

BUTLER COUNTY BOARD OF COMMISSIONERS
Monday, July 16, 2007

CALL TO ORDER

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 Clerk Reporter Tammy Bridges.

APPROVAL OF MINUTES

Commissioner Wheeler motioned to approve the minutes of the Butler County Commission Meetings of Monday, July 9, 2007 and Tuesday, July 10, 2007 as written. Commissioner Masterson seconded the motion. Motion carried 4-0. Commissioner Woydziak abstained since he was not present at the meetings of July 9 and 10, 2007.

ITEM #1 – CONSIDER TABLED REQUEST FOR ANNEXATION BY THE CITY OF ANDOVER FOR PROPERTY LOCATED AT 13TH STREET

Commissioner Waldorf reopened the public hearing at 9:03 a.m.

Daniel Caudell came before the Board to discuss the bridge over the turnpike and the additional traffic due to the new development. Mr. Caudell said the bridge is dangerous because it is difficult to see oncoming traffic and the speed limit is too high.

Tony Janzen came before the Board regarding the annexation and to address the increased traffic load on Prairie Creek Rd. Mr. Janzen asked the Board to amend the request and discussed modification of the percentages of costs being allocated between the City of Andover (5%), the developer (84%), and the landowners (11%). Commissioner Waldorf said the Board is not in a position to amend the City of Andover's request. Mr. Janzen feels that no one is addressing the well being of those in the Easter Addition and stated that the increase in traffic is dangerous. Commissioner Waldorf said if there is a safety issue with the road, the City of Andover and Bruno Township should be contacted.

Bill Osborne, Bruno Township Trustee, came before the Board to reiterate the township's position and stated that the township is asking the Board to deny the request for annexation.

Sasha Stiles, City of Andover, came before the Board and stated that it is the feeling of the City that equity would be created by having everyone benefiting from the improvements and participating in the cost of the improvements. She reminded the commission that 11% of the project total is the percentage that would be assessed to the properties in question. Ms. Stiles encouraged the commission to remember that Prairie Creek Addition is taking on 84% of the cost for the off site improvements.

Commissioner Waldorf closed the public hearing at 9:33 a.m.

Commissioner Wheeler said the reason he voted no last week is because he had not looked at the property. After viewing the property, Commissioner Wheeler stated that this is economic development and the kind of growth the county wants. He said this would present a hardship to

some of the people, but it will also enhance the value of those properties dramatically. Commissioner Wheeler commented that he would vote in favor of the annexation.

Commissioner Woydziak said he looked at the comprehensive plan and is basing part of his decision on looking at growth and pushing growth toward the cities, which helps preserve ag land in other areas and feels that this fits into the comprehensive plan.

Commissioner Woydziak recommended approval of the annexation request by the City of Andover in accordance to K.S.A. 12-521 and direct legal counsel to draft an annexation order for approval of said request. Commissioner Masterson seconded the motion. Motion carried 4-1. Commissioner Carpenter voted no.

Administrator Johnson stated that he would speak with the County Engineer's office regarding the concerns with the KTA bridge.

ITEM #2 – CONSIDER APPROVAL OF THE CONTRACT BETWEEN UNICARE HEALTH PLAN OF KANSAS AND THE BUTLER COUNTY HEALTH DEPARTMENT AND ALLOW THE CHAIR TO SIGN

Carol Borger, Health Department Administrator, came before the Board for approval of the contract between UniCare Health Plan of Kansas and the Butler County Health Department. The original contract that was signed in late 2006, was the wrong contract for health departments. This is the contract now needed for Health Departments to receive payment for services rendered.

Commissioner Masterson motioned to approve the contract between UniCare Health Plan of Kansas and the Butler County Health Department and allow the Chair to sign. Commissioner Wheeler seconded the motion. Motion carried 5-0.

RECESS

Commissioner Waldorf recessed the Board meeting at 9:47 a.m. for 5 minutes.

RECONVENE

Commissioner Waldorf reconvened the Board meeting at 9:52 a.m.

ITEM #3 – CONSIDER APPROVAL OF PURCHASING THE YEARLY ESRI SOFTWARE MAINTENANCE IN THE AMOUNT OF \$12,044.11

Pamela Dunham, GIS Director, came before the Board for approval of purchasing the yearly ESRI software maintenance in the amount of \$12,044.11. This is a yearly amount paid to keep the GIS software up and running smoothly.

Commissioner Wheeler motioned to allow the GIS Director to renew the yearly software maintenance with ESRI in the amount of \$12,044.11 to come out of line item 01-19-6233-00. Commissioner Carpenter seconded the motion. Motion carried 5-0.

ITEM #4 – CONSIDER APPROVAL OF PURCHASE AND INSTALLATION OF A REMANUFACTURED JASPER 7.3L DIESEL ENGINE FROM FARMERS REPAIR OF WHITEWATER IN THE AMOUNT OF \$9,739.10

Riley Walters, Noxious Weed Director, came before the Board for approval of the purchase and installation of a remanufactured Jasper 7.3L diesel engine from Farmers Repair. Bids were received from:

| | <u>Ford Engine</u> | <u>Jasper Engine</u> |
|-----------------------|--------------------|----------------------|
| Farmers Repair | \$10,062.00 | \$9,739.10 |
| Fenton Ford | No Bid | \$9,900.00 |
| Pro Diesel of Augusta | \$8,600.00 | No Bid |

Staff recommends the jasper engine based on the recommendation of Farmers Repair that the Jasper engine is a more durable and reliable product than the Ford engine. Mr. Walters noted that the truck would likely need to be towed to Augusta, and it was already at Farmers Repair. Farmers Repair could have the job completed in four days, compared to seven days for Pro Diesel.

Commissioner Carpenter motioned to authorize the Weed Director to purchase a remanufactured Jasper engine from Farmers Repair of Whitewater, KS for \$9,739.10. Commissioner Woydziak seconded the motion. Motion carried 5-0.

ITEM #5 – CONSIDER A RESOLUTION AUTHORIZING AND DIRECTING THE COUNTY COUNSELOR OF BUTLER COUNTY TO INITIATE TAX FORECLOSURE PROCEEDINGS UPON CERTAIN REAL ESTATE LOCATED WITHIN BUTLER COUNTY, KANSAS

Will Johnson, County Administrator, came before the Board for approval of Resolution No. 07-25 authorizing and directing the County Counselor of Butler County to initiate tax foreclosure proceedings upon certain real estate located within Butler County, Kansas for the years of 2003, 2004, and 2005.

Commissioner Woydziak motioned to approve Resolution No. 07-25 authorizing and directing the County Counselor of Butler County, Kansas to initiate tax foreclosure proceedings upon certain real estate located within Butler County, Kansas. Commissioner Carpenter seconded the motion. Motion carried 5-0.

ITEM #6 – RECEIVE MARK DETTER, ASSISTANT COUNTY ADMINISTRATOR/ FINANCE OFFICER TO GIVE THE JUNE 2007 FINANCIAL REPORT

Mark Detter, Assistant Administrator/Finance Officer, came before the Board to review the June 2007 Financial Report. No action was taken.

ITEM #7 – WORK SESSION – BUTLER COUNTY BUDGET 2008

The Board will be discussing the 2008 Budget tomorrow morning at the Board meeting.

APPROVAL OF VOUCHERS

Commissioner Woydziak motioned to approve the vouchers for July 16, 2007 in the amount of \$531,411.01. Commissioner Carpenter seconded the motion. Motion carried 5-0.

APPROVAL OF ADDS AND ABATES

Commissioner Wheeler motioned to approve Adds & Abates #2312 dated July 16, 2007. Adds in the amount of \$0.00 and Abates in the amount of \$705.36. Commissioner Masterson seconded the motion. Motion carried 5-0.

Commissioner Woydziak motioned to recess the Board to Executive Session at 10:25 a.m. for 15 minutes, with the public session resuming at 10:40 a.m., to discuss confidential data relating to financial affairs of trade secrets of corporations, partnerships, trusts, and individual proprietorships to protect data confidential in nature to a business. Commissioner Masterson seconded the motion. Motion carried 5-0. Those in attendance were Commissioners Carpenter, Masterson, Waldorf, Wheeler, Woydziak, Administrator Johnson, and Economic Development Director David Alfaro.

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

Administrator Johnson and Commissioner Wheeler viewed Mr. Bill Johnson's property in Rosalia and noted that some progress has been made in cleaning up the property, but a lot more needs to be done. Administration will be sending a letter giving Mr. Johnson 90 days to bring the property into compliance.

Commissioner Woydziak asked Administrator Johnson to contact Darryl Lutz, Director of Public Works, for information regarding flood damage in the county.

Administrator Johnson noted that Fire District #2 would like approval to solicit bids for a pickup truck.

Commissioner Waldorf motioned to allow Fire District #2 to solicit bids for a pickup truck. Commissioner Woydziak seconded the motion. Motion carried 5-0.

Administrator Johnson asked for a commissioner to volunteer to serve on the Centralized Transportation District No. 12 (CTD12) Board of Directors for the Department on Aging. Administrator Johnson noted that a commissioner would be an honorary member and the Board would appoint Connie Rausch, Department on Aging, to serve as appointed representative on the commission's behalf.

Commissioner Wheeler motioned to approve Commissioner Masterson as the Board's appointee to the CTD12 Board of Directors and Connie Rausch to serve as the Butler County appointed representative. Commissioner Woydziak seconded the motion. Motion carried 5-0.

ADJOURNMENT

Commissioner Wheeler motioned to adjourn the meeting of the Board at 11:05 a.m. Commissioner Woydziak seconded the motion. Motion carried 5-0.