

BUTLER COUNTY BOARD OF COMMISSIONERS
Monday, October 12, 2009

CALL TO ORDER - LATE START DUE TO REAP

Commission Vice-Chairman Mike Wheeler called the Butler County Board of Commissioners to order at 10:00 a.m. Present were Commissioner Bruce Harris, Commissioner Randy Waldorf, Commissioner Dan Woydziak, Finance Officer Brandon Kauffman, and Clerk Recorder Paula Stoskopf. Commissioner Jeff Masterson had not yet arrived from the REAP Meeting. Administrator Will Johnson, Jr. was absent.

APPROVAL OF MINUTES

Commissioner Woydziak motioned to approve the minutes of the Butler County Commission Meetings of Monday, October 5, 2009, and Tuesday, October 6, 2009, as written. Commissioner Harris seconded the motion. Motion carried 4-0.

PUBLIC COMMENTS

There were no public comments.

Commissioner Masterson joined the meeting at 10:02 a.m.

ITEM #1 – CONSIDER APPROVING A CHANGE IN CONSTRUCTION TO CULVERT LETTING NO. 64 TO ADD 1 (ONE) CULVERT REPLACEMENT PROJECT FOR A CULVERT THAT COLLAPSED IN LINCOLN TOWNSHIP

Darryl C. Lutz, P.E., Director of Public Works, came before the Board for approval of a change in construction to Culvert Letting No. 64 to add (1) one culvert replacement project for a culvert that collapsed in Lincoln Township. Malm Construction has proposed building the structure for the same unit price that was bid for a similar sized structure currently in their construction contract. The current contract prices were the lowest bids from the letting earlier this year and were below the Engineer's estimate. It is recommended by staff to approve the change in construction for Culvert Letting No. 64 to add (1) one additional culvert to the project at the cost of \$23,111.50.

Commissioner Harris motioned to approve Change Order No. 1 for Culvert Letting No. 64 with Malm Construction Co. to add an item for construction of RCB No. 10 at Site No. 29N1-23-5; a 12'x4'x27' rigid framed box for a net project cost increase of \$23,111.50. Commissioner Woydziak seconded the motion. Motion carried 5-0.

ITEM #3 – WORK SESSION – REVIEW AND DISCUSS A PROPOSED POLICY FOR CONTROLLING ILLICIT WASTE AT THE C & D LANDFILL

Darryl C. Lutz, P.E., Director of Public Works, came before the Board to review and discuss a proposed policy for controlling illicit waste at the construction and demolition landfill. KDHE regulations prohibit any trash from being commingled with C & D waste in a C & D landfill. During a recent inspection, Butler County was cited for having illicit trash in its C & D landfill. The proposed policy will identify allowed materials that can be disposed in the C & D landfill. It will propose a 2-strike system for enforcement. Development, dissemination and enforcement of this policy are necessary to help reduce the chance for future citations. KDHE has warned that Butler County could be fined up to \$10,000 for future violations. Mr. Lutz presented a draft letter

to the Board addressed to Butler County Contractors for the Board's consideration. It was the consensus for Mr. Lutz to draft this into policy format and bring back to the Board for approval.

ITEM #2 – WORK SESSION – REVIEW AND DISCUSS A PROPOSED SEVERE WEATHER POLICY FOR THE LANDFILL

Darryl C. Lutz, P.E., Director of Public Works, came before the Board to review and discuss a proposed Severe Weather and On-Site Disaster Closure Policy for the landfill. In some cases, it is prudent to close the landfill or suspend some solid waste operations in order to protect the safety and health of landfill patrons as well as County employees. The policy is expected to define wind conditions for which certain types of loads will be prohibited from unloading at the landfill. The policy will also stipulate a minimum wind condition for which all operations will be suspended. It will also identify other types of severe weather conditions for which management may use its judgment to suspend landfill operations and identify a protocol for notification. It was the consensus of the Board and Mr. Lutz to collect further wind data before making a final decision. Mr. Lutz will do further review and comparisons and schedule a follow-up discussion with the Board.

Commissioner Wheeler dismissed himself from the meeting at 10:36 a.m.

ITEM #4 – WORK SESSION – COMMUNICATIONS PLAN MEETING UPDATES AND COORDINATION

Jim Neese, Strategic Communications Director, came before the Board to review the schedule for the sales tax meetings for the coming week. The Board inquired if Mr. Neese had received an e-mail from Frank Miller. Mr. Neese noted that Frank Miller had been in correspondence with him with questions about the new system. Mr. Neese stated that Will Johnson, County Administrator, had advised him that any future requests for information should be handled through the Public Records Law/Freedom of Information Act to release information. The Board concurred. The Board requested Mr. Neese to please forward his e-mail communication string with Mr. Miller to them for their reference.

APPROVAL OF VOUCHERS

Commissioner Waldorf motioned to approve the vouchers for October 12, 2009, in the amount of \$1,767,866.89. Commissioner Woydziak seconded the motion. Motion carried 4-0.

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

Commissioner Masterson asked Mr. Lutz if he would be attending the T-Link Meeting in Hutchinson tomorrow regarding the Transportation Bill. Mr. Lutz stated that he would like to, but may have a scheduling conflict.

Commissioner Masterson reported on the presentation made at REAP this morning by Cibor. "This company produces" amended by Commissioner Masterson on Tuesday, October 20, 2009, to read "The partnership between private and non-profit entities researches" composite materials for use in the medical field. He stated it was an interesting concept showing potential for this region.

Commissioner Woydziak reported that the sales tax meeting in Rose Hill went well last week. Representatives from the City, School, and Fire Board were present. The City of Rose Hill passed their MOU last week and the Mayor reiterated that the City was 100% behind the program.

Commissioner Waldorf requested Brandon Kauffman to contact Dennis Phillips from the Butler County Detention Center for a report on the new health program, the new meal vendor, the current census, and the impact that any recent Sedgwick County decisions may have on our Center. He stated that a report had not been made recently and would like to see one in the next couple of weeks.

Commissioner Waldorf also requested a report on the delinquent personal property tax status. He would like to know how much has been collected and how the training of the Treasurer's Office staff is coming so that we may wean off of the firm presently hired to collect these delinquent taxes.

Commissioner Harris noted that on Monday, October 19th at 4:30 p.m., Butler Community College will be dedicating the new Ag Facility that has been recently remodeled. He and Commissioner Wheeler will be attending.

Commissioner Woydziak asked Mr. Lutz about the shoulder work needing to be done on Butler Road and 150th. Mr. Lutz noted that the work is about 2 weeks out.

ADJOURNMENT

Commissioner Waldorf motioned to adjourn the meeting of the Board at 11:04 a.m.

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