

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, January 9, 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 Mike Wheeler, Commissioner Jeff Masterson, Commissioner Dan Woydziak, Administrator Will Johnson, Jr., and Clerk Recorder Tammy Bridges.

**ITEM #1 – CONSIDER APPROVAL OF FUNDING PROJECT OUTREACH AND EXPENDING FUNDS TO THE CITY OF EL DORADO NOT TO EXCEED \$6,006.00**

Connie Rausch, Department on Aging, came before the Board for approval of an expenditure to the City of El Dorado in the amount of \$6,006.00 regarding Project Outreach for the 2006 cost overruns. The City of El Dorado's expense total is \$17,696.00, which is \$6,006.00 over their pledged amount of \$11,690.00.

Martha Gregg, Director Bradford Memorial Library, came before the Board to discuss the outreach program that provides large print books, books on tape, and other materials to persons in outlying regions of Butler County.

*Commissioner Wheeler motioned to approve the Department on Aging to reimburse the City of El Dorado for 2006 expenses up to \$6,006.00. Commissioner Masterson seconded the motion. Motion carried 5-0.*

**ITEM # 2 – CONSIDERED TABLED REQUEST BY KEVIN TURPIN/BOB HIZEY TO REZONE APPROXIMATELY 5 ACRES FROM AN AG-40 CLASSIFICATION TO A "C" COMMERCIAL CLASSIFICATION (CASE NO. RZ-06-14)**

Rod Compton, Director of Planning and Zoning, came before the Board for approval of a request by Kevin Turpin/Bob Hizey to rezone approximately 5 acres from Ag-40 to C Commercial. The Planning Commission approved this request by a 6-0 vote with concerns regarding the sandblasting operation and the dust that settles on neighboring property. The Board of Commissioners discussed and tabled this item on December 28, 2006. Mr. Darryl Lutz said there has been occasion when dust has settled on the nearby county shop. Mr. Kevin Turpin, owner of Pro-Kleen, came before the Board and said they are moving further south and west and the operation would be fully enclosed with filtration systems, which should take care of the dust. The Board discussed a Conditional Use Permit (CUP) instead of a zoning change. Mr. Compton said it could be approved as a CUP in a couple of weeks and asked Mr. Turpin to submit a site plan.

*Commissioner Carpenter motioned to table this item for two weeks. Commissioner Woydziak seconded the motion. Motion carried 5-0.*

**ITEM # 3 – CONSIDER APPROVING THE PROPOSED REDUCTION OF THE LETTER OF CREDIT AMOUNT FOR THE COMPLETED NORTHRIDGE SEWER IMPROVEMENT PROJECT**

Darryl Lutz, P. E., Director of Public Works, came before the Board for approval of the proposed reduction of the Letter of Credit amount for the completed Northridge sewer improvement project. The estimated cost for sewer improvements was \$660,000 and a letter of credit was

issued for \$330,000. The project was completed in the Spring of 2005 and General Obligation Bonds totaling \$497,000 were issued in July 2005. The developers have requested that the County consider reducing the letter of credit to 50% of bonds issued for the project.

*Commissioner Woydziak motioned to authorize the Director of Finance to secure a reduced letter of credit in the amount of \$248,500 related to the Northridge sewer improvement project and to release the current letter of credit in the amount of \$330,000. Commissioner Carpenter seconded the motion. Motion carried 5-0.*

**ITEM #4 – CONSIDER PROCEEDING WITH EMINENT DOMAIN PROCEEDINGS TO PURCHASE REMAINING RIGHT-OF-WAY FOR A PLANNED BRIDGE REPLACEMENT PROJECT IN BUTLER COUNTY**

Darryl Lutz, P. E., Director of Public Works, came before the Board for approval of eminent domain proceedings to purchase remaining right-of-way for a planned bridge replacement project. Mr. Lutz sent a letter to the landowners notifying them that the county's offer was a final offer and after December 28, 2006, condemnation proceedings would begin. The owner's attorney called Mr. Lutz and said the landowners would be signing the easement agreements. At this time, Mr. Lutz requested that the Board table this item.

*Commissioner Wheeler motioned to table this agenda item concerning eminent domain. Commissioner Masterson seconded the motion. Motion carried 5-0.*

**ITEM #5 – CONSIDER ACCEPTING A RIGHT-OF-WAY DEDICATION ALONG SW 167<sup>TH</sup> STREET RELATED TO THE ACCESS ROAD IMPROVEMENT PROJECT FOR SOUTHWEST BUTLER QUARRY**

Darryl Lutz, P. E., Director of Public Works, came before the Board for approval of a right-of-way dedication along SW 167<sup>th</sup> Street related to the access road improvement project for Southwest Butler Quarry. The county will provide a right-of-way appraisal to the landowner along with documentation that the right-of-way is being donated. The road is an existing public road and the cost of improvements is being paid by the quarry owners/operators. Mr. Lutz said Commissioner Woydziak was very instrumental in obtaining this right-of-way dedication.

*Commissioner Woydziak motioned to accept the right-of-way dedication for SW 167<sup>th</sup> St. from the Scholfield Farm Trust related to the road improvement project for the Southwest Butler Quarry and authorize the Chair to sign. Commissioner Carpenter seconded the motion. Motion carried 5-0.*

**ITEM #6 – CONSIDER AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO SELL A BURNT DUMP TRUCK VIA THE COUNTY'S INTERNET AUCTION SITE**

Darryl Lutz, P. E., Director of Public Works, came before the Board for approval to sell a burnt dump truck via the County's internet auction site. In December 2005, a county dump truck caught fire while plowing snow and treating ice on Santa Fe Lake Rd. The rear portion of the truck including the hydraulic system, rear drive axles, and dump body was not damaged by the fire and has some value.

*Commissioner Wheeler motioned to approve the Department of Public Works to sell a burnt highway department dump truck on internet auction in accordance with adopted county procedures. Commissioner Masterson seconded the motion. Motion carried 5-0.*

**ITEM #7 – CONSIDER APPROVING THE PURCHASE OF SALT-SAND STORAGE BUILDINGS FOR THE COUNTY HIGHWAY SHOPS AT EL DORADO AND AUGUSTA**

Darryl Lutz, P. E., Director of Public Works, came before the Board for approval to purchase salt-sand storage buildings for the County Highway Shops at El Dorado and Augusta. It was determined that the most efficient and accessible type structure for storage of materials is a rectangular type building open on one end. The bid from American Shelter Technologies for 18 gauge galvanized for \$24,822.80 was deemed to be the best bid. The Public Works Department requested the bids to be delivered directly to them and were not opened and read before the Board. Bids were received from:

<u>Company</u>	<u>Amount</u>
All Steel Structures of America Conroe, TX	\$23,978.00 for 22 gauge Galvalume
Miracle Truss Steel Structures, Inc. Minneapolis, MN	\$24,968.00 for 22 gauge Galvalume
PowerBilt Virginia Beach, VA	\$25,070.00 for 22 gauge Galvalume
American Shelter Technologies, Inc. (3 bids) Elgin, IL	\$24,822.80 for 18 gauge Galvanized \$21,533.80 for 20 gauge Galvanized \$19,193.80 for 22 gauge Galvanized
U.S. Buildings Boone, NC	\$31,000.00 for 22 gauge

*Commissioner Woydziak motioned to approve the purchase of two (2) 40'x60' corrugated galvanized steel arch buildings to be used for salt-sand materials storage from American Shelter Technologies, Inc., Elgin, IL in the total amount of \$24,822.80 for two buildings delivered to Butler County. Commissioner Carpenter seconded the motion. Motion carried 5-0.*

Mr. Lutz informed the Board of a problem at the North shop with drain water run off at the wash bay. In order to fix the problem, Mr. Lutz said a grease trap would be installed in the drain and connected to the city sewer system.

**RECESS**

Commissioner Waldorf recessed the Board meeting at 10:05 a.m. for 5 minutes.

**RECONVENE**

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

## **APPROVAL OF ADDS AND ABATES**

*Commissioner Wheeler motioned to approve Adds & Abates #2288 dated January 9, 2007. Abates in the amount of \$6,540.14, and Adds in the amount of \$20,904.24. Commissioner Masterson seconded the motion. Motion carried 5-0.*

## **OTHER ITEMS OF BUSINESS**

Commissioner Waldorf asked about orientation for Commissioner Masterson and who would be attending the Mayor's dinner. Administrator Johnson said Commissioner Masterson's orientation would start tomorrow, and Commissioners Wheeler, Woydziak and Carpenter would be attending the Mayor's dinner.

Commissioner Carpenter said he attended the Youth Leadership Butler dinner at the College.

Commissioner Carpenter said the Butler County Outlook Breakfast is this Thursday, January 11, 2007 in Benton. The topic of discussion will be Homelessness in Butler County.

Administrator Johnson and the Board discussed the 9-1-1 Agreement with the City of El Dorado. Administrator Johnson recommended canceling the contract, paying the money owed, which is \$75,000 to be used for equipment only, and allowing the city to contact the county to renegotiate a fair contract. Administrator Johnson said this would be an agenda item next week.

## **ADJOURNMENT**

*Commissioner Woydziak motioned to adjourn the meeting at 10:55 a.m. Commissioner Carpenter seconded the motion. Motion carried 5-0.*