

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, January 23, 2018

Due to a lack of quorum, the meeting did not convene at 9:00 a.m.

The following people spoke however no decisions or motions were made.

Jean Plummer, 1121 Douglass, El Dorado, invited the Commissioners to attend the First Responder Appreciation Day, February 3rd, at the Butler County 4-H Building.

Will Johnson, County Administrator, recognized Del Provo, Public Works Department, with a Spotlight Award. The Sheriff's Department had a report of a stolen vehicle that had just occurred and a "be on the lookout" (BOLO) was given out over the radio for the stolen vehicle. Mr. Provo called Butler County Dispatch and advised that he had heard the bolo and he thought that he had the vehicle in sight. A deputy was started to the location while Mr. Provo gave a detailed description and kept an eye on the vehicle. Mr. Provo advised the dispatcher that the vehicle left and law enforcement units gave chase. The Sheriff's Office, with the help of the Augusta Police Department and the Kansas Highway Patrol, recovered the vehicle and the suspect, who had multiple warrants, was arrested. Without Mr. Provo's help the situation may have not been as quickly resolved and more time and manpower may have been needed before a resolution was attained. Commission Chairman Woydziak presented Mr. Provo with a Spotlight Award.

Kathy Walter, Flint Hills Services Director, introduced Bryan Coons and recommended the Board appoint Mr. Coons to fill the District 3 position for the Board of Directors of Flinthills Services, Inc.

Jim Woydziak, Fire Chief of FD#3, came before the Board requesting to purchase a rescue fire truck.

Commissioner Chairman Woydziak introduced Steve Huckabee, Rose Hill City Mayor.

Commission Chairman Woydziak inquired about the Federal Fund Exchange.

CALL TO ORDER

Commission Chairman Dan Woydziak called the Butler County Board of Commissioners to order at 12:01 p.m. Present were Commissioner Jeff Masterson, Commissioner Ed Myers, Commissioner Mike Wheeler, County Administrator Will Johnson, and Clerk Recorder Chelsea Noel. Commissioner Marc Murphy was absent.

INVOCATION

The Board observed a moment of silence.

APPROVAL OF MINUTES

Commissioner Myers motioned to approve the minutes of the Butler County Commission meeting from Tuesday, January 16, 2018 as written. Commissioner Wheeler seconded the motion. Motion carried 4-0.

(00:19:03)

PUBLIC COMMENTS

Bill Pyle, 2918 SE 30th St, El Dorado, came before the Board and thanked the Commissioners for putting the engine brake signs up on 30th Street and Bluestem Road. Mr. Pyle stated the signs have made a difference so far.

(00:19:12)

ITEM #1 – SPOTLIGHT AWARD – PROVO

The Spotlight Award was presented before the meeting convened.

(00:19:18)

ITEM #2 – APPOINTMENT OF BOARD MEMBER TO FLINTHILLS SERVICES, INC. AND CDDO OF BUTLER COUNTY

Commissioner Wheeler motioned to approve the appointment of Bryan Coons to the Board of Directors for Flinthills Services, Inc. and the CDDO of Butler County to fill the current term of the District 3 position beginning January 25, 2018. Commissioner Masterson seconded the motion. Motion carried 4-0.

(00:21:54)

ITEM #3 – COUNTY PBC SALE RESOLUTION AND SUPPLEMENTAL LEASE

Ryan Adkison, Assistant County Administrator/Finance Director, came before the Board for approval of Resolution #18-01, approving the sale of refunding revenue bonds (public facilities projects) of the Butler County Public Building Commission (PBC) and authorizing the execution of a supplemental lease between the Butler County PBC and Butler County, Kansas; and making certain covenants and agreements with respect thereto. On December 12, 2017, the BOCC approved resolution 17-37, which recommended to the PBC they pursue offering Refunding Revenue Bonds. Legal Counsel reviewed and approved the resolution as to form.

Commissioner Myers motioned to approve Resolution No. 18-01, approving the sale of refunding revenue bonds (Public Facilities Projects) of the Butler County PBC and authorized the execution of a supplemental lease between the Butler County PBC and Butler County, Kansas; and making certain covenants and agreements with respect thereto. Commissioner Masterson seconded the motion. Motion carried 4-0.

(00:24:55)

ITEM #4 – LIVENGOOD ZONING CHANGE FROM AG-40 TO RURAL RESIDENTIAL (RR)

David Alfaro, Community Development Director, came before the Board to discuss a zoning change from AG-40 to Rural Residential (RR) and support the recommendation for denial as recommended by the Planning Commission. John Livengood owns a tract of land located at 12312 NW Parallel St. El Dorado that is currently zoned AG-40 and he requested to change the zoning to Rural Residential which would allow him to split the land into 5 smaller lots and submit a Plat for approval. On January 2nd the case was presented to the Planning Commission for consideration and was subsequently denied. Concerns were associated with the lack of maintenance on the road and the impact the additional traffic would have on the road. Several neighbors were present and expressed their concerns the impact of the additional traffic would have as well.

Commission Chairman Woydziak motioned to deny the request for a change in zoning from AG-40 to Rural Residential as recommended by the Planning Commission. Commissioner Wheeler seconded the motion. Motion carried 4-0.

(00:41:36)

ITEM #5 – FEDERAL AID FUND EXCHANGE – SUPPLEMENTAL AGREEMENT

Darryl Lutz, Public Works Director, came before the Board for approval of a supplemental agreement to the Federal Aid Fund Exchange Master Agreement between KDOT and Butler County. For the past several years, KDOT has engaged in a program to allow Counties and Cities to exchange federal aid STP funds with KDOT for state transportation funds at an exchange rate of \$0.90 for each \$1.00 of federal aid. This money could be used by local units of government for funding transportation projects without having to meet special federal criteria otherwise required on federal aid projects. In April of 2016, KDOT and Butler County entered into a Master Agreement to provide for the annual exchange of funds in lieu of executing a new agreement for each year. KDOT has revisited the program to resolve internal funding issues related to being able to fully use the federal aid dollars being purchased from locals by KDOT. The current Master Agreement needs to be amended to incorporate new policies being implemented by KDOT starting in FFY 2018. KDOT is reducing the fund exchange rate to \$0.75 for \$1.00 and no longer allows banking of money for use in future years. The Supplemental Agreement eliminates the specific exchange rate amount of \$0.90 for \$1.00 to allow flexibility to set the exchange rate each year and also eliminates any language that previously allowed the banking of funds. Commissioner Woydziak was opposed to the Supplemental Agreement.

Commissioner Masterson motioned to approve the Supplemental Agreement No.1 to Agreement No. 115-16, the Fund Exchange Master Agreement, between Butler County and the Secretary of Transportation related to the KDOT federal funds exchange program and authorized the Chair to sign. Commissioner Wheeler seconded the motion. Motion carried 3-1. Commission Chairman Woydziak was opposed.

(00:49:40)

ITEM #6 – TARP REPLACEMENT FOR LANDFILL TARP COVER SYSTEM

Darryl Lutz, Public Works Director, came before the Board for approval to purchase replacement tarps for the landfill tarp cover system. The Butler County Landfill currently uses tarps to cover the landfill as an alternative daily cover. The system is automated with 2 sets of 30' wide tarps (30' x 200') and 2 sets of 40' wide tarps (40' x 200'). There are currently 2 known vendors that Butler County has worked with that specialize in producing tarps for landfill application. Following is a tabulation of bids received:

Tarpomatic, Inc.	Canton, Ohio	\$9,400.00
Southwestern Sales, Co.	Rogers, AR	\$9,486.84

Commissioner Wheeler motioned to approve the purchase of two 40' wide by 200' long weighted tarp sets for landfill use in the amount of \$9,400.00 from Tarpomatic Inc., Canton, OH. Commissioner Masterson seconded the motion. Motion carried 4-0.

(00:53:30)

ITEM #7 – INTERSECTION STUDY AND PRELIMINARY ENGINEERING AGREEMENT – SW BUTLER ROAD AND SW 150TH ST

Darryl Lutz, Public Works Director, came before the Board for approval of an agreement for preliminary engineering work and project survey work related to conducting a detailed analysis and presenting options for planned improvements at the intersection of SW Butler Rd and SW 150th St. Mr. Lutz noted minor changes were made in the agreement and Legal Counsel approved the agreement as to form.

Commissioner Woydziak motioned to approve the agreement for engineering services between Butler County and TranSystems, Inc., Wichita, KS for preliminary intersection design work at the intersection of SW Butler Road and SW 150th Street which includes a detailed evaluation and presentation of intersection options and includes all the required project survey work in the not-to-exceed lump sum amount of \$93,720.98 and authorized the Chair to sign. Commissioner Masterson seconded the motion. Motion carried 4-0.

Mr. Lutz noted two weeks ago the County Commission tabled the item of vacating one mile of road on NW Hunter Road going one mile south from NW 180th Street in Clifford Township and action needs to be taken today to either vacate the road or to table the item for another two weeks.

Commissioner Myers motioned to table the item for an additional two weeks. Commissioner Wheeler seconded the motion. Motion carried 4-0.

(01:13:40)

ITEM #8 – APPROVAL OF LEASE FOR FD #3

Will Johnson, County Administrator, came before the Board for approval of a request from Fire District #3 (Rose Hill) to finance \$139,684 for the purchase of a rescue truck. FD #3 requested to finance a portion of the purchase of a rescue truck from Maintainer Custom Bodies of Rock Rapids, IA in the amount of \$139,684 for a three year term at a rate of 3.77%.

Commissioner Woydziak motioned to approve the request from FD #3 (Rose Hill) to finance \$139,684.00 for the purchase of a rescue truck. Commissioner Wheeler seconded the motion. Motion carried 4-0.

(01:15:33)

VOUCHERS

Commissioner Wheeler motioned to approve vouchers for January 23, 2018 in the amount of \$703,783.91. Commissioner Masterson seconded the motion. Motion carried 4-0.

(01:15:54)

COMMISSION ADDS & ABATES

Commissioner Myers motioned to approve Adds & Abates #2673 dated January 2, 2018; Adds in the amount of \$30.04 and Abates in the amount of \$3,001.64. Commissioner Masterson seconded the motion. Motion carried 4-0.

(01:16:16)

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

Commissioner Myers stated he plans to attend the Conservation District dinner.

Commissioner Woydziak stated he filed for re-election of County Commissioner this morning.

Commission Chairman Woydziak motioned to re-appoint Sylvia Epp to the South Central Kansas Library Board. Commissioner Myers seconded the motion. Motion carried 4-0.

Administrator Johnson stated February 9th is the annual Employee Appreciation Breakfast.

Administrator Johnson noted the El Dorado Inc. meeting will be held Thursday, January 25th.

(01:22:47)

ADJOURNMENT

Commissioner Wheeler motioned to adjourn the meeting of the Board at 1:32 p.m.

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