

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, September 26, 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, September 18 and Tuesday, September 19, 2000 as amended. Commissioner Cutsinger seconded the motion that carried 3-0.

**NEW JUDICIAL CENTER LOCATION DISCUSSION**

Stan Stewart, El Dorado City Manager visited with the Board regarding the location of the new Judicial Center. He stated that since the City wanted the building to be located downtown and not outside El Dorado, they would be willing to close Gordy Street. They preferred the building face Main Street and would consider becoming involved financially.

**OXYGEN SUPPLY BIDS - EMS**

Commissioner Doll moved to receive bids for oxygen supplies as follows:

	Length of Contract	"D" cylinder Rental	"C" cylinder Rental	"M" cylinder Rental	"D" cylinder Rental	"E" cylinder Rental	"M" cylinder Rental
Airgas	?	\$2.50	\$2.50	\$2.50	\$3.80	\$4.80	\$7.30
Young's Welding	3 yr.	\$1.50	\$1.50	\$2.00	\$3.91	\$4.95	\$7.61
Hoyt Welding	3 yr.	\$2.05	\$2.05	\$2.05	\$3.70	\$4.70	\$7.20

	Haz. Mat. Chg.	Delivery Chg.	After Hrs. Chg.	Quantities
Airgas	\$2.00	\$3.50	?	"D" cylinder 40 "E" cylinder 56 "M" cylinder 15
Young's Welding	No Chg.	\$5.00	\$15.00	
Hoyt Welding	No Chg.	No Chg.	No Chg.	

Commissioner Doll moved to approve the bid from Hoyt Welding for oxygen supplies and cylinder rental and miscellaneous charges per the recommendation of the Emergency Management Director. Commissioner Cutsinger seconded the motion that carried 3-0.

**STREET LIGHTING RESOLUTION**

Commissioner Doll moved to table this agenda item to allow the County Engineer time to review the matter. Commissioner Cutsinger seconded the motion that carried 3-0.

**ROAD & BRIDGE**

**USD 385 Water Line Const. Bids**

Commissioner Doll moved to authorize the Notice to Contractors seeking bids for the construction of water lines along Central Avenue east of Andover for the USD 385 projects. Commissioner Parrish seconded the motion that carried 3-0.

**US Hwy 54 Enhancement Proj.**

Mike Thompson of Poe and Associates stated that enhancement of US Highway 54 was not being funded and if excess money did become available from other funded projects, it would not go towards this project. Attributing to this decision was smaller volume of intrastate traffic (local traffic was not counted in the studies) and no traffic lights.

Mr. Thompson recommended that the County finalize their concept study of Highway 54 and then incorporate into County Planning by preserving a corridor for future use. Included in the plan should be the necessary right-of-way so developers will build accordingly. Otherwise parking lot space will be taken and therefore businesses will be eliminated. He stated KDOT does have provision for acquiring right-of-way. The City of Augusta needs to be brought on board with the plan as well.

**911 TAX PENALTY WAIVER**

Commissioner Doll moved to table this agenda item. Commissioner Cutsinger seconded the motion that carried 3-0.

**RES. 00-68**

Commissioner Doll moved to adopt Resolution 00-68 requiring the disclosure of the identities of secondary telephone service providers by any entity granted a franchise for providing telephone service within Butler County, Kansas. Commissioner Cutsinger seconded the motion that carried 3-0.

**FINE FOR FAILING TO COLLECT OR REMIT 911 TAX**

Commissioner Doll moved to table this agenda item. Commissioner Cutsinger seconded the motion that carried 3-0.

**FIRE DISTRICT #6 RESIGNATION**

Commissioner Parrish moved to accept the resignation of Max Craig and appoint Kennie Unruh to the Fire District #6 Fire Board. Commissioner Cutsinger seconded the motion that carried 3-0.

**PLANNING AND ZONING MATTERS**

**Res. 00-62** Commissioner Doll moved to adopt Resolution 00-62 (Case RZ-00-24), Wichita RV Inc. applicant, changing the zoning classification from Rural Residential to Commercial on property located at 12828 SW Hwy 54, Andover. Commissioner Parrish seconded the motion that carried 3-0.

**Res.00-63** Commissioner Parrish moved to adopt Resolution 00-63 (Case RZ-00-25), Bob Hizey, applicant/owner, changing the zoning classification from Agricultural to Rural Residential on property located on the East side of Shumway between SW 100<sup>th</sup> and SW 110<sup>th</sup>, Augusta. Commissioner Cutsinger seconded the motion that carried 3-0.

**Res. 00-64** Commissioner Doll moved to adopt Resolution 00-64 (Case RZ-00-26), Tomey Shabshab/MS & F Corporation, applicant/owner, changing the zoning classification from Agricultural to Rural Residential. Commissioner Cutsinger seconded the motion that carried 3-0.

**Res. 00-65** Commissioner Doll moved to adopt Resolution 00-65 (Case RZ-00-27), Richard Glass. owner/applicant, changing the zoning classification from Agricultural to Rural Residential. Commissioner Cutsinger seconded the motion that carried 3-0.

**Res. 00-66** Commissioner Cutsinger moved to adopt Resolution 00-65 (Case CU-00-09), Horizon Telecommunications, applicant, granting a conditional use to construct a 190' telecommunications tower on property located approximately ½ mile west of SW Butler Road on the north side of SW 140<sup>th</sup> Street, Rose Hill. Commissioner Parrish seconded the motion that carried 3-0.

**Res. 00-67** Commissioner Parrish moved to adopt Resolution 00-66 ( Case CU-00-09), Horizon Telecommunications, applicant , granting a conditional use to construct a 190' telecommunications tower on property located approximately 2/3 mile east of Ohio Street Road on SW 30<sup>th</sup> Street, El Dorado. Commissioner Cutsinger seconded the motion that carried 3-0.

#### **JUDICIAL BLDG. LOCATION DISCUSSION**

The Main Street Committee and the Chamber of Commerce from El Dorado visited with the Board expressing their desire to see the new Judicial Building constructed downtown and offered their assistance in the effort to see the building face Main Street (east) even if this meant the removal of buildings.

Commissioner Doll referenced the Butler County Commission letter to the City of El Dorado dated December 1999 and El Dorado letter response dated March 2000 stating they were in favor of the construction site downtown. He stated that, the response of the City at the September 25, 2000 was disturbing as it indicated the City was not in favor. Commissioner Doll stated that option 3 (building outside the City limits east of town) was not the desire of the Board unless the other two options were not agreeable to the City (option 1: Close Gordy Street with building facing north, option 2: Close Gordy Street with building facing east).

#### **ADJOURNMENT**

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