

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, May 12, 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 Wheeler motioned to approve the minutes of the Butler County Commission Meeting of Monday, May 4, 2009 as written. Commissioner Harris seconded the motion. Motion carried 5-0.*

**ITEM #1 – CONSIDER APPROVAL OF AN INTERLOCAL AGREEMENT FOR ZONING WITH THE CITY OF EL DORADO**

Matt Rehder, El Dorado City Planner, came before the Board for approval of a resolution authorizing an Interlocal Agreement between Butler County and the City of El Dorado providing for the regulation of the use of land within territory designated as the growth area of the City of El Dorado. After much discussion, the Board agreed to table this item until June 2, 2009.

*Commissioner Harris motioned to table this item until June 2, 2009. Commissioner Waldorf seconded the motion. Motion carried 5-0.*

**ITEM #2 – CONSIDER A RECOMMENDATION FROM STAFF FOR THE SIGNING OF THE NSP GRANT AGREEMENT BETWEEN THE STATE OF KANSAS AND BUTLER COUNTY**

David Alfaro, BCED Director, came before the Board for approval of the NSP Grant Agreement between the State of Kansas and Butler County. The State of Kansas has provided \$551,088 as part of a Stimulus Program designed to help jump start the lagging housing market by purchasing foreclosed or abandoned homes and reselling them to income qualified individuals or families. This program would allow the County to purchase and rehab 6 homes in the County. The Board discussed this item. Commissioner Waldorf suggested wording the letter to the State such that the County could be considered for future stimulus money or NSP programs that are different than this one and explain why this program is not beneficial to Butler County.

*Commissioner Woydziak motioned to deny the recommendation to participate in the Neighborhood Stabilization Program Grant Agreement between the State of Kansas and Butler County. Commissioner Harris seconded the motion. Motion carried 4-1. Commissioner Wheeler voted no.*

**RECESS**

Commissioner Masterson recessed the Board meeting at 10:03 a.m. for 5 minutes

**RECONVENE**

Commissioner Masterson reconvened the Board meeting at 10:08 a.m.

Administrator Johnson mentioned the Board previously discussed selling property to the Augusta Housing Authority for \$9,000 and asked for a motion.

**Commissioner Waldorf motioned to approve selling the property to the Augusta Housing Authority for \$9,000 with the closing to occur within 30 days. Commissioner Woydziak seconded the motion. Motion carried 5-0.**

Administrator Johnson informed the Board of a lunch invitation from El Dorado, Inc. for Tuesday, May 26.

**ITEM #3 – CONSIDER APPROVAL OF THE MAINTENANCE AGREEMENT WITH PHILIPS FOR THE EXPRESS REPAIR AND CALIBRATION OF HEARTSTART MRX ECG MONITORS**

Grant Helferich, EMS Director, came before the Board for approval of the maintenance agreement with Philips for the express repair and calibration of HeartStart MRX ECG monitors.

**Commissioner Waldorf motioned to approve the 4 year Quality Assurance for Patient Monitoring agreement with Philips for support coverage in the amount of \$12,040 (\$3,010 yearly over four years). Commissioner Wheeler seconded the motion. Motion carried 5-0.**

**ITEM #4 – CONSIDER APPROVAL OF THE PURCHASE OF A REPLACEMENT ENGINEERING DOCUMENT SCANNER AND PRINTER FOR THE PUBLIC WORKS DEPARTMENT**

Darryl Lutz, P.E., Director of Public Works, came before the Board for approval of the purchase of a replacement engineering document scanner and printer. Mr. Lutz is recommending awarding the bid to Salina Blueprint for \$22,010.31. The bids were received on Monday, April 27.

Butler County Department of Public Works									
Tabulation of Bid Quotations for Large Document Engineering Scanner/Copier System									
<b>Preferred Solution with 4 roll media system, color scan option and 7/8 D/min.</b>									
COMPANY NAME	Salina Blueprint	Konica Minolta	DOS	KS Blueprint	KON	Salina Blueprint	KS Blueprint	KS Blueprint	OCE <sup>®</sup>
MAKE	KIP	KIP	KIP	KIP	Ricoh	Xerox	Xerox	OCE <sup>®</sup>	OCE <sup>®</sup>
MODEL	5004 Color	5004 Color	5004 Color	5004 Color	480W	6279	6279	TDS700	TDS700
Minimum print speed of 7+ D's per minute	8D/min	8D/min	8D/min	8D/min	8D/min	7D/min	7D/min	8D/min	8D/min
Minimum 2 media roll system	4 roll	4 roll	4 roll	4 roll	3/4 roll ?	4 roll	4 roll	4 roll	2 roll
Color scanning - List cost	included	included	\$ 2,261.00	\$ 2,300.00	\$ 6,800.00	\$ 2,600.00	\$ 3,000.00	\$ 2,300.00	\$ 2,765.00
Adobe Postscript License - List cost (emulation*)	included	679.00*	included	\$ 995.00	\$ 1,109.00	\$ 1,500.00	\$ 2,500.00	\$ 995.00	\$ 1,900.00
TOTAL	\$ 22,010.31	\$ 26,596.00	\$ 28,042.00	\$ 32,095.00	\$ 30,308.00	\$ 32,200.00	\$ 36,600.00	\$ 38,795.00	\$ 39,485.00
<b>Solutions that do not include all preferred options</b>									
COMPANY NAME	Konica Minolta	Salina Blueprint	Salina Blueprint	DOS	Konica Minolta	Salina Blueprint	Konica Minolta	Salina Blueprint	
MAKE	KIP	KIP	Xerox	KIP	KIP	KIP	KIP	KIP	
MODEL	5004	5004	6279	5002 Color	5002 Color	5002 Color	5002	5002	
Minimum print speed of 7+ D's per minute	8D/min	8D/min		8D/min	8D/min	8D/min	8D/min	8D/min	
Minimum 2 media roll system	4 roll	4 roll	2 roll	2 roll	2 roll	2 roll	2 roll	2 roll	
Color scanning - price	no	no	\$ 2,600.00	\$ 2,261.00	included	included	no	no	
Adobe Postscript License - price (emulation*)	679.00*	included	\$ 1,500.00	included	679.00*	included	679.00*	included	
TOTAL	\$ 24,597.00	\$ 20,478.31	\$ 29,680.00	\$ 25,680.00	\$ 24,597.00	\$ 20,803.14	\$ 22,597.00	\$ 19,273.14	
<b>Solutions that do not meet specifications for production, paper capacity and/or color option</b>									
COMPANY NAME	Salina Blueprint	DOS	KS Blueprint	KS Blueprint	Salina Blueprint				
MAKE	KIP	KIP	OCE <sup>®</sup>	Xerox	KIP				
MODEL	3102 color	3102 Color	Platwave 300	6204	3102				
Minimum print speed of 7+ D's per minute	6/D min	6D/min	4D/min	4D/min	6D/min				
Minimum 2 media roll system	2 roll	2 roll	2 roll	2 roll	2 roll				
Color scanning - List cost	included	\$ 3,075.00	included	not included	no				
Adobe Postscript License - List cost (emulation*)	included	included	included	not included	included				
TOTAL	\$ 14,958.24	\$ 16,819.00	\$ 17,200.00	\$ 17,250.00	\$ 13,408.24				
May 12, 2009									

*Commissioner Woydziak motioned to approve the purchase of the KIP 5004 printing system with color scanning option for the Public Works Department from Salina Blueprint, Salina, Kansas for the lowest and best bid in the amount of \$22,010.31 with 25% of the purchase price being paid from the Register of Deeds Technology Fund. Commissioner Masterson seconded the motion. Motion carried 5-0.*

**ITEM #5 – RECEIVE AND OPEN BIDS FOR HIGHWAY TRAFFIC PAINT FOR THE HIGHWAY DEPARTMENT**

Darryl Lutz, P.E., Director of Public Works, came before the Board to receive and open bids for highway traffic paint for the Highway Department. Bids were received from:

<b>Paving Maintenance Supply</b>		<b>Ennis Paint</b>	
Reflective Beads	\$17,880.00	Yellow Traffic Paint	\$26,950.00
		White Traffic Paint	\$36,575.00
		Reflective Beads	\$17,700.00
<b>Kansas Correctional Industries</b>		<b>Flex-O-Lite</b>	
Yellow Traffic Paint	\$33,453.70	Reflective Beads	\$17,400.00
White Traffic Paint	\$45,039.12		
Reflective Beads	No Bid		
<b>Sherwin Williams</b>		<b>Potters Industries, Inc.</b>	
Yellow Traffic Paint	\$28,070.00	No Bid	
White Traffic Paint	\$34,437.50		
Reflective Beads	\$21,600.00		

*Commissioner Woydziak motioned to approve the bid from Sherwin Williams for a total of \$62,507.50 for Class B Yellow and Class A White paint and Flex-O-Lite for 60,000 pounds of reflective beads for a total of \$17,400. Commissioner Harris seconded the motion. Motion carried 5-0.*

Administrator Johnson asked for approval of a Resolution for a Proclamation of a State of Local Disaster Emergency for Butler County for the storm on May 8, 2009.

*Commissioner Harris motioned to approve the Proclamation of a State of Local Disaster for the County for events that occurred on May 8, 2009. Commissioner Waldorf seconded the motion. Motion carried 5-0.*

Jim Schmidt, Emergency Management Director, updated the Board on the events and damages that occurred on Friday, May 8 due to the Severe Thunderstorm and high winds.

Commissioner Masterson stated Bruno Township would like to discuss the damage to the Wagon Wheel area and a solution for updating the roads.

Darryl Lutz asked for authorization to contract with a company to grind trees damaged from the storm in the City of Benton and at the Landfill. The Board suggested grinding the trees in Benton and burning the ones at the Landfill.

*Commissioner Woydziak motioned to approve use of the subcontracted grinder as needed and burn as needed. Commissioner Wheeler seconded the motion. Motion carried 5-0.*

Mr. Lutz asked for a consensus to talk with an individual about any interest in selling their flooded property in Bridlewood. It was the consensus of the Board to contact the homeowner.

Mr. Lutz asked for approval to purchase right of way for 210<sup>th</sup> Street for Kimberly Heiskell and James Donald Rucker.

***Commissioner Woydziak motioned to approve right of way purchase for 210<sup>th</sup> Street for Kimberly Heiskell and James Donald Rucker. Commissioner Harris seconded the motion. Motion carried 5-0.***

Mr. Lutz asked for approval to purchase right of way for 210<sup>th</sup> Street for Michael Powell and Rocky Wagoner.

***Commissioner Woydziak motioned to approve right of way purchase for 210<sup>th</sup> Street for Michael Powell and Rocky Wagoner. Commissioner Waldorf seconded the motion. Motion carried 5-0.***

Commissioner Harris commented that he received a call from Towanda Township asking about trash dumping signs.

**ITEM #6 – APPOINT JIM HUBBARD TO FIRE DISTRICT #3 BOARD**

***Commissioner Woydziak motioned to appoint Jim Hubbard to the Rose Hill Fire District #3 Board. Commissioner Waldorf seconded the motion. Motion carried 5-0.***

**ITEM #7 – RECEIVE AND OPEN BIDS FOR ROOF REPLACEMENT ON THE 4-H BUILDING**

Bids were received from:	Midwest Coating, Inc., Topeka, KS	\$25,427
	Ryan Roofing, Salina, KS	\$23,478
	Geisler Roofing, Inc., Concordia, KS	\$24,064

***Commissioner Woydziak motioned to receive the bids for the roof replacement on the 4-H Building and allow the Director of Public Works to review and return with a recommendation. Commissioner Waldorf seconded the motion. Motion carried 5-0.***

**ITEM #8 – ADJOURN TO EXECUTIVE SESSION TO DISCUSS MATTERS OF NON-ELECTED PERSONNEL (PERFORMANCE REVIEWS), TO PROTECT THE PRIVACY OF THE INDIVIDUALS**

***Commissioner Woydziak motioned to recess the Board to Executive Session at 11:20 a.m. for 15 minutes, with the public session resuming at 11:35 a.m., to discuss matters of non-elected personnel (performance reviews) to protect the privacy of the individuals. Commissioner Waldorf 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 at 12:05 p.m.

***Commissioner Woydziak motioned to modify the existing Administrator's salary to include a 2.5% merit raise and a 2.5% COLA effective April 1, 2009. Commissioner Waldorf seconded the motion. Motion carried 5-0.***

## **COMMISSION ADDS & ABATES**

*Commissioner Wheeler motioned to approve Adds & Abates #2392 dated May 12, 2009; Adds in the amount of \$8,844.72 and Abates in the amount of \$147,829.84. Commissioner Harris seconded the motion. Motion carried 5-0.*

## **APPROVAL OF VOUCHERS**

*Commissioner Wheeler motioned to approve the vouchers for May 12, 2009 in the amount of \$338,020.26. Commissioner Harris seconded the motion. Motion carried 5-0.*

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

Commissioner Wheeler commended Crystal Noles for the tremendous job of organizing the Spring Fling.

Commissioner Harris received a letter from a Butler Community College student expressing displeasure with the pollutants from the Refinery. Commissioner Harris will contact the Community Task Force.

Administrator Johnson asked about Commencement at Butler Community College. Commissioner Wheeler is going to try to attend and Commissioner Harris said he sent in his RSVP.

Administrator Johnson asked for approval for the Appraiser Department to go out to bid for two vehicles.

*Commissioner Harris motioned to go to bid for two vehicles for the Appraiser Department. Commissioner Wheeler seconded the motion. Motion carried 5-0.*

Administrator Johnson said the dedication for the Atomic Veterans Highway would be on Friday, May 22 at 10:00 a.m. in the commons area of Leon High School.

## **ADJOURNMENT**

*Commissioner Woydziak motioned to adjourn the meeting of the Board at 12:20 p.m. Commissioner Wheeler seconded the motion. Motion carried 5-0.*