

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, November 3, 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 Ronald Roberts.

APPROVAL OF MINUTES

Commissioner Woydziak motioned to approve the minutes of the Butler County Commission Meeting of Monday, October 26, 2009 and Tuesday, October 27, 2009 as presented. Commissioner Waldorf seconded the motion. Motion carried 5-0.

PUBLIC COMMENTS

Harold Cooper, 4691 NE 10th St., came before the board to ask for information about the Communications Plan. Mr. Cooper felt the County was being misleading, and telling the citizens they were upgrading the communications system from 400 MHz band radios to the 800MHz band radios because of a Federal mandate. He felt that they could upgrade the existing system much cheaper and meet the federal requirements. The commissioners said he was correct in that the mandate was to narrow band all radios using the 400 MHz band by January 2011. In making their decision they had considered the cost, service life and other differences between upgrading our existing system and moving to a more modern new digital 800 MHz system. Upgrading the current system, while cheaper initially, would have higher maintenance costs from operating aging equipment, plus the current system has less consistent radio coverage throughout the county than the new 800 MHz system will have. Also Sedgwick County, Wichita, and the State of Kansas all use 800 MHz systems making cross communications among various agencies difficult to non-existent. Though more expensive initially, the new 800 MHz band systems will allow State Patrol, Sheriff, City Police, Fire, EMS, Emergency Management, and eventually schools and other maintenance functions to communicate with each other to better serve the citizens of Butler County. The Commissioners said they try to let people know the federal mandate was not to change to an 800 MHz band system. But since they had to make changes to the existing system to meet the requirements, they looked at all of the alternatives and choose the plan they felt was the best, safest, most cost effective solution for the long term.

ITEM #1 – WORK SESSION-PERSONAL PROPERTY TAX UPDATE

Keyta Kelly, Kelly Law Offices, came before the board to discuss the progress made to date on the collection of delinquent personal property taxes for the Treasurers office.

ITEM #2 – RECEIVE A REPORT ON ENGINEERING RFP'S RELATED TO THE DAMAGED RAILROAD BRIDGE WEST OF AUGUSTA OVER THE WHITEWATER RIVER.

Darryl C Lutz, P.E., Director of Public Works, came before the Board to review a report on Engineering RFP's related to the damaged railroad bridge west of Augusta over the Whitewater River. Bids were received and opened by the BOCC on October 26, 2009.

Company Name/ Location	Fee Phase 1	Fee Phase 2A	Fee Phase 2B	Project Completion
MKEC Engineering Consultants Wichita, KS	\$3,475	\$16,800	\$53,280	Ph 1 – 4-6 weeks Ph 2A – 4-6 weeks Ph 2B – 24 weeks
Professional Engineering Consult. Wichita, KS	\$6,200	\$62,800	\$138,460	Ph 1 – 36 days Ph 2A – 95 days Ph 2B – 168 days
Cook, Flatt & Strobel Topeka, KS	\$6,984	\$17,686	\$29,378	Ph 1 – 1 months Ph 2A – Ph 2B – 8 months
Finney & Turnipseed Topeka, KS	Declined to submit for this project			

It is recommended that the Board of County Commissioners approve selecting the firm of MKEC Engineering Consultants, Inc., Wichita, KS to provide engineering services for the proposed engineering work for demolition or repair of the Butler County Railroad Bridge over the Whitewater River. Staff will return with an agreement for engineering services for Phase 1.

Commissioner Waldorf motioned to approve the bid from MKEC Engineering. Commissioner Masterson seconded the motion. Motion carried 4-1. Commissioner Woydziak opposed based on past performance of the engineering firm.

ITEM #3 – RECEIVE AND OPEN BIDS FOR PIPE CULVERTS FOR THE PUBLIC WORKS DEPARTMENT

Darryl C. Lutz, P.E., Director of Public Works, came before the Board to receive and open bids for Pipe Culverts for the Public Works Department. Pipe Culvert bids are budgeted each year in the Road & Bridge fund.

Commissioner Woydziak motioned to have the Public Works Department tabulate and review the bids for Pipe Culverts and return with a recommendation for action. Commissioner Wheeler seconded the motion. Motion carried 5-0.

RECESS

Commissioner Masterson recessed the board for a 5 minute break at 10:35 a.m.

RECONVENE

Commissioner Masterson reconvened the board at 10:40 a.m.

ITEM #4 – CONSIDER APPROVAL OF THE CONTRACT BETWEEN THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT AND THE BUTLER COUNTY HEALTH EMERGENCY RESPONSE, PHASE 3 FOCUS AREA FOR \$186,932 AND ALLOW THE CHAIR TO SIGN

Carol Borger, R.N./Administrator of Butler County Health Department, came before the Board for approval of the contract between the Kansas Department of Health and Environment and the Butler County Health Emergency Response, Phase 3 Focus area for \$186,932. The Phase 3 grant is to continue the preparations for the H1N1 mass vaccination clinics later this year. This is a one

time grant with no match. The contract has been reviewed and approved by County Counselor, Norm Manley.

Commissioner Harris motioned to approve the Contract between the Kansas Department of Health and Environment and the Butler County Health Department for Public Health Emergency Response, Phase 3 Focus Area 3 for \$186,932 and allow the Chair to sign. Commissioner Wheeler seconded the motion. Motion carried 5-0.

ITEM#5 – CONSIDER APPROVAL OF THE FFY 2010 HMEP GRANT WITH THE KANSAS DIVISION OF EMERGENCY MANAGEMENT-TECHNOLOGICAL HAZARDS IN THE AMOUNT OF \$25,000 AND ALLOW THE CHAIR TO SIGN.

Jim Schmidt, Director of Emergency Management, came before the Board for approval of the FFY 2010 HMEP Grant with the Kansas Division of Emergency Management-Technological hazards in the amount of \$25,000. This grant is for a short period of time ending August 31, 2010. It ensures enhanced hazardous material training to Butler County Emergency Services. It is not anticipated that any monetary contribution on the part of Butler County will be necessary.

Commissioner Wheeler motioned to approve the FFY 2010 HMEP Grant with the Kansas Division of Emergency Management-Technological Hazards in the amount of \$25,000 and allow the Chair to sign. Commissioner Harris seconded the motion. Motion carried 5-0.

ITEM #6- CONSIDER APPROVAL OF THE 2009-10 CONTRACT WITH PREFERRED PLUS OF KANSAS, INC. FOR EMPLOYEE GROUP HEALTH CARE COVERAGE

Will Johnson, Butler County Administrator, came before the Board for approval of the 2009-10 Contract with Preferred Plus of Kansas, Inc. for Employee Group Health Care Coverage. The contract for 2009-10 includes a 6.8 % increase and maintains the current plan parameters.

Commissioner Masterson motioned to approve the 2009-10 Contract with Preferred Plus of Kansas, Inc, for employee group health care coverage. Commissioner Harris seconded the motion. Motion carried 5-0.

ITEM #7- REVIEW 2009 WIND FARM GRANT APPLICATIONS

Administrator Johnson presented the board with a list of requests he received from groups seeking funds from the Wind Farm Grant Fund. The requests total \$176,155. The total money in the fund is \$76,000 and his recommendation will be to use \$50,000 and hold some reserve in the fund. Since there is not enough to fund all of the requests, the commissioners reviewed them and will return later as an action item for a final decision.

Public Works Director Lutz brought back the culvert bid tabulations and recommended accepting the low bid from Arnold & Harvey Seed, Leon, Kansas in the amount of \$2,851.50.

Other bids:	J&J Drainage, Hutchinson, KS	\$2,891.12
	Kahn Culvert, Paola, KS	2,894.30
	Welborn Sales, Inc., Salina, KS	3,136.10
	Metal Culverts, Jefferson City, MO	3,366.85
	D-C Wholesale, Concordia, KS	3,522.07
	Big R Bridge, Greeley CO	4,288.30

Commissioner Masterson motioned to approve the low bid of \$2,851.50 from Arnold & Harvey Seed, Leon, KS, for Pipe Culverts. Commissioner Wheeler seconded the motion. Motion carried 5-0.

APPROVAL OF ADDS & ABATES

Commissioner Waldorf motioned to approve Adds & Abates #2412 dated November 3, 2009; Adds in the amount of \$ 696.96 and Abates in the amount of \$52.06. Commissioner Woydziak seconded the motion. Motion carried 5-0.

APPROVAL OF VOUCHERS

Commissioner Wheeler motioned to approve the vouchers for November 3, 2009 in the amount of \$196,814.75. Commissioner Harris seconded the motion. Motion carried 5-0.

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

Commissioner Masterson stated Andover was having Town Hall Meetings to discuss switching to a preferred provider trash collection system with curbside recycling. He had attended last Wednesday's meeting and it was well attended with about an equal number of supporters and opponents speaking.

Administrator Johnson reminded the board of the employee appreciation breakfast a week from Friday.

He said he will have Angie Bauer, the new Director of the Butler Community Foundation here to meet the board. (The spelling of Angie Bauer's name was amended from Baur to Bauer by Commissioner Mike Wheeler on Monday, November 9, 2009.)

Administrator Johnson also informed the board that Jim Prescott will be here next week to visit with the Commissioners about the Keystone Pipeline project.

ADJOURNMENT

Commissioner Waldorf motioned to adjourn the meeting of the Board at 12:05 p.m. Commissioner Woydziak seconded the motion. Motion carried 5-0.