

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, June 9, 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.

ITEM #1 – CONSIDER APPROVAL OF THE AGREEMENT CONDITIONS OF GRANT FOR SFY 2010 FOR THE JUVENILE JUSTICE AUTHORITY PROGRAMS

Ann Carpenter, Juvenile Justice Services Administration, came before the Board for approval of the Agreement Conditions of Grant for SFY 2010.

Commissioner Waldorf motioned to approve the Agreement Conditions of Grant for SFY 2010 for Juvenile Justice Authority programs and authorize the Chair to sign. Commissioner Woydziak seconded the motion. Motion carried 5-0.

Additional Item – Executive Session

Commissioner Wheeler motioned to recess the Board to Executive Session at 9:05 a.m. for 15 minutes, with the public session resuming at 9:20 a.m., for personnel matters of non-elected personnel to protect the privacy of an employee who is non-elected. Commissioner Harris 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 9:25 a.m. There was no action as a result of Executive Session.

ITEM #2 – CONSIDER APPROVAL OF PURCHASE AND ACCEPTANCE OF RIGHT-OF-WAY DEDICATIONS RELATED TO THE SW 210TH ST. RECONSTRUCTION PROJECT WEST OF DOUGLASS

Darryl Lutz, P.E., Director of Public Works, came before the Board for approval of purchase and right-of-way dedications for Alpha Jean Mahlandt and Kimberly Dunagan related to the SW 210th St. reconstruction project west of Douglass.

Commissioner Waldorf motioned to approve the purchase and acceptance of right-of-way dedications for tracts of permanent right-of-way as presented for KDOT Project No. 8 C-3687-01, the SW 210th St. road reconstruction project west of Douglass and authorize the Chair to sign the associated documents. Commissioner Harris seconded the motion. Motion carried 5-0.

ITEM #3 – CONSIDER APPROVING UTILITY AGREEMENTS RELATED TO THE SW 210TH ST. RECONSTRUCTION PROJECT

Darryl Lutz, P.E., Director of Public Works, came before the Board for approval of utility agreements related to the SW 210th St. reconstruction project. The County is required to enter into agreements with utility and pipeline companies with structures or easements affected by federal aid construction projects. An agreement has been approved with Butler REC and the agreements

from Westar Energy, AT&T, and Sedgwick County Rural Water District No. 3 are ready for approval and signature. Mr. Lutz stated there might be a cost for the easements with Sedgwick County Rural Water District No. 3 because they are a private easement and noted a cost estimate is not available. Mr. Lutz recommended approving the agreements so they could be turned into KDOT.

Commissioner Woydziak motioned to approve the utility agreements with Westar Energy – Transmission Division, Westar Energy – Distribution Division, Sedgwick County Rural Water District No. 3, and AT&T related to KDOT Project No. 8 C-3687-01, the SW 210th St. road construction project west of Douglass and authorize the Chair to sign the agreements. Commissioner Masterson seconded the motion. Motion carried 4-1. Commissioner Waldorf voted no because cost numbers were not available.

ITEM #4 – CONSIDER APPROVING THE CERTIFICATION OF REAL PROPERTY ACQUISITION PROCEDURES AND THE AUTHORIZATION FOR THE SECRETARY OF TRANSPORTATION TO PROCEED TO CONTRACT RELATED TO THE SW 210TH ST. RECONSTRUCTION PROJECT WEST OF DOUGLASS

Darryl Lutz, P.E., Director of Public Works, came before the Board for approval of the Certification of Real Property Acquisition Procedures and the authorization for the Secretary of Transportation to proceed to contract related to the SW 210th St. reconstruction project west of Douglass. This document gives KDOT the authority to proceed to contract for this project.

Commissioner Woydziak motioned to approve the Certification by the Local Agency to the Kansas Department of Transportation of Real Property Acquisition Procedures and Utility Arrangements for KDOT Project No. 8 C-3687-01, the SW 210th St. road reconstruction project west of Douglass and authorize the Chair to sign. Commissioner Waldorf seconded the motion. Motion carried 5-0.

ITEM #5 – CONSIDER APPROVAL OF AN UNDERWRITING AGREEMENT WITH DEWAAY FINANCIAL NETWORK, LLC, FOR THE REFINANCING OF BONDS FOR FIRE DISTRICT #8

Mark Detter, Finance Director, came before the Board for approval of the Underwriting Agreement with DeWaay Financial. The refinancing is projected to save Fire District #8 approximately \$11,600 and approximately \$1,200 per year on their bond payments until 2016. Norm Manley, County Counsel, has reviewed and approved the agreement.

Commissioner Woydziak motioned to approve the underwriting agreement with DeWaay Financial Network, LLC for the refinancing of bonds for Fire District #8 and authorize the Chair to sign such agreement. Commissioner Waldorf seconded the motion. Motion carried 5-0.

Mark Detter informed the Board that we received our latest statement from the Wind Farm for the Decommissioning Agreement. He said another \$132,000 was added as was our agreement in May and it now totals \$693,579.

ITEM #6 – WORK SESSION – MAY 2009 FINANCIAL REPORT

Mark Detter, Finance Director, came before the Board to review the May 2009 Financial Report. The Commissioners received the report and no action was taken.

COMMISSION ADDS & ABATES

Commissioner Waldorf motioned to approve Adds & Abates #2396 dated June 9, 2009; Adds in the amount of \$306.18 and Abates in the amount of \$828.92. Commissioner Woydziak seconded the motion. Motion carried 5-0.

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

Commissioner Woydziak discussed a grant that is available to counties regarding alternative fuel. Administrator Johnson noted the e-mail was passed along to Mr. Lutz.

Administrator Johnson asked for approval of a Special Warranty Deed for the sale of railroad property to the Augusta Housing Authority in the amount of \$9,000. Commissioner Waldorf asked that GIS/Mapping check the legal description.

Commissioner Waldorf motioned to approve the signing of the deed granting the property to the Housing Authority of the City of Augusta subject to GIS/Mapping review of the legal description. Commissioner Harris seconded the motion. Motion carried 5-0.

Administrator Johnson said Pro Kleen will be reimbursing the County for the south shop appraisal.

Commissioner Harris asked about a building that was built on county property on the west side of Andover Rd. The Building is not occupied and the County will be tearing it down.

Commissioner Waldorf asked for an update from Norm Manley, County Counsel, on legal issues.

Administrator Johnson reviewed the following dates on the calendar:

Thursday and Friday, June 11 and 12 – Administrator Johnson on vacation

Friday, June 12 through June 14 – Frontier Western Celebration

Monday, June 15 – Quad County at the Andover YMCA and Recycling meeting in Whitewater

Monday and Tuesday, June 15 and 16 – Commissioner Masterson will be gone

Monday, June 22 – Budget Hearings and then Lunch at the Augusta Senior Center

ADJOURNMENT

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

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