

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, September 2, 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, and Clerk Recorder Tammy Bridges.

APPROVAL OF MINUTES

Commissioner Wheeler motioned to approve the minutes of the Butler County Commission meeting of Monday, August 25, 2008 as written. Commissioner Waldorf seconded the motion. Motion carried 5-0.

ITEM #1 – CONSIDER APPROVAL OF AN INTERLOCAL AGREEMENT WITH THE CITY OF EL DORADO FOR IMPROVEMENTS ON TOWANDA STREET

Will Johnson, Administrator, came before the Board for approval of an Interlocal Agreement for improvements on Towanda Street. Herb Llewellyn, El Dorado City Manager, was present to answer questions.

Commissioner Wheeler motioned to approve the Interlocal Agreement with the City of El Dorado for improvements on Towanda Street. Commissioner Waldorf seconded the motion. Motion carried 5-0.

ITEM #2 – CONSIDER APPROVAL OF A REQUEST BY CHARLES MCCUMBER TO REZONE APPROXIMATELY 5 ACRES FROM AN AG-40 AGRICULTURAL ZONING CLASSIFICATION TO AN RR RURAL RESIDENTIAL CLASSIFICATION

Rod Compton, Planning & Zoning Director, came before the Board for approval of a request by Charles M. McCumber to rezone approximately 5 acres from AG-40 to RR Rural Residential. The Planning Commission recommended approval by a 4-3 vote, feeling the Comprehensive Plan was merely a guide, and did not have to be strictly adhered to. Staff recommended denial.

Charles McCumber and Andy Pullen came before the Board regarding this matter and discussion followed. Fred Kropf also came before the Board to comment on the issue.

Commissioner Carpenter motioned to deny the request of Charles McCumber to rezone 5 acres described as: Beginning at a point 425 feet west of the Southeast Corner of the Southeast Quarter of Section 18, Township 26 South, Range 5 East of the 6th P.M., Butler County, Kansas; thence West 425 feet; thence North 525 feet; thence East 425 feet; thence South 525 feet to the point of beginning, from an AG-40 Agricultural zoning classification to an RR Rural Residential Classification, and hereby deny Resolution No. 08-14. Commissioner Waldorf seconded the motion. Motion carried 5-0.

ITEM #3 – CONSIDER APPROVAL OF A REQUEST BY DAVID & RUTH PIRTLE ON BEHALF OF BUTLER COUNTY RURAL WATER DISTRICT #6 FOR A CONDITIONAL USE PERMIT TO INSTALL A BOOSTER PUMP STATION IN THE AG-80 ZONING DISTRICT

Rod Compton, Planning & Zoning Director, came before the Board for approval of a request by David & Ruth Pirtle on behalf of Butler County Rural Water District #6 for a Conditional Use Permit (CUP) to install a booster pump station in the AG-80 zoning district. The Planning Commission voted to approve the CUP by a vote of 7-0 because it was felt that use would provide a much needed service for the area and would not adversely affect adjacent and nearby properties. Staff recommends approval based on the Planning Commission's action. Administrator Johnson noted that the property would need to be transferred to the rural water district in order for it to be exempt.

Commissioner Woydziak motioned to approve the request by Butler County Rural Water District #6 for a Conditional Use Permit to establish a booster pump station on property described as follows for the reasons noted in the Planning Commission's recommendation, and authorize the Chair to sign Resolution No. 08-15. The property is described as: Beginning at the Northwest Corner of the Northwest Quarter of Section 27 Township 28 South; Range 6 East of the 6th P.M., Butler County, Kansas; thence East 100 feet, thence South 100 feet; thence West 100 feet, thence North 100 feet to the beginning. Commissioner Wheeler seconded the motion. Motion carried 5-0.

ITEM #4 – CONSIDER APPROVAL OF A REQUEST BY ERNEST AND JUANITA GREEN FOR A CONDITIONAL USE PERMIT TO CONSTRUCT TWO BUILDINGS TO STORE RV'S, BOATS, ETC. ON PROPERTY PRESENTLY ZONED AG-40 AGRICULTURAL

Rod Compton, Planning & Zoning Director, came before the Board for approval of a request by Ernest and Juanita Green for a conditional use permit to construct two buildings to store RV's, boats, etc., on property zoned AG-40 agricultural. It was reported that the Andover City Planning Commission does not have a problem with this request as long as access to the storage facility from Meadowlark Rd. be prohibited until such time that Meadowlark Rd. is paved.

Commissioner Masterson motioned to approve the request by Ernest & Juanita Green for a Conditional Use Permit to construct two sheds to store RV's, boats, and other larger items on property described as Lot 1 of Andover 54 Center in the Southwest Quarter of the Southwest Quarter of Section 22, Township 27 South, Range 3 East of the 6th P.M., Butler County, Kansas and authorize the Chair to sign Resolution No. 08-16 approving the request. This approval includes the stipulation that the buildings are to be built according to the site plan submitted and that access to the storage facility from Meadowlark Rd. be prohibited until such time that Meadowlark Rd. is paved. Commissioner Waldorf seconded the motion. Motion carried 5-0.

There was discussion about the thoughts of the Butler County Planning Commission members regarding the comprehensive plan and zoning map. Commissioner Woydziak stated that the commissioners take the comprehensive plan and zoning map very seriously.

Administrator Johnson informed the Board about a sewer issue a homeowner outside the City of Andover is experiencing.

ITEM #5 – CONSIDER APPROVAL OF A CONTRACT BETWEEN THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT AND THE BUTLER COUNTY HEALTH DEPARTMENT FOR PUBLIC HEALTH PREPAREDNESS AND RESPONSE

GRANT FOR \$55,660 WITH DATES OF AUGUST 10, 2008 – AUGUST 9, 2009 AND ALLOW THE CHAIR TO SIGN

Carol Borger, Health Department Administrator, came before the Board for approval of the contract between the Kansas Department of Health and Environment and Butler County Health Department for Public Health Preparedness and Response grant.

Commissioner Waldorf motioned to approve the contract between the Kansas Department of Health and Environment and Butler County Health Department for Public Health Preparedness and Response grant in the amount of \$55,660.00 and allow the Chair to sign. Commissioner Carpenter seconded the motion. Motion carried 5-0.

ITEM #6 – CONSIDER APPROVAL OF THE CONTRACT BETWEEN THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT AND THE BUTLER COUNTY HEALTH DEPARTMENT, ACTING AS FISCAL AGENT FOR THE SOUTH CENTRAL METRO REGION (BUTLER, COWLEY, HARVEY, MARION, RENO, SEDGWICK AND SUMNER COUNTIES) FOR THE AMOUNT OF \$39,392 WITH THE DATES OF AUGUST 20 2008 – AUGUST 9, 2009 AND ALLOW THE CHAIR TO SIGN

Carol Borger, Health Department Administrator, came before the Board for approval of the contract between the Kansas Department of Health and Environment and the Butler County Health Department, acting as fiscal agent for the South Central Metro Region for the amount of \$39,392.

Commissioner Wheeler motioned to approve the contract between the Kansas Department of Health and Environment and the Butler County Health Department, acting as fiscal agent for the South Central Metro Region, for \$39,392.00 with the dates of August 10, 2008 – August 9, 2009 and allow the Chair to sign. Commissioner Carpenter seconded the motion. Motion carried 5-0.

RECESS

Commissioner Woydziak recessed the Board meeting at 10:05 a.m. for 5 minutes.

RECONVENE

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

ITEM #7 – CONSIDER APPROVAL TO ALLOW CBS INTEGRATION TO REPLACE THE EXISTING ACCESS DOOR CONTROLLER IN THE BUTLER COUNTY JUDICIAL BUILDING IN THE AMOUNT OF \$5,949.67

Dan Ingalls, Buildings and Grounds Director, came before the Board for approval to authorize CBS Integration to replace the existing Access Door Controller in the Butler County Judicial Building. Requests for proposals were sent to five vendors. Bids were received from:

CBS Integration	Honeywell Prowatch Lite Edition	\$ 4,954.66
CBS Integration	Honeywell Prowatch Professional Edition	\$ 5,949.67
Apex Technology	Honeywell Prowatch Lite	\$ 7,483.50
SimplexGrinnell	EntraPass Corporate Edition	\$ 9,893.21
HSM Stanley Works	Honeywell NetAXS Hybrid Access Control Panel	\$11,215.00
Niscayah, Inc.	Honeywell Prowatch Corporate Edition	\$17,913.21

Staff is recommending the bid from CBS Integration for the Professional Edition at a cost of \$5,949.67.

Commissioner Wheeler motioned to award the bid from CBS Integration at a cost of \$5,949.67 to replace the current Judicial Building Access Control System. Commissioner Carpenter seconded the motion. Motion carried 5-0.

ITEM #8 – CONSIDER APPROVAL OF AN AGREEMENT BETWEEN THE CITY OF ANDOVER, BUTLER COUNTY, AND FLINT HILLS TECHNOLOGY AND RESEARCH, L.L.C.

Administrator Johnson came before the Board for approval of an agreement between the City of Andover, Butler County, and Flint Hills Technology and Research, LLC. This agreement has been approved by the City of Andover.

Commissioner Woydziak motioned to approve the agreement between the City of Andover, Butler County, and Flint Hills Technology and Research, L.L.C. Commissioner Masterson seconded the motion. Motion carried 5-0.

ITEM #9 – WORK SESSION – INSURANCE PREMIUM POLICY

Administrator Johnson and the Board discussed the county health insurance and vitality incentive program. Administrator Johnson noted that there would be more information at the Health Benefits Fair on September 17, 2008.

APPROVAL OF VOUCHERS

Commissioner Masterson motioned to approve the vouchers for September 2, 2008 in the amount of \$317,050.73. Commissioner Waldorf seconded the motion. Motion carried 5-0.

APPROVAL OF ADDS AND ABATES

Commissioner Waldorf motioned to approve Adds & Abates #2363 dated September 2, 2008. Adds in the amount of \$1,197.38 and Abates in the amount of \$2,128.36. Commissioner Carpenter seconded the motion. Motion carried 5-0.

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

Commissioner Carpenter asked about signs for trash dumping and commented on the new signs on Hwy. 254.

Commissioner Waldorf inquired about Fox Lake. Administrator Johnson said he spoke to the Township Trustee, Travis Griffin about the matter.

Commissioner Waldorf asked about the five day response time for a reappraisal notice. Elysa Lovelady, County Appraiser, addressed the return time period.

Commissioner Waldorf received a call from someone concerned about the number of people congregating around the bridge on SW 137th Street.

Commissioner Waldorf inquired about the utility bill for the Safety Building in Augusta and asked to review the contract.

Administrator Johnson presented a letter addressed to PVD regarding the Orion system.

Administrator Johnson discussed the Pro-Kleen facility.

Administrator Johnson discussed an ambulance we are getting ready to put on the auction site. He said the Leon Fire Department would like to have the ambulance to be used as a first responder unit. Administrator Johnson said the equipment in the ambulance would be removed before the Leon Fire Department took possession. The consensus of the Board was to allow the Fire District to take possession.

ADJOURNMENT

Commissioner Waldorf motioned to adjourn the meeting of the Board at 11:00 a.m.

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