



**Board of County Commissioners**

**Tuesday, June 18, 2019**

**9:00 AM**

**205 W. Central Ave. 4th Floor**

**El Dorado, KS 67042**

**Agenda**

**A. CALL to ORDER**

**B. INVOCATION and PLEDGE** - *Pastor Jordan Friesen, First Baptist Church, El Dorado*

**C. COMMISSION MINUTES**

C.1. Commission Minutes

[June 11, 2019.pdf](#)

**D. PUBLIC COMMENTS**

**E. ITEMS of BUSINESS**

E.1. Right of Way Acquisition Process Approval

E.2. Work Session - Landfill Fee Schedule Increase

**F. VOUCHERS**

F.1. Vouchers dated 06/18/2019

**G. COMMISSION ADDS & ABATES**

**H. OTHER ITEMS of BUSINESS**

**I. ADJOURNMENT** - *The Commissioners will be attending a luncheon at the Augusta Senior Center located at 640 Osage, Augusta, KS, 67010, at 11:15 AM.*

# Board of County Commissioners Agenda Item Report

Agenda Item No. 1

Submitted by: Chelsea Noel

Submitting Department: Clerk's Office, County

Meeting Date: June 18, 2019

## **SUBJECT**

Commission Minutes

## **RECOMMENDATION**

Approval of Minutes

## **ATTACHMENTS**

- [June 11, 2019.pdf](#)

## **BACKGROUND**

N/A

## **ANALYSIS**

N/A

## **FINANCIAL CONSIDERATION**

N/A

## **LEGAL CONSIDERATION**

N/A

## **COMMISSIONER SIGNATURE REQUIRED**

Yes

## **INFORMATION TECHNOLOGY PURCHASE OR SERVICES REVIEW REQUIRED**

No

## **RECOMMENDED ACTION**

Commissioner \_\_\_\_\_ motion to approve/amend the minutes from the June 11, 2019, Butler County Commission meeting.

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, June 11, 2019**

**CALL TO ORDER**

Commission Chairman Marc Murphy called the Butler County Board of Commissioners to order at 9:00 a.m. Present were Commissioner Jeff Masterson, Commissioner Ed Myers, Commissioner Mike Wheeler, Commissioner Dan Woydziak, County Administrator Will Johnson, and Clerk Recorder Chelsea Noel.

**Administrator Johnson informed the Board that Granicus Live Manager audio is not working.**

**INVOCATION**

Pastor Chris McCoy, First Baptist Church, El Dorado, presented the invocation.

**APPROVAL OF MINUTES**

*Commissioner Myers motioned to approve the minutes of the Butler County Commission meeting from Tuesday, June 4, 2019 as written. Commissioner Wheeler seconded the motion. Motion carried 5-0.*

(00:02:06)

**ITEM #1 – 2018 BUTLER COUNTY FINANCIAL AUDIT REVIEW**

Ryan Adkison, Assistant County Administrator/Finance Director, came before the Board to receive Mike Lowry of Allen, Gibbs & Houlik (AGH), to review the 2018 Butler County Financial Audit. Kansas State Law requires an annual audit of all County accounts to be performed by an independent certified public accounting firm at least annually. Commissioner Myers inquired about a section of the Independent Auditors Report regarding compensated absences.

*Commissioner Woydziak motioned to receive and file the 2018 Butler County Financial Audit. Commissioner Masterson seconded the motion. Motion carried 5-0.*

(00:17:41)

**ITEM #2 – COMMUNITY CORRECTIONS INTERLOCAL AGREEMENT BETWEEN BUTLER, ELK AND GREENWOOD COUNTIES**

Ann Carpenter, Community Corrections Director, came before the Board for approval of Resolution #19-14, allowing Butler County to enter into an interlocal agreement between Butler, Elk and Greenwood counties for the purpose of providing KDOC services throughout the judicial district and naming Butler County as the administrative County while terminating the previous agreement. The interlocal agreement was initially completed in 1999. It is time for an update and in 2017 it was completed but denied by the Attorney General's office because the new agreement did not have a termination date for the previous agreement.

*Commissioner Woydziak motioned to approve Resolution #19-14, allowing Butler County to enter into an Interlocal Agreement between Butler, Elk and Greenwood counties for the purpose of providing KDOC services throughout the judicial district and named Butler County as the administrative County while terminating the previous agreement. Commissioner Masterson seconded the motion. Motion carried 5-0.*

(00:20:28)

**PUBLIC COMMENTS**

Brian Riley, IPS Owner, came before the Board and gave an update on his progress at the IPS location since his last visit with the Board on May 9<sup>th</sup>. Mr. Riley stated over the last thirty days they have sold 280,269 pounds of materials from the facility and they have taken fifteen loads to the landfill. Mr. Riley stated they are making good progress and still working as quick as possible to clean up the location.

*Commissioner Woydziak motioned to extend the IPS clean-up activities date to July 23<sup>rd</sup>. Commissioner Masterson seconded the motion. Motion failed 3-2. Commissioner Murphy, Commissioner Myers and Commissioner Wheeler opposed.*

Commissioner Woydziak stated he doesn't see any benefit to the County by not extending clean-up efforts for Mr. Riley and the county would take on the expense of going to District Court and cleaning up the property. Administrator Johnson stated if they do not extend his time the next step is taking on a cease and desist order and take over cleaning up the property and all of the expenses. Commissioner Wheeler stated he does not see that Mr. Riley has made enough progress to feel comfortable extending his time. Administrator Johnson stated they have seen the landfill tickets to monitor Mr. Riley's progress and also Mr. Riley has been dealing with inclement weather. Commissioner Myers inquired about Mr. Riley's tickets from the landfill compared to the information that Mr. Riley presented to the Board. Commissioner Murphy asked Mr. Riley about how many loads he has left to take to the landfill. Mr. Riley stated he estimates to be halfway done. Commissioner Myers expressed hesitation to extending Mr. Riley's clean-up efforts. Commissioner Myers stated his biggest hesitation about continuing revocation process is Mr. Riley's credibility gap because this has been an issue for many years now. Administrator Johnson suggested setting goals for IPS for the next thirty days. Commissioner Wheeler stated he would like to see a major change in the visible portions of the property. The Board also requested that ten trailers be moved off the property in the next thirty days.

*Commissioner Woydziak motioned to extend clean-up efforts for IPS to July 9<sup>th</sup> and to remove ten semi-trailers from the property and to process an additional fifteen loads at the landfill. Commissioner Masterson seconded the motion. Motion carried 3-2. Commissioner Myers and Commissioner Wheeler opposed.*

(00:45:53)

**ITEM #3 – PUBLIC WORKS EQUIPMENT PURCHASE APPROVAL – PICKUP, ENDDUMP TRAILER, ROTARY MOWER AND UTV**

Darryl Lutz, Public Works Director, came before the Board for approval to award the bid for the purchase of one end dump trailer, four 15' flex wing rotary mowers, one ½ ton extended cab pick-up and two 4WD UTV's. Sealed bids for these equipment items were received and opened by the County Commission on Tuesday, June 4, 2019.

*Commissioner Myers motioned to approve the award of purchase for equipment for the Public Works Department as follows: 5th wheel end dump trailer, 4 - Land Price RC6615 15' flex wing rotary mowers from Ravenscraft Implement, Inc., Whitewater, KS in the lowest and best bid amount of \$66,500, 1 - Ram 1500 Classic Quad Cab 1/2 ton extended cab, 4WD pickup from Park's Inc., Augusta, KS in the low bid amount of \$27,733 and 2 - Kubota RTV-X900G-*

*A 4WD utility terrain vehicles (UTV's) with two year warranty from Ravenscraft Implement, Inc., Whitewater, KS in the lowest and best bid amount of \$37,140.10.. Commissioner Wheeler seconded the motion. Motion carried 5-0.*

(00:53:34)

**ITEM #4 – AWARD OF BID – LITTLE WALNUT RIVER BRIDGE ON SE CHELSEA ROAD SOUTH OF LEON**

Darryl Lutz, Public Works Director, came before the Board for approval to award the bid for a construction project to replace the Little Walnut River Bridge on SE Chelsea Road located south of Leon. The project was advertised for bidding on May 7, 2019. Sealed bids were received and opened for the project on Tuesday, June 4, 2019 at 10:00 a.m. The lowest bid was received from Bridges, Inc., Newton, KS in the amount of \$1,238,901.85.

*Commissioner Wheeler motioned to approve the award of bid for Project No. BR 28C2-27-6(18), the proposed bridge replacement project for the Little Walnut River Bridge on SE Chelsea Rd located south of Leon, KS to Bridges, Inc., Newton, KS in the low bid amount of \$1,238,901.85 and to authorize the Chair to sign the Notice of Award. Commissioner Woydziak seconded the motion. Motion carried 5-0.*

(00:57:15)

**VOUCHERS**

Commissioner Wheeler asked questions of the vouchers.

*Commissioner Woydziak motioned to approve vouchers for June 11, 2019 in the amount of \$747,544.92. Commissioner Masterson seconded the motion. Motion carried 5-0*

(01:02:24)

**COMMISSION ADDS & ABATES**

*Commissioner Woydziak motioned to approve Adds & Abates #2729 dated June 11, 2019; Adds in the amount of \$0.00 and Abates in the amount of \$3,. Commissioner Masterson seconded the motion. Motion carried 5-0.*

(01:02:38)

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

Commission Chairman Murphy stated he attended the Emergency Management annual appreciation dinner.

Administrator Johnson stated they received notification from KDOT for school signage on Highway 254 for Circle High School.

Administrator Johnson discussed financing equipment for the rescue squad.

The Augusta Senior Center luncheon will be Tuesday, June 18<sup>th</sup> . .

Budget meetings will be held June 24<sup>th</sup> – 27<sup>th</sup>.

Quad Counties will be June 24<sup>th</sup> at the El Dorado Lake Shooting Range.

Administrator Johnson stated the shoulder paving road work on SW 70<sup>th</sup> street is finished.

(01:12:35)

**ADJOURNMENT**

*Commissioner Woydziak motioned to adjourn the meeting of the Board at 10:12 a.m.*

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

# Board of County Commissioners Agenda Item Report

Agenda Item No. 1

Submitted by: Darryl Lutz

Submitting Department: Public Works

Meeting Date: June 18, 2019

## **SUBJECT**

Right of Way Acquisition Process Approval

## **RECOMMENDATION**

Consider authorizing the Director of Public Works to proceed with right-of-way acquisition for upcoming roadway improvement and bridge replacement projects.

## **ATTACHMENTS**

## **BACKGROUND**

Butler County is at the stage to proceed with acquiring right-of-way for a major roadway improvement project for SW Butler Rd at SW 150th St. The County is also getting close to the ROW acquisition stage for a bridge replacement project on SW Haverhill Rd at the Little Walnut River Pony Truss and for a roadway improvement project on SW Butler Rd from K-254 north to Parallel. In order to accommodate the negotiation process, it is advantageous for staff to be able to make offers based upon pre-approved values. Staff is requesting that maximum land values be established for the subject projects. In addition to establishing values for land, staff requests authority to establish compensation for damages to existing improvements such as fences, crops and landscaping.

## **ANALYSIS**

Staff has researched land values based upon recent sales histories in the geographic vicinity of the various project locations. Land sales values along with recommended compensation values will be presented during the meeting.

## **FINANCIAL CONSIDERATION**

Right-of-way acquisitions for these projects are included in the adopted CIP for Butler County.

## **LEGAL CONSIDERATION**

Following KDOT approved procedures for acquisition of real property for project right-of-way.

## **COMMISSIONER SIGNATURE REQUIRED**

No

## **INFORMATION TECHNOLOGY PURCHASE OR SERVICES REVIEW REQUIRED**

No

## **RECOMMENDED ACTION**

It is recommended that the Board of County Commissioners approve land compensation values and authorize the Department of Public Works to establish estimates of just compensation. Motion: I, Commissioner \_\_\_\_\_, move to approve land acquisition compensation values as recommended for project right-of-way acquisition, to authorize the Director of Public Works to approve estimates of just compensation based upon approved values and to

authorize the County Administrator to approve the Offers to Purchase for Right-of-way for Project No. 8C-4942-01, the SW Butler Rd Improvement Project at SW 150th St., for Project No. 8C-4935-01, the SW Butler Rd Improvement Project from K-254 to Parallel and for Project No. BR 4E7-28-5(19), the Little Walnut River Pony Truss Bridge Project on SW Haverhill Rd.



# Board of County Commissioners Agenda Item Report

Agenda Item No. 2

Submitted by: Darryl Lutz

Submitting Department: Public Works

Meeting Date: June 18, 2019

## **SUBJECT**

Work Session - Landfill Fee Schedule Increase

## **RECOMMENDATION**

Work Session - Discuss implementation of a proposed fee increase for MSW waste, special waste and construction & demolition waste at the landfill.

## **ATTACHMENTS**

## **BACKGROUND**

During budget presentations to the Board of County Commissioners in 2018, the Director of Public Works and the County Administrator discussed raising the landfill fees in 2019. Letters were sent to all the cities in Butler County to incorporate a possible \$1 per ton increase in waste disposal fees for MSW and C&D waste into their respective operating budgets. The fee increases have not been implemented. The last fee increases were implemented January 1, 2013 with a \$1 per ton increase for MSW and C&D waste.

## **ANALYSIS**

Revenues for the landfill from in-County waste disposal have been fairly stagnant with the exception of special clean-up projects that have generated extra revenue. Most of the new revenue for the landfill has come from out-of-county waste disposal agreements. The landfill is operating with very little uncommitted cash reserves. Current revenue projections based upon normal waste flow activity is less than planned annual operating costs. Staff is proposing to implement the planned \$1 per ton increase for MSW and C&D wastes in July 2019 and discuss another \$1 increase for 2020 to match proposed operating costs and to build some cash reserves. Information will be presented during the meeting for review and discussion.

## **FINANCIAL CONSIDERATION**

A \$1 per ton increase will generate approximately \$60,000 per year.

## **LEGAL CONSIDERATION**

The County Commission can set landfill fees by virtue of a simple motion.

## **COMMISSIONER SIGNATURE REQUIRED**

No

## **INFORMATION TECHNOLOGY PURCHASE OR SERVICES REVIEW REQUIRED**

No

## **RECOMMENDED ACTION**

Discuss possible implementation of landfill fee increases and provide direction to staff.



# Board of County Commissioners Agenda Item Report

Agenda Item No. 1

Submitted by: Anna Wealand

Submitting Department: Administration

Meeting Date: June 18, 2019

## **SUBJECT**

Vouchers dated 06/18/2019

## **RECOMMENDATION**

Approval of vouchers

## **ATTACHMENTS**

## **BACKGROUND**

N/A

## **ANALYSIS**

N/A

## **FINANCIAL CONSIDERATION**

Total warrants \$361,129.64.

## **LEGAL CONSIDERATION**

N/A

## **COMMISSIONER SIGNATURE REQUIRED**

Yes

## **INFORMATION TECHNOLOGY PURCHASE OR SERVICES REVIEW REQUIRED**

No

## **RECOMMENDED ACTION**

Commissioner \_\_\_\_\_ motioned to approve vouchers dated June 18, 2019 in the amount of \$361,129.64.