

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, October 27, 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 Ron Roberts.

PUBLIC COMMENTS

There were no public comments.

ITEM #2 – CONSIDER APPROVAL OF THE REQUEST BY JOHN MCCLUGGAGE FOR A HOMESTEAD LOT SPLIT WITH APO IN ORDER TO SEPARATE AN EXISTING HOMESTEAD AND 10 ACRES FROM THE REMAINDER OF AN 80-ACRE PARCEL

Rod Compton, Director of Planning & Zoning, came before the Board for approval of the request by John McCluggage for a Homestead Lot Split with APO in order to separate an existing Homestead and 10 acres from the remainder of an 80-acre parcel.

Commissioner Woydziak motioned to approve the APO Lot split described as follows, and authorize the Chairman to sign the Easement for Right-of-Way and the Agricultural Protection Overlay Agreement subject to the recording of the Agricultural Protection Overlay Agreement and survey of the residential site with the Register of Deeds. The Homestead Lot Split is described as: The North 684 feet of the East 938 feet of the East Half of the Northeast Quarter of Section 15, Township 29 South, Range 5 East of the 6th P.M., Butler County, Kansas, EXCEPT the East 300 feet thereof. Commissioner Waldorf seconded the motion. Motion carried 5-0.

ITEM #3 – CONSIDER APPROVAL OF THE REQUEST BY JANET YOST-BUTLER FOR A HOMESTEAD LOT SPLIT WITH APO IN ORDER TO SEPARATE AN EXISTING HOMESTEAD AND 10 ACRES FROM REMAINDER OF AN 80-ACRE PARCEL

Rod Compton, Director of Planning & Zoning, came before the Board for approval of the request by Janet Yost-Butler for a Homestead Lot Split with APO in order to separate an existing Homestead and 10 acres from remainder of an 80-acre parcel.

Commissioner Woydziak motioned to approve the APO Lot split described as follows, and authorize the Chairman to sign the Easement for Right-of-Way and the Agricultural Protection Overlay Agreement subject to the recording of the Agricultural Protection Overlay Agreement and survey of the residential site with the Register of Deeds. The Homestead Lot Split is described as: Beginning at the Southwest Corner of the East Half of the Southeast Quarter of Section 17, Township 29 South, Range 5 East of the 6th P.M., Butler County, Kansas; then North 1,222.06 feet; thence East 321.87 feet; thence South 751 feet; thence East 90 feet; thence South 470.56 feet; thence West 411.87 feet to the point of beginning. Commissioner Waldorf seconded the motion. Motion carried 5-0.

ITEM #4 – CONSIDER REQUEST OF JAMES HOLDERMAN TO REZONE APPROXIMATELY 20 ACRES FROM AN AG-40 AGRICULTURAL ZONING CLASSIFICATION TO AN INDUSTRIAL ZONING CLASSIFICATION

Rod Compton, Director of Planning & Zoning, came before the Board for approval of James Holderman to rezone approximately 20 acres from and AG-40 Agricultural Zoning Classification to an I Industrial Zoning Classification.

Commissioner Harris motioned to approve the request by James Holderman on behalf of Savage Services to rezone approximately 20 acres described as: The South Half of the South Half of the Southwest Quarter of Section 15, Township 26 South, Range 5 East of the 6th P.M., Butler County, Kansas; lying west of the BNSF railroad tracks and hereby authorize the Chairman to sign Resolution 09-45 granting such change. Commissioner Wheeler seconded the motion. Motion carried 5-0.

ITEM # 6 - CONSIDER APPROVAL OF THE AGREEMENT WITH SANSIO FOR A WEB-BASED ELECTRONIC PATIENT CARE REPORT WRITING SYSTEM FOR A FIVE YEAR TERM

Grant Helferich, Director of Emergency Services, came before the Board for approval of the agreement with Sansio for a Web-Based Electronic Patient Care Report Writing System for a five year term.

Commissioner Waldorf motioned to approve the five year HealthEMS Subscription Agreement with Addendum 1 provided by Sansio and authorize the Chair to sign. Commissioner Harris seconded the motion. Motion carried 5-0.

ITEM # 7 - CONSIDER APPROVAL TO ACCEPT THE BID FROM LARRY WALTY ROOFING TO INSTALL A NEW ROOF AT THE BETHLEHEM HOUSE

Dan Ingalls, Director of Buildings & Grounds, came before the Board for approval to accept the bid from Larry Walty Roofing to install a new roof at the Bethlehem House.

The following three bids were received:

Larry Walty Roofing	\$7,903.39
Sunflower State Exteriors LLC	\$17,442.02
Paul Schellhorn Roofing	\$18,799.00

Commissioner Woydziak motioned to accept the bid of \$7,903.39 from Larry Walty Roofing to install a new roof at the Bethlehem House. Commissioner Waldorf seconded the motion. Motion carried 5-0.

ITEM #1 – RECESS TO THE FRONT STEPS OF THE COURTHOUSE FOR THE TIME CAPSULE INTO THE CORNERSTONE

Commissioner Masterson recessed the Board meeting at 9:45 a.m. for 15 minutes to the front steps of the Courthouse for the placement of the time capsule into the cornerstone.

RECONVENE

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

ITEM #5 – HOLD PUBLIC HEARING ON THE BUTLER COUNTY RECYCLING PLAN - 10:00 A.M.

Darryl C. Lutz, P.E. Director of Public Works, came before the Board to a hold Public Hearing on the Butler County Recycling Plan.

Director Lutz reviewed for the Commissioners and others present the history of recycling efforts in the County and the forming of the Recycle Task Force. He introduced members of the Task Force that were present and introduced Jack Chappelle, Engineering Solutions and Design.

Mr. Chappelle presented a power point summary of the Recycle Plan's points and estimated cost. The Optimal program:

1. The County would take a greater lead in the recycling efforts in the entire County.
2. The public education efforts would involve working directly with the school districts to establish a recycling curriculum.
3. The County will expand their trailer collection program to provide increased times and places of collection, and work with the 4 largest cities to establish curb side collection.
4. A commercial recycling program would be established.
5. The processing of the recyclables would be centralized. The County would evaluate the existing facilities and determine the optimal location of the new processing facility.

Annual operating cost of recycling are estimated to be:

Year 1, \$86,000, Year 2, \$300,000, Year 3, \$280,000, Year 4, \$850,000, Year 5 \$1,640,000, Year 6, \$750,000, with no guarantee of value of the recyclables collected.

Director Lutz reminded the Commissioners that the cost of the program could be financed over several years to level out the payments. Also, most of the revenues needed would come from user fees. Cities could bill their citizens directly, rural areas and others in the county using the trailers could be assessed an annual recycling charge on their tax bills. Overhead for administration would need to be covered by some type of county-wide tax, probably property tax.

Actual processing fees would be paid for first from the sale of recycled material with any short fall coming from property tax revenue.

Brad Myer, Assistant Director of Public Works, El Dorado, pointed out the instability of recycled material markets, which he said right now were almost non existent. This leaves most of the cost to be paid from user fees and property taxes. He had a concern that if overhead and processing cost were covered with property taxes, then El Dorado could possibly be subsidizing the rest of the county to some extent, since they already pay for those services at their own facility. He also said that due to the high cost of running the processing plant and the small income from material sales, they were studying alternatives including switching to single stream collection and shipping the recyclables out to a private processing facility.

Sasha Styles, Andover City Administrator, said they were close to an agreement with Stuzmans to be their preferred trash hauler and to provide single stream curb side recycling to be billed on their sewer bills. The agreement would provide trash service for \$42.00 per quarter.

Mr. Myer pointed out that Stuzmans run their own processing center, so Andover's recyclables would not be coming to a County facility. He asked the Commissioners to send the plan back to the Task Force to consider the changes taking place recently.

Kathy Raney, Rose Hill Administrator, said Rose Hills supports the plan and recommends adopting it now. She also stated they are watching what Andover is doing with their trash and curbside pickup program.

Kirk Hayden, Rose Hill, also offered to have a trailer collection point at their waste water facility and use city employees to service it.

Don Rommelfanger, Mayor of Cassoday, spoke in favor of implementing the plan now.

Chairman Masterson Closed the public hearing at 11:10 a.m.

Commissioner Waldorf motioned to move forward with implementation of the Recycling Plan with stipulations and to direct staff to develop a resolution identifying the stipulations that we want the Recycling Task Force to address. Commissioner Woydziak seconded the motion. Motion carried 5-0.

COMMISSION ADDS & ABATES

Commissioner Waldorf motioned to approve Adds & Abates #2411 dated October 27, 2009; Adds in the amount of \$0.00 and Abates in the amount of \$1,328.32. Commissioner Woydziak seconded the motion. Motion carried 5-0.

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

Chris Davis, 9-1-1 Director, brought the communications flyer back for the Commissioners to review the revised wording.

ADJOURNMENT

Commissioner Woydziak motioned to adjourn the meeting of the Board at 11:42 a.m. Commissioner Waldorf seconded the motion. Motion carried 5-0.