

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Monday, January 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 Paula Stoskopf.

**APPROVAL OF MINUTES**

*Commissioner Carpenter motioned to approve the minutes of the Butler County Commission Meeting of Tuesday, January 22, 2008 as written. Commissioner Wheeler seconded the motion. Motion carried 5-0.*

**ITEM #1 – RECEIVE DAVID STEWART, PKHL ARCHITECTS, FOR ELEVATOR PRESENTATION**

David Stewart, PKHL Architects of El Dorado, came before the Board to present suggested plans for elevator replacement. After review and suggestions from Buildings & Grounds, it was agreed that the existing shaft on the south side of the hallway could be used as an elevator shaft. It consists of mostly vault space and could be converted to accommodate an elevator. Mr. Stewart presented two options to the Board. The overall cost of Option #1 would be \$456,034.00 and the overall cost of Option #2 would be \$703,311.00. He noted that there was one major unknown variable in these quotes – replication of the stairs to a historical state. The contractors estimated the cost high at this point. They stated they would rather come down on their quote later than to raise it. The Grant awarded for this project is \$300,000.00. Commissioner Carpenter noted that the placement of the elevator is not conducive to public use being at the east of the hallway when the entrance is on the west end. Commissioner Woydziak noted this, but pointed out that keeping this placement would be less intrusive during construction. Commissioner Masterson noted the idea of having a first floor pay station available. Commissioner Carpenter agreed that this would be a convenience to our customers. The Board thanked Mr. Stewart for his presentation.

**ITEM #2 – RECEIVE RILEY WALTERS, NOXIOUS WEED DIRECTOR, TO PRESENT 2007 ANNUAL REPORT AND 2008 MANAGEMENT PLAN**

Riley Walters, Director of Butler County Noxious Weed Department, came before the Board for consideration of the 2007 Annual Report and the 2008 Management Plan. The Annual Report is a summary of acreages treated for each noxious weed, herbicides used and a financial summary. The Management Plan is a list of treatments proposed for the coming year. Mr. Walters recommended that the Chairman sign the Management Plan and that all the Commissioners sign the Annual Report for submission to the Kansas Department of Agriculture.

Mr. Walters informed the Board that he would be in Washington the last week of February to attend the National Invasive Weed Awareness Week. He thanked the Board for allowing him to attend this meeting. He stated the North American Weed Management Organization organizes this meeting. He was nominated as vice-president last year and will take over as president of this organization in September 2008. Commissioner Wheeler, along with the Board, congratulated Mr. Walters on this achievement.

*Commissioner Waldorf motioned to approve the Management Plan and allow the Chair to sign and to approve the Annual Report for submission to the KDA signed by the Board of Commissioners. Commissioner Masterson seconded the motion. Motion carried 5-0.*

**ITEM #3 – CONSIDER APPROVAL OF BIDDING PROCEDURE FOR TWO TRANSPORT VANS FOR BUTLER COUNTY JAIL**

Sheriff Craig Murphy, Butler County, came before the Board for approval of bidding procedures for two transport vans for the Butler County Jail. The Detention Division of the Butler County Sheriff's Office is responsible for the transportation of Inmates to and from Court locally, State wide, and in some cases, traveling out of State. It is necessary that the vehicles used are in good condition and do not break down somewhere on the road. The current vans are four years old with high mileage and will soon begin to have mechanical problems. The Department would like to replace both of these vehicles to prevent the possibility of either one of them breaking down on the road and possibly creating a safety issue for Officers as well as the public. The cost should be in the \$60,000.00 range for two vehicles and there has been \$64,000.00 budgeted for this purchase.

*Commissioner Waldorf motioned to accept bids from area Automobile Dealers for the purchase of two replacement transport vans for the Detention Center. Commissioner Masterson seconded the motion. Motion carried 4-1. Commissioner Carpenter voted no.*

**ITEM #4 – CONSIDER A REVOCATION OF OWNERSHIP LETTER TO THE SURFACE TRANSPORTATION BOARD OF RAILROAD PROPERTY FROM AUGUSTA TO ANDOVER**

Will Johnson, County Administrator, came before the Board for approval of a request to the Surface Transportation Board (STB) to vacate the Notice of Interim Trail Use (NITU) issued by the STB to Butler County in 2001 for 10.6 miles of rail property located between Andover and Augusta. Mr. Johnson asked David Alfaro, Economic Development Director, to give an update on this matter in lieu of the conference call held this morning with the Cities of Augusta and Andover and Mr. Morrell. Mr. Morrell will be drafting paperwork concerning this matter and will have it to Mr. Alfaro by this coming Wednesday or Thursday. He would like to bring it to the Board for review before taking any action. After discussion, he asked that today's Agenda Item be tabled and no action taken. The Board concurred.

**RECESS**

Commissioner Woydziak recessed the Board meeting at 10:07 a.m. for 5 minutes.

**RECONVENE**

Commissioner Woydziak reconvened the Board meeting at 10:12 a.m.

**APPROVAL OF VOUCHERS**

*Commissioner Wheeler motioned to approve the vouchers for January 28, 2008 in the amount of \$530,358.86. Commissioner Carpenter seconded the motion. Motion carried 5-0.*

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

Commissioner Wheeler stated that he had received complaints concerning the State Trooper/KDOT employee, Mr. Throckmorton, who has been harassing truck drivers doing local

business on Haverhill Rd. Administrator Johnson stated that Sheriff Murphy, in the past, had sent a letter to an employer stating that these trucks were legal to do local business on this road. Other Commissioners noted that they too had received complaints about this individual. Mr. Johnson asked that if this continued to have the individuals contact the Highway Patrol.

Commissioner Wheeler inquired as to who might be attending the Barack Obama meeting at Butler County College on Tuesday, January 29<sup>th</sup>. Mr. Johnson stated that Mark Detter would have the information available for those who would like to submit their RSVP to attend.

Commissioner Waldorf verified that Administrator Johnson and Commissioner Woydziak received the e-mail he had forwarded to them from the state auditor for JJA.

Administrator Johnson reminded the Board of the need to make certain appointments. Commissioner Carpenter apologized for not having made his contacts. He will bring his appointments to the Board next week. The following appointments were made:

***Commissioner Masterson motioned to reappoint Vic Cox to the Council on Aging. Commissioner Waldorf seconded the motion. Motion carried 5-0.***

***Commissioner Wheeler motioned to reappoint David Green to the Planning Commission. Commissioner Carpenter seconded the motion. Motion carried 5-0.***

***Commissioner Woydziak motioned to reappoint Virgil Tingley to the Planning Commission. Commissioner Masterson seconded the motion. Motion carried 5-0.***

***Commissioner Waldorf motioned to reappoint Terry Brown to the Planning Commission. Commissioner Masterson seconded the motion. Motion carried 5-0.***

Administrator Johnson received a letter from Bob Sage, LEPC, requesting approval of the annual membership list for 2008. This is a roster of 27 individuals, including Commissioner Woydziak.

***Commissioner Woydziak motioned to approve the LEPC Membership Roster for 2008. Commissioner Waldorf seconded the motion. Motion carried 5-0.***

Administrator Johnson addressed the Board regarding the ad placed in the Shopper's Guide by Mr. Harold Cooper.

Administrator Johnson informed the Board that the JCAB Board is recommending pulling funding from Mid-Cap. It was determined through an audit in October that \$6,500 cannot be accounted for. The JCAB Board is recommending an increase in funding to Tri-Casa, SCARF, & Big Brothers/Big Sisters.

Administrator Johnson presented Commissioners Waldorf & Woydziak with their checks for \$7.50 from Attorney Ray Connell for the fence viewing. He also asked them to sign paperwork regarding the viewing.

Commissioner Carpenter noted the phone call he received was from David VanBuskirk regarding the cell tower issue up around Whitewater. He is checking dates to come visit with the Board next

Monday or Tuesday. He informed Mr. Carpenter that this area is owned by Sprint. He stated that Sprint chose to keep this area when they were selling off area surrounding Whitewater. Mr. VanBuskirk suggested the possibility of contacting the FCC if a provider is not servicing their territory.

**ADJOURNMENT**

*Commissioner Wheeler motioned to adjourn the meeting of the Board at 10:59 a.m.*

*Commissioner Waldorf seconded the motion. Motion carried 5-0.*

\*\*\*Commissioners attended the Rose Hill Senior Center for lunch @ 11:45 a.m. following adjournment\*\*\*