

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, February 15, 2000**

The Butler County Board of Commissioners was called to order by Commission Chairman, Randy Doll. Present were Commissioners Neal Parrish and Linsey Cutsinger along with County Administrator, Jay Newton and Clerk's Secretary, Tindel Jennison.

**APPROVAL OF MINUTES**

Commissioner Doll moved to approve the minutes of Monday, February 7 and Tuesday, February 8, 2000 as amended. Commissioner Cutsinger seconded the motion that carried 3-0.

**ADS & ABATES APPROVAL**

Commissioner Parrish moved to approve Ads totaling \$3,984.26 and Abates totaling \$8,454.40 per approval #2003. Commissioner Cutsinger seconded the motion that carried 3-0.

**HALF-TIME CLERK I POSITION TO FULL-TIME POSITION – EMER. MGMT.**

Commissioner Parrish moved to approve the Emergency Management request to make the half-time Clerk I position a full-time position with salary coming from sources other than the adopted 2000 Butler County budget. Commissioner Cutsinger seconded the motion that carried 3-0.

**COUNTY TAX EXEMPTION APPLICATIONS TO BOTA**

Commissioner Cutsinger moved to authorize the submittal of applications for tax exemption to the State Board of Tax Appeals for county owned property used for Road and Bridge material storage at Latham and a .5 acre tract east of El Dorado used for a water well site. Commissioner Parrish seconded the motion that carried 3-0.

**COUNTY PURCHASE OF LAND ALONG SW 70<sup>TH</sup> STREET**

Commissioner Parrish moved to purchase various tracts of land along SW 70<sup>th</sup> Street from the Kansas Turnpike Association interchange in Andover to Santa Fe Lake Road. Commissioner Cutsinger seconded the motion that carried 3-0.

**NOTICE TO CONTRACTORS – OHIO STREET MILLING AND RESURFACING**

Commissioner Parrish moved to approve the Notice to Contractors for bids to be received for milling and bituminous resurfacing of Ohio Street between the north city limits of Augusta and K-254 highway. Bids to be received and opened at 10:00 AM, Tuesday, March 14, 2000. Commissioner Cutsinger seconded the motion that carried 3-0.

**OHIO STREET RD - SPEED LIMIT DISCUSSION**

Dalton Patterson, El Dorado businessman visited with the Board regarding the possible increase of the speed limit on Ohio Street Road north of Augusta. Traffic Study reflects around 82% of traffic moves at 63 MPH. However the road is a mail route, bus route,

and has residential development which all need to be considered. County Engineer, Darryl Lutz will review and bring back his recommendation to the Board.

**SOFTWARE UPGRADE – ENG. DESIGN & DRAFTING**

Commissioner Doll moved to approve the renewal of the annual software upgrade and support agreement for design and drafting software for the Engineering Division in the total of \$1,488 as budgeted in the 2000 budget in the Road and Bridge fund. Commissioner Parrish seconded the motion that carried 3-0.

**SEWAGE SLUDGE DISPOSAL AGREEMENT – CITY OF EL DORADO**

Commissioner Parrish moved to table this agenda item to allow for revision and review by the County Counselor. Commissioner Cutsinger seconded the motion that carried 3-0.

**YEAR 2000 TIRE BIDS**

Commissioner Doll moved to approve tire bids for the year 2000 per bid tabulation sheet supplied by the County Engineer and includes other County departments. Bid award going to Wiebe Tire in the amount of \$17,283.01 and Augusta Tire in the amount of \$6,706.86 and authorize the Chair to sign. Commissioner Cutsinger seconded the motion that carried 3-0.

**SPECIAL MEETING – ANNUAL MEETING WITH TOWNSHIPS**

Commissioner Parrish moved to hold a Special meeting 9:00 AM, Wednesday, February 16, 2000 to meet with the townships at the Butler County Community Building.

Commissioner Cutsinger seconded the motion that carried 3-0.

County Engineer, Darryl Lutz informed the Board that the Department of Revenue is considering eliminating the . This board serves all townships in the state in preparing their annual budgets. He encouraged the Board to contact their government representatives with their input.

**CMB LICENSE APPROVAL – MARSHALL’S GROCERY (Leon)**

Commissioner Parrish moved to approve Cereal Malt Beverage License for Marshall’s Grocery, Inc. for sale in original and unopened containers not for consumption on the premises at 109 S. Main, Leon, Kansas. Commissioner Cutsinger seconded the motion that carried 3-0.

**RESOLUTION 00-09 -- USD #385 BENEFIT DISTRICT PROJECTS**

Commissioner Doll moved to adopt Resolution 00-09, authorizing the sale of Temporary Notes in the amount of \$1,050,000 for the USD 385 benefit district projects and authorize the Chair to sign the Resolution and accompanying documents. Commissioner Parrish seconded the motion that carried 3-0.

**HUNTER ROAD – MAJOR TRAFFIC ROUTE**

Jerry Rayl, Davidson & Associates informed the Board that the City of Towanda has received the grant to improve Hunter Road and the State is ready for Towanda to proceed. Discussion was held to make this a major county collector route.

**COMMUNITY TECHNOLOGY CO-OP**

El Dorado City Manager, Stan Stewart visited with the Board regarding conducting a meeting to hear a proposal for formulating a Technology Cooperative composed of El Dorado City, SBA Hospital, Butler County Community College, USD 390 (El Dorado), and Butler County.

**RECESS**

Commissioner Doll moved to recess for five minutes. Commissioner Cutsinger seconded the motion that carried 3-0.

**RECONVENE**

Commissioner Doll reconvened the meeting at 11:00 AM.

**RAILS TO TRAILS DISCUSSION**

The Board visited with Economic Development Director, Larry Powell, land owners adjacent to Southern Kansas, Oklahoma Railroad Line regarding future use of this rail bed currently owned by Rick Webb, and the landowners' attorney, Gene White. The line is presently in process of abandonment.

Butler County Planning and Development Department received approval for Rail Banking (application signed by Commission Chair, Linsey Cutsinger) from the Surface Transportation Board (Federal Agency) granting a 180-day negotiation period (ends June 7, 2000) to review use of the unused rail line. Rail Banking retains the corridor for possible future emergency use.

Rail Banking opens up other options such as: (1) Land can be used for Rails to Trails Program. This National Parks program is designed to allow egress to occur and be a nature trail for tourists. (2) Land can revert to landowners. This would only occur if the line is abandoned and rails are removed. (3) Sale of railroad for private enterprise. Mr. Powell stated that Flint Hills Excursion Railway has been investigating the possibility of using the rail line for a Steam Engine tourism rail line between Leon and Fredonia as well as offering service to Fleming Feeds in Leon, Telephone and Electrical pole delivery at Beaumont and the Severy CoOp. He stated that individuals at Beaumont (Historic Water Tower) are working with Flint Hills Excursion to develop this idea.

Landowners present were not in favor of Rails To Trails. They expressed their concerns regarding the potential for increased trespassing erosion, trash dumping and other undesirable activities, which in the present state is occurring. The Commissioners also voiced disapproval.

No action was taken by the Board. Mr. Webb has the option of selling or abandoning the rail property.

**ADJOURNMENT**

Commissioner Doll moved to adjourn. Commissioner Parrish seconded the motion that carried 3-0.