

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, April 15, 2008**

**CALL TO ORDER**

Commission Chairman Dan Woydziak called the Butler County Board of Commissioners to order at 9:00 a.m. Present were Commissioner Will Carpenter, Commissioner Jeff Masterson, Commissioner Randy Waldorf, Commissioner Mike Wheeler, Administrator Will Johnson, Jr., and Clerk Recorder Tammy Bridges.

**ITEM #3 – CONSIDER ALLOWING THE BUTLER COUNTY DEPARTMENT ON AGING TO ENTER INTO A CONTRACT WITH KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT (KDHE) TO PROVIDE SIX TWO-HOUR CLASSES, OVER A SIX WEEK PERIOD, TO EDUCATE SENIORS ON THE ARTHRITIS FOUNDATION SELF HELP CURRICULUM**

Crystal Noles, Department of Aging, came before the Board for approval of a contract with Kansas Department of Health and Environment (KDHE) to provide six, two-hour classes over a six week period to educate seniors on the Arthritis Foundation Self Help Curriculum.

*Commissioner Masterson motioned to approve Butler County Department on Aging to enter into this contract with KDHE to provide a six week Arthritis Self Help Group for citizens of Butler County and allow the Chair to sign. Commissioner Waldorf seconded the motion. Motion carried 5-0.*

**ITEM #4 – CONSIDER APPROVAL TO ALLOW THE CHAIR TO SIGN THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF WICHITA AND BUTLER COUNTY FOR THE FISCAL YEAR 2008**

Crystal Noles, Department of Aging, came before the Board for approval of an Interlocal Agreement between the City of Wichita and Butler County for the FY2008 in order to provide transportation to the City of Andover.

*Commissioner Masterson motioned to approve the Interlocal Agreement between the City of Wichita and Butler County for the fiscal year 2008 and allow the Chair to sign. Commissioner Waldorf seconded the motion. Motion carried 5-0.*

The Board and Ms. Noles discussed the senior center budget requests. She invited the Board to the Spring Fling event in May.

**ITEM #1 – CONSIDER AND MAKE RECOMMENDATION TO THE CITY OF AUGUSTA REGARDING WHETHER THE PROPOSED REZONING OF THE PROPERTY LOCATED AT 139 SW HWY 77 IN AUGUSTA FROM INDUSTRIAL TO COMMERCIAL TO ALLOW AUTO REPAIR, TIRE SALES & REPAIR, AND RENTAL OF TRUCKS AND TRAILERS, AMONG OTHER USES ALLOWED IN THE COMMERCIAL ZONING DISTRICT, WOULD BE IN CONFORMANCE WITH THE BUTLER COUNTY COMPREHENSIVE PLAN**

Rod Compton, Planning & Zoning Director, came before the Board to consider and make recommendation to the City of Augusta regarding whether the proposed rezoning of property located at 139 SW Hwy 77 in Augusta would be in conformance to the Butler County

Comprehensive Plan. This property falls within the gradient portion of the growth area of the City of Augusta. The Butler County Comprehensive Plan policy is to adhere to the appropriate city's comprehensive plan for basic land use guidance. Mr. Cokely is requesting a zoning change to commercial, and Augusta's Comprehensive Plan designates this area for industrial uses. However, the applicant's property is of such a size (approximately .45 acres) that it would not readily lend itself to industrial development. Staff feels the zoning classification proposed would conform to the County's Comprehensive Plan because the uses that would be allowed are very similar in nature to the types of uses that are presently located along Hwy 77.

*Commissioner Waldorf motioned to find that the aforesaid would be in conformance with the Butler County Comprehensive Plan and authorize staff to forward a letter to the Augusta City Planning Commission stating this finding. Commissioner Masterson seconded the motion. Motion carried 5-0.*

**ITEM #2 – CONSIDER AND MAKE RECOMMENDATION TO THE CITY OF AUGUSTA REGARDING WHETHER THE PROPOSED CONDITIONAL USE TO EXPAND AN EXISTING CEMETERY ON PROPERTY THAT IS PRESENTLY ZONED R-6C, WOULD BE IN CONFORMANCE TO THE BUTLER COUNTY COMPREHENSIVE PLAN**

Rod Compton, Planning & Zoning Director, came before the Board with an application and request by Catholic Diocese of Wichita for a Conditional Use Permit to expand an existing cemetery on property that is presently zoned R-6C. The Catholic Diocese of Wichita owns two separate parcels of property on SW 85<sup>th</sup> St. (Belmont St. in Augusta) that comprise approximately 20.5 acres located approximately 1¼ mile east of Ohio St. on the south side of SW 85<sup>th</sup> St. Staff feels the use as proposed would conform with the County's Comprehensive Plan because such uses can be considered almost anywhere in the County. Staff feels this decision needs to be determined by the City of Augusta; staff does not see the expansion of an existing cemetery as something that would alter the character of the area or affect the Comprehensive Plan in a negative way.

*Commissioner Waldorf motioned to find that the aforesaid Conditional Use Permit application would be in conformance with the Butler County Comprehensive Plan and authorize staff to send a letter to the Augusta City Planning Commission signifying the same. Commissioner Carpenter seconded the motion. Motion carried 5-0.*

**APPROVAL OF ADDS AND ABATES**

*Commissioner Waldorf motioned to approve Adds & Abates #2344 dated April 15, 2008. Adds in the amount of \$276.04 and Abates in the amount of \$1,399.68. Commissioner Carpenter seconded the motion. Motion carried 5-0.*

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

Commissioner Wheeler asked about the auction at the Johnson property in Rosalia. Administrator Johnson will report back to the Board next week.

Commissioner Woydziak stated he and Administrator Johnson met with the El Dorado City Manager Herb Llewellyn and Mayor Tom McKibban regarding the college acres sewer and other issues.

Administrator Johnson stated that Darryl Lutz, Director of Public Works, recommended purchasing yellow and white highway paint from Ennis Paint and reflective beads from Flex-O-Lite.

*Commissioner Masterson motioned to approve the bid from Ennis Paint for yellow and white highway paint in the amount of \$59,362.50 and the bid from Flex-O-Lite for the reflective beads in the amount of \$17,400.00. Commissioner Woydziak seconded the motion. Motion carried 5-0.*

*Commissioner Carpenter motioned to recess the Board to Executive Session at 10:00 a.m. for 10 minutes, with the public session resuming at 10:10 a.m., to discuss personnel matters of non-elected personnel to discuss performance related issues of non-elected personnel. Commissioner Wheeler seconded the motion. Motion carried 5-0. Those in attendance were Commissioners Carpenter, Masterson, Waldorf, Wheeler, Woydziak, and Administrator Johnson.*

#### **RECONVENE**

Commissioner Woydziak reconvened the Board meeting at 10:20 a.m. No action was taken as a result of Executive Session.

#### **ADJOURNMENT**

*Commissioner Waldorf motioned to adjourn the meeting of the Board at 10:20 a.m. Commissioner Masterson seconded the motion. Motion carried 5-0.*