

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Monday, November 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 Dan Woydziak, Commissioner Mike Wheeler, Administrator Will Johnson, Jr., and Clerk Recorder Paula Stoskopf.

**APPROVAL OF MINUTES**

*Commissioner Wheeler motioned to approve the minutes of the Butler County Commission Meeting of Tuesday, November 3, 2009, as amended. Commissioner Harris seconded the motion. Motion carried 5-0.*

Commissioner Mike Wheeler amended the minutes of Tuesday, November 3, 2009, by correcting the spelling of Angie Bauer's name from Baur to Bauer.

**PUBLIC COMMENTS**

Harold Cooper, 4691 NE 10<sup>th</sup> Street, El Dorado, came before the Board to request the Board's definition of the term "costs authorized" in regards to the wording of the quarter cent sales tax question. Commissioner Masterson stated that the Board and Administrator Johnson would provide him with the Statute utilized in determining the wording used by the Board.

**ITEM #1 – CONSIDER APPROVAL TO SOLICIT BIDS FOR A NEW ELEVATOR WITHIN THE COUNTY COURTHOUSE**

Will Johnson, County Administrator, and Dave Stewart, PKHLS, came before the Board for approval to solicit bids for the new elevator within the Historic Courthouse by PKHLS. The County received a \$296,000 grant for Courthouse renovation from Congressman Tiahrt's office for the purpose of renovating portions of the Courthouse. The stairs were completed last fall and the elevator is the next scheduled project. The elevator is estimated to cost \$435,000 to replace, plus the architectural fees. The County should fully utilize the \$235,000 left in the Save America's Treasurer's Grant. Additionally, the County will again apply for a Heritage Trust Grant from the State and has received approval to apply for historic tax credits. PKHLS will solicit bids from five preapproved General Contractors, which were reviewed and approved by County Staff. Bid Opening will be scheduled for Tuesday, November 24, 2009, at 11:00 a.m. and read openly by the County Commission. There will be a mandatory pre-bid conference scheduled for November 17<sup>th</sup> at 10:00 a.m. at the Courthouse. The Board requested the bid opening to be held at 10:00 a.m. on November 24<sup>th</sup>.

*Commissioner Waldorf motioned to approve solicitation of bids from preapproved general contractors for the new elevator within the Historic Courthouse by PKHLS. Commissioner Woydziak seconded the motion. Motion carried 5-0.*

**ITEM #2 – CONSIDER APPROVAL OF A NOTICE TO CONTRACTORS FOR PROJECT NO. BR 29C5-29-6(09), ROCK CREEK BRIDGE REPLACEMENT PROJECT ON SE CEDAR FORD FORD**

Darryl C. Lutz, P.E., Director of Public Works, came before the Board for approval of Notice to Contractors for Project No. BR 29C5-29(09), Rock Creek bridge replacement project on SE Cedar Ford Road. The County received (2) FEMA disaster declarations in 2008 due to major flooding which included the Rock Creek bridge. Plans have been completed for this bridge project and the adjacent property owners have agreed to dedicated right-of-way for this project. 75% of the cost will be paid for by FEMA with an additional 10% paid for by the State. The local share of cost will be prioritized for funding for 2009 or 2010.

***Commissioner Woydziak motioned to approve Notice to Contractors for Project No. BR 29C-29-6(09), the Rock Creek bridge replacement project on SE Cedar Ford Road, to receive and open sealed bids for construction on Monday, December 7, 2009, and authorize the Chair to sign. Commissioner Waldorf seconded the motion. Motion carried 5-0.***

**ITEM # 3 – CONSIDER APPROVAL OF A GUIDANCE DOCUMENT FOR SEVERE WEATHER OPERATIONS AT THE LANDFILL**

Darryl C. Lutz, P.E., Director of Public Works, came before the Board for approval of a guidance document for severe weather operations at the Landfill. The document will also identify a protocol for notification. Mr. Lutz proposed this document as a guidance tool instead of policy giving Staff much greater flexibility in implementation. The document provides a 2-hour window for city trash trucks to unload allowing for minimal disruption to scheduled trash collection routes. Commissioner Waldorf recommended letting the County's insurance provider review these guidelines before further action. The Board concurred.

***Commissioner Harris motioned to table Item #3 until November 23, 2009. Commissioner Wheeler seconded the motion. Motion carried 5-0.***

**ITEM #4 – CONSIDER APPROVAL TO AUTHORIZE STAFF TO REGISTER CARBON REDUCTION CREDITS WITH CLIMATE ACTION RESERVE AND TO NEGOTIATE AN AGREEMENT WITH A VERIFIER/MARKETER TO SELL THE REDUCTION CREDITS**

Darryl C. Lutz, P.E., Director of Public Works, came before the Board for authorization to allow staff to register carbon reduction credits with Climate Action Reserve (CAR) and to negotiate an agreement with a verifier/marketer to sell the reduction credits. Butler County through its consultant, Burns & McDonnell Engineering Company, has submitted required information to CAR to be assured that our carbon emission reduction program is eligible for credits. B & M has also developed a net return analysis based upon (1) proposal received thus far and has determined that the County will net at least \$38,000 in revenue over a 3 year period using a very conservative approach. If the County believes it is feasible to proceed, the County must register its eligible emission reduction credits in order to make them marketable to potential buyers. The fee to register is \$1,500.

***Commissioner Wheeler motioned to authorize staff to register its carbon emission reduction credits from the Landfill with Climate Action Reserve for a fee of \$1,500 and authorize staff to negotiate an agreement with a verifier and bring back to the Board for approval. Commissioner Harris seconded the motion. Motion carried 5-0.***

**ITEM #5 – CONSIDER APPROVAL TO AUTHORIZE PAYMENT TO ALLIED INFORMATION SOLUTIONS AND EXECUTE THE SERVICE AGREEMENT WITH ALLIED**

Chris Davis, Emergency Communications, and the Addressing Committee, came before the Board for authorization to make payment to Allied Information Solutions and execute the service agreement with Allied. Grant funding through the Governor’s wireless 9-1-1 program will cover the total project cost of \$16,000. Adequate funds are available in local Wireless 9-1-1 Taxes (Fund 66) to pay for the recurring annual maintenance costs of \$2,250. GIS staff has indicated that Allied has greatly assisted them in improving the quality of their data. Planning & Zoning staff are confident that this tool will be of great assistance to them in creating accurate addresses.

*Commissioner Woydziak motioned to recommend authorizing payment of \$16,000 to Allied Information Solutions; from the proceeds of grant funding from the State of Kansas; to cover the expenses of mapping software to support wireless ‘Phase 2’ capable 9-1-1 equipment; and authorize the Chair to sign the support agreement. Commissioner Masterson seconded the motion. Motion carried 5-0.*

**RECESS**

Commissioner Masterson recessed the Board meeting at 10:05 a.m. for 5 minutes.

**RECONVENE**

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

**ITEM #6 – RECEIVE JIM PRESCOTT TO GIVE AN UPDATE ON THE KEYSTONE PIPELINE PROJECT – 10:00 A.M.**

Jim Prescott, Keystone Pipeline, came before the Board to provide an update regarding the process of the TransCanada Pipeline passing through Butler County.

*Commissioner Woydziak motioned to approve the Temporary Road Access Agreement with Keystone Pipeline. Commissioner Waldorf seconded the motion. Motion carried 5-0.*

**APPROVAL OF VOUCHERS**

*Commissioner Wheeler motioned to approve the vouchers for November 9, 2009, in the amount of \$853,725.03. Commissioner Harris seconded the motion. Motion carried 5-0.*

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

Commissioner Wheeler noted that the Planning & Zoning Meeting was cancelled again due to being short of members, therefore not having a quorum. Commissioner Masterson noted that he needs to make an appointment from his district. Administrator Johnson stated that he would assist Commissioner Masterson with some recommendations for this area.

Commissioner Wheeler noted the KAC Meeting to be held next week in Kansas City. Administrator Johnson discussed with the Board the schedule for this meeting and who would be attending. Due to KAC being held next week, the Board of Commissioners will not meet.

Commissioner Harris noted that tonight would be the last night for the sales tax meetings.

Commissioner Masterson voiced his concern over what appears to be the lack of support by the public safety entities being voiced in the media encouraging support for the sales tax question. The Board concurred. Administrator Johnson did note that he had discouraged “campaigning” for this issue.

**ADJOURNMENT**

*Commissioner Woydziak motioned to adjourn the meeting of the Board at 11:05 a.m.*

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