

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, September 1, 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.

PUBLIC COMMENTS

Tony Grunder, John K. Fisher, came before the Board to discuss sales tax and asked the Board not to raise the sales tax above the Wichita level of 6.3%.

ITEM #1 – CONSIDER APPROVAL OF THE CONTRACT BETWEEN THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT AND THE WICHITA CITIES READINESS INITIATIVE, BUTLER COUNTY ACTING AS FISCAL AGENT, FOR \$139,322.00 AND ALLOW THE CHAIR TO SIGN

Carol Borger, Health Department Administrator, came before the Board for approval of the contract between the Kansas Department of Health and Environment and the Wichita Cities Readiness Initiative (CRI) with Butler County acting as fiscal agent for \$139,322.00. This is the fourth year for the CRI grant and the objective is to be able to either medicate or vaccinate our population within 48 hours should there be some sort of event, man made or biological. There is no match for this grant.

Commissioner Wheeler motioned to approve the Contract between the Kansas Department of Health and Environment and the Wichita Cities Readiness Initiative, Butler County acting as fiscal agent, for \$139,322.00 and allow the Chair to sign. Commissioner Harris seconded the motion. Motion carried 5-0.

ITEM #2 – CONSIDER APPROVAL OF THE CONTRACT BETWEEN KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT AND THE BUTLER COUNTY HEALTH DEPARTMENT, DESIGNATED AS FISCAL AGENT FOR REGIONALIZED GROUP OF LOCAL HEALTH DEPARTMENTS FOR BUTLER, COWLEY, HARVEY, MARION, RENO, SEDGWICK, AND SUMNER COUNTIES AS SOUTH CENTRAL METRO REGION, FOR PUBLIC HEALTH EMERGENCY PREPAREDNESS IN THE AMOUNT OF \$38,642.00 AND ALLOW THE CHAIR TO SIGN

Carol Borger, Health Department Administrator, came before the Board for approval of the contract between the Kansas Department of Health and Environment and the Butler County Health Department, acting as fiscal agent for South Central Metro Region, for Public Health Emergency Preparedness grant in the amount of \$38,642.00. There is no match for this grant.

Commissioner Wheeler motioned to approve the Contract between Kansas Department of Health and Environment and the Butler County Health Department, designated as fiscal agent for regionalized group of local health departments for Butler, Cowley, Harvey, Marion, Reno, Sedgwick, and Sumner Counties as South Central Metro Region, for Public Health Emergency Preparedness in the amount of \$38,642.00 and allow the Chair to sign. Commissioner Waldorf seconded the motion. Motion carried 5-0.

ITEM #3 – CONSIDER APPROVAL OF THE CONTRACT BETWEEN THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT AND BUTLER COUNTY HEALTH DEPARTMENT FOR PUBLIC HEALTH EMERGENCY PREPAREDNESS IN THE AMOUNT OF \$54,543.00 AND ALLOW THE CHAIR TO SIGN

Carol Borger, Health Department Administrator, came before the Board for approval of the contract between the Kansas Department of Health and Environment and the Butler County Health Department for Public Health Emergency Preparedness grant in the amount of \$54,543.00. Ms. Borger noted that due to the work of Mindy Andes, the County's score was 93 out of 100. This is the sixth year the Health Department has had a Public Health Emergency Preparedness grant. There is no match for this grant.

Commissioner Wheeler motioned to approve the contract between the Kansas Department of Health and Environment and Butler County Health Department for Public Health Emergency Preparedness in the amount of \$54,543.00. Commissioner Harris seconded the motion. Motion carried 5-0.

ITEM #8 – WORK SESSION – TRANSYSTEMS WILL PRESENT THE SW BUTLER ROAD STUDY

Darryl Lutz, P.E., Director of Public Works, came before the Board to introduce Mr. Brett Letkowski with TranSystems along with staff to present the SW Butler Road Corridor Study. There was discussion about the cost of the project and Butler County's portion of that cost being approximately 20% or \$15 million. Commissioner Woydziak suggested checking into money available for an environmental study.

RECESS

Commissioner Masterson recessed the Board meeting at 10:00 a.m. for 5 minutes.

RECONVENE

Commissioner Masterson reconvened the Board meeting at 10:05 a.m.

Commissioner Woydziak motioned to receive and accept the SW Butler Rd. Corridor Study. Commissioner Waldorf seconded the motion. Motion carried 5-0.

ITEM #4 – CONSIDER APPROVAL OF A SUPPLEMENTAL PROJECT AGREEMENT WITH KDOT FOR THE WHITEWATER CREEK REPLACEMENT PROJECT ON SW BUTLER RD

Darryl Lutz, P.E., Director of Public Works, came before the Board for approval of a supplemental project agreement with KDOT related to the ARRA stimulus project to replace the Whitewater Creek Bridge on SW Butler Rd.

Commissioner Woydziak motioned to approve the project Supplement Agreement No. 1 between Butler County and the Kansas Department of Transportation related to Project No. 8 C-4558-01, the Whitewater Creek bridge replacement project on SW Butler Rd. near SW 10th St. and authorize the Chair to sign. Commissioner Waldorf seconded the motion. Motion carried 5-0.

ITEM #5 – CONSIDER APPROVAL OF PROJECT AGREEMENTS WITH KDOT FOR 2 INTERSECTION FLASHING LIGHT PROJECTS

Darryl Lutz, P.E., Director of Public Works, came before the Board for approval of a project agreement with KDOT for two intersection flashing light projects. These federal aid High Risk Rural Roads projects are for installing flashing warning lights at the Santa Fe Lake Rd/SW 70th St. intersection and at the SW 210th St./SW Butler Rd. intersection. Mr. Lutz stated that final estimated costs have not been determined, but Butler County's share is estimated to be approximately \$4,000.00. Butler County is providing design with its own staff and no right-of-way or utility relocations are required for these projects. Butler County's direct cost will be for 10% of the construction and construction engineering costs.

Commissioner Waldorf motioned to approve the project agreements between Butler County and the Kansas Department of Transportation for Project No. 71-8 C-4494-01, the flashing light project for the intersection of SW 210th St. and SW Butler Rd., and for Project No. 83-8 C-4495-01, the flashing light project for the intersection of SW Santa Fe Lake Rd. and SW 70th St., and authorize the Chair to sign the agreements. Commissioner Woydziak seconded the motion. Motion carried 5-0.

ITEM #6 – CONSIDER APPROVAL OF A PROPOSAL FOR MILLING WORK ON SW BUTLER ROAD FROM SW 70TH STREET TO K-254 HIGHWAY

Darryl Lutz, P.E., Director of Public Works, came before the Board for approval of a proposal for milling work on SW Butler Rd. from SW 70th St. to K-254 Highway. Butler County requested a proposal from Dustrol, Inc. After negotiations, a reasonable proposal has been received and is recommended for approval. This work is scheduled to begin September 14, 2009 with the surfacing work to begin the week of September 21.

Commissioner Woydziak motioned to approve the cost proposal from Dustrol, Inc., for milling work on SW Butler Rd. between SW 70th St. and K-254 Highway for a not to exceed amount of \$34,848.00. Commissioner Masterson seconded the motion. Motion carried 5-0.

ITEM #7 – CONSIDER APPROVAL OF A COST ESTIMATE FOR RELOCATING RURAL WATER LINES FOR THE SW 210TH STREET PROJECT

Darryl Lutz, P.E., Director of Public Works, came before the Board for approval of a cost estimate for relocating rural water lines for the SW 210th St. project. The total estimated cost is approximately \$195,000 and Butler County's share will be approximately \$130,000.

Commissioner Woydziak motioned to approve the utility relocation costs for relocating Sedgwick County RWD #3 water lines with Butler County's share to not exceed \$130,030 related to Project No. 8 C-368-01, the SW 210th St. reconstruction project. Commissioner Harris seconded the motion. Motion carried 5-0.

Commissioner Woydziak discussed the bridge south of 170th St. on Haverhill Rd. and said it is bumpy. Commissioner Woydziak reported public comments he received regarding the school zone light in Douglass.

COMMISSION ADDS & ABATES

Commissioner Waldorf motioned to approve Adds & Abates #2403 dated September 1, 2009; Adds in the amount of \$1,064.44 and Abates in the amount of \$2,346,682.22. Commissioner Woydziak seconded the motion. Motion carried 5-0.

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

Commissioner Harris asked about the 30 day cease and desist order regarding the recycle company on the west side of El Dorado. Administrator Johnson said they brought in their paperwork for the CUP but the salvage operation hasn't given a response. Administrator Johnson noted he received a letter from Mr. Hargrove asking about the status on the rock quarry in Towanda.

Commissioner Harris asked for an update on Pro Kleen. Administrator Johnson noted Pro Kleen should be making a site selection this week.

Administrator Johnson asked for an Executive Session to discuss matters of non-elected personnel.

Commissioner Wheeler motioned to recess the Board to Executive Session at 10:35 a.m. for 10 minutes, with the public session resuming at 10:45 a.m., to discuss personnel matters of non-elected personnel to protect the privacy of an individual/employee who is non-elected.

Commissioner Harris seconded the motion. Motion carried 5-0. Those in attendance were Commissioners Harris, Masterson, Waldorf, Wheeler, Woydziak, Administrator Will Johnson, and Marion Johnson.

RECONVENE

Commissioner Masterson reconvened the Board meeting at 11:12 a.m. No action was taken.

Administrator Johnson was notified that the energy grant made it through the first two reviews at the Department of Energy.

Administrator Johnson commented the busing contract for the inmates is up this month. He stated the bus from Ulysses is in and he will confirm the price of \$5,000.

Administrator Johnson said Wildlife and Parks is not happy about the number of inmates they are getting each day. They are suppose to have 20 and they are averaging 11.9 per day.

ADJOURNMENT

Commissioner Waldorf motioned to adjourn the meeting of the Board at 11:22 a.m. Commissioner Woydziak seconded the motion. Motion carried 5-0.