

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, July 7, 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 A RESOLUTION AUTHORIZING THE SALE, ISSUANCE, AND DELIVERY OF \$228,000 IN GENERAL OBLIGATION REFUNDING BONDS FOR FIRE DISTRICT #8

Jeff Bridges, DeWaay Financial, and Kim Bell, Gilmore & Bell, came before the Board for approval of a Resolution authorizing the sale, issuance, and delivery of \$228,000 in general obligation refunding bonds for Fire District #8. This refinancing is projected to save the taxpayers of Fire District #8 approximately \$11,600.

Commissioner Woydziak motioned to approve Resolution No. 09-29 authorizing the sale, issuance, and delivery of \$228,000 in general obligation refunding bonds for Fire District #8. Commissioner Waldorf seconded the motion. Motion carried 5-0.

ITEM #2 – CONSIDER APPROVAL OF AN AMENDMENT TO THE AGREEMENT FOR THE CONFINEMENT OF PRISONERS BETWEEN THE BUTLER COUNTY DETENTION FACILITY AND WYANDOTTE COUNTY SHERIFF'S OFFICE

Dennis Phillips, Butler County Detention Center, came before the Board for approval of an amendment to the agreement for the confinement of prisoners between the Butler County Detention Center and Wyandotte County Sheriff's Office. The amendment is for a contract executed August 19, 2008. Butler County has been housing 3 to 8 Wyandotte County inmates on a daily basis. This amendment will increase the daily revenue inmate county by 10 to 12 inmates. The daily housing rate will increase from \$30 to \$35 a day, and the number housed will increase from 10 or less a day to a minimum of 20 a day. Overall, this amendment will allow the County to realize additional revenue of \$123,500 a year. It will also help keep the total daily inmate count at 201 or above which saves 9 cents a meal. This will reduce the cost of feeding the Butler County inmates by approximately \$5,913 a year.

Commissioner Woydziak motioned that the Butler County Board of Commissioners approve and sign the Amendment to the Agreement for the Confinement of Prisoners at the Butler County Detention Center, Butler County, Kansas. Commissioner Masterson seconded the motion. Motion carried 5-0.

ADDITIONAL AGENDA ITEM:

Commissioner Wheeler motioned to recess the Board to Executive Session at 9:20 a.m. for 10 minutes, with the public session resuming at 9:30 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 Harris seconded the motion. Motion carried 5-0. Those in attendance were Commissioners Harris, Masterson, Waldorf, Wheeler, Woydziak, and Administrator Will Johnson.

RECONVENE

Commissioner Masterson reconvened the Board meeting at 9:43 a.m. with no action taken as a result of the Executive Session.

ITEM #3 – CONSIDER APPROVAL OF A SUPPLEMENTAL AGREEMENT WITH KDOT FOR ADMINISTRATION OF THE PROPOSED PROJECT TO RECONSTRUCT SW 210TH STREET WEST OF SANTA FE LAKE ROAD

Darryl C. Lutz, P.E., Director of Public Works, came before the Board to consider approval of a supplemental agreement with KDOT for administration of the proposed project to reconstruct SW 210th Street west of Santa Fe Lake Road. This supplemental agreement increases the amount of federal funds available to be applied to this project. The available federal funding is increasing from \$2,447,000 to \$2,672,000. This change is a result of the recent update of the 5-year plan including adjustments in the amount of federal funds available to counties for eligible projects.

Commissioner Woydziak motioned to approve Supplemental Agreement No. 1 between Butler County and the Kansas Department of Transportation related to Project No. 8 C-3678-01, the SW 210th Street reconstruction project between SW Santa Fe Lake Road and SW Butler Road and authorize the Chair to sign. Commissioner Waldorf seconded the motion. Motion carried 5-0.

ITEM #4 – CONSIDER ADOPTING A RESOLUTION AND APPROVING A LOAN AGREEMENT AUTHORIZING THE USE OF KDOT TRANSPORTATION REVOLVING LOAN FUNDS TO FINANCE A PORTION OF THE SW 210TH STREET PROJECT LOCATED WEST OF DOUGLASS

Darryl C. Lutz, P.E., Director of Public Works, came before the Board to consider adopting a resolution and approving a loan agreement authorizing the use of KDOT Transportation Revolving Loan funds to finance a portion of the SW 210th Street project located west of Douglass. The loan principal amount is \$1,760,000 and the present interest rate to Butler County is 4.03%. The loan will be repaid over a period of 7 years with the first payment being made in 2010 and the last payment being made in 2016. The annual P & I payment will be approximately \$293,600. Loan payments will be made from the Road & Bridge Fund, which is funded by an ad valorem tax levy. Loan payments will be budgeted for each year in the Road & Bridge Fund.

Commissioner Woydziak motioned to adopt Resolution No. 09-25 authorizing the execution of a loan agreement to borrow \$1,760,000 from the KDOT Transportation Revolving Fund to finance a portion of KDOT Project No. 8 C-3687-01, the SW 210th Street reconstruction project, and to approve the related loan agreement and authorize the Chair to sign both documents. Commissioner Waldorf seconded the motion. Motion carried 5-0.

ITEM #5 – RECEIVE AND OPEN BIDS FOR THE CONSTRUCTION OF AREA 2B AT THE BUTLER COUNTY LANDFILL – 10:00 A.M.

Darryl C. Lutz, P.E., Director of Public Works, came before the Board on Tuesday, July 7, 2009, at 10:00 a.m. to receive and open bids for the construction of Area 2B at the Butler County Landfill. The following bids were received:

Butler County Department of Public Works
Tabulation of Bids

Project No.: LF-Area 2B-09
Project: Landfill Area 2B Construction
Bid Date/Time: Tuesday, July 7, 2009; 10:00 a.m

Contractor Name	J.J. Westhoff Construction Co.	Ebert Construction Company, Inc.	Dondlinger & Sons Construction Co., Inc.	L.D. Kemp Excavating, Inc.
Address	Lincoln, NE	Wamego, KS	Wichita, KS	Fort Worth, TX
Acknowledgement of Addenda				
No. 1	X	X	X	X
No. 2	X	X	X	X
Lump Sum Bid Price	\$ 1,030,000.00	\$ 1,082,588.20	\$ 1,093,000.00	\$ 1,263,872.00
Schedule of Adjustment Unit Prices				
1. Seeding (acre)	\$ 1,100.00	\$ 700.00	\$ 1,116.00	\$ 2,400.00
2. Soil Placement (C.Y.)	\$ 2.45	\$ 6.46	\$ 5.96	\$ 2.90
3. Unsuitable Soil Replacement (C.Y.)	\$ 4.50	\$ 6.46	\$ 4.31	\$ 5.39
Bid Guarantee	Bond	Bond	Bond	Bond
Comments Prepared by: Darryl C. Lutz, P.E. Director of Public Works				

Commissioner Harris motioned to accept the bids opened and read for the construction of Area 2B of the Butler County Landfill and to direct Public Works staff and the landfill engineering consultant to review the bids and to return at a later time with a recommendation for action. Commissioner Wheeler seconded the motion. Motion carried 5-0.

RECESS

Commissioner Masterson recessed the Board meeting at 10:09 a.m. for 10 minutes.

RECONVENE

Commissioner Masterson reconvened the Board meeting at 10:23 a.m.

Mr. Lutz requested the Board to review a letter he has drafted to Mr. Ben Lawrence, Andover City Mayor, regarding solid waste management in Butler County. The Board concurred to have this letter not only sent to Mr. Lawrence, but also to the Andover City Commission and the Butler County Commission.

ITEM #6 – WORK SESSION – 2010 BUTLER COUNTY BUDGET

Will Johnson, County Administrator, and the Butler County Board of Commissioners discussed the 2010 Butler County Budget.

COMMISSION ADDS & ABATES

There were no Adds and Abates presented.

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

Administrator Johnson reported that he would be meeting today with EMC, Tom Murry, and Norman Manley concerning how to handle the “frivolous” jail suits/claims from inmates filing by themselves in district court. The goal is to put together some procedures where Norman could handle these without filing with EMC. This would be more efficient and less costly.

Administrator Johnson informed the Board that PVD will be here this Thursday, July 9th.

ADJOURNMENT

Commissioner Woydziak motioned to adjourn the meeting of the Board at 11:23 a.m.

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