

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, April 14, 2009

CALL TO ORDER

Commission Chairman Jeff Masterson called the Butler County Board of Commissioners to order at 9:00 a.m. Present were Commissioner Bruce Harris, Commissioner Randy Waldorf, Commissioner Mike Wheeler, Commissioner Dan Woydziak, Administrator Will Johnson, Jr., and Clerk Recorder Paula Stoskopf.

ITEM #1 – CONSIDER APPROVAL OF THE AFFILIATION AGREEMENT WITH THE WICHITA STATE UNIVERSITY SCHOOL OF NURSING AND ALLOW THE CHAIR TO SIGN

Carol Borger, Health Department Administrator, came before the Board for approval of the Affiliation Agreement with the Wichita State University School of Nursing. This is an ongoing agreement for nursing students to observe public health clinics.

Commissioner Wheeler motioned to approve the Affiliation Agreement between the Wichita State University School of Nursing and the Butler County Health Department and allow the Chair to sign. Commissioner Harris seconded the motion. Motion carried 5-0.

ITEM #2 – CONSIDER APPROVAL OF THE CONTRACT BETWEEN ASD HEALTHCARE, AMERISOURCEBERGEN SPECIALTY GROUP AND THE BUTLER COUNTY HEALTH DEPARTMENT FOR THE PURCHASE OF FLU VACCINE AND ALLOW THE CHAIR TO SIGN

Carol Borger, Health Department Administrator, came before the Board for approval of the contract with ASD Healthcare, AmerisourceBergen Specialty Group for consideration to purchase flu vaccine at a discounted price. The County could purchase a 10-dose vial of flu vaccine for \$50.00. Last year the cost for flu vaccine was \$117.00 per vial on the open market. Norm Manley, County Counselor, reviewed the contract and approved it but sent a letter of concern. The concern states some reservations about the “governing law” on the signature page. He wanted the Board to be aware of a provision that the laws of the State of Texas would govern any disputes. Mr. Manley stated that it is unlikely that the County would be sued over flu vaccine, but if it happened, the company would not be able to be brought into a Kansas court.

Commissioner Wheeler motioned to approve the contract between ASD Healthcare, AmerisourceBergen Specialty Group and the Butler County Health Department and allow the Chair to sign. Commissioner Waldorf seconded the motion. Motion carried 5-0.

ITEM #3 – CONSIDER APPROVAL OF THE CONTRACT ADDENDUM AND RENEWAL TO THE AGREEMENT BETWEEN JOHNSON COUNTY, KANSAS, AND BUTLER COUNTY FOR THE HOUSING OF INMATES IN THE BUTLER COUNTY ADULT DETENTION CENTER

Dennis Phillips, Butler County Detention Center, came before the Board for approval of the contract addendum and renewal to the agreement between Johnson County, Kansas, and Butler County for the housing of inmates in the Butler County Adult Detention Center. We receive \$30 a day for inmates that are housed and returned to Johnson County and \$35 a day for inmates that we

take to the Kansas Department of Corrections (KDOC) Reception and Diagnostic Unit (RDU) in El Dorado. Last year we earned gross revenues of \$155,273 from this housing agreement.

Commissioner Woydziak motioned to approve and sign the contract addendum and renewal to the agreement between Johnson County, Kansas, and Butler County, Kansas, for the housing of inmates in the Butler County Adult Detention Center. Commissioner Waldorf seconded the motion. Motion carried 5-0.

Commissioner Masterson invited Sheriff Murphy to come before the Board to give an update regarding the Retreat.

Commissioner Woydziak motioned to recess the Board to Executive Session at 9:45 a.m. for 15 minutes, with the public session resuming at 10:00 a.m., to discuss confidential data relating to financial affairs of trade secrets of corporations, partnerships, trusts, and individual proprietorships to protect data confidential in nature to a business. Commissioner Masterson seconded the motion. Motion carried 5-0. Those in attendance were Commissioners Masterson, Harris, Waldorf, Wheeler, Woydziak, Administrator Will Johnson, Economic Development Director David Alfaro, Ty Masterson, Anthony Speer, and John Tomblin.

RECONVENE

Commissioner Masterson reconvened the Board meeting at 10:08 a.m.

Commissioner Woydziak motioned to grant the request from NIAR to front-load the \$250,000 which was previously granted to them in order to provide for program scope, personnel, and building structure costs in the original agreement with the agreement being such that NIAR will repay any economic funds back to Butler County should the project not be constructed or be constructed somewhere outside of Butler County. Commissioner Waldorf seconded the motion. Motion carried 5-0.

ITEM #4 – RECEIVE AND OPEN BIDS FOR 2009 PC, LAPTOP AND MONITOR SUPPLIERS AND RETURN TO COMPUTER SERVICES FOR TABULATION AND VERIFICATION

Scott Stoskopf, Computer Services Director, came before the Board to receive and open bids for 2009 PC, Laptop, and Monitor suppliers. We are placing about 21 PCs, 14 Notebooks, and 32 Monitors in stage 1. Bids were received from: CDW Government, Dell, GovConnection, and Tiger Direct. Mr. Stoskopf noted that Tiger Direct submitted a bid for Laptops only.

Commissioner Waldorf motioned to accept the bids, authorize Computer Services to tabulate and verify specifications, and return to the Board with a recommendation. Commissioner Woydziak seconded the motion. Motion carried 5-0.

Mr. Stoskopf stated that he would return next week with a recommendation to the Board.

ITEM #5 – CONSIDER APPROVAL OF PROCLAMATION ON FAIR HOUSING

Will Johnson, Administrator, came before the Board for approval of the Fair Housing Proclamation, demonstrating Butler County's commitment to Fair Housing.

Commissioner Wheeler motioned to approve the Fair Housing Proclamation. Commissioner Harris seconded the motion. Motion carried 5-0.

ITEM #6 – CONSIDER ANNUAL APPROPRIATION TO THE ONE-SHOT TURKEY HUNT IN THE AMOUNT OF \$5,000 FOR SPONSORSHIP OF THE PORTFOLIO

Will Johnson, Administrator, came before the Board for approval of the annual appropriation to the One-Shot Turkey Hunt in the amount of \$5,000.

Commissioner Wheeler motioned to approve funding of \$5,000 to the Kansas Governor's Turkey Hunt in the amount of \$5,000 to be paid from the Economic Development Fund. Commissioner Harris seconded the motion. Motion carried 5-0.

ADDITIONAL AGENDA ITEM:

Darryl Lutz, P.E., Director of Public Works, came before the Board for consideration of approving the contracts for Landfill leachate recirculation line extension at the Butler County Landfill. This item was tabled on April 13, 2009, due to Mr. Lutz wanting to gain further preparation. Mr. Lutz explained that Norm Manley, County Counsel, is currently in Sedgwick County working with a jury trial and has not been available to review said contracts. Mr. Lutz asked the Board to approve the contracts contingent upon the approval of Mr. Manley. The Board concurred.

Commissioner Woydziak motioned to approve the contract with Remediation Services, Inc., Chanute, Kansas, in the low bid amount of \$352,995.42 for Project No. LF-LREXP-08, the leachate recirculation system expansion project for the landfill pending legal counsel's approval and authorize the Chair to sign. Commissioner Waldorf seconded the motion. Motion carried 5-0.

ADDITIONAL AGENDA ITEM:

Administrator Will Johnson presented to the Board a letter he received from Shawnee County requesting Butler County to join them in a suit against the State of Kansas to recover past due fuel tax funds from the State of Kansas. Shawnee County is agreeing to pay all legal costs. Mr. Johnson stated that he is not in favor of this action. He noted that Senator Ty Masterson and Representative Crum did an excellent job in going back to regain money for these special highway funds. He felt that we should be grateful for what was received considering the economic condition of the State. The County received approximately \$712,000 through their efforts. The consensus of the Board was to not support this action being initiated by Shawnee County and directed Administrator Johnson to respond as such.

Senator Masterson came before the Board and expressed his thanks for the appreciation shown by the Board for efforts made to regain funds. He stated that more was gained than anticipated for which they were thankful. Senator Masterson also stated that he appreciated the Board's response to the letter from Shawnee County. He stated that the State's Budget is very tight and will only become tighter and there is nothing to be gained by taking such action. The Senator also took the time to address the Board regarding the stimulus money the State is accepting and how that process is working.

COMMISSION ADDS & ABATES

Commissioner Waldorf motioned to approve Adds & Abates #2389 dated April 14, 2009; Adds in the amount of \$1,573.50 and Abates in the amount of \$9,895.16. Commissioner Wheeler seconded the motion. Motion carried 5-0.

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

Commissioner Woydziak asked Mr. Lutz about the stop sign in Walnut Township on 150th and if he had been able to start working on it. Mr. Lutz stated that he would begin working with that.

Commissioner Woydziak motioned to recess the Board to Executive Session at 10:45 a.m. for 15 minutes, with the public session resuming at 11:00 a.m., for personnel matters of non-elected personnel to protect the privacy of an employee who is non-elected. Commissioner Wheeler seconded the motion. Motion carried 5-0. Those in attendance were Commissioners Harris, Masterson, Waldorf, Wheeler, Woydziak, and Administrator Johnson.

RECONVENE

Commissioner Masterson reconvened the Board meeting at 11:20 a.m. There was no action taken as a result of Executive Session.

Administrator Johnson reminded the Board of the Department Head Retreat on Tuesday, May 5th at the Andover Lodge. It will be held from 9:00 a.m. to 2:00 p.m. Mr. Johnson also noted that on that same date the Planning Board would be meeting in the evening. He will verify the starting time for the Board.

Administrator Johnson answered the Board's voucher questions.

ADJOURNMENT

Commissioner Woydziak motioned to adjourn the meeting of the Board at 11:31 a.m. Commissioner Waldorf seconded the motion. Motion carried 5-0.