mr. Eric Yost, County Counselor, greeted the Commissioners and said, "Item C is a resolution reappointing Susan Erlenwein and Tonya Buckingham to the Sedgwick County Grievance Board. Ms. Erlenwein has been serving in the department head position on that board, and Ms. Buckingham has been serving in the alternate elected official position. Both of their new terms would expire on June 12 of 2020 or at the pleasure of the Board of County Commissioners. I would urge adoption of the resolution."

Chairman Dennis said, "Thank you. We all know both of these individuals very well. I think they'll make great board members."

MOTION

Commissioner Dennis moved to adopt the resolution

Commissioner O'Donnell seconded the motion.

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

VOTE

<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Chairman Dennis</i>	<i>Aye</i>

Chairman Dennis said, "Next item, please."

Adopted

NEW BUSINESS

- D** [18-344](#) CONSIDERATION OF AN EXTERNAL FUNDING REQUEST FOR KANSAS AVIATION MUSEUM.
Presented by: Brent Shelton, Economic Development & Tax System Director, Division of Finance

RECOMMENDED ACTION: Take action as the Commission deems appropriate.

Chairman Dennis said, "Thank you. Good morning, Brent."

Mr. Brent Shelton, Economic Development and Tax Systems Director, Division of Finance, greeted the Commissioners and said, "The item that you have before you now is a funding request from the Kansas Aviation Museum for \$50,000 from 2018 funds. Before I get into a summary of the museum and this specific funding request, I want to

recognize Teresa Day, the Interim Executive Director of the Aviation Museum and Barb Kramer, who is their Operations Director. They're here today in case you have tough questions, I'm going to invite them to the lectern.

"One of the four county's strategic plan priorities deals with cultural experiences and funding and counting support for human services and these cultural experiences. To that extent the county supports things like The Kansas African-American Museum (TKAAM), Sedgwick County Historical Museum and other community events and organizations. This funding request today from the Aviation Museum would be an additional source of county support in that arena, those cultural experiences for the citizens of the county. This funding request from the Aviation Museum is for \$50,000, 2018 funds, and the Aviation Museum's mission is to preserve, inspire, educate and commemorate Kansas aviation history for the future.

"Founded in 1991, the Aviation Museum occupies the former Wichita Municipal Airport Terminal. It's a historic building in its own right, an Art Deco structure, and for almost 20 years, from 1935 to 1954, served as the city's airport. It was, I'm told, one of the busiest airports in the nation in 1944, serving over 90 flights, I'm sorry, one flight every 90 seconds, so it was a very busy airport. A number of famous people have flown through that area, or through that airport. The building itself being an Art Deco structure is on the National Register of Historic Places (NRHP), so we have the historic building housing the aviation history of this region, and preserving that rich aviation history and undying that legacy is probably something that is important to our community. We're known worldwide as the Air Capital of the World.

"Specific to this funding request, the Aviation Museum has a number of exhibits, and they have a five-year plan for restoring, maintaining and enhancing their exhibits at the museum. Part of, also providing funding request through the budget process for 2019 and going forward, but what we're focusing on today is probably the first year of that funding, which would focus this \$50,000 on a couple of specific exhibits, one of which is a historic [Boeing] B-52 [Bomber] that was built at Boeing here in Wichita. Flew several missions during the Vietnam conflict, was retrofitted in the area to handle big bombing payloads and so forth. It was retired, it's now sitting at the museum, but it's outside and it's suffered a lot of deterioration due to the elements and so forth.

"The museum folks want to begin a restoration process, hire some contractors to come in and deal with the corrosion and things like that that are going on. They've got a number of other projects, and those as I said before, will be coming to you as part of the budget process going forward. So what you're looking at today, this item, is \$50,000 to begin those exhibit enhancements and repairs beginning in 2018, to be part of the community funding part of the county budget. So with that, I will open it up, answer questions and seek the will of the board."

Chairman Dennis said, "Thank you, Brent. Questions for Brent? Commissioner Unruh."

Commissioner Unruh thanked the Chairman and said, "You said this is the first year's request. Did you use that phrase? So this is the beginning of how many years of funding requests? Or is this going to be ongoing?"

Mr. Shelton said, "What this, in the application for funding, the museum provided us with a five-year plan, total of \$250,000 was the request in county funding support, [\$]50,000 per year. So this would represent money enough for them to begin the projects that they've identified as their first year's priorities, so funding or approving this funding today does not obligate the county to funding in 2019 or any future years.

Those would be taken up individually on a yearly basis.”

Commissioner Unruh said, “But we will have requests going forward.”

Mr. Shelton said, “Yes.”

Commissioner Unruh said, “I mean, that’s the plan. So this is the first year of at least five years’ worth of requests.”

Mr. Shelton said, “Right.”

Commissioner Unruh said, “I guess since I have the floor, I’ll go ahead and make some comments as I’ve thought about this. I will not be in support of this item, and there’s several reasons, but before I go into those reasonings, I want to say clearly that I know some of the board members of the Kansas Aviation Museum, and I consider them friends. I know that they have a deep commitment, not only to the Kansas Aviation Museum but also to our community, and that’s been demonstrated by their time and their energy and their personal resources in trying to support our community and this museum in particular. But I think that it’s of worthy note that this request came not from the City of Wichita, which my understanding the City of Wichita owns the building.”

Mr. Shelton said, “That’s correct.”

Commissioner Unruh said, “Are they responsible, they are the responsible party for the operation, I mean, ultimately, is that correct?”

Mr. Shelton said, “They own the building, lease it to the museum.”

Audience member said, “Can I answer? Can I respond?”

Chairman Dennis said, “We’ll ask you to speak here in a little bit. Thank you.”

Mr. Shelton said, “If I speak out of turn, she can correct me. What I understand is that the museum receives some funding support from the city, [\$]35,000 roughly a year, but the museum is responsible for, they use that money, I think that money is used for heating and air conditioning and some other repairs, but the museum itself is responsible for maintenance on the building.”

Commissioner Unruh said, “Okay, but the City owns the building, and then the organization owns the exhibits and the airplanes, is that what we understand?”

Mr. Shelton said, “They own some and have some on loan, as I understand it.”

Commissioner Unruh said, “Alright, but ultimately this building is the City’s building.”

Mr. Shelton said, “Yes.”

Commissioner Unruh said, “Okay, and part of their funding request, their long-term request, is to use it for repairs and maintenance on that building as it was presented to me, anyway. They were going to point up some of the bricks and do some, so going forward with this, we’re agreeing to partner with the City of Wichita in taking care of their building and then this agency in taking care of their exhibits and so forth.”

Mr. Shelton said, "I think there are a couple of specific items in those exhibit requests or the five-year plan that were related to the building, one tuck-pointing and then one on I think the main entrance of the facility."

Commissioner Unruh said, "Okay, well it's, I guess I still come back to the point that this is essentially us taking on another cultural enterprise within our community, and it does not come with staff recommendation."

Mr. Shelton said, "Right. We were leaving this to the will of the board to decide whether or not we wanted to do an additional."

Commissioner Unruh said, "Okay, well I'm just saying, most of our agenda items comes with a recommendation from staff. This one does not, and I think that's an important facet of this request for me. I also would say that we, Sedgwick County doesn't have any board members on this board, do they?"

Mr. Shelton said, "I don't think so."

Commissioner Unruh said, "Okay. As I read the contract, it says that the county will pay the Aviation Museum \$50,000. It doesn't say what the money will be used for. There is no performance measurements. It is just an outright grant of \$50,000. I assume that's what the next four years would be. Is that the way you understand it?"

Mr. Shelton said, "Yes. One of the things that we would look to is how the money was previously spent and look for performance measures and so forth."

Commissioner Unruh said, "For the ongoing requests."

Mr. Shelton said, "For the ongoing, right."

Commissioner Unruh said, "Okay. You know, I just really see so many other needs we have that Sedgwick County has responsibility for that we have determined that we restrict our budget or we don't have the resources for, and I'm just reluctant to take on responsibility for another cultural exhibit, or partial responsibility for another cultural exhibit in our community. You know, we have not supported, for example, and it's a different area I understand, but our senior centers requested funds the last couple years, and we said well we don't have enough money for your senior centers.

"I know that we have got other asks that have come to us over the years that we've not responded to where they've had, say well we don't have enough money for that, so I guess it's a matter of priority. But I mean, Alzheimer's Association, for example, has come to us and asked for money at previous times. We said well we don't have enough money for that. We heard a report from the director of COMCARE this morning about the tremendous issue in our community of suicide. I read that the Suicide Prevention Coalition, that they were bemoaning the fact they'd like to do a better job at trying to prevent suicide but they don't have the resources for it.

"So my point is, there's lots and lots of places that we could spend \$50,000 that have more direct responsibility and connection to Sedgwick County government. So I'm not trying, I want to be careful, I don't want to say anything bad about the Kansas Aviation Museum. I hope that they are successful, and I know that they are working hard and taking care of their exhibits, but I think for the, as trying to be a good steward of Sedgwick County funds and what we are responsible for on the firsthand and the opportunities and prioritization of other worthy causes, I just don't think that I can

support this request at this time. I think this is somewhat precedent-setting for us. So I think I've already stated that I don't think I can support this agenda item, so that's all I have right now."

Chairman Dennis said, "Thank you. Commissioner Howell."

Commissioner Howell said, "Thank you, Mr. Chairman. So couple questions. This would be funded through the economic development fund, is that correct?"

Mr. Shelton said, "Yeah, it would be a transfer from BoCC [Board of County Commissioners] contingency to the community development, cultural funding line item."

Commissioner Howell said, "Okay, that's fine. I thought, I guess I thought earlier this was something from eco devo, economic development budget, but I guess you're telling me it's not. This is from the BoCC contingency. Okay. In terms of precedent, I think we have the right to consider each one of these ideas and projects independently, and those we think that we have funding for, we do the best we can to provide funding for the things we think are good for the county. Everything doesn't have a right to those dollars. It really depends on what we think, what we feel is important. So I'm not concerned about the issue of precedent. I would just remind my colleagues that we did provide some money to Doc, to the Doc airplane, B-29 last year, and I think that we had a good majority of support on that. This is very similar to that.

"I think that economic development initiative, which is why I supported it. Back in 2015, the message was loud and clear, the community does support quality of life things in our community. We have invested recently in the Art Park at Sedgwick County Park, which is creating a turtle maze, we just saw that yesterday at staff meeting, and it was something we're going to celebrate here shortly. So that's another example of how we invest in this community. We also provide money to the Arts Commission. We don't tell them how to spend the money, we just provide the money. We're a partner with the Arts Commission, and I think the community does support that.

"I have been an advocate for Senior Center funding. I wish we had the money for that. I think that actually we probably do have the money for at that, but that's another discussion we can have another day when we work our way through the budget cycle, through the budget process, I'll probably will make those arguments at that time. I do think we have the money for Senior Center funding. But that is an interesting point, and you know if we were to pull money from BoCC contingency and fund Senior Centers, I guess that would be equivalent to this. The Senior Centers of course are operating, they're using the money for operations funding. This is one-time money, and my understanding is, and please correct me if I'm wrong, but I understand this is an urgent issue. This money will be used for the preservation of the B-52 aircraft, the artifact that's there that's being destroyed by weather, and they need to seal that up to stop the degradation of that artifact, otherwise it will be, have to be removed.

"This is the Aircraft Capital of the World. People know that. To think we don't have an Aviation Museum that has an aircraft that was actually built in Wichita, and the history that we have with the B-52 is tremendous, and to me this is a unique opportunity for us in this, it does not obligate us in any way for any future funding requests. We might view this differently next year. The budget will be different next year. We can say yes

this year and say no next year.

"This is an urgent issue, and for that reason I will be glad to support a motion. In fact, I'll, I don't know if you want to make a motion, Mr. Chairman, if you don't want to or whatever, I'll be glad to make a motion at the appropriate time."

Chairman Dennis said, "Okay."

Commissioner Howell said, "Thank you."

*Chairman Dennis said, "We'll make a motion here after a while. Thank you.
Commissioner Ranzau."*

Commissioner Ranzau said, "I just would like to say briefly that I share Commissioner Unruh's concerns on this issue and similar issues, actually. Thank you."

Chairman Dennis said, "Thank you. Any other questions from the bench for Brent? Seeing none, if the museum would like to speak, now would be the time."

Ms. Teresa Day, Interim Executive Director, Kansas Aviation Museum, greeted the Commissioners and said, "I appreciate Mr. Shelton's help preparing this information. I appreciate all of your consideration in regard to this request, and I do understand and appreciate both Commissioner Unruh and Ranzau's concerns. I do understand those. I would hope to be able to respond to your concerns in some way, and feel free to stop me and ask me questions. In regard to what the money would be used for, Commissioner Howell is absolutely correct. The majority of the money, and if you would like, all of the money is to go toward restoration of the B-52. The B-52 has damage not only from corrosion because of the magnesium in the plane with which it was built, but also because of damage from a wind storm from two years ago.

"Because it sits outside in the Kansas weather, that damage is just continuing to worsen, and so it has to be repaired and stopped or it's just going to exponentially get worse and worse and worse, so it is a timing issue. It needs to be stopped now, and so that is why there's some urgency to this. The other thing I was hoping to spend some of the money on is to improve the front entrance to the museum. By front entrance, I do not mean the entrance to the building itself. I mean as you come into the front gate, right now, we very much appear as though we're a part of McConnell [Air Force Base]. There's nothing against McConnell, we are friendly with them, we love them, they help us all the time, but we don't necessarily want to look like we're part of McConnell. We want to make a clear distinction to guests as you're coming in, this is the Aviation Museum, this is an event destination. So we'd like to improve our signage. So we'd like to spend this money on those two things.

"We are very happy in any way to document for you both up front and at the end of those projects exactly how that money is to be spent and how it was spent to make a report up front, this is how we intend to spend it, and at the back end, this is exactly how every dime was spent.

"That's no problem, that's how we work. In terms of our relationship with the City, here's how it works. The City of Wichita does own the building. They do provide to us a specific amount of money each year based on a tax levy, it's approximately \$33,000, that's about one-twelfth of our budget. That budget is much less than what it really should be for an operation our size, but it's what we can handle right now. If we had a budget that we should have, which would allow us to market more and have a larger staff and more programming, we could bring more people in. So it's all kind of a

circular thing. They have nothing to do in terms of what our operations is, what our programming is, any of that. They don't control any of that. They just give us that check.

"In terms of the building itself, they are responsible for the big-ticket items like air conditioning and heating, plumbing, those things. Everyday maintenance, we're responsible for. Last week when something happened with one of the air conditioners, it was our \$400 bill. Exhibits, artifacts, all of that is on our dime. The City doesn't pay for any of that. Maintenance of the yard, the landscaping, any of that., that's on our dime, that's not the City, so if that helps clarify the breakdown. Are there other specific questions?"

Chairman Dennis said, "Does anyone have any specific questions for the museum? Seeing none, thank you very much. Appreciate you being here."

Ms. Day said, "Thank you very much for your consideration. We very much appreciate it."

Chairman Dennis said, "Does anyone else in the audience wish to speak on this issue? Seeing none, I'll bring it back to the board. Commissioner O'Donnell."

Commissioner O'Donnell thanked the Chairman and said, "We've been working on this particular issue for probably a year now, is that fair to say, meeting with members from the museum, both their employees and members of their board about the values of it. I see value in the museum for multiple reasons. A, part of Wichita's history, but also it's an important attraction for us as the Air Capital of the World, which we promote everywhere. I know we had t-shirts dropped off a couple of weeks ago in our office that proudly display that Wichita is the Air Capital of the World, it says half of all airplanes are built here, more than any other city.

"So I think this is, it's critical that we have the Aviation Museum in our community, just as it was critical to keep Doc here, and also it was critical to make sure that Spirit AeroSystems was able to expand. Aviation needs to continue to be an area that we look to promote and retain, and so because of those reasons, I'll be supportive of this as a one-time deal. There will be at least one new Commissioner on the bench next year, so I don't want to handcuff the next year's Commission, but as far as the \$50,000 for the projects that were just mentioned, I will be supportive."

Chairman Dennis said, "Thank you. I'd like to make a couple comments. First of all, obviously I know a number of the board members very well, because they are active in our community and everything that we do. We interact with them on a number of levels. So I want to make it clear that I do know a number of the board members. The agreement that we have before us is one-year long. So I agree with Commissioner O'Donnell, we'll have to come back, if it does come back and have a completely new discussion. The magnesium is a problem on the top of the B-52. That B-52 is something that we will never be able to replace. If we lose that, if they take it back, it will be destroyed. That aircraft will be destroyed if we can't preserve it, and we'll lose it forever. The magnesium in the atmosphere is going to continue to deteriorate.

"We're not trying to make this airplane to be air worthy, it's not going to be another Doc. I don't know anybody could afford to fire up those eight engines anyway on that thing, but it's something that we need to preserve. It was built here in Wichita by the

employees at Boeing, and it's a part of our heritage. If we need to modify the agreement to say what we're going to use it for, I don't have a problem with that. I don't have a problem, either, telling the museum that we would like to make sure it's used for the preservation of our aircraft.

"Last Friday, Commissioner Unruh and I had an opportunity to go out to Textron [Aviation] and listen to Senator [Jerry] Moran talk about the aviation industry. I hope that everyone realizes the number one cluster of industry in Sedgwick County is aviation, and we have to preserve that history of aviation somehow. This is something that I believe is important. Once when Senator Moran was talking, he said when he goes around and he is now attending the different air shows to push Wichita and Sedgwick County in the aircraft industry, he asked others who is the air capital, and they come back with Huntsville [Alabama] instead of Wichita. If we don't keep something like this so that we can show the people that we are the air capital, so everyone has a place that they can go to see the history, all the way from when we started building the first Beech and other aircraft that we've got out here, we're going to lose it forever.

"There's over a million artifacts out in that museum right now that are available for our citizens to go see. I urge them to go see it. If we had the citizens going out there and viewing these artifacts and seeing the history and supporting it, we wouldn't even be talking about this. They'd be self-sufficient, we'd never be to this point. I understand that the building does belong to Wichita, but those aircraft out there are our history. They don't belong to anyone right now except for the museum. So if we're saying that we're doing this to bail out Wichita or to support Wichita, I think it's wrong. We're doing this to preserve the history of Wichita, and that's why I am definitely in support of this. So Commissioner Howell, did you have something you would like to say?"

Commissioner Howell said, "No, just I think that you're absolutely correct, appreciate the comments of Commissioner O'Donnell and yourself. I think that this is not precedent-setting, this is a one-time request. We have not given money to the Kansas Aviation Museum that I'm aware of in the past, and if we have, I'm not aware of that, but this is a one-time consideration this year.

"I hope you understand this is not a commitment for anything in the future. We look at each budget year-by-year to see what we can do. Again, I think that the public needs to have quality of life things in this community to enjoy. This is one of those things that we know is urgent, that if we don't do this, that artifact will not be able to survive. So it is with that, I would be pleased to make a motion this morning."

MOTION

Commissioner Howell moved to approve the external funding request for the Kansas Aviation Museum in the amount of \$50,000.

Commissioner O'Donnell seconded the motion.

Chairman Dennis said, "We have a motion and a second. Any further discussion? Commissioner Unruh."

Commissioner Unruh said, "I just wanted to clarify, Brent, this is not a one-time request. I mean, we've already been alerted that they're going to come back for, the museum will come back for more. Is that correct?"

Mr. Shelton said, "There is an additional request for \$50,000 for the 2019 budget, right..."

Commissioner Unruh said, "I'm..."

Mr. Shelton said, "...it's part of a five-year plan."

Commissioner Unruh said, "Okay, and I'm aware that this would be on a one-by-one-by-one request, but it's not a one-time request. Once again, Commissioners, I just want to say I fully hope that the museum is successful. I just don't think this is the appropriate use of Sedgwick County funds when we have so much on our plate to take care of as it is, so that's all I have, Mr. Chair."

Chairman Dennis said, "Thank you. Brent, let me clarify. What we're approving today is a one-time one request for \$50,000. It does not obligate us to anything beyond this point, correct?"

Mr. Shelton said, "Right."

Chairman Dennis said, "Okay, I wanted to clarify that. Thank you. Any further discussion? Seeing none, Madam Clerk, call roll."

VOTE

Commissioner O'Donnell II	Aye
Commissioner Ranzau	No
Commissioner Howell	Aye
Commissioner Unruh	No
Chairman Dennis	Aye

Chairman Dennis said, "Thank you. Thanks for being here. Madam Clerk, next item."

Approved

E [18-345](#)

CONSIDERATION OF AN EXTERNAL FUNDING REQUEST FOR THE DERBY HISTORICAL MUSEUM.

Presented by: Brent Shelton, Economic Development & Tax System Director, Division of Finance.

RECOMMENDED ACTION: Take action as the Commission deems appropriate.

Chairman Dennis said, "Brent, you're still on."

Mr. Shelton said, "I'm still on. This item is a request for \$10,000 for the Derby Historical Society. Before I get into all the specifics of this request, I do want to introduce Dr. John Rhodes from Friends University, he is the President of the Derby Historical Society. Again, he would be here to answer any questions about specifics for the Historical Museum or the use of the funds. In terms of background, the Derby Historical Society is a non-profit organization. It was formed in 1995, and their mission is to promote, preserve and protect historical records, relics and buildings for future generations. This organization operates the Derby Historical Museum, it's in the

original Derby school building located in Derby, Kansas.

“The Historical Society would propose to invest this money specifically in infrastructure in this school building. It’s an old facility, and they have some windows that are inefficient that are letting the elements in and causing some damage to artifacts and exhibits in the museum. There is a bid for a little over \$25,000 to replace 18 windows that are currently in the museum with more energy efficient windows that would keep the elements out and help preserve those exhibits, also provide for more energy efficiency, and this is the second phase of a project that they did. Back in 2013, the museum replaced some additional, some other windows. This wraps up all the windows in the facility, and the county did participate in 2013 in that project with a \$10,000 contribution to the museum at that time.”

“To avoid confusion, on your back-up material it says that the request is \$12,886. That was the original request from the museum, which represented half of this contract amount for the windows. After some discussions, they have a matching private funds for half of it. They felt like they could raise the additional money, so the request is for \$10,000, and that’s what would be looked at going with this funding agreement. One of the additional reasons for them wanting to do this now, in addition to preserving the artifacts, is that Derby will celebrate its 150th anniversary in 2019, and the Historical Museum is one of seven sites that’s being recognized during the celebration.”

“So the Historical Society wants to get the building in shape, the exhibits ready for that because they anticipate additional attendance and so forth during this 150-year celebration. Again, this is one request for \$10,000. It would be used for these windows, there’s a funding agreement, it would be signed by them and by us, and this would come from the same source of funds as the previous item from community development. With that I will stand for questions.”

Chairman Dennis said, “Thank you. Do we have any questions for Brent? Commissioner Ranzau.”

Commissioner Ranzau said, “I’ll just say I think as Brent said about four years ago there was a very similar request. I didn’t support that request at that time, and I think in the interest of being consistent I won’t be supportive again today. Thank you.”

Chairman Dennis said, “Thank you. Any other questions or comments? Commissioner Unruh.”

Commissioner Unruh said, “Thank you, Mr. Chairman. For mainly the same comments I made on the previous item, I won’t be supportive of this one either. I just think that we’re reaching to take on more obligations than our County Commission is committed to, and I wish no ill will on the museum in Derby. I know that’s a great community that’s just really bustling, and they’ve got dinosaur parks and water parks and everything else down there, so they’re doing great. I wish them well. But and four years ago, I did support this request. I didn’t anticipate that we’d be coming back to continue our support of the museum, but I will not be supportive of it this time, and that’s all I have.”

Chairman Dennis said, “Thank you. Commissioner Howell.”

Commissioner Howell said, “Mr. Chairman, I would like to hear from Dr. John Rhodes if it’d be okay.”

Dr. Rhodes said, "I would like to address Mr. Unruh's concerns."

Chairman Dennis said, "I was going to call on him next."

Commissioner Howell said, "I'm sorry. I have some comments, but I do want to hear from him, and I wanted to..."

Chairman Dennis said, "At this time, Dr. John Rhodes, please..."

Dr. Rhodes said, "What's different about this one than the last request, Mr. Unruh, is that this really is a one-time only. We've been struggling over the last several years with moisture problems in this very old building. The front part of it is the only National Registered Historical Building in Derby.

"That is eligible for State Historical Society funds, which we applied for, and we've reworked the outside, and we needed the contribution back in 2013 to finish the windows on the main building, which is eligible for those funds. The current request is for a 1953, I believe, addition on the east wing that is not eligible for any of the state funds, so we don't really have a lot of help for that. We have gotten lots of volunteers, in fact, one person came up and paid the entire [\$]10,000, [\$]12,500 for the south side of this addition. On the other side, on the north side, we have the same problem with the windows literally corroding out of the building and the walls crumbling and the exhibits are being damaged due to weather problems.

"The Friends University connection, I don't know if you're familiar with that either, but the building houses not only Derby history, but the mission has expanded. It really includes Kansas history, regional histories and national things from the museum that has a collection that went back as far as 1847. It was housed for a hundred years in Davis Hall at Friends University. So that's how I became involved with it in the first place. I actually, I and my neighbors and friends and family live in Mr. Ranzau, so we'll be in your district, but we support the Derby Historical Museum because it's a much wider, it's sort of a hidden county museum. It receives no funding, we don't have air conditioning or heating, we don't have any budget. There are no staff, it's entirely run by volunteers. We had a private contractor who gave us a \$35,000 roof out of his pocket, and he prefers to remain anonymous. So we've been blessed with a lot of people giving us things. This is the last thing we need to draw this building in so that we can stabilize what we do have there.

"We have a pretty amazing collection, we'd love to see any of you come down on Saturdays from 10:00 [a.m.] to 2:00 [p.m.], which is the only time we can staff it with our retired people who staff it for free every week, and only during the season that we can have it open, because we can't afford to heat or air condition it anyway, so we run this thing on a dime. We have thousands of visitors. We've had visitors each year from every state in the union and from a lot of overseas places, people come through Derby to find this museum. I think it's a pretty good collection. It's one of the largest, in fact it is the largest collection of Native American artifacts anywhere because of the Friend's collection, with authentic cabins and things.

"So I won't advertise it too much, but it's a pretty significant museum that costs zero, and it does entertain people, and it does provide cultural reference. It does fit extremely well into the State's standards for 7th grade teaching, so we try to bring school groups in. So we do try to make it an educational benefit for the community as well. That's just what I'd like to say. I mean, you can see through where those windows

go to the outside right now, and that just has to get fixed. But we don't have the money in our pockets right now to do that. So we need, just like the B-52, it needs to get dried in now so that it'll be there later. We appreciate your consideration for anything you can do to help us with that."

Chairman Dennis said, "Thank you, Doctor. Does anyone have any questions? Seeing none, thank you sir. Does anyone else in the audience wish to speak on this issue? Seeing none, I'll bring it back to the board. Commissioner Howell."

Commissioner Howell said, "Thank you, Mr. Chairman. So, I appreciate your comments, Dr. Rhodes. I really do thank you for taking the time to come out here today. I do think the timing of this is interesting. I don't know what the BoCC contingency reserve fund is for, but this is the type of thing I think that small amounts of money go a long ways in our community to connecting some dots and creating some great things for this community. I think that's the type of thing we ought to consider. We don't have unlimited funds. This is not something that people have a right to access those dollars, but I think as we understand the importance of these community quality of life things, you know, that are around us, that bring people to Kansas or bring people to Sedgwick County, I think that this is the type of thing we ought to be aware of and help if we possibly can.

"In this case, I think we have the money, I think we can help. Derby is the second largest city in Sedgwick County, one of the largest cities in the State of Kansas in terms of tourism, and you mentioned the visitors, I've actually had the number before, but I forgot how many visitors per year we have at the museum is quite a lot. They've done a good job of leveraging community support. This actually is only a portion of the money that they need. They have the benefactor that's going to provide half the dollars. I think its contingent on finding the rest of the money, and they're committed to raising the shortfall between now and sometime this summer so they can actually complete this project if we approve this today.

"If we don't approve this today, I think this is going to be set back potentially quite a long time, and they will not make their goal of 2019 for the 150th celebration. So that's why I think this is important. So Mr. Chairman, I've thought about this a long time, and I think this is an appropriate request. I think we have the money. I think we ought to go ahead and do this today. We did it once before. We had the money at the time, and I think 2013 the budget was much tighter than it is today. I'm sure that's true, and it did have majority support at the time. I didn't look up the vote, but I know at least three Commissioners including Commissioner Unruh did support it at that time, so I think this is very much appropriate."

MOTION

Commissioner Howell moved to approve the external funding request for the Derby Historical Museum in the amount of \$10,000.

Commissioner O'Donnell seconded the motion.

Chairman Dennis said, "I know Commissioner Howell has spoken to me several times about this. He's very passionate about this issue. Again, it goes to the same things that I talked about before, that we have to preserve our history if we're going to know

where we're going in the future. This is one way that we can do that on a one-time small basis. It's not something that we're going to set a precedent on and continue to do, but I am supportive. Any other comments? Seeing none, we have a motion and a second. Madam Clerk, call the roll."

VOTE

Commissioner O'Donnell II	Aye
Commissioner Ranzau	No
Commissioner Howell	Aye
Commissioner Unruh	No
Chairman Dennis	Aye

Chairman Dennis said, "Thank you. Next item, please."

Approved

F [18-456](#)

ACKNOWLEDGEMENT OF A DONATION MADE BY ALL SEASONS SPORTSWEAR TO COMCARE'S COMMUNITY CRISIS CENTER (CCC).

Presented by: Joan M. Tammany, LMLP, COMCARE Executive Director.

RECOMMENDED ACTION: Acknowledge the donation and authorize the Chairman to sign a letter of appreciation.

Chairman Dennis said, "Welcome back, Joan."

Ms. Joan Tammany, Executive Director, COMCARE, greeted the Commissioners and said, "I'm here today because All Seasons Sportswear made a generous donation to our Community Crisis Center (CCC). They are a locally owned business who saw an opportunity to contribute to the quality of lives of others in the community. They donated to us several hundred t-shirts and sweatshirts for people to use when they come into the Community Crisis Center. We often see people who have been on the streets or who have lost housing or who are just struggling financially and just having a new shirt or a new sweatshirt when it's cold means a lot. So we don't actually know the actual cost value, but we've estimated it to be about \$5,000. So I'm here to indicate that we appreciate their contribution to the Community Crisis Center and ask that you acknowledge the donation and authorize the Chairman to sign a letter of appreciation."

Chairman Dennis said, "Joan, thank you very much for bringing this to us, and we sincerely do appreciate what All Seasons Sportswear is doing to donate to COMCARE. Most people don't even realize what COMCARE does over there down the street. They don't realize what happens with people that are in crisis that come in to be served by Sedgwick County folks 24/7, seven days a week. Anytime that someone needs help, that's where they go, and these people need more than just certain items, so as All Seasons can contribute to that and help our citizens, I think it's fantastic. It was one of the first places that I toured when I became a Commissioner. I saw firsthand exactly what they do to help our citizens. I'm very proud of the work they do over there. "They're our unsung heroes in our community that most people don't realize at all what's happening over there. I am very proud that you brought this to us. I am very proud that we can acknowledge the donation, authorize me to sign a letter of appreciation."

MOTION

Commissioner Dennis moved to acknowledge the donation and authorize the Chairman to sign a letter of appreciation.

Commissioner Unruh seconded the motion.

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

VOTE

<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Chairman Dennis</i>	<i>Aye</i>

Chairman Dennis said, "Next item, please."

Approved

G [18-463](#)

ACCEPTANCE OF DONATIONS TOTALING \$285 FOR COMCARE'S COMMUNITY CRISIS CENTER (CCC).

Presented by: Joan M. Tammany, LMLP, COMCARE Executive Director.

RECOMMENDED ACTION: Acknowledge the donation and authorize the Chairman to sign a letter of appreciation.

Chairman Dennis said, "Joan, you're still there."

Ms. Tammany said, "I'm still here. We spoke earlier about the issue of suicide in our community and nationally. I'm here because two individuals in our community died earlier this year. Their families have asked that any contributions be donated to the Community Crisis Center in their memory. The two individuals were Deborah Lancaster and Damen Ford. Deborah was only 66 when she died and Damen even younger at 43 with a young family. They both had loving families who miss them greatly, but they want their lives to be celebrated, and this is one way of doing that.

"We're saddened by their loss but want to use this opportunity for their donations to be applied to additional suicide prevention education activities. I do want to take an opportunity to share another opportunity for the community. We talked earlier about COMCARE providing mental health first aid. The Sedgwick County Suicide Prevention Task Force recently developed curriculum that they can take and share with the community in any venue or any size ranging from 15-minute presentation to an hour presentation on suicide and suicide prevention for the community.

"So I just want to make recognition of that. We received a total of 10 donations with a total of \$285, and I'm here to ask that you accept that donation, and again, authorize the Chairman to sign letters of appreciation."

Chairman Dennis said, "Thank you, Joan. Once again, I already talked about how great that our folks are over at the Community Crisis Center and what an important organization that is to our community."

MOTION

Commissioner Dennis moved to acknowledge the donation and authorize the Chairman to sign letters of appreciation.

Commissioner Howell seconded the motion.

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

VOTE

Commissioner O'Donnell II	Aye
Commissioner Ranzau	Aye
Commissioner Howell	Aye
Commissioner Unruh	Aye
Chairman Dennis	Aye

Ms. Tammany said, "Thank you."

Chairman Dennis said, "Joan, thank you for being here today, appreciate it. Well Susan, you're going to be on for a while now."

Ms. Susan Erlenwein, Director, Environmental Resources, greeted the Commissioners and said,
"Yes."

Chairman Dennis said, "Oh Madam Clerk, next item. I forgot to say that."

Approved

H [18-411](#)

CONTRACT FOR A HOUSEHOLD HAZARDOUS WASTE REMOTE COLLECTION EVENT ON JUNE 16, 2018, WITH THE CITY OF GARDEN PLAIN, KANSAS.

Presented by: Susan Erlenwein, Director, Environmental Resources.

RECOMMENDED ACTION: Approve the contract.

Chairman Dennis said, "Joan, you're still there."

Ms. Tammany said, "I'm still here. We spoke earlier about the issue of suicide in our community and nationally. I'm here because two individuals in our community died earlier this year. Their families have asked that any contributions be donated to the Community Crisis Center in their memory. The two individuals were Deborah Lancaster and Damen Ford. Deborah was only 66 when she died and Damen even younger at 43 with a young family. They both had loving families who miss them greatly, but they want their lives to be celebrated, and this is one way of doing that.

"We're saddened by their loss but want to use this opportunity for their donations to be applied to additional suicide prevention education activities. I do want to take an opportunity to share another opportunity for the community. We talked earlier about COMCARE providing mental health first aid. The Sedgwick County Suicide Prevention Task Force recently developed curriculum that they can take and share with the community in any venue or any size ranging from 15-minute presentation to an hour presentation on suicide and suicide prevention for the community.

"So I just want to make recognition of that. We received a total of 10 donations with a total of \$285, and I'm here to ask that you accept that donation, and again, authorize

the Chairman to sign letters of appreciation.”

Chairman Dennis said, “Thank you, Joan. Once again, I already talked about how great that our folks are over at the Community Crisis Center and what an important organization that is to our community.”

MOTION

Commissioner Dennis moved to acknowledge the donation and authorize the Chairman to sign letters of appreciation.

Commissioner Howell seconded the motion.

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

VOTE

<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Chairman Dennis</i>	<i>Aye</i>

Ms. Tammany said, “Thank you.”

Chairman Dennis said, “Joan, thank you for being here today, appreciate it. Well Susan, you’re going to be on for a while now.”

*Ms. Susan Erlenwein, Director, Environmental Resources, greeted the Commissioners and said,
“Yes.”*

Chairman Dennis said, “Oh Madam Clerk, next item. I forgot to say that.”

Approved

I [18-412](#)

CONTRACT FOR A HOUSEHOLD HAZARDOUS WASTE REMOTE COLLECTION EVENT ON JUNE 23, 2018, WITH USD 260 IN DERBY, KANSAS.

Presented by: Susan Erlenwein, Director, Environmental Resources.

RECOMMENDED ACTION: Approve the contract.

Ms. Erlenwein said, “As before, we’re trying to reach out to the community and give them proper ways to dispose of material but make it more convenient for them. We’ll have one next Saturday, June 23rd, at the Derby High School parking lot, and that’s located at 920 N. Rock Road. So we’d encourage anyone in the southeast part of Sedgwick County to go to this event and properly dispose of or recycle your household hazardous waste. Again, if they have any questions, they can go to the county website, sedgwickcounty.org, or excuse me, 660-7464 to ask any questions. Appreciate you having this, Commissioner Howell, down in Derby. As you know, they are another community that keeps requesting it down in their area. The contract has been signed by USD (Unified School District) 260, which includes Derby High School. They have signed the contract. I’d be happy to answer any questions.”

Chairman Dennis said, "Thank you. Commissioner Howell."

Commissioner Howell said, "Well thank you, Mr. Chairman. I don't actually have any questions, but I do want to say thank you to USD 260 for their grace in letting us do this on their property. I'm excited for this event. It has been very popular in Derby. We did it, we've done it at other places, but this has been I think, I looked at the records, I think this has been where we had the highest response. So of course with social media these days, I'm hoping we can actually advertise this more aggressively, maybe even get a greater response from the community. But this is very popular. People in the community really do appreciate this, especially on a Saturday, a lot of them work Monday through Friday, and they don't have much of a chance to get out during the week to access one of our, I guess our environmental collection places. But you are open Saturdays as well, is that correct, normally?"

Ms. Erlenwein said, "Normally the facility is open on Saturdays, 801 Stillwell..."

Commissioner Howell said, "Sure."

Ms. Erlenwein said, "...from 9 [a.m.] to 3 [p.m.]."

Commissioner Howell said, "So if someone can't get to one of these events, they can still do it even on Saturday on normal hours for us, but I do think this is a tremendous event, so I want to say appreciate all you've done. This is paid for with the solid waste fee that we collect on property tax bills across the county. For most homeowners it's \$5.88 a year. It does a number of things like the tire roundup and the e-waste collection event as well as hazardous waste collection event. So people understand they are getting services for those dollars, and so I appreciate being able to share that with everyone."

MOTION

Commissioner Howell moved to approve the contract.

Commissioner O'Donnell seconded the motion.

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

VOTE

Commissioner O'Donnell II	Aye
Commissioner Ranzau	Aye
Commissioner Howell	Aye
Commissioner Unruh	Aye
Chairman Dennis	Aye

Ms. Erlenwein said, "Thank you."

Chairman Dennis said, "With that, we've going for about an hour and a half right now, and we have a little bit more to cover yet today, so why don't we take about a five minute break and resume by 10:30 [a.m.]. Thank you."

The Board of County Commission recessed at 10:22 a.m. and returned at 10:30 a.m.

Chairman Dennis said, "We'd like to call the meeting back to order. Next item, please."

Approved

J [18-441](#)

FINAL REPORT ON SEDGWICK COUNTY E-WASTE COLLECTION EVENT.

Presented By Cindy Le, Environmental Project Manager, Environmental Resources.

RECOMMENDED ACTION: Receive and file.

VISUAL PRESENTATION

Ms. Cindy Le, Environmental Project Manager, Environmental Resources, greeted the Commissioners and said, "I'm here today to talk about a successful event that we put on through Environmental Resources a couple months ago, and that is the e-waste event. I first and foremost want to thank all of you today, because without your support, it would not have been as successful as it was. So I'm going to go into some basic information about e-waste and why we even have e-waste. Well me, like most people rely on electronics pretty daily from the moment I wake up to having my alarm to, you know, checking the news before I fall asleep or reading the news before I fall asleep. There is such a fast turnover in electronics nowadays. Every company is coming out with a brand new version of their product, and within these products there are precious metals, like gold, platinum and silver that we can harvest and recycle and put back into the market.

"The U.S. (United States) alone produced over 9.4 million of tons of e-waste annually, but yet only about 12 and a half percent gets recycled. So to talk about how quick of a turnover we're going through with electronics, I'm going to use Apple [Inc.] as an example here. I myself had a couple of these throughout my lifetime, and within the ten years since they've been out, Apple has released 18 iPhones. So sometimes that's more than one iPhone a year. A lot of people want to get the newest, best, because you know, whether or not they are just techy or it's just a fun toy to them, but what happens to all of those after? That's kind of the big question here. I'm going to go into a television. I know when they first came out with the television, you started out really, really tiny with the black and white screen to really, really big cabinet TV's (televisions), and it became a trend where you had it built into your cabinets, but sometimes people don't think about what happens when the new TV comes out, and now we're moving from big giant cabinet TV to being like the coolest and high-tech stuff to the thinnest of thin, maybe even less of an inch flat screen huge TV's that all the dads are asking for during Father's Day.

"So now I'm going to move into something a little bit more complicated, computers. That's a very hard graphic to see, but that's just kind of showing you how complex the computer has moved from. So we move from computers that take up a room about this size to a tiny little laptop that all the Commissioners are holding right now where you can do so much more with those little things. But with that being said, everything is coming out. There's new electronics every day, and electronics, like us, have a life cycle. We start out as raw material, gets produced, and then after we're done with them, they actually, they can either, they go to the landfill or they can be recycled or reused. But within these electronics, there are harmful components and chemicals, for example, lead. Lead has a lot of, that can cause a lot of damage to our health, and that's not something we really want in the environment or close to us. Yeah, so a lot of

citizens know this, and they want to do the right thing, and they want to recycle their electronics responsibly.

“So we heard you. We’ve gotten calls at Environmental Resources, the Commissioners, you guys have gotten calls from citizens in your districts saying that they want to recycle their e-waste and they want a cost effective way to do it, because businesses that were taking e-waste recycling were starting to charge, and that can get costly. Recycling a TV, for example, would cost \$20 per TV. So for us to be able to provide a service to our citizens, what we did was, or what you guys approved was a little fund in our budget, and that we were able to take that and put on this event. So then this happened. We worked a lot with different, a lot of different people and different departments to put on this event, and we got a lot of, we got some bids in, and we were very selective and we decided we were going to put on this event.

“This happened on April 5th through 7th and then 12th through 14th. So that was a six-day event, and we wanted to do an April to have the wonderful weather in the spring and have all the bunnies come out and join us on this wonderful event. But five out of the six days, it was miserable. It was snowing. We had a little sleet. I almost died going there one day on a weekend. We only had one good day, but yet a lot of people came out, and a lot of people wanted to utilize this event.

“So we had some popular questions. The two most popular questions I had was where does the material go and will hard drives be destroyed. Our vendor actually came from Wisconsin, and they are a zero landfill company, and they are extremely responsible and that was one of our big things when we went out for bid. So they drove down all the way from Wisconsin. They took all of the material with them back to Wisconsin and took it apart and recycled it all responsibly. Nothing went to the landfill, and nothing was sent to a third world country where it just sat there and polluted more. As far as the hard drive, Dynamic Recycling is licensed with NAID (National Association for Information Destruction) which is something that they take very, very seriously, so they destroy all hard drives. So no personal information from citizens can get out or leak out and be out in the public.

“So I’m going to go and talk about the results really quick. So over a six-day course, we had over, we had about, we had 3,874 cars come through. I’ll show you some pictures of that later, and we collected over a half million pounds. So that’s pretty impressive for six days and for a short time that we collected, and we only took computers, TV’s and their components, so DVD (Digital Versatile Disc) players, towers, screens, monitor, and we got some pretty cool things and a lot of floppy discs came through to us, and a lot of iPhones and cell phones. So it was kind of almost a history lesson. I always wanted to, I took some pictures just so I can kind of keep on my own and can maybe show our future generation how old cell phones used to look like. A lot of it was pretty nostalgic for me just because we got to see pretty big TV’s.

“I’ll show you guys some photos that were pretty interesting. As you can see, we started out on Thursday with only 251 cars and collecting over about 40,000 pounds. But by the last day, we had lines doubling all the way to West Street and people wanted to get in, and we were not going to turn anybody away that day. So I’m going to continue on.

We reached out to the citizens this year. We decided to not only go through newspapers and radio, but we also wanted to do Facebook, because everybody is on Facebook with their little cell phones nowadays. This is the easiest way to reach out to people, make it light and fun and create an event and also for citizens to share on their

own page. So as you can see on the furthest left side, we had a citizen that shared it twice and talked about how excited she was for this event, and some positive feedback from citizens. I'm going to zoom into one of my favorite. This was from a citizen, Justin Powell. He said this was fast and easy to do. Thanks for doing this. Glad to see our tax dollars helping the community. The guys that took the items were friendly and helpful. Kudos to the team on putting this together. This warmed my heart. Of course I had my phone on the whole time kind of constantly checking Facebook, answering phone calls from citizens, and to see this made me feel that whatever hardship I put through or all the stress that I had on putting this event on was well worth it just to make citizens happy.

"We also saw this on the opinion line on the Wichita Eagle. Somebody wrote, just dropped off a carload of old TV's and color printers at the Sedgwick County e-waste recycling site. Excellent job on setup, signage and unloading. Should do this every couple years. Well done Sedgwick County.

"This made me really happy, because when they say carload, this was probably a typical car, but we saw some crazy trailers, and we also saw some horse carriers that were filled with TV's to the top, and sometimes when you actually get to talk to these citizens, they say they've had these stuff in their basement for years. They're like, I'm glad we're able to do something so they can clear out their home and create a better life for themselves.

"So this is the signage that we put out, and this was done by Public Works, so I would like to thank the Public Works team that helped us put these out because this was great. This kind of led people right to the location. We had them at every corner. There was no way anybody can miss us. These are computer monitors and TV's. They were taken, this was on the first day, so they were still able to stay on top of it and wrap as they go and kind of keep the yard a little neater. But of course, the busier we get, the harder and later the team had to work to clean up.

"This is some old TV's. I remember my parents having some of these back when I was in high school, so it was pretty cool to see an old TV cabinet come through. This was a truck with a giant TV in it. So, I just want to mention that we had a lot of phone calls from kind of older citizens asking us, well, will we have help unloading just because, you know, they're, they tell me like, oh, I'm about 80 years old, and I have three giant TV's, and I need help unloading. I can get it on my truck, but I won't be able to get it off. Will I have somebody to help me with it? Of course. You don't even have to lift a finger. You just have to open your trunk and all of our workers will do all the heavy lifting for you. So they were pretty happy to hear that.

"This was the line on the first day, so remember this line, okay, so it's pretty short, pretty contained. People were in and out within five minutes. This is on the last day. This was, I took this about 15 minutes before 2 o'clock. So I took this at 1:45 [p.m.], and we were closing at 2 [p.m.]. We told our team and we told ourselves that if people were going to be here at 2 o'clock, if they didn't make it through the gate, we're going to take them. We're not going to turn them away just because they were at the end of the line. We were going to take care of them, and we'll make it work. What was amazing to me was even though we had double lines like this and we actually had another line going out towards on West Street, everybody got through, and we saw the last car at 2:45 [p.m.] at latest. So that just showed how hard our team worked and kind of how efficient our process was.

"We actually talked to a citizen, and we asked them, how long were you in line for, just

to kind of gauge. They're like, oh 45 minutes from, you know, by the time they got in line, and this was kind of late in the day. So one of the cars that stayed in line the longest, and she said 45 minutes, that's not too bad for getting through all of that. So okay, I'm pretty happy. This is on the last day. As you can see, the amount of material that was collected, that's one day, because they removed it day-by-day, and this was on the last day, and this wasn't even the craziest. This was only one part of the yard. This was inside, because it was actually freezing cold that day.

"It was not fun, and we actually had to move some people into the building just to keep the stuff there and having people work in the building as well. So the e-waste event was a joint effort. We really could not have done this alone in our department. We had a lot of help from the West Yard, from Jon Medlam and Brian Cavin and the household hazardous waste team, and also, of course, the Commissioners. I know you guys did a lot of work or a lot of help with us in promoting this on your pages and talking about it, and of course, Chairman Dennis and Commissioner O'Donnell came out on the first day. Thank you guys for your support, that meant a lot to us. So I'm here to answer any further questions you guys may have."

Chairman Dennis said, "Thank you, Cindy. Well as you said, the first day was very, very cold when Commissioner O'Donnell and I showed up out there to watch what was going on. But vehicles were coming in in a steady stream while we were there. As you said, as soon as they pulled up, we had people that were unloading the vehicles for them. So I think it was a very successful event. The cost to people was zero."

Ms. Le said, "It was free."

Chairman Dennis said, "It's paid for out of our solid waste fee, \$5.88 a year. So that I think is testament that it was an excellent way to use a very small amount of tax on folks. Do we have any other questions or comments from the bench? Seeing none, again Cindy, thank you very much. We do appreciate the event. We know that the last time we took in about a million pounds, something like that. So it was a little bit less this time, but I think it was a lot more convenient for our citizens. Commissioner Howell does have a comment."

Commissioner Howell said, "Yes thank you, Mr. Chairman. I do want to say the weather was not all that great during these days we were collecting the stuff, but I think we still had a pretty good response, and I'd also like to make a comment that electronics today are smaller and lighter than they were last time. So I would expect, you know, even with the same type of turnout, we probably have less weight, and so to judge this by weight probably isn't quite fair. But I already had a request from people who've said they were looking forward to the next one of these."

Ms. Le said, "Yes, so I kind of want to make a comment on that why we accepted less. Last time when we had the event, it was a one-day event, and we collected every electronic, refrigerators, dishwasher, washer and dryer, like big tonnage items. This time we limited it to just computers, TV's and their components. So those are smaller items, even though we had the giant cabinet TV's. Those were probably the heaviest. So this time around, we limited it just to kind of keep the craziness down and it worked out very well for us. It was easily manageable."

Commissioner Howell said, "Well I just wanted to commend you all for your organization and your planning. I think it was a huge success, and people are already

looking forward to the next one. I've already had comments, and people want to know when we'll do the next one.

"So in fact, I have a bit of a concern, you know. I don't know when the next one will be. So if someone has electronics, are they supposed to store those up and wait? You know, that's a good question. I don't know the answer to that question, but in terms of trying to get rid of electronics apart from this project, I don't really know what the best method is. Is there some recommendation on how they should get rid of this stuff?"

Ms. Le said, "You can go to our website, and we have a whole list of where you can dispose of your electronics. Now, I don't know if any of them are free. The average cost is about \$25 per item."

Commissioner Howell said, "I see."

Ms. Le said, "So it does get pretty costly, especially if we're looking at people that have a lot of electronics because I did get phone calls after this saying that I was out of town for two weeks. I really want to do this. I have about four giant TV's in my basement, and I kind of just have to say, I'm sorry."

Commissioner Howell said, "Well I think typically what happens is they just end up in the transfer station and go to the landfill, and that's unfortunate. So anyway, I do think this is a great event, and I appreciate you all doing the organization, and I do look forward to the next one. I hope it happens sooner than later, and I want to say thank you for all you've done."

Ms. Le said, "Thank you."

Commissioner Howell said, "Mr. Chairman, we need a motion to receive and file."

MOTION

Commissioner Howell moved to receive and file.

Commissioner Dennis seconded the motion.

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

VOTE

<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Chairman Dennis</i>	<i>Aye</i>

Chairman Dennis said, "Madam Clerk, next item."

Received and Filed

K [18-442](#)

**SEDGWICK COUNTY SOLID WASTE MANAGEMENT PLAN
FIVE-YEAR UPDATE AND PUBLIC HEARING.**

Presented by: Susan Erlenwein, Director, Environmental Resources.

RECOMMENDED ACTION: Receive the Sedgwick County Solid Waste

Management Plan Five-Year Update and open the hearing; receive public comment; close the hearing; and Approve the Sedgwick County Solid Waste Management Plan Five-Year Update.

VISUAL PRESENTATION

Ms. Erlenwein said, "The Kansas Department of Health and Environment (KDHE) requires every county to develop a Solid Waste Management Plan. Our first plan was developed back in 1998, 20 years ago, and every five years, they require an extensive review of your plan, and that's what I'm here today for, is to review what the State requires of us. They want to have any changes since the last update noted in the plan, update on demographics to make sure we know how the community is growing and will we service them properly, who is on the Solid Waste Committee, our current system, especially the data, are we increasing in waste or recycling and how we're handling that, and what do we plan for the future.

"Mainly they're looking at there is any part of our system going to fill up and not be available in the next ten years to make sure that communities are planning for the future. If, for example, if you had a landfill that was going to close, that you're planning ahead for that. So I'd like to review this information for you. We have, as you know, 20 cities in the county, and we have unincorporated townships. We work with all of them on any questions with solid waste, and according to the [United States] Census Bureau, we're planning to have over half a million citizens by 2030 in our county. So we need to make sure that we accommodate that the trash they generate. There are currently 18 businesses in Sedgwick County picking up non-hazardous waste and taking it to the transfer stations. We also have cities that have contracts with some of the waste haulers.

"Fourteen cities have some sort of contract with waste haulers to pick up the solid waste in their communities. You see that on the previous list. Six cities do not have a contract at this time for collection, and it's totally free market. Wichita is free market, but they do have, the city itself has contracts with all of the haulers, dictating that they have to have two sizes of containers for volume of trash and also have curbside recycling offered to the customers. County realizes that some cities have contracts or not, but they also encourage the free market efforts. The Solid Waste Committee, when they reviewed what we have in our plan, agreed that they should keep the language of encouraging free market efforts throughout the county that allows citizens to select their waste haulers. Looking at how much waste we disposed of in 2017, it was just under 397,000 tons that went through our two transfer stations. One transfer station is owned by Waste Connections [of Kansas] up north at 37th Street North, just west of West Street. The other is owned by Waste Disposal, Inc., down at 55th South and Hoover. So those two private companies take the material and transfer it down to a landfill in Harper County owned by Waste Connections.

"We had a slight decrease in the amount of trash that was thrown away at these transfer stations. You could see that Waste Connections receives the majority of the trash, around 863 tons of municipal solid waste a day, and Waste Disposal down south, about 273 tons per day. Both facilities have ample room to add on to the facilities if they need to to accommodate more trucks coming in. In Plum Thicket Landfill in Harper County where the trash is taken to, it has 54 years of life left in that landfill. So it's not going to fill up any time soon. On the disposal, the committee confirmed that they want to continue using the transfer stations in our county but also keep the door open for county-owned landfill if we go that route some time in the future and continue to explore new technology as that develops so we keep on top of that.

“Looking long-term from 2002 to 2017, you can see we’ve really decreased the amount of trash that we produce in our community. So that has gone down. Our department performed a waste analysis 10 years ago that the committee felt was sufficient, because it’s in line with national numbers to show what we throw away. Most of what our community throws away is paper and paper products, just over 29 percent. After that, you have yard waste at 17 percent, plastic which is around 14 percent and food waste, just under 10 percent. So what we do as a community is try to address those and educate people on other options for how they can recycle material.

On recycling, we recycled over 65,000 tons of material last year, which was a pretty significant increase from the previous year. We have facilities in our community that take the material, and again, looking at long-term trend from 2002 to 2017, we’ve been increasing the amount of material we recycle, so trash is going down and recycling been going up. We have had some setbacks. We do have curbside recycling offered by our waste haulers, but the bins that you see in that photo, you may recognize those from the Dillon’s parking lots where those were distributed. Those were taken away because of too much contamination going into them. Waste Connections paid for those bins, Dillon’s allowed them to be in the parking lot. The people would throw trash in them, there’d be trash around the bins, and so it would blow around which disturbed Dillon’s, so those were removed.

“Recently, the last several of those that were in some small cities around Sedgwick County, and by recently, I mean two weeks ago. You had one up in Leeker’s [Family Foods] in Park City, one at Andale Co-op and one in Bel Aire City Hall. Those were removed two weeks ago, so none of these bins currently exist. So that makes it harder for people to recycle, as they have less choices. On our website, we do list where people can take material, International Paper and Pro Kansas Miller Recycling Center are places where people can go and drop off their recyclables for free. Solid waste reduction also includes composting the material. There are two locations where people can take compost material, but they are charged for dropping the material off. One is at Brooks C & D Landfill, and the other is at Evergreen Recycling at the 53rd Street North just west of Broadway. Some small cities offer this service for their citizens where the citizen can bring material, they compost it and then return the mulch to the citizens. I know Haysville is one of those communities.

“The county has a Household Hazardous Waste Facility, as I mentioned earlier in this meeting, where we have the remote drop-offs, but we encourage people also to visit our facility at 801 Stillwell. We had over 26,000 participants in 2017, and that was an increase from 2016. Over 1,300,000 pounds of material was dropped off in 2017. So that’s encouraging that people are doing the proper thing on getting rid of the chemicals from their home. The total that brought in, we go through that, we pull out the products that are still in good shape, put it out in our Swap & Shop where people can come in, look at the products there, and the bottom left photo shows some of the shelves with the material on it.

“We get chemicals for swimming pools, paints, car products, so it’s quite a variety of lacquers, all sorts of things, and we have a lot of carpenters come in and take material. So this is a free spot where people can come in, find good products and take home, and it saves us money. Last year we saved over \$127,000 in disposal fees from what people took from our Swap & Shop for free. So they get it for free, and then we save money, so that’s a good way of doing it. There’s a picture on the bottom right of one of our remote collection events. Those continue to be popular with the community.

We also work with businesses that generate a small amount of hazardous materials by bringing the material to our facility. We do charge them but it's our contract rate, and it's much cheaper than they can do it if just contracting for someone to come to their facility. So we had almost 71,000 pounds of material come in last year from small businesses.

"Again, looking at a trend, at household hazardous waste, the blue line showing the amount of material coming in, how much that's increased from 2002 to 2017, so grown dramatically. The green line is the amount of material taken out of the Swap & Shop area, and this is for the number of customers for, again the blue line, for just coming to the facility, and the green line for the Swap & Shop. So it's quite popular, and we have repeat customers all the time for the Swap & Shop. We also have to look at construction and demolition material, that's your drywall, two-by-fours, brick, roofing material, anything you can associate with tearing a building down or roads. The C & D (Construction & Demolition) landfills, there are two of them. Brooks [Landfill] up north, and the other one is up north, too, CDR is right near the Waste Connections transfer station.

"But they take that material, those landfills are not as expensive to build as municipal solid waste landfill. They don't have liners under them. So this inert material can be disposed of cheaper by the developers. Both of these facilities have around 20 years of life left in them. So at this point, we're not concerned about building a new one, but we are investigating that, keeping that on our radar that we will need it before 20 years is up, another C & D landfill in our community. Looking at the trend, you can see that's, there is more and that's due to economics, the more growth we have, the more people are building homes, you'll have more material for the C & D landfill. So that's going to waver depending on how the economy of the area is going.

"We also offer bulky-waste coupons through our solid waste fee. People call us all the time, how do I get rid of a couch or some large items. What we have is a coupon that's good for up to 1,000 pounds of free disposal at either of the transfer stations. We'll be doing that again this year starting August 1st. People can go to our website, sedgwickcounty.org. They sign up for it. We mail them the coupon, and they have until the end of October to use the coupon at either transfer station to get rid of material. We've issued over 38,000 coupons since we started this. Over 14,000 people have actually redeemed them. Unfortunately, some people get to thinking I may need it and then they don't use it. So we encourage you, if you're going to ask for one, be sure you use it.

"Storm debris is something the county is always concerned about, whether it's ice damage, wind damage, flooding, tornadoes. We'll get that in our community, and we have ways to dispose of it. The old way, the upper right hand picture was piling all the stuff together, setting it on fire. This can create a lot of smoke that disturbs the people in the area, plus it increases the ozone level, but the county invested in a tub grinder, what you see on the bottom left, and an air curtain burner on the bottom right, which basically burns material at a very high temperature and it's smokeless basically. So the State really likes this way of disposing the material. We have both of these as portable units, and we have taken a tub grinder out to other communities that have had wind damage and helped them mulch the material and then they give the mulch away to their citizens. So we'll try to keep on top of this and help communities in the county.

"We also offer services like the Christmas tree recycling. We have 22 locations around

Sedgwick County. We have, the majority of those are in the city of Wichita at their parks, but we also do this at parks in other cities as well. Since we've started doing this, we've recycled over 88,000 Christmas trees. People love to come and get the mulch material then and take it home for their gardens. We get calls all the time around Christmas, are they mulching the trees? Yes, because they want to go out and get them. The trouble we have though are people leaving the lights on the trees. Doesn't go through the grinder very well.

"We also have special cleanup programs. I've worked with townships on illegal dumping that they find along the roads. We help dispose of that material for them. We've worked with the court system and helped increase the fines for the illegal dumping. We provide no dumping signs for the townships to put out, so we work closely with them on helping to keep the county roadsides clean. We've paid for over 1,744,000 pounds of illegally dumped material since 2002. So it is a good relationship we have with them.

"State wants to know what we do with dead animals. Animal Control does have contracts with a company to pick up or move dead animals that they find along the roadside. Also, I've worked with the State on a case where in the winter, a large chicken coop area, the roof collapsed, killing all the chickens inside, and so we worked with them to get special permission to bury the chickens on site.

"So it's not pleasant, but it's something we've done, or dead animals dumped in the Ninnescah River, and I had to get a special waste permits through State to get rid of those. So it's something you don't want to have around very long.

"We also have waste tires, and we've worked with disposing of those, getting them out of the community where they're sitting around, they're not attractive, plus they hold water, which causes mosquito breeding. You can see we've offered five events. The latest one was 2017. If you look at the number of tires from each event, it was over 200,000, the first couple times we did it, and then it's been declining. We're hoping it continues to decline, and we're planning on another tire event next year where people can bring their tires for free disposal. That bottom photo you see is from one of our tire events. So quite a few tires come in, and depending on who gets the contract, they usually shred up and recycle them. You have to get the steel belts out of the side of them and the other fluff material in them. So it depends on who has the contract on how they recycle the material.

"Cindy just talked to you about the e-waste event that we just had. It was very successful. We had a lot of people really appreciate that, and yes, we've been having calls on when will we have the next e-waste event. We do have Stericycle in our community that picks up medical waste from hospitals, dentist offices, veterinarians, doctors' offices and have those properly disposed of, and so that's something the State wants to make sure of that is, you know, a community especially our size, takes care of their medical wastes. But it's something we're looking at for next year, and that's controlled drugs can't just be taken anywhere to be disposed of. We take drugs at our Household Hazardous Waste Facility but as the typical prescription drugs, over the counter, we cannot take controlled drugs, your ones that you have to sign for, your morphines, codeines, the opiates, we cannot take at that facility. You have to have law enforcement involved, and we plan to work with cities in our county to see about putting drop-off boxes similar to these where citizens can go drop off any drugs in these containers for free.

"No one is asking their name or anything, it's just drop them off and leave. This gets these opiates out of the home. If people don't use them anymore, someone passed

away, and they have these drugs left over, let's get rid of them properly. You don't flush them down the toilet. It's not treated at the sewer system and it just goes right into the rivers. We try to inform people about what we do through our public education program, whether that's on our website at sedgwickcounty.org. On handouts, we gave out handouts at the most recent e-waste event. Every car that came through received additional information.

"We go out to civic groups, schools, do presentations and try to get the message out on how you can recycle and what you can do with material, and if you go to our website, the recycling guide, you can actually just go down and click on what item you're interested in and it takes you to the information on what companies take that material. The State requires that we approve any solid waste permits that come through our county or grants.

"The State doesn't have money for grants right now, so that wasn't an issue in the past five years. 2014, we did have a couple of companies ask for permits, one was Stericycle and one was Custom Wastewater Technologies [of Wichita] that went through the committee and then approved by the Commissioners.

"The solid waste fee is on the people's property tax, it's paid once a year on your property tax bill. The Commissioners increased it last year to help pay for the e-waste event and to help get rid of tree debris from storms, \$5.88 a year. You know that's about the price of a cup of coffee at Starbucks anymore. So it's not bad for a one-time fee. Non-residential properties, businesses, depends on the type of business and what type of material they produce, but you see that ranges from \$4.44 to [\$]7.87 a year, so it's not a bad price for all of the different options you get. You can see that on this slide from taking care of storm events to waste tires, e-waste, special cleanups. We've worked with some communities on providing dumpsters for them.

"We've worked with the [Kansas] Department of Aging to provide dumpsters for hoarding cases to help clean up. We have worked with the Metropolitan Area Building and Construction Department (MABCD) where they have people who need to get rid of material before being fined. They have the labor and prints lined up, but they just don't have the money to pay for the dumpster. We provide that as well. So the point is to clean up the community and make it a better place. So next year we're hoping to do a tire event, the pharmaceutical wastes, a coupon program, and depending on how the budget is going, seeing what we do next and what we have funding for. So I'll be happy to answer any questions, and we are required by the State to have a public hearing. That's been properly noted in the newspaper. So I'd be happy to answer questions, so I'll have you open this for public hearing and approve the plan, hopefully. Thank you."

Chairman Dennis said, "Thank you, Susan. Do we have any questions from the Commissioners before I open the public hearing? Seeing none, at this time I'd like to open the public hearing for the Sedgwick County Solid Waste Plan five-year update. If anyone would like to speak on this issue, please approach the podium. Seeing none, I'd like to close the public hearing on the Solid Waste Plan five-year update and bring it back to the Commission. First of all, just a couple comments. I appreciate the update. I appreciate exactly what's happening in Sedgwick County to help protect the environment. You all in Public Works do a great job in a lot of areas, and our recycling efforts and ways of keeping things out of the environment is, I think, a great thing for our community. Are there any other, Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. Susan, I'd just like to hope that you would carry our expression of appreciation back to the Solid Waste Management

Committee for their involvement in this and how they help manage this responsibility in Sedgwick County, and especially to Nicki Soice. Is she still Chair?"

Ms. Erlenwein said, "She's still Chair."

Commissioner Unruh said, "Good for her. I had one question, though, besides wanting to make sure they understood our appreciation. That is, it appears in the last ten years or so that the total solid waste has reduced when you count disposal and recycling, it's down in total about eight percent, it looks like. What is that attributable to in light of the fact that we've had some population growth in the area? Is that just due to packaging changes or..."

Ms. Erlenwein said, "Yes. There's been quite a few changes on, as you mentioned, packaging is reduced. The road material, instead of going to a C & D landfill, goes to special businesses that grind it up and reuse it, so that's kind of a separate area that you're not getting a count on. We never get a count from some of the metal recyclers in our community. We've asked them in the past. There's no law to make them give us numbers as to how many cars are recycled or car batteries or other metal that they receive. So that's kind of a lost number and always has been out there on what people are taking to these private businesses to recycle. We can't capture that number. So I imagine that has something to do with it as well that people are recycling more at those facilities."

Commissioner Unruh said, "Well, 40,000 tons or so decrease in that time on total volume is, I think, pretty significant."

Ms. Erlenwein said, "You look at the Wichita Eagle. You see how thin it is and how much it weighs now compared to the past. More things are being done online and less material, magazines, newspapers, that sort of material, isn't being delivered to the home anymore. So it's reducing the production of the material."

Commissioner Unruh said, "Alright, well thank you. Appreciate it. That's all I have, Mr. Chair."

Chairman Dennis said, "Thank you. I don't see any other comments."

MOTION

Commissioner Dennis moved to approve the Sedgwick County Solid Waste Management Plan five year update.

Commissioner O'Donnell seconded the motion.

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

VOTE

Commissioner O'Donnell II Aye
Commissioner Ranzau Aye

Commissioner Howell Aye
Commissioner Unruh Aye
Chairman Dennis Aye

Chairman Dennis said, "Thank you. Madam Clerk, next item."

Approved

L [18-451](#)

ADOPTION OF A RESOLUTION ESTABLISHING SOLID WASTE FEES FOR 2019.

Presented by: Carli Sanchez, Principal Management Analyst, Division of Finance.

RECOMMENDED ACTION: Adopt the resolution and authorize the Chairman to sign.

Chairman Dennis said, "Well good. Now we're going to see how we pay for some of this."

Ms. Carli Sanchez, Principal Management Analyst, Division of Finance, greeted the Commissioners and said, "Since 2000, Sedgwick County has imposed solid waste fees which provide partial funding for the programs Susan Erlenwein just described for you. State law provides that if the county chooses to impose a solid waste fee, they must do so before July 1st for the fee to be effective for the following calendar year. The action before you today is to impose a solid waste fee for 2019. The fee varies according to classifications. Residential property owners pay a fixed amount per billing unit, and commercial and industrial property owners pay an amount based on their waste generation characteristics for their particular businesses or parcels of property.

"The resolution proposed for 2019 suggests a range of fees that are identical to those that were established for 2018. The residential fee is \$5.88. Tier one is \$4.44 per parcel, tier two is \$5.58 per parcel, tier three [\$]6.73 per parcel, tier four is [\$]7.87 per parcel and tier five which are large multi-use properties such as the malls, is \$5.58 times the number of business units within that parcel of property. Those fees once again are identical to the current fees and they will be collected through the county's property tax bills. If you have any questions I would be happy to answer them for you. If not, then I recommend that you adopt the resolution that is before you."

Chairman Dennis said, "Thank you, Carli. Any questions? Seeing none, what's the will of the board?"

MOTION

Commissioner Dennis moved to adopt the resolution and authorize the Chairman to sign.

Commissioner O'Donnell seconded the motion.

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

VOTE

Commissioner O'Donnell II Aye
Commissioner Ranzau Aye
Commissioner Howell Aye
Commissioner Unruh Aye

Chairman Dennis

Aye

Chairman Dennis said, "Thanks very much. Madam Clerk, next item please."

Adopted

M [18-460](#)

CONSIDERATION OF A GRANT FROM THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT (KDHE) IN THE AMOUNT OF \$920,000 TO PROVIDE OUTREACH, PREVENTION, AND INTERVENTION SERVICES THROUGH THE HEALTHY BABIES PROGRAM IN THE HEALTH DIVISION AND THE HEALTHY FAMILIES AMERICAN PROGRAM AT THE KANSAS CHILDREN'S SERVICE LEAGUE (KCSL).

Presented by: Adrienne Byrne, Health Director, Sedgwick County Health Division.

RECOMMENDED ACTION: Accept the award; authorize the Chairman to sign the grant award agreement and to authorize the Purchasing Director to provide written notice to the KCSL of the County's intent to exercise the first of the three one-year options to renew the parties' agreement; and establish budget authority as provided in the financial considerations section of this request.

Chairman Dennis said, "Good morning, Adrienne."

Ms. Adrienne Byrne, Health Director, Sedgwick County Division of Health, greeted the Commissioners and said, "I also have Na'shell Williams with me this morning. She's the Healthy Babies Program Manager. So this morning, I am asking for your consideration of a grant award in the amount of \$920,295 from the Kansas Department of Health and Environment to provide services to at-risk pregnant moms, children and families through our Healthy Babies Program as well as the Healthy Families American Program at the Kansas Children's Service League (KCSL). We have received this funding for over 15 years, and for the Healthy Babies Program, it pays for all or a portion of 10 positions as well as rent and other items. Healthy Babies is an educational program for prenatal and parenting families. Education and family support is provided in their home and during office visits.

"Services are available to all Sedgwick County residents regardless of income or insurance. The optimal time to be enrolled in the program is prenatally, like during the first trimester, and Healthy Babies works with the families through the child's second birthday. Even though it is optimal to be enrolled in early pregnancy so we have an opportunity to impact healthy outcomes, we do enroll moms that have just recently had a baby and just found out about the program. So program outcomes focus on decreasing the number of preterm births and low birth weight as well as increasing safe sleep practices of the baby sleeping alone on his or her back and not having any pillows, stuffed animals, blankets in the crib with the baby to reduce the chances of Sudden Infant Death [Syndrome] (SIDS).

"In 2017, we provided approximately services to 1,300 moms and babies, children up to the age of two. For the first five months of 2018, we're already on track to surpass that number by 250 or 300. This is, this grant does have dollar for dollar match required, and we meet that through staff salaries and then one of our other grants. I

recommend you accept the award, authorize the Chairman to sign, and authorize the Purchasing Director to provide written notice to the Kansas Children's Service League of the county's intent to renew this grant, and I'd be happy to answer any questions."

Chairman Dennis said, "Thank you, Adrienne. Commissioner Howell."

Commissioner Howell said, "Thank you, Mr. Chairman. Just a couple quick questions. Can you please confirm for me, what I've heard is that Sedgwick County has a high infant mortality rate compared to the rest of the state. In fact, let me go further, I think the State of Kansas is a little higher than national average and Sedgwick County is higher in the state. So if you wanted to put those two factoids together, we probably are kind of an outlier compared to at least national and state averages, is that correct?"

Ms. Byrne said, "Well the Wyandotte County, right now Sedgwick County, when we look at a five year period, because that's how the State compiles infant mortality as far as reporting on the rate, Sedgwick County, between 2012 and '16, we had a 7.2 rate, which is per 1,000 births. Now, Wyandotte did have a 7.7, so they're slightly higher, but after Wyandotte, Sedgwick County does have the highest infant mortality rate."

Commissioner Howell said, "Would you characterize that number as declining, again, this is the 15th year, you just said that, has this number been declining as a result of our efforts?"

Ms. Byrne said, "As a result of community efforts, because we are one of many organizations working to combat infant mortality, it is showing a slight decrease at this time. We'll see what the next numbers do show, but the numbers are still way too high, but it is on the decline."

Commissioner Howell said, "I agree with that. In fact, I'm trying to reflect on our strategic plan for Sedgwick County actually includes a statement regarding infant mortality, is that right?"

Ms. Byrne said, "It's not infant mortality, but it's what can contribute and that is low birth weight."

Commissioner Howell said, "Okay good, well anyway, I want to say, number one, I appreciate the program and the effort and the staff that are involved in this. I don't completely agree with the application of this effort. I think that we could do better, and I'm somewhat disappointed that we're not really solving the problem in my opinion. If the needle is moving, it's moving such a small amount, it's hard to determine that, especially over time. I think that this problem is persistent and our efforts are great and we're very well intentioned, but we're not seeing, I should say, a good trend line based on the efforts that have been made by the county as well as the community. "So I would like to support this today, and I am supportive of that, but I'd like to have a bigger and better discussion about how to really move that needle, and I think that this is, I think, the fourth time I've dealt with this topic on the bench, and I've brought this up every single year. I have yet to see any significant change in our program or efforts from the county. So I guess I'm concerned about the fact this is a languishing issue and we're not really engaged in a solution that is moving that needle. Nevertheless, I do appreciate all of those involved, and I know we're doing our best to move that needle, and I'm not critical to anybody involved in the program. I appreciate what you do for Sedgwick County and our community, but I do think we can, we ought to continue to

look for other solutions to hopefully make this a better trend line.

MOTION

Commissioner Howell moved to accept the award; authorize the Chairman to sign the grant award agreement and to authorize the Purchasing Director to provide written notice to the Kansas Children's Service League of the County's intent to exercise the first of the three one year options to renew the parties' agreement; and establish budget authority as provided in the financial considerations section of this request.

Commissioner O'Donnell seconded the motion.

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

VOTE

<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Chairman Dennis</i>	<i>Aye</i>

Ms. Byrne said, "Thank you, Commissioners."

Chairman Dennis said, "Thank you, Adrienne. Next item, please."

Approved

N [18-350](#)

RESOLUTION TO CHANGE SEDGWICK COUNTY POLICY 4.309
SMOKING AND ELECTRONIC CIGARETTE USE.

Presented by: Tom Stolz, Deputy County Manager.

RECOMMENDED ACTION: Approve the Resolution.

Mr. Tom Stolz, Deputy County Manager, greeted the Commissioners and said, "Here this morning to present a policy revision for your consideration concerning Sedgwick County personnel policy 4.309, which is the directive governing the use of electronic cigarettes and tobacco cigarettes by county employees.

"Just to refresh your memory, the County Manager's Office last year formed a policy review committee, which began convening meetings in August. The committee is made up of employees from all four county departments, all elected offices, including Sheriff, DA (District Attorney), Treasurer, Register of Deeds, County Clerk's Office as well as representatives from County Legal and the County's Human Resource (HR) Division.

"They have two main tasks in this committee. One is to routinely review existing policies and make revisions if necessary, and the second task is to create new policies as requested by the Commission or Manager. The current policy was reviewed by the committee in April, and the committee recommended the attached policy revision that you have in front of you. In essence, the revised policy recommendation seeks to treat electronic cigarette usage at work to that of traditional cigarettes, to allow only in areas where smoking is allowed. The staff recommendation is to approve the revised policy and resolution authorizing the change. I would be glad to answer any questions, and I know there are some folks present in the audience who also may

have information regarding this subject depending on questions which from the Commission.”

Chairman Dennis said, “Thank you. Do we have any questions for Tom Stolz? Commissioner Howell.”

Commissioner Howell said, “Yes, Mr. Chairman. I’ve got a number of comments as well, but I’ll probably reserve those until after the other folks speak. I don’t have as many questions. I have more comments, but I would ask, I guess, this policy is coming before us, how is it this is being considered at this time? I mean, this has been in place now since 2016, and I’m wondering why is this coming before us today. What’s the genesis of this consideration today?”

Mr. Stolz said, “The Chairman asked for this review earlier this year. The committee did not get to it until April, and we reviewed it at that time.”

Commissioner Howell said, “Okay, and have there been complaints amongst the organization that’s driving this reconsideration of policy?”

Mr. Stolz said, “We’ve had no existing complaints that I’m aware of with the current law.”

Commissioner Howell said, “Thank you very much. Thank you, Mr. Chairman.”

Chairman Dennis said, “Thank you. Further questions from the bench? I see none, so is anyone in the audience would like to speak on this issue? If you’d please approach the podium, and state your name for the record. Seeing none, I’ll bring it back to the bench. Commissioner Howell.”

Commissioner Howell said, “Alright well, I have a lot to say on this topic. Let me start off by saying I don’t smoke, and I never have smoked. I’m not a fan of cigarettes. In fact, I abhor them, maybe I use a different word like maybe hate. I don’t like them at all. So I hope you agree with me that cigarettes are deplorable. I don’t use that word very often, but I don’t like them. I also do not vape. I never have. I sat on Federal State Affairs in the Statehouse when a presenter came to us and explained to us that in Europe they are embracing a philosophy called Tobacco Harm Reduction, and in that briefing, they explained the efforts by many people who are addicted to cigarettes, smoking, that for those folks that want to quit smoke, using all of the tools that are in place, including things like nicotine gum, the patches that are prescribed, nicotine gum I believe is available over the counter, hypnosis and prescription drugs, things like Chantix.

“There may be other things as well, but all of the combined efforts to help someone stop smoking are, by what they said at the time, and I’ve not validated their numbers, but I think this is fairly accurate. They said 93 percent failure rate, and a seven percent success rate. So I’ve talk to smokers and I’ve asked them since then, this was years ago. But I’ve asked them, you know, have you ever tried to quit smoking or do you want to quit smoking, and for those that have said, yeah, I’ve tried or I want to. I ask them, you know, why don’t you just quit, and they say well it’s extremely difficult. So I learned at that time that in Europe they are actually promoting other forms of tobacco use or nicotine use as a way to get people to stop smoking cigarettes, and

they've had pretty good success.

"I'm going to read a couple of things today that hopefully won't bore you to death, but I think I'll make my point. It's interesting that, first of all, the word cigarette I think is used incorrectly. By definition, [Merriam] Webster [Dictionary] says a cigarette is a slender roll of cut tobacco enclosed in paper meant to be smoked. Oxford Dictionary says a cigarette is a thin cylinder of finely cut tobacco rolled in paper for smoking. You can find other definitions of that, but to use the word cigarette for something that has no tobacco in it is not really an accurate description of what that actually is. So you know, it's interesting that, well let me go on a bit further.

"So the idea of Tobacco Harm Reduction makes the argument that there are different types of tobacco use, have different levels of harm attached to them. So in other words, cigarette smoking being one end of the spectrum, the most dangerous habit of all is cigarette smoking. I don't like to be around it. I've actually be knocking on doors talking to people about the upcoming election, and I remember just a couple of days ago I was invited to someone's front room to have a conversation inside the air conditioning. A few minutes later, by the time I left, I felt filthy because I smelled like an ashtray, and I had to go home and take a shower.

"That's the type of thing that I don't like to be around cigarette smoke. I'm sure that a lot of people agree with me on that. My wife is actually allergic to cigarette smoking. I'll make a couple of points. Back before my dad died a couple of years ago, let me just say about him, he's been addicted to smoking since he was a teenager, probably an early teen, but I don't really know that. But he's been addicted his entire life since I've known him. A couple of years ago, he died.

"He had breathing problems. He had difficulty in breathing. He was so addicted to smoking tobacco he would actually forgo his food budget to get tobacco. In fact, he would send someone he knew to Oklahoma to buy cases of loose tobacco so he could come back and roll them himself because it was cheaper, and he would chain smoke from cigarette to cigarette. If he had to leave the house, he would leave the house usually with pockets full of his rolled cigarettes so he could continue to smoke wherever he went. As I visited him, it was hard to visit him, because I had to be in the atmosphere of smoke. There was no other option. At that time, he was unwilling to do anything else. If I took him somewhere, say out to get lunch or something like that, he wanted to smoke in my car, and I told him, dad, you're not allowed to smoke in my car. I don't want you to do that. He was offended. It was hard for him. He smelled like smoke. He smelled like an ashtray, but I didn't want him to actually smoke in my vehicle. So that was a problem we had to deal with. When he came over to visit, which was rare, but when he came over to visit, he wasn't welcomed to smoke inside my house. I wouldn't allow it. So he had to spend virtually his entire visit outside by himself, not much of a visit. So that's kind of my background.

"Secondly, my mom is also a smoker, lifelong. She is, unfortunately struggling with Alzheimer's disease and she is in a nursing home right now. They have a very severe, I should say, a very strict smoking policy. You are allowed to go outside and smoke if you can get outside, but she's very immobile, she can't get out, and she also has Alzheimer's. So to try to satisfy her needs, there is really no great option, but I would love it if I could, you know, every time I see her, she asks for a cigarette. Unfortunately, I have not ever been able to ever make her happy in that regard. She is focused on that. I think that if there was a loving solution to her suffering, her desires, I would love to provide that to her, but I can't, because it's not allowed.

"There are even doctors that will prescribe nicotine patches, it's called Nicotine Replacement Therapy (NRT). It reminds me a little bit of the medical marijuana debate that goes on in our communities. If someone is prescribed medical marijuana in the states that allow that, they don't necessarily control how much is smoked or how it's actually consumed or where that marijuana comes from. They're just allowed to have it. So to the extent that nicotine is controlled in a patch, that may be great, but if someone wants to get nicotine another method, for example, chewing gum, they could get enormous amounts of nicotine. So there are cessation tools out there that are unregulated, there's really not Nicotine Replacement Therapy controlled by doctors, but it's more just nicotine consumption, and it is not controlled, they're much more like Tobacco Harm Reduction. It's interesting also, Chantix is one of many prescriptions, but I read recently that Chantix has been connected to what they said on this report.

"Again, an FDA (Food and Drug Administration) approved drug that is connected to 544 suicides and 1,869 attempts. I don't know if those numbers are right, but that's what the report said. So there are some consequences for using things like Chantix, even though they may not be successful in getting someone to actually stop smoking. There are some complications and some problems with that.

"I appreciate the American Lung Association and the American Heart Association for their efforts to reduce human suffering and death. I think they're well intentioned, and I think that they, we just have a disagreement on how to do that. I do think that they, they're well intentioned and the people involved in those organizations are very sincere in their desire to see people stop dying and suffering from cigarette smoking, and I appreciate that very much. However, there is some things out there that might help people who are suffering and dying that ought to be considered by those two organizations.

"It was stated a couple years ago, Commissioner Ranzau and I were here, Commissioner Unruh as well. A couple years ago we were making some adjustments to the Sedgwick County Health Department. It was stated in a news article that we were killing 65 people per year, remember that Commissioner Ranzau? Is that the right number? Sixty-five per year, I think that's right. I found, I'm not saying this is right, but I found an article I think is, I'd like to just read a couple of excerpts out of this article. This is dated October 3rd, 2017. It says researchers have finally quantified the number of deaths that have been averted by millions of smokers switching from traditional cigarettes to electronic cigarettes or e-cigarettes. The study titled Potential Deaths Averted in the U.S. by Replacing Cigarettes with E-cigarettes was published in the latest issue of Tobacco Control. I'm not saying this is a study we should necessarily trust, but they take two approaches to this.

"They call it an optimistic and a pessimistic approach to this study, so take whichever numbers you like. Let me zip to the end of the conclusion here. It says here in the optimistic scenario, 6.6 million people, that's 4.8 million males and 1.78 million females, have less premature deaths and 86.7 million people have less life years lost. This means 25 percent fewer premature deaths and 35 percent fewer life years lost with the switch. In the pessimistic scenario, the numbers are 1.6 million total, that's 1.4 million male and .3 female, but the same phrases are there. So arguably, reducing human deaths and suffering has been a consequence of e-cigarettes that have been around since 2003.

"I tried to find out, are there any actual documented deaths from e-cigarettes, and I did find a couple. Let me talk about those real quick. In 2014, in December of 2014, there was a death from a child that ingested large quantities of nicotine. That was the first

death that was related to these e-cigarettes that I could find. Again it was ingestion from nicotine, which by the way, if you take a lot of nicotine and ingest it that way, it is toxic, and it could harm, it could kill somebody. If you survive that, then I assume you would recover. But nevertheless, nicotine in large quantities could actually kill someone. Then in May of 2018, there was a battery explosion, and I think this was the first death. Again, May 2018, just a couple months ago, the first death I believe was from a battery explosion from an e-cigarette. But in terms of deaths from actually using e-cigarettes, I haven't been able to find any data. A lot of this is based in theory. People might be harmed. People could be harmed.

"We don't know that they're safe, and that drives a lot of the policy comments by these organizations. I read somewhere that people who smoke tobacco, cigarettes that is, have a ten-year less lifespan than people who don't smoke. Cigarettes have a huge consequence on people's health.

"I also read that 480,000 people on average in the U.S. die from cigarette smoking. That's per year, and there are literally millions of others that are in the process of death and dying that are dealing with all kinds of things like hardening of the arteries and heart attacks, COPD, other breathing problems. They are suffering as a consequence of being addicted to cigarettes. So literally millions of people in the process of the pipeline of dying. You would think since 2003, if e-cigarettes were that harmful, we would find a large quantity of people who use those products that we could certainly come up with some type of statistics, but I can't find any.

"By the way, our policy that we're reconsidering today does require, this is just for employees. It doesn't apply to anybody else, this is for employees that are allowed to use electronic nicotine delivery devices in designated areas and odorless is required. Odorless, and so you can't see it and you can't smell it. If you're in a cubicle somewhere and you wanted to use one of these devices versus going outside and smoking a cigarette in the heat or the cold or the weather, this would be allowed under our current policy. But you can't, in my opinion, it's not intended to be done in public in front of our customers. We want to maintain a professional image, but this is using electronic nicotine deliveries devices in designated areas which are odorless. That's what the current policy requires, and we have had no complaints.

"So we're reconsidering this today because I think it's political. You know, [Mayor Michael] Bloomberg made a point that soda pop causes obesity, and they passed a city ordinance for the city of New York that you couldn't have so much soda pop. I'm sure that these health organizations would never recommend consumption of soda pop, because it's not really great for you, yet a lot of people do consume it because we enjoy it and it's something we like to do. But Bloomberg got criticized for passing a city law that would simply restrict the access to soda pop for adults, because that were viewed as big government and kind of stepping outside their bounds. So I think that this is similar to that.

"Let me read just a little bit more from another article. This is a Forbes Magazine article that's dated August 27, 2015, the title of it is Wacky British Idea, Why Not Tell the Truth about E-cigarettes. I don't want to read too much, but I'll just pull out and excerpts from this article. It says last week the Public Health England or PHE, a government agency published a detailed report on electronic cigarettes that described them far less dangerous than the conventional kind and recommends them as harm reducing alternative 'encouraging smokers who cannot or do not want to stop smoking to switch to EC (electronic cigarette) could help reduce smoking related disease, death and health inequalities' the report says. 'Smokers who have tried other methods of

quitting without success could be encouraged to try EC to stop smoking and stop smoking services should support smokers using EC to quit by offering them behavioral support'.

"PHE's position should not be controversial. It is indisputable that vaping, which does not involve tobacco or combustion, is much safer than smoking. Does it have some harms potentially? Possibly it does, but compared to cigarette smoking, it's night and day. It logically follows that smokers can dramatically reduce their health risks they face by switching, yet public health agencies and anti-smoking organizations in the United States, unlike their counterparts in the United Kingdom are strangely reluctant to acknowledge these points, implausibly portraying e-cigarettes as a threat rather than an opportunity.

"The British example points the way points to a calmer more rational approach that is consistent with the public health goal of reducing the morbidity and mortality associated with smoking. Let me skip forward here just a little bit further. The report warns that misinformation about e-cigarettes, including sensational press coverage, and I'm interested to see what's going to happen today, about today's discussion, what excerpts will be pulled out of this and what headlines will be. Please understand, I'm not promoting e-cigarettes. I'm not pro-vaping, I'm anti-cigarettes, and I'm anti-smoking. I'm interested as a member of the Board of Public Health seeing less human suffering and less human death. That's my motivation today. But weak or over-interpreted studies is warping public's perceptions of the risks posed by vaping, possibly deterring smokers from making the switch that could save their lives.

"British surveys indicate that misrepresentations have increased in recent years. A survey of adults sponsored by the British group Action on Smoking and Health, which unlike the American group of the same name, they support e-cigarettes as an aid to quit smoking and found that the share of respondents who incorrectly describe e-cigarettes as more harmful than tobacco cigarettes or equally harmful rose from about eight percent in 2012 to 20 percent in 2014. Another 23 percent said they did not know. So about 43 percent of the people think that e-cigarettes are equally harmful or possibly more harmful than smoking cigarettes. I hope that everybody in this room agrees that's not true. Please understand, there is a fact and there is science. E-cigarettes are not as harmful as smoking tobacco. That is a fact, scientific.

"The PHE report notes that American surveys have found a similar trend. In fact, public perceptions in the United States seem to be even more divorced from reality. A Reuters poll completed on June 4th of 2017 shows 35 percent of Americans understand that e-smoking is less dangerous than traditional cigarettes. The rest, nearly two-thirds either disagree with that statement or don't know. So there's two-thirds of the people who don't understand this, because I think we've done a poor job in this country of talking about this factually and scientifically. The political correctness of this is actually killing people. I think it's tragic. The long-term impact of e-cigarettes by use on public health overall remains uncertain, says the U.S. Centers for Disease Control, the CDC. They said, 'we really have to assume they're dangerous until they're proven safe rather than the other way around'. So the burden of proof is really on the e-cigarette device producers and sellers rather than on science as usually.

"We don't ban things before we understand they're dangers normally. Anyway, the

advice from our private organizations that are ostensibly interested in reducing smoking related harm, is generally not any more helpful or accurate. The American Cancer Society asks whether e-cigarettes are safe when the relevant question is whether they are less hazardous than conventional cigarettes, which they clearly are, they say, again this is from the American Cancer Society, it says 'because the American Cancer Society does not know yet whether e-cigarettes are safe and effective', it says 'we cannot recommend them to help people quit smoking.'

"This article also says 'since electronic cigarettes were introduced to the market, smoking prevalence among adults and youth has declined'. There's been a campaign for decades talking to people about the dangers of smoking cigarettes. It's been largely ineffective of changing the propensity of those bad habits in the community. But something has changed since electronic cigarettes were introduced to the market. There has been a decline among adults and youth. There is no evidence to date that electronic cigarettes are re-normalizing smoking. I've said probably way more than I should have said, I'll just say, I'm sure there's votes to change this policy. I have no confidence this will be changed back, but I think it's unfortunate that employees in Sedgwick County can't be told by the Board of Public Health that cigarette smoking is the most dangerous thing you can do in terms of bad habits, and if you are going to be addicted to nicotine.

"By the way, nicotine is a stimulant, it's not a carcinogen. It's a stimulant. If employees understand that if you're going to be addicted to nicotine, at least do it this way, don't do it a way that's going to actually cut 10 years off your life. I didn't say this, but I wanted to say earlier that e-cigarettes have four ingredients. There is in an e-cigarette, there is vegetable glycerin that's FDA approved for human consumption. There's propylene glycol, which is not the same as ethylene glycol, ethylene glycol cools your vehicle. It is toxic. If you drink that, it will kill you. Propylene glycol is an FDA approved substance for human consumption, it's actually in toothpaste.

"There is also nicotine, and that can be synthetic or natural from cigarette. It's actually pulled from tobacco or it could even be synthetic, but nicotine, which is a stimulant much like caffeine, and then there are flavorings. Things like, we've heard of things like skittles and cotton candy and other types of smells. Again, our policy requires odorless, so there are no flavorings in the e-cigarettes that might be used by employees in the public arena in designated areas. There's a, people always raise the issue of the popcorn lung. Let me just tell you that popcorn lung is a real thing, but it was someone who I guess mixed their own flavoring and did it in a way that they ingested the buttery flavor into their lungs and it put them in the hospital. I think it nearly killed them. However, they did recover.

"So that's another incidence where people will claim, oh what about popcorn lung? Well that was an isolated incident that is an acute case of someone who did something really stupid. I think I've proven today at least with some numbers, if you've been listening, that cigarette smoking is very, very dangerous, and we as a Board of Public Health should encourage people to stop smoking, however they can.

"If they can do it through gum and prescriptions without committing suicide, that's wonderful. We want them to do that. If they can get off smoking tobacco, however they can do it, that's certainly a positive thing for their health. If they end up using electronic nicotine delivery devices to consume nicotine, and you can't see it and you can't smell it, my question is, why do we care? It's not in restaurants. We're not talking about in the jury room. We're not talking about at the Tag Office in front of other people. We're talking about the employees doing something in their own space that doesn't harm

anybody else, that's done in private out of view by themselves and no one can see it, no one can smell it. Why do we care? That's what this policy is about.

"We're going to change the policy back and we're going to say by our policy that cigarette smoking and electronic devices that deliver nicotine are exactly the same thing. If you've been listening today, you know that's not true. They're not the same thing. I am for one that want to see the human suffering and death reduced. We've got to make the distinction, we've got to make the clarification. I am sorry that this has come up once again. The policy is fairly new. We've had no complaints, but this is, I believe, politically, this is a political decision today. It's coming up not because it's good for Sedgwick County. We're doing this because it's what certain organizations want to see us do. It's not based in science. It's based in political correctness. So I'm going to oppose this change today, Mr. Chairman. Thank you for the time everyone."

Chairman Dennis said, "Thank you. Well first of all, Deputy County Manager Stolz is correct. Shortly after I became Chairman, I asked for this policy to be reviewed. I'll admit that, because I think the policy is absolutely flawed. We are the Board of Health for Sedgwick County. We need to take that responsibility very seriously. I agree with Commissioner Howell that cigarette smoking is dangerous and we ought to try and find a way that people can quit. I urge smokers to quit. I understand that it is very difficult to quit, and I've never said that we're banning people from vaping. I'm just saying that we're going to have one policy, and that policy is if you want to smoke or vape, we have areas that you can do that.

"We keep hearing about these designated areas so that it doesn't hurt anyone whatsoever because we're sending these people to these designated areas. Well, if we have all of that space in this building, I guess all the discussions that we've had recently to add another building or do something for an admin center were kind of a waste of time, because we've got all this space that we're sending all of the people that vape so that they can't do it around anyone else. We have a number of letters that we received, one from the American Heart Association, and they said that recent studies indicate that electronic cigarettes may serve as a gateway to traditional tobacco, and they have quite a bit of other things. I'm going to summarize rather than going into detail as we heard before.

"We've got something from the Tobacco Free Wichita Coalition that says that electronic cigarettes once believed to be a helpful aid to aid smokers with quitting has since been found to be a gateway product or used to begin using tobacco.

"E-cigarettes are now the most commonly used products among middle and high school students across the country, especially with the newer generation devices which are disguised as USB (Universal Serial Bus) and always contain nicotine. The Kansas Academy of Family Physicians (KAFFP) states that there are many recent studies that show it's very harmful, the effects of vaping, and we fully support banning their use indoors. American Lung Association states that they are very concerned about the potential health consequences of electronic cigarettes as well as the unproven claims that they can be used to help smokers quit. They go on to say that there is no way for the public health and medical community or consumers to know what chemicals are contained in e-cigarettes, also known as electronic nicotine delivery systems or what the short or long-term implications may be.

"They also have said its unknown what the potential harm may be to people exposed to secondhand emissions from e-cigarettes. Two initial studies have found formaldehyde, benzene and tobacco specific nitrosamines, I'm not an expert, all carcinogens coming

from those secondhand emissions.

The American Lung Association is troubled about the unproven claims that e-cigarettes can be used to help smokers quit. The FDA's Center for Drug Evaluation and Research (CDER) has not approved any e-cigarettes as a safe and effective method to help smokers quit. Again, I am a member of the Board of Health for Sedgwick County. I'm concerned about the health of all of our citizens in Sedgwick County. I am not saying that people have to quit vaping, if they want to vape. I'm not saying that smokers have to quit if they want to, don't want to quit smoking. I'm saying that we're not going to do it inside of our public facilities. Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Mr. Chairman. So this issue is important to me both personal and professional levels coming from the medical community. When this issue first came up a few years ago, I was kind of skeptical of vaping and some of the things that I have heard, but as I read more information and studies, I became convinced that it's very simple. You know, first of all, I'll say there was a time when both of my parents and both sets of my grandparents smoked throughout their lives. As it turned out all of the men stopped but the women didn't, and my grandmother had emphysema, my mother died at age 56 from lung cancer. She tried all the FDA, the government approved things to try and quit smoking and it didn't work. She never lived to see her grandchildren. So this is..."

Chairman Dennis said, "Thank you. We can come back to you. Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. I appreciated all the comments. Well, however, I think we're missing the issue a little bit here. This is just simply saying you can vape or you can smoke. You just have to have the same policy, and you've got to be 25 feet from the entrance of our building. I don't see anything unreasonable or taking away anybody's desires or anything about doing that. I just, it's the way our policy was for quite some time. If you want to do either one, that's fine. "You just can't do them inside the building, just go back to our previous policy. So whether or not vaping is good or bad, whether or not smoking is good or bad is not the issue. We're going to treat them the same and put them outside. So I'm going to support the recommendation. That's all I have."

Chairman Dennis said, "Thank you. Commissioner Ranzau."

Commissioner Ranzau said, "Yeah, sorry. I actually think our current policy is very balanced and appropriate, because we're going to a policy that sends the message that vaping or electronic nicotine is the same as smoking, and it's not. I mean, using Nicorette gum or Chantix is not the same as smoking. These are all nicotine delivery systems. There's 3[000] to 4,000 chemicals in cigarettes, it's about 3,000 that are carcinogenic. You know, there's either three or four in vaping. The difference, it's simply, we're not talking about cigarettes, these are not tobacco products, okay."

"This really has the potential of being literally life changing for a lot of people and for our country and for our community. I'm disappointed in the closed-minded approach that I hear from the public health arena, specifically our own local health department. If there's recent studies that show that it's harmful, etc., I want to see the studies, not letters that have innuendoes and accusations. I want to see the actual studies, okay. I think we need to have, look at all the other studies on the other side, okay. You know, some of these letters, I'm not going to go through all of them, but you know it's very interesting I always kind of, a red flag goes off when someone starts to argue with something, and rather than facts, they start talking about children. You know, let's do

it for the children, okay. Well I have three children, three teenage children, okay. So once again, this is important to me, and here are some things that were said in the letter that a public accommodation for ESD (electronic smoking devices) signals kids that this is acceptable and even healthy product. Well that's simply not true.

"I mean, we have things in society, like tobacco themselves and alcohol, that doesn't mean we're teaching our kids that it's okay or that it's healthy. What we're saying is we can differentiate between nicotine delivery devices and vaping and cigarettes, and we understand that the health comparisons, it's not even close. We talk about young adults who use e-cigarettes are four more times likely to begin smoking cigarettes than those who don't use vaping. Okay, well that stands to reason. There's nothing here that says their decision to smoking was caused by vaping. You know kids, a lot of kids are going to experiment with a lot of stuff, alcohol, drugs, cigarettes. If you're inclined to experiment with vaping, you're probably more likely to be inclined to experiment with tobacco to begin with. Had vaping not even been available, you may have went to cigarettes all together.

"So there is no evidence that I've been presented that this is a causal effect here, okay. It's just how it is. Of all the things out there in society, if my kids were going to experiment with something, vaping is what I'd want them to do, more so than alcohol, okay. I'd rather them be addicted to vaping than addicted to alcohol. I've seen how alcoholism can affect families in a personal way as well, okay.

Adopted

"Now, I'm not saying I want them addicted to vaping okay, but you understand that we've got to have a logical, scientific based discussion on this, and it's not happening here today. It's not happening in our health department. Just so, another fact is tobacco smoking in kids has decreased significantly. Yeah, maybe they're using vaping instead. That's actually a very good thing, because remember kids are going to experiment anyway. You could try to tell them not to and say never do it, but I get that. But if they have smoking or vaping and they're going to experiment, this is, vaping is a much safer, but then again, this whole policy today is not about kids. It's about what we were going to do here, and I think if we care about the health of our employees, and I know we do, I don't think we should treat the two as the same, because they're not, okay, we're not.

"I was happy with our policy that we came up with a few years ago. It actually wasn't exactly where we started off, but I felt like it was a balance and compromise and it made good sense, and so I'm not going to be supportive of this. But really my biggest concern is as we go forward, even in this body and with our health department, we've got to keep an open mind about this. At this point we don't. There's Groupthink, there's being things pushed down from, it's a top down approach. Just because the federal government, you know, hasn't approved it doesn't mean it's a bad thing, or just because the federal government does approve something doesn't mean they're good either. Some of the other things they haven't proved, doesn't work.

"They've also, you know, approved OxyContin and we know the problems with that, right? So this will pass, and I'm going to oppose, but as we move forward, please, in the interest of people's lives, it's interesting that the two Commissioners that have been most effected by smoking, okay, are going to oppose this today. I don't think that's a coincidence because this is very, very real. So we've got to put aside all of the

politics and all of that sort of stuff, and just look at the facts. Another thing that I found very interesting. I think both, two Commissioners were in the legislature, a few years ago when they wanted to increase the taxes on the vapor used for vaping, one of the entities, I've been told that was supporting that tax was the tobacco companies, because they see it as a competitor. They know they're going to lose business as people vape more. There'll be less smoking. That's very telling to me. That's all I have. Thank you, Mr. Chairman."

Chairman Dennis said, "Thank you. Commissioner O'Donnell."

Commissioner O'Donnell said, "Thank you. Mr. Stolz, I have a couple questions for you. The current policy, is that only for employees? So people from the public, what's our, is it the same policy? Can people be in our hallways or sitting in our meetings and smoking?"

Mr. Stolz said, "I might ask Justin to chime in on that. The policies only affect our employees, so you want to talk about that?"

Mr. Justin Waggoner, Assistant County Counselor, greeted the Commissioners and said, "Commissioner O'Donnell, we do have a resolution that prohibits the use of, I'm sorry, let me back up on that. We have a resolution that prohibits smoking within county facilities, but it does not classify e-cigarettes as smoking. What's in front of you today is only the personnel policy piece of that."

Commissioner O'Donnell said, "Okay. So members from the public can still come in the building and smoke these?"

Mr. Waggoner said, "That's correct. If you were to pass this today, it would have no impact on members of the public."

Commissioner O'Donnell said, "Okay, so it's very, very targeted then."

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

Commissioner O'Donnell said, "Okay, thank you."

Mr. Waggoner said, "Thank you."

Commissioner O'Donnell said, "To follow up if I may, Mr. Chairman, so Tom, have department heads or other elected officials or people from the courts chimed in on this policy?"

Mr. Stolz said, "Sir, all of those entities are represented on the policy review committee, and when we talked about this, our discussion was not nearly as long, but we talked about the potential or the questionable health component, and we talked about optics and professional work environment mostly, and the committee was unanimous, and I think there was actually more concern about what it looks like to the public if an employee is doing that particular task, and based on that, that's what they made their decision on to bring forward to this body to make a decision. So all of those groups were involved in that discussion."

Commissioner O'Donnell said, "Yeah, thank you very much, and thank you, Mr. Chair."

Chairman Dennis said, "Thank you. Commissioner Howell."

Commissioner Howell said, "Thank you, Mr. Chairman. For the second bite of the apple, I wanted to just clarify a couple of things because I want to make sure we're accurate today. Cigarette smoking, and again I've read lots of studies on this, but cigarette smoking, if I understand correctly, based on all the articles I've read, and by the way, let me just say there are literally thousands and thousands of articles on both sides of this debate. It's highly political.

"You can find virtually anything you want to find, so you can find a statement from someone on the side that you like and virtually say almost anything. So literally if I was to print out those articles, it would fill this room, okay. Anyway, of the articles I have read on cigarettes, I've read between 3,000 and 7,000 by-products of combustion. I know they put some chemicals in the tobacco. In fact, I think the tobacco settlement fund was because they added addictive chemicals to the tobacco to sell more cigarettes and that, the lawsuit resulted in a settlement fund that we're still receiving benefits in the State of Kansas today. But there are between 3,000 and 7,000 by-products of combustion, of which somewhere between 50 and 80 of those by-products are carcinogens, hence the reason of the extreme impact on health.

"If someone sucks that into their lungs for decades or for periods of years, they're going to have an impact on their health, no doubt about it. Commissioner Ranzau made the argument that the tobacco companies and the medical community were together trying to see us pass a tax on the vaping liquids. I think that's interesting. That is a, they say politics makes strange bed-fellows. That is certainly interesting that the tobacco companies and the medical community are in agreement that vaping is bad but for different reasons. I think it's also interesting that the State continues to allow smoking at the State-owned casino. That's a government organization. For whatever reason, they want that money. I think that's obvious.

"I would like to also just be clear that Commissioner Dennis made an argument that there are some carcinogens in the vapor of e-cigarettes. That is actually fairly debatable. There are some trace elements, and I use the word trace elements. You have to put things in perspective. How many parts per billion do these trace elements exist? For example, nickel is a heavy metal that is found in the vapor of an e-cigarette, but where does it come from? Do they add nickel to the juice that's being consumed? No. What happens actually is the heating element, which is Nichrome wire, heats up and they pull air across that, which is pulled in by the user, and trace elements of that Nichrome wire are sluffed off, if you will, into the air, and they may exhale those. So we're talking about extreme minute amounts of nickel. That's where it comes from.

"The body actually creates formaldehyde, if I understand correctly. They don't add formaldehyde to the juice, but it's part of breathing. You actually exhale some formaldehyde. So you know, the idea that these are dangerous because you can measure a couple parts per billion, you've got to keep it scientifically in, you've got to understand the scientific side of that. Just because those elements exist doesn't mean that it's harmful for human health.

"The vapor you see is actually a by-product, it's called water vapor. That's most of what it is. In terms of the nicotine itself, the human body is incredible, it's able to put oxygen into the, from the lungs into the bloodstream and pull carbon dioxide out. The lungs are extremely efficient at doing that. It's a tremendous process that God created,

and I am amazed by that. But at the same time, the nicotine is also absorbed by the body and it goes into the user, and it's, there may be trace elements of nicotine that are exhaled by the user, but most of that is absorbed by the user.

"So in terms of nicotine, which is a stimulant, not a carcinogen, may be present in the vapor that someone breathes out, but it's a very small amount, very small quantity. Most of that which you see is nothing but water vapor. So again, to compare cigarette smoking with vaping is completely wrong in my opinion. Just for the record, because I know this argument will come up, that people think I'm being funded by the vaping community. No, I'm not. I've received no funding from the vaping community. I say this because I care about people's health, and there is a difference between someone who smokes cigarettes who is literally killing themselves and someone who chooses a bad habit called vaping, but it's not even close to cigarette smoking. Okay, I'm not in favor of vaping. I'm not in favor of cigarette smoking, but the difference between those two is huge.

"I think our policy should reflect that truth. By the way, when the State of Kansas brought up the Tobacco Harm Reduction debate, it was with the effort of educating the community about the differences of different types of tobacco use. That's why they talked about it and political correctness shot that down as well. But they're doing this in Europe and they're saving lives. I think at some point in the future, and I'll put this in my mayonnaise jar and seal an envelope, but I think in the future down the road, we're going to find out that this was the right policy.

"I'm sorry, not what we're voting on today, but the policy that these are not the same devices and that vaping actually does save human lives and reduces human suffering. That fact will be borne out eventually. It's been 15 years already. How much longer will it take? There's been no deaths, there's been no statistics I can even find anywhere that talks about human suffering and death from e-cigarettes, because it doesn't exist. There's been some batteries exploded, there's been some nicotine ingested. That's tragic. There has been popcorn lung, but you can't quantify millions of people dying and suffering from cigarette smoking, compare that to the vaping and say they're the same thing. Thank you, Mr. Chairman."

Chairman Dennis said, "Thank you. I don't see anyone else wishing to speak."

MOTION

Commissioner Dennis moved to adopt the resolution.

Commissioner Unruh seconded the motion.

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

VOTE

<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>No</i>
<i>Commissioner Howell</i>	<i>No</i>

Commissioner Unruh Aye
Chairman Dennis Aye

Chairman Dennis said, "Thank you. Next item, please."

O [18-483](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON JUNE 7, 2018.

Presented by: Joe Thomas, Director, Purchasing.

RECOMMENDED ACTION: Approve the recommendations of the Board of Bids and Contracts.

Mr. Joe Thomas, Director of Purchasing Department, greeted the Commissioners and said, "There are two recommendations from the meeting of the Board of Bids and Contracts of June 7th.

1. ROAD IMPROVEMENT -- PUBLIC WORKS
FUNDING -- R175 PREVENTIVE MX+16

"This recommendation is to accept the low bid from Flint Hills Materials, LLC in the amount of \$231,299.

2. MEDICATIONS AND MEDICAL SUPPLIES -- VARIOUS COUNTY DEPARTMENTS
FUNDING -- VARIOUS COUNTY DEPARTMENTS

"This recommendation is to utilize the Fairfax County, Virginia contract ending in the numbers 5124 with Atlantic Safety Products, Inc. and the contract ending in the number 5125 with Bound Tree Medical, LLC and that will establish contract pricing per the agreements from June 1st, 2018 through April 30th, 2019.

Mr. Thomas said, "I will be happy to answer any questions you may have, and I recommend both items."

Chairman Dennis said, "Thank you, Joe. Does anyone have any questions about the Board of Bids and Contracts?"

MOTION

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

Commissioner O'Donnell seconded the motion.

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

VOTE

Commissioner O'Donnell II Aye

Commissioner Ranzau Aye
Commissioner Howell Aye
Commissioner Unruh Aye
Chairman Dennis Aye

Mr. Thomas said, "Thank you, Commissioners."

Chairman Dennis said, "Next item, please."

Approved

CONSENT

Mr. Mike Scholes, County Manager, greeted the Commissioners and said, "Commissioners, I recommend you approve consent agenda items Papa (P) through Uniform (U). I have a clarification for item Sierra (S). The budget authority for that township dissolution fund, we're recommending that it gets transferred into the general fund. Then in the budget process, we'll make a recommendation to you of where to spend that money that has the best benefit for citizens."

Chairman Dennis said, "Sounds good."

MOTION

Commissioner Dennis moved to approve consent agenda items Papa (P) through Uniform (U).

Commissioner O'Donnell seconded the motion.

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

VOTE

Commissioner O'Donnell II Aye
Commissioner Ranzau Aye
Commissioner Howell Aye
Commissioner Unruh Aye
Chairman Dennis Aye

Chairman Dennis said, "Next item, please."

P [18-477](#) One (1) Easement for Right of Way and One (1) Temporary Construction Easement for Sedgwick County Multi-use Path along Rock Road from Derby to Mulvane; CIP# R-343. District 5.
Approved on the Consent Agenda

Q [18-478](#) Two (2) Easements for Right of Way and One (1) Temporary Construction Easement for Sedgwick County Project 839-R-979; Bridge Project on 143rd East between Harry & Pawnee. CIP# B490. District 5.
Approved on the Consent Agenda

R [18-466](#) Lease of Office Space between Co-Co Properties, LLC and Sedgwick County, Kansas for Sedgwick County Division of Corrections - Juvenile

Field Services.

Approved on the Consent Agenda

S [18-453](#) Re-establish budget authority for the Township Dissolution Fund.

Approved on the Consent Agenda

T [18-462](#) Order dated 5/21/2018 to correct tax roll for change of assessment.

Approved on the Consent Agenda

U [18-404](#) General Bill Check Register for June 6, 2018 - June 12, 2018.

Approved on the Consent Agenda

LEGISLATIVE ISSUES

Chairman Dennis said, "Mr. Yost, do we have anything today?"

Mr. Yost said, "Nothing, Mr. Chairman."

Chairman Dennis said, "Sounds good. Next item, please."

OTHER

Chairman Dennis said, "Other. Commissioner Howell."

Commissioner Howell said, "Thank you, Mr. Chairman. I have a few things I'd like to say during 'other' today, three different topics, so I'll go through these quickly if I can. "The first one is I think people have the right to know, people have a right to know the truth, exactly what did happen around the allegations that were made last week, and so I do want to briefly raise that issue and clarify some facts around what actually did happen. So one of the things I do like about the Sedgwick County Commission is that we actually deliberate and discuss issues in public. We should always show respect and honor to each other, and with that let me state up front that I have great respect for each of you, okay. But likewise when a false accusation is made which dishonors someone, it is sometimes necessary to respectfully set the record straight.

"Last week a passionate public accusation was made about me that insinuated I did something corrupt, illegal, unethical, immoral or against clear county policy. So here's what actually happened. All five Commissioners received an identical unsolicited e-mail from one of the partial owners of the Riverview Building on Friday, June 1st, 2018. The following Monday afternoon, I e-mailed two clarifying questions, which I believe were critically important and relevant to the understanding of the terms of that offer. Together, the answers to those two questions constituted a potential \$2 million difference in the final cost to the county. I was simply trying to get information about the offer that was being made. So for the record, I have never spoken with that owner other than during the recent BoCC meetings, and furthermore I have never attempted to negotiate anything.

"My only interaction with him was to e-mail those two clarifying questions, which I sent on Monday afternoon, and the answer which came back on Tuesday afternoon. I had planned to share that long awaited answer with my other Commissioners through staff, except for the Manager did it before I had that opportunity. So after last week's BoCC

meeting when these comments were made, I discussed the matter with County Legal confirmed my understanding. I also submitted a KORA (Kansas Open Records Request) request on my own email. This was intended to establish an independent record of my original communication to any of the people connected to any of the buildings that we have considered for purchase. With that, I have a copy of that KORA request, and I'll give that to you in just a minute, for the record, I'll hand that in. I need to find where I put it.

"But anyway, I will turn a copy of those documents in for the record, please. By the way, if anybody wants a copy of that, I'm glad to ask staff to send you a copy of the KORA request as well. So if anybody wants to read them for themselves, please ask our staff and I'll be glad to encourage them to send you a copy as well. So the motivation that I had, in light of the fact that we did not have the information that was needed to deliberate and vote on the shortness of time, remember we had a June 9th deadline to decide on this building. The Riverview Building would either need to be approved or rejected. It was prudent and reasonable, moral and ethical to ask those two clarifying questions.

"In summary, last week I was falsely accused of negotiating behind the scenes against county policy. The basis of that accusation was a false assumption and lack of knowledge on the timeline or the facts, so to insinuate illegal, unethical, corrupt behavior and that somehow I was involved in any way with insider dealing was wrong and offensive.

"If I have made any similar false statements against any of my colleagues, I would have retracted those comments and apologized. This is not a he said, she said debate. The facts are clear. We need to work together to determine the best policies for the county, and that requires mutual respect.

My second item I'd like to raise today was there was an article that came out in the Wichita Eagle since yesterday's staff meeting regarding the foreclosure process. During that discussion, I related the story of a Vietnamese couple that's in my district that's older, and that couple, received foreclosure notices, I believe, on the front door, at least that's what we think happened, but they did not understand those legal documents written in English. This older couple are American citizens, they live in our community. They have vocations and careers here, they're part of our community, but they did not understand what was given to them, because it was a legal document.

"Through that process, their home was subsequently sold at a foreclosure auction and they lost their home. This home was about \$150,000. In fact, that couple had just invested \$50,000 in updates in their home just within a few months prior to this foreclosure sale, and I found this to be a very interesting case. I got involved in this and made a number of phone calls and I worked on their behalf, and we ended up, found out there was a way to go to District Court and get this process set aside or reversed, and that is exactly what did happen.

"So I have stated that out of all of the things I've done in my four years as County Commissioner, or going on four years, this is probably the highlight of my first term, is the fact that I was able to help this couple get their house back. So what to do about this? I made a comment that, unfortunately, the Vietnamese culture doesn't understand property taxes and they did not understand the English legal document that was placed on their door. I don't know the answer to that question, but there was some comment made about we should have to produce these documents in every language under the sun, including things like Klingon. I think that comment was made

humorously, it wasn't intended to be offensive to anybody. I don't take it offensively, by the way. The article that came out says that the County Commissioner was offended by a colleague's Klingon comments. I think that's overstated. I wasn't offended. I just think this is a serious issue and I think we need to find a solution.

"So my idea would be that we need, again, I think when communication is clear, we know that someone's received our legal communication, when we know that's true, we should check that box. If we're not certain that that's true, we need to work a little harder and perhaps it would take subsequent follow-up visits or whatever it would take, but I think that a closed loop communication would be needed, and I don't know if this requires a State Legislative changes, so back to Legislative Issues, we might want to consider adding this to our legislative platform. But I'm not suggesting we produce these documents in every language.

"We do have a large Asian community as well as a large Hispanic community and perhaps there may be some things we could do to help facilitate some of the more common languages in our community should those people that live in those homes have this problem, but I'm not suggesting we do 110 different languages. I'm really only suggesting that we close the communication loop, and so with that, there was a comment made in that article that the comment was unprofessional or insensitive or inappropriate. I would like to just clarify to the Chairman, I don't think you're inappropriate or offensive or insensitive or inappropriate in any way. I respect you greatly, and I think this was an off-handed comment that wasn't meant to be its own news article.

"So unfortunately, this did turn into a news article, and I don't think that, you know, I love our mayor, but he makes jokes pretty much every meeting he has, and I love him for that, he's great. But you know those jokes don't make news articles. Commissioner Unruh made a comment a while back that turned into a news article. Commissioner Dennis made a comment that turned into a news article. It creates conflict that we're somehow offended or mad at each other, and that's not true. I have great respect for the Chairman, and I don't think he intended to offend anyone and he certainly did not offend me in any way, not with that for sure. So with that I would like to offer my apology for those comments regarding anything that made it out that says I was offended because I wasn't, or insensitive or I was unprofessional. Those are personal feelings. It was not intended to be a news article.

Then finally, my final comment today is that it is Father's Day coming up, and I want to say to my colleagues and Michael, has a father and he's a great man, Pastor O'Donnell, I know him, and the other four of us have children, and I want to say Happy Father's Day. I'm reminded that fatherlessness in our community is a big issue, and there's a lot of people in this community that need mentors or people to step in to fill the position of a father. I am very concerned about that. I think we have a lot of cultural problems in the community because of absent fathers, so I'm very concerned about fatherlessness in our community. I grew up mostly without a father. My dad wasn't there for me. He moved away when I was 12, and I rarely saw him afterwards.

"Before that, there was a lot of problems in the home. So I look at myself as being fatherless in actually how I was raised, which is why I'm sensitive to the Judge Riddel Boy's Ranch (JRBR) issue or Youth Horizons. I appreciate all that Youth Horizons does, but their focus right now is on fatherless children in our community, and so as

we look at Father's Day, I celebrate being a father and I celebrate the fact that we have great fathers all around us, but we need to be engaged in the issue of fatherlessness for the community. There's plenty of need out there. So I just want to say Happy Father's Day, and let's do more for the community in terms of being father figures. Thank you so much."

Chairman Dennis said, "Thank you. I don't see anyone else that wishes to speak right now. Commissioner Howell and I did have a discussion this morning about the article in the newspaper about foreclosure, and I think we both agree that the way we're doing foreclosure currently complies with all of the State laws that are involved in foreclosure, but we also agreed this morning when we talked that maybe there needs to be a closure on the loop to make sure that anyone that gets served understands what they were served. So I concur that we probably need to look at this as part of our legislative agenda for next year to see if there is something that needs to be done with the state laws, and again I want to reiterate, we are complying with the state law as it is right now, but maybe there's something that we could do a little bit differently.

"I also agree with Commissioner Howell that we need to work together for our citizens to make sure that we're doing the right thing for our citizens at all times. Also I have a note here to wish everyone Happy Father's Day this weekend, so I concur with that. One final important note, though, is that we normally have a meeting next week, and that meeting has been put off for one week, so I want to make sure that Lonnie doesn't show up next week expecting a meeting. We won't be here, but we will be here the week after that. So put that into your schedule."

EXECUTIVE SESSION

ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 12:24 p.m.