

BUTLER COUNTY BOARD OF COMMISSIONERS
Monday, March 16, 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 Tammy Bridges. Commissioner Randy Waldorf was absent.

APPROVAL OF MINUTES

Commissioner Harris motioned to approve the minutes of the Butler County Commission Meetings of Monday, March 2, 2009, Tuesday, March 3, 2009, and Friday, March 13, 2009 as written. Commissioner Wheeler seconded the motion. Motion carried 4-0.

ITEM #1 – RECESS TO EXECUTIVE SESSION TO CONSULT WITH AN ATTORNEY FOR THE BODY OR AGENCY, WHICH WOULD BE DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP AND TO PROTECT THE INTERESTS OF BUTLER COUNTY

Commissioner Wheeler motioned to recess the Board to Executive Session at 9:05 a.m. for 20 minutes, with the public session resuming at 9:25 a.m., for consultation with an attorney for the body or agency, which would be deemed privileged in the attorney-client relationship to protect the interests of the County. Those in attendance were Commissioners Harris, Masterson, Wheeler, Woydziak, Administrator Will Johnson, Finance Director Mark Detter, Appraiser Elysa Lovelady, and Attorney Jerry Capps. Commissioner Harris seconded the motion. Motion carried 4-0.

RECONVENE

Commissioner Masterson reconvened the Board meeting at 9:25 a.m. and no action was taken as a result of Executive Session.

ITEM #2 – WORK SESSION – RAIL PROPERTY

David Alfaro, Economic Development Director, came before the Board concerning the possible sale of Rail Property in Augusta. The Augusta Housing Authority is interested in purchasing a piece of rail property, identified as Tract 2, which is currently leased by Marilyn McClure. In May 2006, an offer was made to the McClure's to purchase Tract 2 in the amount of \$34,659. Mr. Alfaro said at that time the McClure's were not interested. Administrator Johnson suggested that the McClure's, the Augusta Housing Authority, and anyone else who would be interested in purchasing the property should submit sealed bids, with the County having the right to reject any and all bids.

Commissioner Masterson initiated discussion about the rail property between Andover and Augusta. Commissioner Woydziak requested this as an action item at a later date when all five commissioners were present.

ITEM #3 – RECEIVE AND OPEN SEALED BIDS FOR DURA LAST ROOF INSTALLATION AT THE BUTLER COUNTY JAIL

Dan Ingalls, Buildings and Grounds Director, came before the Board to open sealed bids for Dura Last roof installation at the Butler County Jail. Bids were received from:

Ryan Roofing	\$186,009.80
Geisler Roofing	\$203,266.00
Midwest Coating	\$196,981.00

Commissioner Woydziak motioned to approve the opening of the bids and recommend sending them back to staff for analysis and consideration. Commissioner Harris seconded the motion. Motion carried 3-1. Commissioner Wheeler voted no because he feels that the people who put the roof on should replace it.

RECESS

Commissioner Masterson recessed the Board meeting at 9:50 a.m. for 10 minutes.

RECONVENE

Commissioner Masterson reconvened the Board meeting at 10:00 a.m.

ITEM #4 – RECEIVE AND OPEN BIDS FOR THE CONSTRUCTION OF LEACHATE RECIRCULATION LINE EXTENSIONS AT THE LANDFILL – 10:00 A.M.

Darryl Lutz, P.E., Director of Public Works, came before the Board to receive and open bids for the construction of leachate recirculation line extensions at the landfill. The work is planned for in the landfill CIP and cash funds are currently available. The project cost is expected to be \$300,000 or less. Bids were received from:

	Remediation Services, Inc. <u>Independence, KS</u>	J.J. Westhoff Construction <u>Lincoln, NE</u>
Lump Sum	\$352,995.42	\$523,000.00
Unit Prices	\$37.88/LF \$178.13/CY	add \$200-delete\$40 \$6,800/CY
Bid Guarantee	Cashier's Check	Bond

Commissioner Woydziak motioned to accept the bids and authorize the Director of Public Works to evaluate the bids and to return at a later date with a recommendation for action. Commissioner Wheeler seconded the motion. Motion carried 4-0.

Commissioner Woydziak asked Mr. Lutz about the preconstruction meeting on the 210th Street bridge and Mr. Lutz stated that both projects (210th Street bridge and the Polecat bridge) are scheduled to begin on March 30.

Commissioner Masterson asked about the timeline on the stimulus money for the projects submitted. Mr. Lutz stated that an announcement would be made on Friday.

APPROVAL OF VOUCHERS

Commissioner Harris motioned to approve the vouchers for March 16, 2009 in the amount of \$346,079.86. Commissioner Masterson seconded the motion. Motion carried 4-0.

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

Commissioner Wheeler asked about the Retreat east of El Dorado. Administrator Johnson stated that the County Attorney is working on charges regarding a zoning violation.

Commissioner Wheeler said he received a call from the Cassoday Senior Center. Some people are questioning their appraisals and would like the County Appraiser and Commissioner Wheeler to visit with them.

Commissioner Harris stated that the NACo meetings in Washington, D.C. went very well and said the economy and stimulus money were addressed. Administrator Johnson and Commissioner Woydziak said we can be thankful that we're in the Midwest because it is more stable than other areas of the country. Commissioner Woydziak commented on discussions with the legislators.

Commissioner Woydziak noted that Jim Woydziak has been selected as the Rose Hill Fire Chief and will begin working on April 6, 2009. Administrator Johnson stated that the interview group was very impressive.

Commissioner Woydziak commented that the water tower in Rose Hill was torn down yesterday.

Commissioner Masterson noted that AT&T is now offering a new service (television over the phone line). Administrator Johnson said it would be available in select markets only and in Butler County, it would be out of the Andover Distribution Center to anyone with a phone number prefix of 733. The county can collect franchise fees from cable entities and Administrator Johnson has written a letter addressing this.

Commissioner Masterson shared an invitation to the Butler Community College Strategic Summit.

Commissioner Masterson received a letter from SCKEDD about the CDG program regarding Flint Hills Services.

Commissioner Woydziak asked about the new elevator. Administrator Johnson said PKHLS will be reviewing the contract and it would be on the agenda at a later date.

Administrator Johnson noted that he met with County Counsel Norm Manley regarding Pro-Kleen. There have been two more incidents of over spraying employees' vehicles within the last 30 days.

Administrator Johnson said a meeting with the City of Towanda would be held on March 25 regarding recycling.

The Board discussed the law enforcement agreement with the City of Towanda that is on tomorrow's agenda.

ADJOURNMENT

Commissioner Wheeler motioned to adjourn the meeting of the Board at 10:42 a.m.

Commissioner Harris seconded the motion. Motion carried 4-0.

****Commissioners will be attending a Quad Counties Meeting
at the Hutchinson Airport at 11:45 a.m.****