

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, July 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 Mike Wheeler, Commissioner Dan Woydziak, Administrator Will Johnson, Jr., and Clerk Recorder Paula Stoskopf. Commissioner Randy Waldorf was absent.

**PUBLIC COMMENTS**

Commissioner Masterson opened the floor for public comments and invited Mr. Kevin Stanfield, Stanfield Roofing of El Dorado, KS, to come before the Board to present his company and the products his company offers. The Board thanked Mr. Stanfield for his time and providing them with this information. Mr. Stanfield thanked the Board for their time. Commissioner Masterson directed Mr. Stanfield to contact Dan Ingalls, Building & Grounds Director, and make him aware of his company.

**ITEM #1 – CONSIDER APPROVAL OF CHANGE ORDERS FOR FLINT HILLS DAY FACILITY**

Dana Korkki, Flint Hills Services Director, came before the Board to approve change orders for Flint Hills Day Facility. Mr. Korkki explained to the Board that a few changes on the project had been made that required County approval due to the Flint Hill Services CDBG Grant. The Flint Hills Services Board has approved the change orders.

*Commissioner Woydziak motioned to approve the change order #1 for \$3,475.00; change order #2 for \$28,457.00; change order #3 for \$567.29.00; and change order #4 for \$2,615.00 for the Flint Hill Services Life Enrichment Center. Commissioner Harris seconded the motion. Motion carried 4-0.*

**ITEM #2 – CONSIDER APPROVAL OF THE 2009/2010 MAINTENANCE AND SUPPORT OF THE SUNGARD/H.T.E. SOFTWARE APPLICATIONS IN THE AMOUNT OF \$55,972.56**

Scott Stoskopf, Computer Services Director, came before the Board to approve payment of invoices totaling \$55,972.56 for 2009/2010 maintenance and support of the Sungard/H.T.E. software applications. The Sungard/H.T.E. applications are used in the County Attorney, Emergency Communication, Adult Detention & Sheriff's offices. The information is also shared with EMS, City of El Dorado Public Safety, Towanda Police, and Benton Police.

*Commissioner Wheeler motioned to approve the payment of \$55,972.56 for the 2009/2010 software support of the Sungard/H.T.E. applications. Commissioner Harris seconded the motion. Motion carried 4-0.*

**ITEM #3 – CONSIDER APPROVAL TO AWARD ISG OF WICHITA, KS, AS THE SOLUTION PROVIDER OF A CISCO NETWORK BACKBONE AND IP TELECOMMUNICATIONS SYSTEM**

Scott Stoskopf, Technology Committee Representative, came before the Board for approval to award ISG of Wichita, KS, as the solution provider of a Cisco network backbone and IP

telecommunications systems. After careful review of proposals, adjustments and score sheets filled out by each of the departmental representatives, interviews by both the Technology Committee and Computer Services Network Specialists, the Technology Committee unanimously recommends ISG of Wichita's Cisco solution as the lowest and best proposal.

*Commissioner Woydziak motioned to award ISG of Wichita, KS, as the 2009 Telecommunications and Network RFP provider for a cost of \$488,712.90, and request the Technology Committee to negotiate an appropriate agreement with ISG and Cisco and return for the Commission's approval and signature. Commissioner Harris seconded the motion. Motion carried 3-1. Commissioner Wheeler voted no due to the current economic climate.*

#### **RECESS**

Commissioner Masterson recessed the Board meeting at 9:59 a.m. for 5 minutes.

#### **RECONVENE**

Commissioner Masterson reconvened the Board meeting at 10:06 a.m.

#### **ITEM #5 – CONSIDER APPROVAL OF RIGHT-OF-WAY DEDICATIONS ALONG SW 70<sup>TH</sup> STREET RELATED TO APPROVED LOT SPLITS NEAR AUGUSTA**

Darryl C. Lutz, P.E., Director of Public Works, came before the Board for consideration of accepting a road right-of-way dedications along SW 70<sup>th</sup> Street related to recent re-zoning and lot split cases approved by the City of Augusta. Mr. Jimmy Cox and Mr. David Berndsen recently received approval from the City of Augusta for re-zoning and lot splits for 3 tracts along SW 70<sup>th</sup> Street east of Augusta. The property owners have executed the required easement for right-of-way forms for the requested road rights-of-way. The dedications provide for 50 feet of half road right-of-way along the front of each tract.

*Commissioner Masterson motioned to approve accepting a right-of-way dedication from Mr. Jimmy Cox and two right-of-way dedications from David and Virginia Berndsen for additional road right-of-way being required as a condition of recently approved re-zoning and lot splits by the City of Augusta. Commissioner Woydziak seconded the motion. Motion carried 4-0.*

#### **ITEM #7 – WORK SESSION – DISCUSS RECENT NOTIFICATION OF POTENTIAL IMPACTS TO DIKE ROAD RELATED TO PREPARATION OF THE AUGUSTA LEVY IMPROVEMENT PROJECT**

Darryl C. Lutz, P.E., Director of Public Works, came before the Board to discuss the recent notification of potential impacts to Dike Road related to the proposed Augusta levy improvement project. The Board accepted comments regarding this issue from Bill Keefer, City of Augusta, and Martin Goedecke, Goedecke Engineering Company.

#### **ITEM #4 – CONSIDER APPROVAL OF AN AWARD OF CONTRACT FOR THE CONSTRUCTION OF AREA 2B AT THE BUTLER COUNTY LANDFILL**

Darryl C. Lutz, P.E., Director of Public Works, came before the Board for approval of Notice of Award for the construction of Area 2B at the Butler County Landfill. Four bids were received for this project and all four were below the engineer's estimate. The lowest bid was submitted by JJ Westhoff Construction Company in the amount of \$1,030,000. JJ Westhoff has considerable

landfill construction experience including the construction of the previous 3 cells at the Butler County Landfill. Mr. Lutz recommended awarding the bid to JJ Westhoff Construction Company.

*Commissioner Harris motioned to approve the Notice of Award of Contract for the construction of Area 2B of the Butler County Landfill to JJ Westhoff Construction Company, Lincoln, NE, in the total amount of \$1,030,000 and authorize the Chair to sign. Commissioner Masterson seconded the motion. Motion carried 4-0.*

**ITEM #6 – CONSIDER APPROVAL OF A RIGHT-OF-WAY DEDICATION AND APPROVE A PURCHASE OFFER RELATED TO THE RIGHT-OF-WAY FOR THE WHITEWATER CREEK BRIDGE REPLACEMENT PROJECT ON SW BUTLER ROAD**

Darryl C. Lutz, P.E., Director of Public Works, came before the Board to consider approval of purchase and acceptance of right-of-way dedications related to the Whitewater Creek Bridge reconstruction project on SW Butler Road. The proposed bridge reconstruction project is an ARRA stimulus project approved recently by KDOT and is scheduled for letting in October 2009.

*Commissioner Masterson motioned to approve the value finding appraisal and accept the right-of-way dedication for a tract of permanent right-of-way from BB Ranches, LLC as presented for KDOT Project No. 8 C-4558-01, the Whitewater Creek Bridge reconstruction Project on SW Butler Road at SW 10<sup>th</sup> Street and authorize the Chair to sign the associated documents. Commissioner Harris seconded the motion. Motion carried 4-0.*

*Commissioner Wheeler motioned to recess the Board to Executive Session at 11:00 a.m. for 10 minutes, with the public session resuming at 11:10 a.m., to discuss right-of-way acquisition related to the Whitewater Creek Bridge replacement project on SW Butler Road to protect the interests of the County. Commissioner Harris seconded the motion. Motion carried 4-0. Those in attendance were Commissioners Harris, Masterson, Wheeler, Woydziak, Administrator Will Johnson, and Public Works Director Darryl Lutz.*

**RECONVENE**

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

*Commissioner Masterson motioned to proceed with the condemnation proceedings with the Breneman Trust Property related to the Whitewater Creek Bridge replacement project on SW Butler Road. Commissioner Woydziak seconded the motion. Motion carried 4-0.*

**ADDITIONAL AGENDA ITEMS**

The Board took the opportunity to discuss additional items with Mr. Lutz.

Commissioner Woydziak requested Mr. Lutz to give an update on the closure of the 8-Mile Bridge.

Mr. Lutz notified the Board of a certified letter received from Spring Township regarding the 80<sup>th</sup> Street Bridge. Administrator Johnson asked Mr. Lutz to provide the Board with copies of the letter he received.

Commissioner Woydziak asked for clarification on regulations on reduced speed signs.

The Board and Administrator Johnson verified details of the letter to the City of Andover concerning solid waste. It was the consensus of the Board to have Commissioner Masterson sign the letter.

#### **ITEM #8 – WORK SESSION - 2010 BUTLER COUNTY BUDGET**

Administrator Johnson and the Board discussed the 2010 Butler County Budget.

#### **PUBLIC COMMENTS**

Commissioner Masterson invited Mr. Gene Miller, Andover, KS, to the podium to address the Board. Mr. Miller stated that he has been on the Board of Directors of SCKEDD for some time and would like to know if he has been officially appointed as the Butler County Representative. Administrator Johnson stated that he believed he had been, but would check into the matter and verify. Mr. Miller thanked the Board for their time.

#### **COMMISSION ADDS & ABATES**

There were no Adds and Abates presented.

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

Commissioner Woydziak notified the Board that Marilyn Chilcott, Clay Township Clerk, recently passed away and that Cheryl E. Harrod, 4962 SE 210<sup>th</sup>; Atlanta, KS, would be filling the position.

*Commissioner Woydziak motioned to appoint Cheryl E. Harrod, Atlanta, KS, as Clay Township Clerk. Commissioner Wheeler seconded the motion. Motion carried 4-0.*

Commissioner Woydziak stated he was made aware this morning of a taxing problem involving a school district split in two different townships. The proper Motor Vehicle tax has not been allocated correctly. Administrator Johnson stated that he will visit with Ruth Fechter, County Treasurer, and report back to the Board.

Administrator Johnson presented the completed Time Capsule to the Board.

Administrator Johnson notified the Board that KAC needed the Board to select a NACO Board Representative.

*Commissioner Woydziak motioned to nominate Tim Norton as the Kansas Representative to the Governing Board of the National Association of Counties. Commissioner Wheeler seconded the motion. Motion carried 4-0.*

Administrator Johnson informed the Board that Gerald Schuetz, Mayor of Leon, contacted him concerning the possible clean-up of railroad ties. They have no salvage value.

Administrator Johnson reminded the Board that there will be no meetings July 20<sup>th</sup> & July 21<sup>st</sup>.

Administrator Johnson and the Board discussed their participation in the Butler County Fair.

**ADJOURNMENT**

*Commissioner Woydziak motioned to adjourn the meeting of the Board at 11:57 a.m.  
Commissioner Harris seconded the motion. Motion carried 4-0.*