

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, April 24, 2007

Commission Chairman Randy Waldorf called the Butler County Board of Commissioners to order at 9:00 a.m. Present were Commissioner Will Carpenter, Commissioner Jeff Masterson, Commissioner Mike Wheeler, Commissioner Dan Woydziak, Administrator Will Johnson, Jr., and Tammy Bridges.

ITEM #1 – CONSIDER APPROVAL FOR THE BUTLER COUNTY SHERIFF’S OFFICE TO APPLY FOR THE 2007 BULLETPROOF VEST GRANT

Don Currier, Butler County Sheriff’s Office, came before the Board for approval to apply for the 2007 Bulletproof Vest Grant in order to purchase 13 bulletproof vests. This grant pays 50% of the total cost of the vests and the county’s portion is \$1,894.16.

Commissioner Woydziak motioned to approve the Butler County Sheriff’s Office to apply for the Bulletproof Vest Grant through the Department of Justice. Commissioner Carpenter seconded the motion. Motion carried 5-0.

ITEM #2 – CONSIDER APPROVAL OF 2007 CEREAL MALT BEVERAGE LICENSE FOR BUTLER COUNTY SADDLE CLUB

Will Johnson, Jr., came before the Board for approval of the 2007 Cereal Malt Beverage License for the Butler County Saddle Club.

Commissioner Masterson motioned to approve a 2007 Cereal Malt Beverage License for the Butler County Saddle Club. Commissioner Carpenter seconded the motion. Motion carried 5-0.

ITEM #3 – CONSIDER AND MAKE RECOMMENDATION TO THE CITY OF AUGUSTA REGARDING WHETHER THE PROPOSED CONDITIONAL USE OF PROPERTY OWNED BY JOHN C. AND LAURA J. FAJARDO WOULD BE IN CONFORMANCE TO THE BUTLER COUNTY COMPREHENSIVE PLAN

Rod Compton, Planning & Zoning Director, came before the Board for a recommendation to the City of Augusta regarding Conditional Use of property and conformance to the Butler County Comprehensive Plan. Mr. and Mrs. Fajardo own property located within the Extra-Territorial area of Augusta and are requesting this CUP to establish a Reception Hall to be used to host group gatherings such as wedding receptions, business meetings, and family reunions. Staff feels this use would conform to the County’s Comprehensive Plan.

Commissioner Wheeler motioned to recommend that the aforesaid Conditional Use Permit application would be in conformance with the Butler County Comprehensive Plan. Commissioner Woydziak seconded the motion. Motion carried 4-0. Commissioner Carpenter abstained because of a conflict of a personal nature.

ITEM #4 – CONSIDER DECLARATION OF NUISANCE CONDITIONS ON PROPERTY LOCATED AT 19506 SW HUNTER ROAD AND OWNED BY ROBERT JOHNSON

Rod Compton, Planning & Zoning Director, came before the Board for approval to declare property owned by Mr. Robert Johnson as a nuisance. Butler County has been involved in a nuisance abatement enforcement action involving this property for over a year. This action was taken to District Court and the Judge found the property owner to be in violation of the County's nuisance regulations. The Judge has given Mr. Johnson time to comply, including two extensions, and Mr. Johnson has made little progress in bringing the property into compliance. The Judge ordered Mr. Johnson to serve every weekend in the County Jail until the property is brought into compliance. Staff recommends declaring the property a public nuisance and beginning proceedings to abate the property.

Commissioner Woydziak motioned to declare that the debris on the property at 19506 SW Hunter Rd. is a public nuisance per Resolution No. 02-01, and authorize the Chair to sign Resolution No. 07-12 requiring abatement of the nuisance within 10 days. Commissioner Carpenter seconded the motion. Motion carried 5-0.

ITEM #5 – CONSIDER APPROVAL OF CONDITIONAL USE PERMIT FOR A 300 FOOT TALL WIRELESS COMMUNICATIONS TOWER IN THE AG-80 ZONING DISTRICT

Rod Compton, Planning & Zoning Director, came before the Board for approval of an application by Linda L. Masters on behalf of Verizon Wireless for a Conditional Use Permit (CUP) to construct a 300 ft. tall wireless communications tower located approximately 1½ miles west of Flint Hills Rd. on the north side of NE Parallel Rd. The Planning Commission recommended approval by a 6-0 vote and granted a height variance because the zoning regulations stipulate the maximum height for any communications tower to be 250 feet. One letter of protest was received asking if the tower could be moved to another location because their house is directly across from the tower site. Commissioner Wheeler stated he would like to view the property before a decision is made.

Commissioner Wheeler motioned to table this item until Tuesday, May 1, 2007. Commissioner Masterson seconded the motion. Motion carried 5-0.

APPROVAL OF ADDS AND ABATES

There were no adds and abates.

Commissioner Woydziak asked Mr. Compton about building permit requirements for accessory structures and homes.

RECESS

Commissioner Waldorf recessed the Board meeting at 10:00 a.m. for 5 minutes.

RECONVENE

Commissioner Waldorf reconvened the Board meeting at 10:05 a.m.

Darryl Lutz, Director of Public Works, came before the Board regarding filling vacancies on the Recycle Task Force and discussed countywide recycling.

Mr. Lutz noted that the Solid Waste Planning Committee would be meeting in June for a five-year update and said there is a rural at-large position open.

For informational purposes, Darryl Lutz informed the Board of a request for the formation of a benefit improvement district for constructing road improvements to pave 4 cul-de-sacs and a portion of SW Prairie Creek Rd.

Darryl Lutz presented bid tabulations for annual safety signs/street signs. Bids were received from:

<u>Company</u>	<u>Amount</u>
National Sign, Ottawa, KS	\$5,530.29
Lyle Signs, Inc., Jamestown, ND	\$5,847.60
Newman Signs, Jamestown, ND	\$5,901.60
Hall Signs, Bloomington, IN	\$6,369.56

Commissioner Woydziak motioned to approve the bid from National Sign, Ottawa, KS in the amount of \$5,530.29 for sign material. Commissioner Carpenter seconded the motion. Motion carried 5-0.

Mr. Lutz said the Public Works Shops would be starting four 10-hour work day weeks on May 7, 2007. He said this work schedule was initiated last year and productivity went up, employee morale increased, and sick days decreased.

Commissioner Waldorf commented that he received a phone call from Rex McKinney regarding some issues in Spring Township.

Commissioner Woydziak asked Mr. Lutz when the bridge project on Hopkins Switch would be starting. Mr. Lutz said the project would start on May 14, 2007.

Commissioner Woydziak informed the Board that he and Administrator Johnson would be going out to the wind farm site to view some road problems.

OTHER ITEMS OF BUSINESS TO COME BEFORE THE BOARD OF COUNTY COMMISSIONERS

Commissioner Carpenter inquired about funding for historical museums in the county. There was discussion regarding funding being tied to the number of visitors received at the museums.

Commissioner Carpenter suggested that the Board send letters of support to the NACo Work Force Investment Act and Fair Fares in order to attract lower fare airlines to the Wichita area.

Commissioner Carpenter said the REAP Economic Development Committee meeting is tomorrow at noon and he would also be attending the Mid-Cap annual meeting tonight.

Commissioner Woydziak will attend the Butler County Senior Center Association meeting tomorrow in Douglass to discuss funding and level designations for the senior centers.

Commissioner Waldorf commented on a news report regarding appraisals of manufactured homes and feels the commissioners need to be apprised of concerns in the county.

Commissioner Waldorf would like the Appraiser to come before the Board to discuss the valuation process for manufactured homes.

Administrator Johnson said the SCKEDD annual dinner is Thursday, April 26, 2007. Commissioner Carpenter will attend as well as David Alfaro, Economic Development Director.

Administrator Johnson received a letter from the Augusta Air Museum stating they are changing their name to the Kansas Museum of Military History.

Administrator Johnson noted that the Community Emergency Response Team (CERT) would be training at El Dorado Lake on Saturday, April 28, 2007.

Administrator Johnson met with Dan Demo regarding the Clydesdales being housed in the 4-H Building in El Dorado. The group that rented the 4-H Building for a class reunion has agreed to move to another location.

ADJOURNMENT

Commissioner Woydziak motioned to adjourn the meeting at 11:20 a.m. Commissioner Wheeler seconded the motion. Motion carried 5-0.