

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, June 5, 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.

ITEM #1 – PUBLIC HEARING – BOB JOHNSON NUISANCE ABATEMENT PROCESS

Mr. Gail Jensen, Attorney, came before the Board to present information on behalf of Mr. Bob Johnson regarding the nuisance abatement and clean up of his property. Mr. Jensen asked to table this matter and allow Mr. Johnson 90 days to bring the property into compliance. The Board expressed concern that 90 days wouldn't make a difference since not much progress has been accomplished in the past.

Norm Manley, County Counselor, came before the Board and said it has been 30 months since the process started with a letter from the Planning and Zoning Department. Mr. Manley said the County wants the property cleaned up and not an illegal salvage yard. Mr. Manley feels that granting an additional 90 days would not be effective and suggested giving Mr. Johnson an initial extension of not more than 30 days.

Commissioner Woydziak asked how long it would take to receive a bid to clean up the property. Administrator Johnson said it would be approximately 30-45 days.

Mr. Johnson came before the Board and stated that he is motivated to clean the property and asked for more time to dispose of the items.

The Board feels that the county has given Mr. Johnson adequate time to clean up his property. Commissioner Waldorf suggested getting bids for scraping the material. Commissioner Waldorf noted that it is in Mr. Johnson's and the County's best interests to allow Mr. Johnson to clean up his property. Commissioner Carpenter expressed concern that Mr. Johnson won't clean up the property. Commissioner Woydziak agreed to solicit bids to clean up the property.

The Board directed staff to solicit bids to clean up Mr. Johnson's property, knowing that if Mr. Johnson is successful in bringing his property into compliance, that the county may not actually accept a bid to proceed with clean up.

Commissioner Wheeler said he wanted to make sure the items would not be relocated to another area in the county. Mr. Johnson said he was taking the items to scrap dealers.

Commissioner Woydziak motioned to solicit bids to clean up the Bob Johnson property with a bid opening date of July 17, 2007. Commissioner Carpenter seconded the motion. Motion carried 5-0.

The Board asked Mr. Manley about the annexation request from Andover for SW 130th and Butler Rd. Commissioner Woydziak asked Mr. Manley if the city is obligated to annex to the center of

the road or stop at the back of the easement. Mr. Manley said typically, annexation is going to go to the middle of the road, but most cities would want to annex the entire road in order to handle traffic enforcement. Mr. Manley will research the matter and report his findings back to Administrator Johnson.

Commissioner Woydziak commented that due to the lack of a quorum, the Planning and Zoning Board meeting for tonight is cancelled and has been rescheduled for next Monday, June 11, 2007.

ITEM #2 – WORK SESSION – BUTLER COUNTY COMMUNITY CENTER PROCEDURES

David Kehler, Extension Office, came before the Board to discuss procedures and fees for renting the Butler County Community Center.

Commissioner Carpenter left the Board meeting at 9:42 a.m. for another meeting.

Commissioner Waldorf noted that he appreciates the way Mr. Kehler takes care of the Community Building and knows it is a difficult job.

ITEM #3 – CONSIDER APPROVAL OF THE SERVICE AGREEMENT FOR BILLING SOFTWARE WITH ORTIVUS, INC.

Grant Helferich, Director of EMS, came before the Board for approval of the service agreement for billing software with Ortivus, Inc. This software is used for billing insurance companies and patients for transport fees. Legal counsel has approved this agreement.

Commissioner Woydziak motioned to approve the computer billing software agreement with Ortivus, Inc. and allow the Chair to sign. Commissioner Wheeler seconded the motion. Motion carried 4-0.

Mr. Helferich informed the Board that he cancelled the Kawasaki Mule Utility Loan Agreement with 3.2.1 Kawasaki because of difficulties in getting the contract signed. The EMS Department is looking at other options.

ITEM #4 – CONSIDER AWARDDING THE BID FROM FLINT HILLS FIRE AND RESCUE FOR THE BUTLER COUNTY EMS PREVENTIVE VEHICLE MAINTENANCE PROGRAM

Grant Helferich, Director of EMS, came before the Board for approval of the bid from Flint Hills Fire and Rescue for the Butler County EMS preventive vehicle maintenance program. Bids were received from:

Flint Hills Fire and Rescue	\$15,207.60
Ford of Augusta	\$16,446.19
Fenton Ford	\$21,892.13
Ace Automotive	\$21,135.52

Commissioner Wheeler motioned to approve the bid from Flint Hills Fire and Rescue for the vehicle preventive maintenance program for the EMS units. Commissioner Masterson seconded the motion. Motion carried 4-0.

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.

ITEM #5 – CONSIDER APPROVING AN UPDATED DOT DRUG & ALCOHOL TESTING POLICY FOR THE PUBLIC WORKS DEPARTMENT

Darryl Lutz, P.E., Director of Public Works, came before the Board for approval of updating the DOT Drug & Alcohol Testing Policy for the Public Works Department. Federal law requires a drug & alcohol-testing program to be in place for all employees required to have a Commercial Drivers License (CDL). The County is contracted with The Mental Health Consortium to provide the required program including policy development. The proposed revisions change the format of policy only and do not affect or change any policy requirements.

Commissioner Wheeler motioned to approve the proposed revisions to the DOT Drug & Alcohol Testing Policy and Employee Assistance Program for the Public Works Department and authorize the Chair to sign. Commissioner Masterson seconded the motion. Motion carried 4-0.

ITEM #6 – CONSIDER AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO PROCEED WITH RIGHT-OF-WAY ACQUISITION FOR THE SW 210TH STREET RECONSTRUCTION PROJECT BEGINNING AT SW BUTLER ROAD AND PROCEEDING EAST FOR 4 ½ MILES

Darryl Lutz, P.E., Director of Public Works, came before the Board for approval to proceed with right-of-way acquisition for the proposed road reconstruction project on SW 210th St. beginning at SW Butler Rd. and proceeding 4 ½ miles east. Mr. Lutz asked for guidelines to establish land values and look at recent sales history. There are approximately 42 property owners on 49 tracts of land. Mr. Lutz said additional easement is needed to acquire 110-120 feet to accommodate the shoulders and to meet requirements for the road. The Board reviewed maps and discussed values. Mr. Lutz stated that he wants to work on a contract hourly basis with an outside agent who will work on behalf of the county.

Commissioner Woydziak motioned to authorize the Department of Public Works to proceed with acquisition of right-of-way for Project No. 8 C-3867-01, the SW 210th St. road reconstruction project beginning at SW Butler Rd. and then proceeding east 4 ½ miles. Commissioner Wheeler seconded the motion. Motion carried 4-0.

APPROVAL OF ADDS AND ABATES

Commissioner Woydziak motioned to approve Adds & Abates #2306 dated June 5, 2007. Adds in the amount of \$1,879.88 and Abates in the amount of \$14,536.60. Commissioner Wheeler seconded the motion. Motion carried 4-0.

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

Darryl Lutz informed the Board that the North Shop Road Supervisor would be leaving employment with the County at the end of the month.

Administrator Johnson commented that inmates have injured two employees at the jail within the last 90 days.

Commissioner Waldorf noted that next Monday, June 11, 2007, is the REAP meeting and lunch at the Potwin Senior Center.

Administrator Johnson stated that the Quad County meeting would be at the Beaumont Hotel on Monday, June 18, 2007.

ADJOURNMENT

Commissioner Wheeler motioned to adjourn the meeting of the Board at 10:35 a.m.

Commissioner Masterson seconded the motion. Motion carried 4-0.