

BUTLER COUNTY BOARD OF COMMISSIONERS
Monday, August 31, 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 Tammy Bridges.

APPROVAL OF MINUTES

Commissioner Woydziak motioned to approve the minutes of the Butler County Commission Meetings of Monday, August 24, 2009 and Tuesday, August 25, 2009 as written. Commissioner Waldorf seconded the motion. Motion carried 4-0. Commissioner Harris abstained.

PUBLIC COMMENTS

There were no public comments.

ITEM #1 – REVIEW AND CONSIDER APPROVAL OF AGREEMENT BETWEEN GREENWOOD COUNTY AND BUTLER COUNTY ALLOWING JUVENILE JUSTICE SERVICE ADMINISTRATION TO RECOVER DETENTION EXPENSES FROM APPROPRIATE PARTIES FOR JUVENILE DETENTION AND ALLOW THE CHAIR TO SIGN

Ann Carpenter, Juvenile Justice Services, came before the Board for approval of a contract allowing Juvenile Justice Services Administration (JJSA) to bill and collect for detention expenses for Greenwood County, enabling them to recover some of the expense of detaining juveniles. Butler County Counselor Norm Manley and Greenwood County Counselor Paul Dean have approved the agreement.

Commissioner Woydziak motioned to approve and authorize the Chair to sign the agreement between Greenwood County and Butler County allowing JJSA to recover detention expenses from appropriate parties for juvenile detention. Commissioner Waldorf seconded the motion. Motion carried 5-0.

ITEM #2 – REVIEW AND CONSIDER APPROVAL OF THE ADDENDUM TO THE BILLING AND COLLECTION AGREEMENT BETWEEN BUTLER COUNTY AND GREENWOOD COUNTY ALLOWING FOR A TERMINATION CLAUSE TO THE SAME AND ALLOW THE CHAIR TO SIGN

Ann Carpenter, Juvenile Justice Services, came before the Board for approval of the addendum to the billing and collection agreement. An escape clause was not included in the original document approved in Item #1 and Greenwood County asked this to be added. Counselors Manley and Dean have approved the addendum.

Commissioner Waldorf motioned to approve and authorize the Chair to sign the addendum to the billing and collection agreement between Butler County and Greenwood County allowing for a termination clause to the same. Commissioner Woydziak seconded the motion. Motion carried 5-0.

ITEM #3 – ACKNOWLEDGE THE RECEIPT OF LETTERS OF INTEREST AND STATEMENTS OF QUALIFICATIONS FOR MATERIALS TESTING SERVICES RELATED TO THE SW 210TH STREET PROJECT

Darryl Lutz, P. E., Director of Public Works, came before the Board to acknowledge receipt of Letters of Interest (LOI) and Statements of Qualifications (SOQ) for materials testing services for the SW 210th St. road reconstruction project. LOI's and SOQ's were submitted by:

Professional Engineering Consultants, P.A.
Cook, Flatt & Strobel Engineers, P.A.
Terracon Consultants, Inc.
Poe & Associates, Inc.
Geotechnical Services, Inc.

Other response: Parsons Brinckerhoff – Wichita

Commissioner Woydziak motioned to acknowledge receipt of Letters of Interest and Statements of Qualifications from Professional Engineering Consultants, P.A., Cook, Flatt & Strobel Engineers, P.A., Terracon Consultants, Inc., Poe & Associates, Inc., Geotechnical Services, Inc., and Parsons Brinckerhoff – Wichita to provide materials testing services for Project No. 8C-3687-01, the SW 210th St. reconstruction project west of Douglass, and other projects through September 2012 and allow staff to select a materials testing firm based on KDOT's selection criteria. Commissioner Harris seconded the motion. Motion carried 5-0.

ITEM #4 – CONSIDER APPROVING CONTRACTS FOR SURFACE RECYCLE WORK ON SW 20TH STREET AND SW 100TH STREET

Darryl Lutz, P. E., Director of Public Works, came before the Board for approval of contracts for Surface Recycle work on SW 20th St. and on SW 100th St. The best and only bid was received from Dustrol, Inc. The bids were below the engineer's estimate.

Commissioner Harris motioned to approve contracts with Dustrol, Inc., the low bidder, for Project No. BC-604(10-15)09 for surface recycle work on SW 20th St. between the City of Towanda and Haverhill Rd. in the amount of \$334,742.67 and for Project No. BC-620(11-17)09 for surface recycle work on SW 100th St. east of Augusta in the amount of \$335,721.92 and authorize the Chair to sign said contracts. Commissioner Wheeler seconded the motion. Motion carried 5-0.

ITEM #5 – CONSIDER APPROVAL OF LETTERS OF SUPPORT FOR AUGUSTA AND ANDOVER FOR THE 2010 KANSAS WIRELESS ENHANCED 911 GRANT

Will Johnson, County Administrator, came before the Board for approval of letters of support for the Cities of Andover and Augusta for the 2010 Kansas Wireless Enhanced 911 Grant Application. The League of Municipalities and the Kansas Association of Counties together have management oversight over the Kansas Wireless Enhanced 911 Grant Program. A tax of \$0.50 is charged to every wireless account in Kansas and from that \$.25 is held for the grant program and redistributed on a competitive basis to local PSAPs in Kansas. This year the state added a requirement that stipulates the County Commission approve a letter of support of all local PSAPs within their jurisdiction. Currently there are two other PSAPs in Butler County (Andover & Augusta).

Commissioner Waldorf motioned to approve the letters of support for the Cities of Andover and Augusta for the 2010 Kansas Wireless Enhanced 911 Grant program and allow the Chair to sign. Commissioner Harris seconded the motion. Motion carried 5-0.

ITEM #7 – WORK SESSION – COMMUNICATIONS PLAN

Will Johnson, Administrator, came before the Board to discuss the debt service schedules concerning the Communications Plan as well as the brochure for the sales tax question. Jim Neese stated everything is moving forward with the cities and the Memorandum of Understanding. Discussion followed about putting information on the County website regarding the sales tax.

ITEM #6 – WORK SESSION – ENERGY AUDIT REVIEW

Administrator Johnson reminded the Commissioners that Butler County has been awarded Federal Stimulus money in the amount of \$254,200 in which to do energy upgrades to County owned facilities. Dan Ingalls, Buildings and Grounds Director, came before the Board to update the Board on the Energy Audit and gave a summary of the three options – not accepting the money, accepting the money and upgrading the facilities ourselves, or hiring one of three Energy Consultants; Honeywell, Trane, or Johnson Controls. Staff's recommendation is to contract with Honeywell to facilitate an energy upgrade project at the five County-owned buildings.

There was discussion about putting up a wind turbine to provide energy to the Jail. Staff will move forward with getting costs associated with a full-blown audit and return to the Board at a later time.

APPROVAL OF VOUCHERS

Commissioner Waldorf motioned to approve the vouchers for August 31, 2009 in the amount of \$522,066.41. Commissioner Masterson seconded the motion. Motion carried 5-0.

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

Administrator Johnson noted he spoke to Kurt Bookout, City of El Dorado, who has contracted with a firm to look at putting in facilities at the lift station to solve the issue of rags and other things getting into the lift station. The plan involves \$180,000 worth of improvements split between the jail (10%) and prison (90%) based on utilization. The project will be financed through the state revolving loan fund and added onto our utility bill as an assessment. Administrator Johnson said he was very pleased with this solution.

Administrator Johnson asked the Commissioners to think about appointing citizens to serve on the canvassing board for the sales tax mail ballot.

Ron Roberts, County Clerk, came before the Board regarding abates and wanted to clarify if the Commissioners wished to continue approving all abates or just the clerical errors as required by statute. The Commissioners requested to continue reviewing and approving all abates.

Mr. Roberts discussed an issue that has arisen in dealing with personal property abates that are older than 3 years. Kelly Law Firm was hired to collect back personal property taxes. They are finding that some property is being assessed twice because the property was sold and the County did not receive notification. Mr. Roberts said there was discussion from the Treasurer and Appraiser Offices and Kelly Law Firm to require the previous owner to pay the back taxes and

then the County would abate them back. Mr. Roberts asked the Commissioners if they wanted to review abates for the older years. The Board was fine with Mr. Roberts expediting the older abates and wanted to make sure the County isn't paying Ms. Kelly for collecting the money the County is abating. The Commissioners asked for a report on the progress Kelly Law Firm is making in collecting back personal property taxes.

ADJOURNMENT

Commissioner Woydziak motioned to adjourn the meeting of the Board at 10:44 a.m.

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