

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, April 29, 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 #1 – CONSIDER APPROVAL OF THE REVISED (FUNDING INCREASE) RECOMMENDATIONS OF THE JOINT CORRECTIONS ADVISORY BOARD (JCAB) FOR BLOCK GRANT FUNDING FOR PREVENTION AND CORE PROGRAMS FOR STATE FISCAL YEAR 2009 (JULY 1, 2008 TO JUNE 30, 2009) IN THE AMOUNT OF \$655,030

Ann Carpenter, Juvenile Justice Services Administration, came before the Board for approval of the revised (funding increase) recommendations of the Joint Corrections Advisory Board (JCAB) for Block Grant funding for prevention and core programs for state fiscal year 2009 (July 1, 2008 to June 30, 2009) in the amount of \$655,030. This amount reflects an increase of \$228,346 in total funding for SFY2009.

Commissioner Wheeler motioned to approve the State Fiscal Year 2009 Block Grant funding revisions in the combined amount of \$655,030 for funding programs within the 13th Judicial District and authorize the Chair to sign. Commissioner Waldorf seconded the motion. Motion carried 4-0. Commissioner Carpenter abstained.

ITEM #2 – REVIEW AND CONSIDER APPROVAL OF 2008 CEREAL MALT BEVERAGE LICENSE FOR THE BUTLER COUNTY SADDLE CLUB

Administrator Johnson came before the Board for approval of the 2008 Cereal Malt Beverage License for the Butler County Saddle Club.

Commissioner Waldorf motioned to approve the 2008 Cereal Malt Beverage License for the Butler County Saddle Club. Commissioner Masterson seconded the motion. Motion carried 5-0.

ITEM #3 – CONSIDER AND MAKE RECOMMENDATION TO THE CITY OF AUGUSTA REGARDING WHETHER THE PROPOSED REZONING OF 5629 SW HOPKINS SWITCH ROAD FROM AN AGRICULTURAL 2 CLASSIFICATION TO AN R6A RESIDENTIAL CLASSIFICATION TO ALLOW AN EXISTING RESIDENCE AND 4 ACRES TO BE SEPARATED FROM A 44 ACRE PARCEL WOULD BE IN CONFORMANCE TO THE BUTLER COUNTY COMPREHENSIVE PLAN

Administrator Johnson came before the Board with a request from Martin Coffman, Jr., to rezone property at 5629 SW Hopkins Switch Rd. from an Agricultural 2 classification to an R6A Residential classification to allow an existing residence and 4 acres to be separated from a 44 acre parcel. The property is located in the Augusta Extraterritorial area and the City of Augusta Planning Commission is submitting the request. Staff recommends a finding that the rezoning would be in conformance to the County's Comprehensive Plan.

Commissioner Waldorf motioned to find that the requested rezoning 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 #4 – REVIEW MODIFICATION #6 TO CONTRACT #06302005

Jim Schmidt, Emergency Management Director, came before the Board to review modification #6 to contract #06302005. This is an existing contract that Butler County has in place with Computer Science Corporation (CSC) to develop the County Digital radio system. Modification #6 is the next phase in this process. Commissioner Masterson brought to the Board's attention that the numbers on the contract were not correct. Mr. Schmidt was directed to call CSC and the Board tabled this item until next week.

Commissioner Masterson motioned to table this item until Monday, May 5, 2008. Commissioner Waldorf seconded the motion. Motion carried 5-0.

ITEM #5 – CONSIDER APPROVAL OF PURCHASE AND ACCEPTANCE OF RIGHT-OF-WAY DEDICATIONS RELATED TO THE SW 210TH STREET RECONSTRUCTION PROJECT WEST OF DOUGLASS

Darryl Lutz, P.E., Director of Public Works, came before the Board for approval of purchase and acceptance of right-of-way dedications related to the SW 210th St. reconstruction project west of Douglass. The value finding appraisal shows the right-of-way cost based upon \$4,000 per acre for tracts off of parcels larger than 20 acres in size and \$6,000 per acre for tracts off of parcels 20 acres or less in size. The four right-of-way dedications being accepted at this time are for George and Melissa Bunyard, Wade and Christine Culbertson, Phyllis McBee Gibbons, and William and Betty Wade.

Commissioner Woydziak motioned to approve the purchase and acceptance of right-of-way dedications for tracts of permanent right-of-way as presented for KDOT Project No. 8 C-3687-01, the SW 210th St. road reconstruction project west of Douglass and authorize the Chair to sign the associated documents. Commissioner Carpenter seconded the motion. Motion carried 5-0.

Dan Ingalls, Buildings & Grounds Director, came before the Board to request purchasing a hot water heater for the El Dorado EMS Station. This is a larger than normal water heater, and Mr. Ingalls felt that it was initially put in for future expansion of the building or decontamination purposes. Bids were received from Don Vaughn, Inc. for \$5,040.00 (including flue); Five Star for \$5,137.00 (including flue); and Rush Plumbing for \$5,100.00 plus \$450.00 for the flue. Mr. Ingalls recommended Don Vaughn or Five Star, depending on who is readily available.

Commissioner Carpenter motioned to allow the Buildings and Grounds Department to purchase a hot water heater for the El Dorado EMS Station from either Don Vaughn for \$5,040.00 or Five Star for \$5,137.00. Commissioner Waldorf seconded the motion. Motion carried 5-0.

Mr. Lutz presented the tabulation of the bids for Culvert Letting No. 63 and is recommending LMK Concrete Construction, Lindsborg, Kansas for a total cost of \$393,148.70. Mr. Lutz stated that we have sufficient funds available in the Bridge Building Fund, but when we do the bridge deck repairs, we may need to utilize money out of the Road & Bridge Fund.

Commissioner Carpenter motioned to award contracts for structures 1-8 for Culvert Letting No. 63 to LMK Concrete Construction in the total amount of \$393,148.70. Commissioner Wheeler seconded the motion. Motion carried 5-0.

RECESS

Commissioner Woydziak recessed the Board meeting for 7 minutes at 10:00 a.m.

RECONVENE

Commissioner Woydziak reconvened the Board meeting at 10:07 a.m.

APPROVAL OF ADDS AND ABATES

Commissioner Waldorf motioned to approve Adds & Abates #2346 dated April 29, 2008. Adds in the amount of \$659.06 and Abates in the amount of \$86,447.40. Commissioner Masterson seconded the motion. Motion carried 5-0.

ITEM #6 – CONDUCT A PUBLIC HEARING RELATED TO CLOSING A PORTION OF SE SHOSHONE ROAD SOUTH OF SE 150TH STREET IN LOGAN TOWNSHIP – 10:00 A.M.

Commissioner Woydziak opened a public hearing at 10:10 a.m.

Darryl Lutz, P.E., Director of Public Works, came before the Board regarding closing a portion of SE Shoshone Road South of SE 150th Street in Logan Township. Mr. Lutz stated that on April 8, 2008, the Board passed a motion initiating the process of vacating a road right-of-way in Logan Township. He said in this instance, there are out of township property owners. Certified letters were mailed to the adjacent property owners and to the township board members. The notice of public hearing for road vacation was published twice in the newspaper to give everyone an opportunity to present issues either in favor of or opposed to the action. Tim Connell, who owns property on the east side of Ellis Rd., contacted Mr. Lutz directly and had no opposition to the road closing. Mr. Wedman owns an 80-acre tract and had no objection to closing the road. Mr. Lutz noted that he did not receive any written correspondence. There was no public comment.

Commissioner Woydziak closed the public hearing at 10:15 a.m.

Commissioner Woydziak motioned to approve an order to vacate a portion of SE Shoshone Rd. south of SE 150th St. in Logan Township and authorize the Chair to sign. Commissioner Carpenter seconded the motion. Motion carried 5-0.

Mr. Lutz presented a purchase item that exceeds \$5,000 in value. The item is a 2008 Pronghorn 9000 Utility box for a 2008 Ford F450 truck. Bids were received from:

GH Trailer Sales, Haven, KS	\$6,052.00
Sunflower Trailer Sales, St. John, KS	\$6,450.00
Midwest Truck Eqpt., Wichita, KS	\$6,677.00

Commissioner Waldorf motioned to approve the purchase of a 2008 Pronghorn 9000 Utility Box for a 2008 Ford F450 truck to GH Trailer Sales in the amount of \$6,052.00. Commissioner Masterson seconded the motion. Motion carried 5-0.

Mr. Lutz informed the Board of a meeting related to the SW Butler Road Study on Tuesday, May 13 at 3:00 p.m. at Wichita City Hall. Commissioner Woydziak will attend the meeting.

Mr. Lutz updated the Board on the Kansas Gas Service easement at the landfill. The Board asked Mr. Lutz to bring this back as an agenda item.

Sheriff Craig Murphy came before the Board to discuss the application for an adult entertainment business. Sheriff Murphy suggested that the Board talk to Norm Manley, County Counsel.

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

Commissioner Waldorf asked Administrator Johnson for feedback on the RFP for Augusta Progress, Inc. for a development study of the Highway 54/400 Corridor West of Augusta.

Commissioner Waldorf brought up the response letter regarding upgrading the signs at SW 50th and Purity Springs.

Commissioner Waldorf stated that he filed for re-election this morning.

Commissioner Masterson said David Alfaro and he attended the meeting last night in Andover regarding the railroad property. Commissioner Masterson and Mr. Alfaro are hopeful that the city will make a decision within 30 days.

Commissioner Carpenter asked Mr. Lutz about the bridge at 30th St. and River Valley. He said the county put in some concrete south of the bridge to keep it from eroding and the concrete is in bad shape.

Commissioner Carpenter thanked Mr. Lutz for installing the engine brake signs on SW Ohio Street and SW 20th St.

Commissioner Carpenter said REAP is working on putting together a regional plan to direct money into this region and developing a unified voice in Topeka.

Commissioner Wheeler asked if anyone has contacted the Johnson's in Rosalia about the auction. Administrator Johnson reported that the auction company does not have a contract with the Johnson's, but are supposed to view the property next week.

Administrator Johnson and the Board discussed the value changes of Larry Adams' home.

Administrator Johnson noted that the First Baptist Church asked if the county had any interest in participating in the cost of a parking lot at the SW corner of Star and Pine in El Dorado. Administrator Johnson noted that if the commissioners wanted to open up more parking for customers, the employees could shift to the new parking lot. The total cost to concrete the parking lot would be \$125,000. The church will also be asking the funeral home to participate. The Board agreed that the county could offer \$20,000 for the parking lot. No action was taken.

ADJOURNMENT

Commissioner Waldorf motioned to adjourn the meeting of the Board at 11:25 a.m.

Commissioner Masterson seconded the motion. Motion carried 5-0.