

BUTLER COUNTY BOARD OF COMMISSIONERS
Monday, October 8, 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, Assistant Administrator/Finance Director Mark Detter, and Clerk Recorder Tammy Bridges. Administrator Will Johnson, Jr. was attending the International City County Management Association (ICMA) Conference.

APPROVAL OF MINUTES

Commissioner Wheeler motioned to approve the minutes of the Butler County Commission Meeting of Tuesday, October 2, 2007 as written. Commissioner Woydziak seconded the motion. Motion carried 5-0.

ITEM #1 – CONSIDER APPROVAL OF AN EDUCATIONAL REIMBURSEMENT AGREEMENT BETWEEN BUTLER COUNTY AND MR. DANIEL KLIEWER, MICT

Brandon Russell, Major, Butler County EMS, came before the Board for approval of an educational reimbursement agreement between Butler County and Mr. Daniel Kliewer, MICT. This agreement provides Mr. Kliewer with a one-time reimbursement of \$3,000. This amount is included in the current EMS budget to assist in the costs of MICT education for employees.

Commissioner Woydziak motioned to accept the agreement to reimburse educational expenses between Butler County and Mr. Daniel Kliewer and allow the Chair to sign. Commissioner Carpenter seconded the motion. Motion carried 5-0.

ITEM #2 – CONSIDER APPROVAL OF A CONTRACT MODIFICATION WITH MCCULLY & ASSOCIATES TO INCLUDE A RESIDENTIAL INDEX STUDY, DEPRECIATION STUDY, AND MARKET MODELING FOR THE COUNTY APPRAISER'S DEPARTMENT

Elysa K. Lovelady, Butler County Appraiser, came before the Board for approval of the Consulting Agreement with McCully and Associates, which includes a Residential Index Study, Depreciation Study, as well as assisting with Market Modeling.

Commissioner Woydziak motioned to approve the Consulting Agreement with McCully and Associates and allow the Chair to sign. Commissioner Masterson seconded the motion. Motion carried 5-0.

Commissioner Waldorf asked if the value of a home is adjusted in the Appraiser's Office in an instance where the sales price is increased to include assistance with closing costs from the seller. Ms. Lovelady said the value is not adjusted unless the assistance is 3% or more of the sales price.

ITEM #3 – WORK SESSION – ECONOMIC DEVELOPMENT ACTIVITY UPDATE

David Alfaro, Economic Development Director, came before the Board to present an activity update. Mr. Alfaro noted that he has been working with Drisco Trucking, Atlas Traps, Turnkey, Inc., Flint Hills Bio-Energy, Prairie Rose, as well as other businesses. Mr. Alfaro said staff attended the National Business Aviation Association Trade Show in Atlanta, GA with Greater

Wichita Economic Development Coalition (GWEDC) and received some very good leads. Mr. Alfaro noted that he has been working with the Kansas Department of Commerce (DOC) regarding relief concerning the pay back of the grant portion of the \$98,000 grant/loan with Prairie Rose. Approximately \$50,000 was used to assist Prairie Rose during their initial growth phase. Mr. Alfaro stated that the DOC representative in Topeka indicated that the county would not have to pay the \$50,000 grant and Mr. Alfaro asked for a letter stating such. No action was taken.

ITEM #4 – CONSIDER AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO PROCEED WITH PREPARATION OF PETITIONS AND ENGAGING PROFESSIONAL SERVICES RELATED TO PAVING A PORTION OF SW PRAIRIE CREEK ROAD, SOUTH OF SW 30TH STREET, TO SERVE STEARMAN ESTATES, THE PROPOSED NEW BENTON RESIDENTIAL SUBDIVISION TO BE DEVELOPED ON THE SOUTH SIDE OF BENTON AIRPARK

Darryl Lutz, P.E., Director of Public Works, came before the Board to discuss developing petitions and engaging professional services related to paving a portion of SW Prairie Creek Rd. south of SW 30th St. related to a proposed new subdivision south of Benton Airpark. The Board discussed including the property on the west side of Prairie Creek Rd. in the Benefit District. Mark Detter suggested talking to Bond Counsel to discuss structuring the Benefit District.

It was the consensus of the Board for the Public Works Director to report back with a proposal for financing the improvements on SW Prairie Creek Rd.

RECESS

Commissioner Waldorf recessed the Board meeting at 9:50 a.m. for 5 minutes.

RECONVENE

Commissioner Waldorf reconvened the Board meeting at 9:55 a.m.

ITEM #5 – CONSIDER AUTHORIZING THE PURCHASE OF STREET SIGN MATERIALS FOR THE HIGHWAY DIVISION

Darryl Lutz, P.E., Director of Public Works, came before the Board for approval to purchase road sign materials for the Highway Division. Funds are available in the Road & Bridge fund for this purchase. Three vendors provided quotes:

National Sign Company	\$6,013.02
Newman Sign Company	\$6,288.60
Lyle Signs	\$6,694.20

Commissioner Masterson motioned to approve the purchase of highway sign materials for the Public Works Department from National Sign Company for a delivered price of \$6,013.02. Commissioner Wheeler seconded the motion. Motion carried 5-0.

ITEM #6 – CONSIDER AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO PROCEED WITH PLANNING AND DESIGN WORK FOR THE PROPOSED NEW GRANT FUNDED E-WASTE BUILDING AT THE LANDFILL

Darryl Lutz, P.E., Director of Public Works, came before the Board for approval to proceed with planning and design work for the proposed new grant funded e-waste building at the landfill.

Butler County has been given a notice of award of approximately \$264,000 in grant funds from KDHE for a proposed new building for collecting electronic waste materials (e-waste).

Commissioner Carpenter motioned to authorize the Public Works Department to prepare RFP's for a 50' x 80' e-waste building. Commissioner Woydziak seconded the motion. Motion carried 5-0.

ITEM #7 – RECEIVE AN UPDATE ON FUNDING OPTIONS FOR THE RECONSTRUCTION OF SW 210TH STREET WEST OF DOUGLASS

Darryl Lutz, P.E., Director of Public Works, came before the Board to discuss funding options for the reconstruction of SW 210th Street west of Douglass. The Board previously discussed financing the difference between the 20% match and the total project cost. Staff is recommending to delay the project letting until October or November 2008 and to apply for a revolving fund loan.

Commissioner Woydziak motioned to approve delaying the letting of the SW 210th St. project until after October 1, 2008 and give staff authority to complete a loan application for the difference between the 20% match and the total project cost, which is approximately \$700,000. Commissioner Carpenter seconded the motion. Motion carried 5-0.

ITEM #8 – CONSIDER AUTHORIZING THE PURCHASE OF HYDRAULIC THUMB ATTACHMENT FOR THE PUBLIC WORKS DEPARTMENT EXCAVATOR

Darryl Lutz, P.E., Director of Public Works, came before the Board for approval to purchase a hydraulic thumb attachment for the Public Works Department track excavator. Two vendors offered price quotations. Murphy Equipment proposed a C&P 2 tine thumb attachment to match the existing bucket for an installed price of \$7,500. Berry Tractor & Equipment Company quoted a price of \$13,000 for a thumb attachment that will work with the C&P bucket.

Commissioner Masterson motioned to approve the purchase of a C&P thumb attachment to be installed on the John Deere excavator for an installed price of \$7,500 from Murphy Tractor & Equipment Company. Commissioner Carpenter seconded the motion. Motion carried 5-0.

Commissioner Woydziak asked Mr. Lutz about the status of repairing old Hall Rd. Mr. Lutz said they are looking at 60-90 days. Commissioner Woydziak suggested checking with Rod Compton, Planning and Zoning Director, to make sure all requirements are met.

Commissioner Woydziak asked about putting a seal on Paul's Valley. Mr. Lutz said it would be due for a surface seal within the next year or two.

ITEM #9 – CONSIDER APPROVAL OF THE AGREEMENT WITH FIRST AMERICAN CORE LOGIC TO RECEIVE RECORDS VIA FTP SITE

Scott Stoskopf, Computer Services Director, came before the Board for approval of the Electronic Records Access Agreement and Subscriber User Agreement for daily records from the Register of Deeds Office for First American Core Logic. Commissioner Waldorf suggested reviewing the amounts charged on an annual basis to make sure we are consistent with the market.

Commissioner Woydziak motioned to approve the agreements with First American Core Logic to receive records via FTP site. Commissioner Carpenter seconded the motion. Motion carried 5-0.

Chris Davis, 911 Director, came before the Board and stated that Cellular Network Partnership (CNP) recently applied for a CUP to build a new 260 ft. tower near SE 90th and SE Turkey Creek. Mr. Davis noted that he requested CNP to increase the height from 260 ft. to 300 ft., as requested by CSC. CNP has agreed and responded with a list of stipulations to be included in the agreement along with a request to reimburse them \$4,400 for the difference in materials cost. No action was taken, and Mr. Davis will return with an agreement for approval at a later date.

ITEM #10 – CONSIDER APPROVAL OF A CONTRACT RENEWAL WITH ALLEN, GIBBS, AND HOULIK (AGH) FOR FLEX PLAN ADMINISTRATIVE SERVICES

Assistant Administrator Mark Detter stated that the Agreement was not ready and suggested tabling this item until next week.

Commissioner Wheeler motioned to table this item until next week. Commissioner Masterson seconded the motion. Motion carried 5-0.

APPROVAL OF VOUCHERS

Commissioner Carpenter motioned to approve the vouchers for October 8, 2007 in the amount of \$407,979.85. Commissioner Woydziak seconded the motion. Motion carried 5-0.

APPROVAL OF ADDS AND ABATES

There were no Adds and Abates.

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

Mark Detter reminded the Board of the meeting at Beaumont tomorrow night at 6:00 p.m and stated that building inspections could be a topic of discussion.

Commissioner Woydziak noted that he would be attending a meeting tonight with Butler Leadership Youth to help them with a project on Building Communities.

Commissioner Woydziak reported that so far, Butler County residents have saved \$125,000 through the NACo insurance card.

Commissioner Masterson received a call from KAC to testify on October 23, 2007 related to a task force for disaster recovery.

Commissioner Waldorf discussed the eminent domain issue, in that, the legislature has barred local government from seizing land for private developers.

ADJOURNMENT

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