

BUTLER COUNTY BOARD OF COMMISSIONERS
Monday, March 10, 2008

CALL TO ORDER (Late Start Due to REAP)

Commission Chairman Dan Woydziak called the Butler County Board of Commissioners to order at 10:00 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 Waldorf motioned to approve the minutes of the Butler County Commission Meetings of Monday February 25, 2008 and Tuesday, February 26, 2008 as written. Commissioner Masterson seconded the motion. Motion carried 5-0.

ITEM #1 – RECEIVE MR. SCOTT DUNAKEY, PRINCIPAL PLANNER WITH THE WICHITA METROPOLITAN AREA PLANNING ORGANIZATION (WAMPO), TO DISCUSS WAMPO’S INVOLVEMENT IN THE SW BUTLER ROAD CORRIDOR STUDY

Darryl C. Lutz, P.E., Director of Public Works, came before the Board to introduce Mr. Scott Dunakey, Principal Planner with WAMPO. Mr. Dunakey presented to the Board the function of WAMPO and their possible involvement in the study process of the SW Butler Road Corridor Study.

ITEM #2 – CONSIDER APPROVAL OF THE PROPOSED CHANGES TO THE SENIOR CENTER STANDARDS FOR 2009 FUNDING

Crystal Noles, Director, Department on Aging, came before the Board for approval of proposed changes to the Senior Center Standards for 2009. The current Standards were adopted and put in effect in 2006. The following changes were requested and will be included with the 2009 funding requests.

Multipurpose Level I and II

Current wording: “Must be open a minimum of eight hours per business day.”

Suggested wording: “Must be open a minimum of 40 hours per week.”

Commissioner Waldorf noted that the minimum hours per week should be in line with their current hours per business day. Ms. Noles concurred.

Multipurpose Level I and II

Current wording: “Director must attend the BUSCA meeting held bi-monthly.”

Suggested wording: “Director or a representative must attend the BUSCA meetings and the Butler County Council on Aging meetings held bi-monthly.”

Senior Center Level II, Multipurpose Level I and II

Current wording: “Must serve at least 200 unduplicated members annually.” (Senior Center Level II)

Current wording: “Must serve at least 300 unduplicated members annually.” (Multi-Purpose Level I)

Current wording: “Must serve at least 400 unduplicated members annually.” (Multi-Purpose Level II)

Suggested wording: “Each center must maintain a current card file or official active membership list. Memberships must be renewed annually.”

The Board concurred that the current wording should be maintained with the addition of the suggested wording to each statement.

The Board also concurred that to maintain unity among the centers, the minimum age of 50 should be set for membership at a senior center.

Commissioner Woydziak motioned to approve the three recommendations from the Department of Aging for the Senior Center Standards for 2009 with the addition of “each center must maintain a current card file or official active membership list. Memberships must be renewed annually.” and setting the age of a minimum of 50 to be a member. Commissioner Carpenter seconded the motion. Motion carried 5-0.

ITEM #3 – RECEIVE BIDS FROM 360IDEAS AND GARDNER DESIGN FOR LOGO/WEBSITE DESIGN PROJECT FOR THE WICHITA AREA CITIES READINESS INITIATIVE, INCLUDES BUTLER, HARVEY, SEDGWICK AND SUMNER COUNTIES, AND CHOOSE THE LOW BID FOR THE PROJECT

Carol A. Borger, R.N./Administrator, Butler County Health Department, came before the Board to review bids from 360ideas and Gardner Design for a logo/website design project for the Wichita Area MSA Cities Readiness Initiative which includes Butler, Harvey, Sedgwick, and Sumner Counties, and to choose the low bid for the project. Bids received: 360ideas @ \$11,268.50 and Gardner Design @ \$15,250.00.

Commissioner Waldorf motioned to accept the low bid for Wichita Area MSA Cities Readiness Initiative from 360ideas of initial logo/website design \$9,118.50 with annual fee of \$350.00 and \$1,800.00 for promotion fee for a total of \$11,268.50. Commissioner Carpenter seconded the motion. Motion carried 5-0.

ITEM #4 – CONSIDER APPROVAL OF THE LETTER OF AGREEMENT BETWEEN MID-KANSAS CAP HEAD START AND THE BUTLER COUNTY HEALTH DEPARTMENT AND ALLOW THE CHAIR TO SIGN

Carol A. Borger, R.N./Administrator, Butler County Health Department, came before the Board to recommend that the Board review the Letter of Agreement between Mid-Kansas CAP Head Start and the Butler County Health Department and allow the Chair to sign. This agreement allows the Health Department to continue to offer the KAN BE HEALTHY physicals for children enrolled in Head Start whose parents do not have a medical home. On average, this service brings about \$1,000.00 in revenue to the Health Department.

Commissioner Masterson motioned to approve the Letter of Agreement between Mid-Kansas CAP Head Start and the Butler County Health Department and allow the Chair to sign. Commissioner Waldorf seconded the motion. Motion carried 5-0.

ITEM #5 – CONSIDER APPROVAL OF THE APPLICATION FOR GRANT FROM KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT FOR STATE FISCAL YEAR 2009 TO THE BUTLER COUNTY HEALTH DEPARTMENT AND ALLOW THE CHAIR TO SIGN

Carol A. Borger, R.N./Administrator, Butler County Health Department, came before the Board to recommend that the Board review the Application for Grant from Kansas Department of Health and Environment for State Fiscal Year 2009 to the Butler County Health Department and allow the Chair to sign. Categorical grants allow the Health Department to serve our citizens with programs that offer disease prevention and health promotion services. The Health Department is applying for \$247,815.00 in grant funding that makes up about 50% of the overall budget.

Without these funds, the Health Department would not be able to offer any of the services that the categorical grants allow for.

Commissioner Carpenter motioned to approve the Application for Grant from the Kansas Department of Health and Environment to the Butler County Health Department for State Fiscal year 2009 for \$247,815.00 and allow the Chair to sign. Commissioner Masterson seconded the motion. Motion carried 5-0.

ITEM #6 – CONSIDER APPROVAL TO RENEW THE CONTRACT OF ABL FOOD SERVICE FOR THE BUTLER COUNTY DETENTION FACILITY

Sheriff Craig Murphy, Butler County, came before the Board to discuss the renewal of ABL Food Service Contract with the Butler County Detention Facility. The Contract with ABL expired 2-28-08. At the request of the Board, Sheriff Murphy obtained quotes from companies interested in the Food Service Contract. For the current population levels, the per meal cost would be:

ABL \$1.69; CMB \$1.57; & Mid-Am \$1.60. Sheriff Murphy recommended to the Board to continue service with ABL to avoid a possible 60 to 90 day disruption of food service while switching to a new provider. The Sheriff stated that if the Board is looking to bid the Food Service out, he recommended waiting until the last part of the current year 2008 to RFP to avoid major disruption of service and give the winning provider time to be ready to operate without disruption.

Commissioner Masterson motioned to renew the current contract with ABL for a period of one year with a re-bidding of service in December 2008. Commissioner Carpenter seconded the motion. Motion carried 3-2. Commissioner's Waldorf and Woydziak voted no.

RECESS

Commissioner Woydziak recessed the Board meeting at 11:05 a.m. for 5 minutes.

RECONVENE

Commissioner Woydziak reconvened the Board meeting at 11:10 a.m.

ITEM #7 – WORK SESSION – DISCUSSION OF WILLIAM JOHNSON PROPERTY AT ROSALIA

Rod Compton, Director of Planning & Development, came before the Board to discuss the cleanup of the property owned by William E. Johnson at U.S. Hwy 54 and Rosalia Rd. in Rosalia. Mr. Compton introduced Mr. Mark Johnson, 2175 Hwy 56, Marion, KS, to speak on behalf of his father's property in Rosalia. Mr. Johnson informed the Board that his father has agreed to liquidate his assets through auction to work towards compliance of cleaning up this property. Commissioner Carpenter inquired as to the time frame of this auction. Mr. Johnson stated that the auctioneer informed him that the earliest it could be held was by the end of April. Items left over after the auction will be taken to the landfill. Mr. Johnson requested the Board to consider a reduced landfill fee to help enable the cleanup. The Board agreed to consider the reduced fee. Commissioner Woydziak encouraged Mr. Johnson to take advantage of the Countywide Cleanup Week, which is April 19th – 26th. The Board will revisit this matter again June 1st to review progress made towards cleanup and make any further decisions at that point.

Commissioner Carpenter motioned to allow a 50% reduction in landfill fees for Mark Johnson for the cleanup of the Johnson property in Rosalia. Commissioner Wheeler seconded the motion. Motion carried 5-0.

The Board directed Mr. Johnson to contact Mr. Darryl Lutz, County Engineer, to make arrangements for loads taken to the landfill and verified with Mr. Johnson the fact that they expect significant progress by June 1, 2008.

ITEM #8 – WORK SESSION – REQUEST BY CITY OF AUGUSTA TO AMEND INTER-LOCAL AGREEMENT

Bill Keefer, City of Augusta, came before the Board to discuss the possibility of the County agreeing to an amendment to the boundaries of the City/County Inter-Local Agreement with the City of Augusta. The City is looking to incorporate into their growth area the region two miles West of Santa Fe Lake Road to Indianola Road and one mile North and South of Hwy 54. Darryl Lutz, County Engineer, noted that a Corridor Master Plan had been done in the past that included this part of Hwy 54. The Board asked Mr. Lutz to obtain a copy of that study for Mr. Keefer. Will Johnson stated that after further review, this item would come before the Board for action.

ITEM #9 – WORK SESSION – DISCUSSION OF AMENDMENTS TO SANITARY CODE, AND POSSIBLE AMENDMENTS TO ZONING REGULATIONS

Rod Compton, Director of Planning & Development, came before the Board to discuss the usage of alternative sewer systems in the County. Mr. Compton introduced Mr. Tim Wagner, Environmental Code Enforcement Officer for Sedgwick County, to discuss his history and experience with alternative systems. The Board concurred to look further into the use of alternative systems.

ITEM #10 – CONSIDER ACCEPTING RECOMMENDATIONS FOR THE PURCHASE OF EQUIPMENT AND TRUCKS FOR THE PUBLIC WORKS DEPARTMENT BASED UPON EVALUATION OF BIDS OPENED FEBRUARY 25TH

Darryl C. Lutz, P.E., Director of Public Works, came before the Board for approval for the purchase of equipment and trucks for the Public Works Department based upon evaluation of bids opened February 25th.

Commissioner Waldorf motioned to approve the purchase of three 1/2 ton 4WD extended cab trucks from Steven Motor of Augusta for the total delivery price of \$64,395.00. Commissioner Masterson seconded the motion. Motion carried 5-0.

Commissioner Wheeler motioned to approve the purchase of a one-ton 4WD dump truck from Steven Motor of Augusta for \$52,833.00. Commissioner Carpenter seconded the motion. Motion carried 5-0.

Commissioner Waldorf motioned to approve the purchase of a one-ton 4WD flatbed truck from Steven Motor of Augusta for \$42,112.00. Commissioner Masterson seconded the motion. Motion carried 5-0.

Commissioner Wheeler motioned to approve the purchase of three tandem dump trucks from Kansas Truck Center of Wichita for a total price of \$229,187.00. Commissioner Carpenter seconded the motion. Motion carried 5-0.

Commissioner Waldorf motioned to approve the purchase of one Bomag landfill compactor from Berry Tractor of Wichita for \$395,561.00. Commissioner Wheeler seconded the motion. Motion carried 4-1. Commissioner Carpenter voted no.

RECESS

Commissioner Woydziak recessed the Board meeting at 12:30 p.m. for 5 minutes.

RECONVENE

Commissioner Woydziak reconvened the Board meeting at 12:38 p.m.

ITEM #11 – RECEIVE AND OPEN LIQUID ASPHALT BIDS FOR THE HIGHWAY DEPARTMENT

Darryl C. Lutz, P.E., Director of Public Works, came before the Board to receive and open liquid asphalt bids for the Highway Department. Bids were received from SEM Materials, Vance Brothers, and Wright Asphalt.

Commissioner Waldorf motioned to accept bids and direct Staff to tabulate bids and bring back a recommendation. Commissioner Carpenter seconded the motion. Motion carried 5-0.

Dianna Harms was present at the meeting to ask the Board for their answer to the sewer situation on her property. She stated that she had called the insurance company prior to coming to the meeting and they informed her that they would be closing the file and getting with her attorney. Mrs. Harms stated that she does not have an attorney. County Administrator Will Johnson stated that he would call the insurance company on this date to find out what the status is with this matter. The Board informed Mrs. Harms that Tuesday, March 11th, was the date given to Mr. Lutz to come before them with possible solutions to this problem. The Board invited Mrs. Harms to come back on that date @ 9:00 a.m. to hear his response.

ITEM #12 – WORK SESSION – PROPERTY/CASUALTY/WORKER’S COMPENSATION INSURANCE

William Johnson, County Administrator, presented to the Board different options and recommendations for bidding out the property/casualty/worker’s compensation insurance for the County. The Board agreed to solicit bids from ICI & KCAMP/KWORCC.

APPROVAL OF VOUCHERS

Commissioner Waldorf motioned to approve the vouchers for March 3, 2008 in the amount of \$165,353.43. Commissioner Masterson seconded the motion. Motion carried 5-0.

Commissioner Waldorf motioned to approve the vouchers for March 10, 2008 in the amount of \$336,813.29. Commissioner Carpenter seconded the motion. Motion carried 5-0.

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

Commissioner Wheeler brought to the Board the matter of the letters received regarding the reclaiming of the Edson property. Rod Compton stated that he has confirmed that 80% of the Reclamation Plan is completed, however, the Edson's have allowed the Reclamation Bond to expire. The Board concurred that the Reclamation Bond should be put back into place until reclamation is complete due to the fact that the CUP required this Bond. Mr. Compton noted that it would probably require going to court to get the Reclamation Bond back in place.

Commissioner Carpenter noted to the Board that he is still in the process of researching the cell tower situation around Whitewater.

Commissioner Waldorf inquired of Administrator Johnson about the Meals on Wheels program. He asked Mr. Johnson to verify that it is part of the Department of Aging budget and who determines how that money is spent.

Administrator Johnson introduced Michael Duhn to the Board. He is a graduate student from WSU and was shadowing Mr. Johnson for the day.

ADJOURNMENT

Commissioner Waldorf motioned to adjourn the meeting of the Board at 1:56 p.m.

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