

BUTLER COUNTY BOARD OF COMMISSIONERS
Monday, April 28, 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.

APPROVAL OF MINUTES

Commissioner Wheeler motioned to approve the minutes of the Butler County Commission Meetings of Monday, April 21, 2008 (Commissioner Waldorf abstained from Monday's meeting because he was absent that day, as amended in the minutes of May 5, 2008.) and Tuesday, April 22, 2008 as written. Commissioner Carpenter seconded the motion. Motion carried 5-0.

ITEM #1 – PRESENT LAURIE MANN, RYAN MITCHELL, REBECCA NELSON, AND JEREMY SEGLEM, EMERGENCY COMMUNICATIONS WITH SPOTLIGHT AWARDS AND GIFT CERTIFICATES AND PRESENT DAVID PROBST, EMERGENCY COMMUNICATIONS WITH A CERTIFICATE OF APPRECIATION

Administrator Will Johnson came before the Board to present Spotlight Awards and gift certificates to Laurie Mann, Ryan Mitchell, Rebecca Nelson, and Jeremy Seglem, Emergency Communications, and to present David Probst, Emergency Communications, with a Certificate of Appreciation. Barbara Dawson, Sheriff's Department, nominated these individuals for doing an excellent job of assisting other emergency services and providing assistance to the citizens of Butler County during the thunderstorm of April 8, 2008. Administrator Johnson thanked them for doing a great job daily and noted appreciation for everything they do to help and assist. Commissioner Woydziak stated that the commissioners appreciate them and said they are the unsung heroes of the Emergency Services. Commissioner Woydziak congratulated them and presented the awards.

ITEM #2 – RECEIVE LEONARD STALNAKER TO DISCUSS TAXES ON FOX LAKE AND SYCAMORE TOWNSHIP

Leonard Stalnaker, Sycamore Township Clerk, came before the Board to discuss taxes on Fox Lake and Sycamore Township. He stated that the residents of Fox Lake are very unhappy about the increased taxes and the burden it places on the township. The classification for the lake was changed from agricultural to recreational. He stated that the Appraisers Office appraised some land that was for sale around the lake and they also reappraised the lake. Commissioner Carpenter asked if the lake was fenced. Mr. Stalnaker said there wasn't a fence, which allows the cattle to drink the water.

Garry Hoy, Sycamore Township Treasurer, came before the Board and said farm ground is taxed at \$10/acre and the lake is being taxed at \$33/acre. Mr. Hoy noted that the sudden increase bothers him because for years there has been no change in the use of that body of water that would create a reason for this increase in taxes.

Henry Sanford came before the Board and stated if anything, it could be classified as residential, not recreational. He commented that they are being unfairly taxed, and that it is truly a residential area.

Harold Cooper came before the Board and stated that he was surprised the County Appraiser isn't here in the meeting. He believes the people deserve to hear what the compelling reason is from the County Appraiser as to why these taxes went up so much.

Jay Hedrick came before the Board and noted that the lake is not deep enough to be classified as a recreational lake.

Mrs. Stubblefield said her children can walk across the lake except for an eight foot wide area where they have to swim. She noted that they have yet to pull a fish out of the lake and isn't sure where the recreational classification comes from. She said in the summertime, there are signs that say don't put anything with a motor in the water.

Ron Rogers came before the Board and said there is not much activity on the lake except for a few fisherman, a pontoon boat and jet ski every once in a while. In the last two years he spent 140 nights on the water fishing.

Administrator Johnson noted that there is a lease agreement with Sycamore Township and the Lake Club stating they are to use the property for recreational purposes. The Board discussed amending the lease and possibly changing the classification to include Ag and recreational.

Marilyn Garitson came before the Board and said the value of her cabin went from \$15,000 to \$20,000 and the taxes doubled this year.

Commissioner Masterson said he is not clear what the role of the Board is in this decision. He said he is bothered by large increases and feels we can do something different. Commissioner Carpenter said our authority is limited because of state statutes, but we will do what we can.

Commissioner Woydziak stated that the Board can't give a concrete answer today but will work with them to give suggestions on how to redo the lease and work through the system. Administrator Johnson said the next step would be to meet with the County Appraiser to look at what we can do.

Mr. Cooper stood up and asked if we could get the County Appraiser up here today to answer these questions rather than have these people go home with no answers. Commissioner Woydziak told Mr. Cooper to sit down and said we are trying to work with these folks on a reasonable solution. We know that your method and methodology is to create problems. We are going to work with these folks and do everything we can to help them get a reduction and I don't need you up here telling us how to do our job, end of story, end of discussion. Administrator Johnson said the Appraiser was conducting hearings and wasn't sure about her schedule. Administrator Johnson and Commissioner Woydziak will meet with Mr. Stalnaker and Mr. Hoy and a representative from the Fox Lake Club to discuss this issue. Commissioner Woydziak promised them that this Board would work as hard as they can to help resolve this and that he appreciates the folks taking time out of their day to attend the meeting.

Ron Rogers said he is very pleased with the reaction of the Board.

Lonnie Wall came before the Board and showed the Board the map where the cabins are and the property around the lake. He said the value on the lake itself is what has changed.

RECESS

Commissioner Woydziak recessed the Board meeting for 15 minutes at 10:05 a.m.

RECONVENE

Commissioner Woydziak reconvened the Board meeting at 10:20 a.m.

Mark Detter, Finance Director, came before the Board to introduce Dana Korkki regarding Flinthills Services’ application for tax credits for a building project. Dana Korkki, Flinthills Services, came before the Board to ask the Board’s endorsement of their application for tax credits for a community service program. Mr. Korkki stated they are asking for the maximum of \$250,000 in tax credits, which will generate about \$352,000 for the project.

Commissioner Waldorf motioned to approve the endorsement of the Flinthills Services application for tax credits. Commissioner Masterson seconded the motion. Motion carried 4-0. Commissioner Carpenter abstained because his wife is on the Flinthills Services Board.

ITEM #3 – APPROVE CHANGE ORDER #2 WITH SHARP CONSTRUCTION ON SOUTH CENTRAL MENTAL HEALTH BUILDING IN AUGUSTA

Mark Detter, Finance Director, came before the Board for approval of change order #2 with Sharp Construction on the South Central Mental Health building in Augusta. The original contract was for \$849,890.00. The proposed contract amendment would bring the total for the building to \$872,181.05. This change order will cost \$5,291.05. When combined with the first change order, \$22,291.05 has been added to the contract.

Commissioner Waldorf motioned to approve change order #2 on the South Central Mental Health building in Augusta. Commissioner Masterson seconded the motion. Motion carried 5-0.

ITEM #4 – RECEIVE AND OPEN SEALED BIDS FOR CULVERT LETTING NO. 63 FOR THE CONSTRUCTION OF 8 REINFORCED CONCRETE BOX CULVERTS AND BRIDGES THROUGHOUT BUTLER COUNTY – 10:00 A.M.

Darryl Lutz, P.E., Director of Public Works, came before the Board to receive and open bids for Culvert Letting No. 63 for the construction of 8 Reinforced Concrete Box culverts and bridges throughout Butler County. Bids were received from:

	Klaver Construction	Turnkey Construction	LMK Concrete Construction
RCB No. 1 – 32E6-23-3	\$ 82,521.75	\$ 57,446.50	\$ 52,176.90
RFB No. 2 – 21E1-25-5	\$139,860.60	\$115,028.50	\$ 98,946.00
RCB No. 3 – 4E4-27-4	\$ 45,215.30	\$ 27,930.40	\$ 28,655.20
RCB No. 4 – 4N8-28-3	\$ 64,336.60	\$ 51,460.80	\$ 46,643.60
RCB No. 5 – 1N3-24-4	\$ 75,852.30	\$ 59,826.50	\$ 51,807.00
RFB No. 6 – 24N2-26-7	\$ 88,498.95	\$ 77,336.50	\$ 66,671.00
RCB No. 7 – 31N7-27-6	\$ 35,747.50	\$ 26,585.00	\$ 28,523.00
RCB No. 8 – 29N9-28-5	\$ 32,117.00	\$ 19,592.00	\$ 19,726.00
Total	\$564,150.00	\$435,206.20	\$393,148.70

Commissioner Carpenter motioned to receive the bids for Culvert Letting No. 63 as read, to direct the County Engineer to tabulate and evaluate the bids, and to return at a later date with a recommendation for award of bids. Commissioner Wheeler seconded the motion. Motion carried 5-0.

ITEM #5 – WORK SESSION – COMMISSION GOALS & OBJECTIVES

Administrator Johnson and the Board discussed animal control in the county, the county credit card system, and the location of the clerk, treasurer, and motor vehicle offices.

Ron Roberts, County Clerk, came before the Board to discuss a possible adult entertainment business in the county.

APPROVAL OF VOUCHERS

Commissioner Waldorf motioned to approve the vouchers for April 28, 2008 in the amount of \$626,420.26. Commissioner Masterson seconded the motion. Motion carried 5-0. (Amended from 4-0 to 5-0 in minutes of May 5, 2008.)

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

Commissioner Wheeler asked about the Johnson property in Rosalia. Administrator Johnson said they have tried to contact the owner's son and haven't received a response.

Commissioner Carpenter discussed the Watershed District meeting on Tuesday, May 6 at the Community Building.

Commissioner Carpenter had a complaint about someone having to spend money on an attorney going to BOTA because the Appraiser's Office appealed the Small Claims decision.

Commissioner Carpenter brought up the county mowing this year and indicated that fuel costs would play a part in that. Sheriff Murphy suggested mowing at the intersections to deter accidents.

Commissioner Carpenter said he had a REAP meeting and they are working on the Workforce Alliance budget.

Commissioner Masterson attended Benton Days on Saturday.

Commissioner Masterson noted that he is attending the work session tonight with the City of Andover to discuss the railroad abandonment.

Commissioner Masterson stated that he took his family to the Prairie Rose and said they are still in business and drawing a crowd.

Commissioner Waldorf spoke to a SCARF committee member at church on Sunday who said they were very thankful that everyone attended the Buckaroo Ball.

Sheriff Murphy came before the Board to discuss the jail contract with Johnson County. Dennis Phillips said the Reception Diagnostic Unit (RDU) rate will be \$35.00 per day and the non-RDU

rate will be \$30.00 per day. Mr. Phillips asked the Board to sign the addendum to the Johnson County contract. Sheriff Murphy noted that he would be drafting a letter to the city mayors stating that they will be charged \$30.00 per day.

Commissioner Wheeler motioned to approve the addendum to the jail contract with Johnson County contingent upon approval of Norm Manley, County Counsel. Commissioner Carpenter seconded the motion. Motion carried 5-0.

ADJOURNMENT

Commissioner Wheeler motioned to adjourn the meeting of the Board at 11:25 a.m. Commissioner Carpenter seconded the motion. Motion carried 5-0.