

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, March 26, 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.

**INVOCATION**

Andrew Meng, St. John's Catholic Church, El Dorado, presented the invocation.

**APPROVAL OF MINUTES**

*Commissioner Woydziak motioned to approve the minutes of the Butler County Commission meeting from Tuesday, March 19, 2019 as written. Commissioner Myers seconded the motion. Motion carried 5-0.*

(00:02:53)

**PUBLIC COMMENTS**

There were no public comments.

(00:03:04)

**ITEM #1 – BULLER & EXPEDITION WIND, LLC CONDITIONAL USE PERMIT (CUP) FOR ELECTRIC SWITCHING STATION**

David Alfaro, Community Development Director, came before the Board for approval of a request for a CUP for the construction of an electric switching station on property owned by Harvey Buller located at the West side of NW Highway 77 between NW 130th and NW 140th Streets. Mr. Harvey Buller in conjunction with Expedition Wind, LLC proposed to construct a 345 kV Electric Switching Station, inside a 390' X 390' fenced compound, and allow for the installation of the Station and any and all necessary equipment. The proposed Electric Switching Station is a critical piece of infrastructure to ensure that the general public will have access to a reliable power source and part of a Wind Turbine Project being constructed in Marion County. The proposed Switching Station is one of two being constructed as a part of the Project. One will be constructed on a site in Marion County and this one will be located on the Buller property here in Butler County. The site was picked due to its location adjacent to a 345 kV Transmission Line that will be used to input the power generated by the Wind Farm out onto the Electric Grid. Commissioner Woydziak noted Butler County would have increased revenue from the switching station. Commissioner Myers inquired about the weathered galvanized steel poles that would be installed.

Jesse Hopkins, Expedition Wind Developer, came before the Board and addressed Commissioner Myers' questions about the galvanized poles and noted at this time the coating of the poles has not yet been determined. Mr. Hopkins stated the intention of the poles is to blend in with the background and also noted they are designed not to rust.

*Commissioner Woydziak motioned to approve the request for a Conditional Use Permit submitted by Harvey Buller with Expedition Wind, LLC acting as Agent allowing for the construction of an Electric Switching Station on property located between NW 130th & NW*

*140th, adjacent to NW Highway 77 Burns, KS and directed the Chairman to sign Resolution 19-04. Commissioner Masterson seconded the motion. Motion carried 5-0.*

(00:30:39)

**ITEM #2 – RICHARD AND LEANN HAMILTION REZONE FROM AG-40 TO RESIDENTIAL ESTATES (RE)**

David Alfaro, Community Development Director, came before the Board for approval of a request to rezone 52+/- acres from AG-40 to RE on property located on SW Meadowlark Road south of SW 190<sup>th</sup> St, Rose Hill. The applicants are requesting the ability to rezone the 52+/- acres which will allow them to potentially split the property into two tracts to be owned by two family members. Staff notified all landowners within a 1,000' radius of the land in question and did not receive any comments for or against the request. The Planning Commission approved the request by a vote of 5-0.

*Commissioner Woydziak motioned to approve the request for a change in zoning from AG-40 to RE as submitted by Richard and Leann Hamilton and directed the Chairman to sign Resolution #19-05. Commissioner Masterson seconded the motion. Motion carried 5-0.*

Mr. Alfaro stated Bryce Flaming will attend his first Planning Commission meeting as a Board member on April 2<sup>nd</sup>.

Mr. Alfaro presented the Board with a comparison of photos from February to March of IPS property.

(00:37:26)

**ITEM #3 – RECEIVE AND OPEN PROPOSALS FOR AN ELECTION SYSTEM**

Ryan Adkison, Assistant County Administrator/Finance Director, came before the Board to receive and open proposals for an election system. House Bill 2539 requires manual audits of elections, and as Butler County's current election equipment does not allow for this, the County issued an RFP to solicit proposals that would comply with this new statute.

Following are the bids received:

Election Systems & Software LLC	Omaha, NE
Election Source	Grand Rapids, MI
Henry M. Adkins & Son Inc.	Clinton, MO

*Commissioner Woydziak motioned to accept the proposals received and directed staff to evaluate the proposals and return at a later date with a recommendation for action.*

*Commission Chairman Murphy seconded the motion. Motion carried 5-0.*

(00:43:56)

**ITEM #4 – WORK SESSION – BOARD APPOINTMENTS**

Will Johnson, County Administrator, came before the Board to discuss Fire Board and Planning and Zoning Board member appointments. No action was taken.

(00:52:47)

**VOUCHERS**

*Commissioner Woydziak motioned to approve vouchers for March 26, 2019 in the amount of \$88,323.27. Commissioner Masterson seconded the motion. Motion carried 5-0.*

(00:53:00)

**COMMISSION ADDS & ABATES**

*Commissioner Woydziak motioned to approve Adds & Abates #2720 dated March 26, 2019; Adds in the amount of \$0.00 and Abates in the amount of \$6,386.34. Commissioner Masterson seconded the motion. Motion carried 5-0.*

(00:53:16)

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

Commissioner Wheeler stated he attended the K-254 Corridor meeting at Bel Aire City Hall.

Commissioner Wheeler stated the Sheriff's Office is enforcing speed limits on Highway 254 in an effort to slow people down and decrease the number of accidents.

Commissioner Wheeler inquired about the seminar Administrator Johnson attended to discuss medical and legal issues at detention facilities.

*Amended on April 2, 2019, by Commissioner Myers to add the following statement:*

*“Commissioner Myers noted that a recent Federal Court Ruling could potentially lead to making all further oil and gas drilling illegal nationwide. This would obviously affect Butler County. Commissioner Myers also drew attention to recent breakthroughs in negative emissions technology to efficiently pull CO2 out of the air. Strangely enough, many environmental groups vigorously oppose this beneficial technology.”*

Commission Chairman Murphy noted he attended Quad Counties yesterday.

(01:14:48)

**NON-AGENDA ITEM – BOMAG LANDFILL COMPACTOR**

Darryl Lutz, Public Works Director, came before the Board for approval of the cost to replace a final drive motor on the Bomag Compactor at the landfill in the amount of \$12,926.71.

*Commissioner Masterson motioned to approve the cost of completed work to repair the final drive assembly on the Bomag Compactor at the landfill in the amount of \$12,926.71. Commissioner Woydziak seconded the motion. Motion carried 5-0.*

Mr. Lutz requested permission to allow Gravity Works Architecture to open the bids for the remodel of the South Central Mental Health parking lot and to bring the tabulation results to the County Commission on Tuesday, April 16<sup>th</sup>.

*Commissioner Woydziak motioned to allow Gravity Works Architecture to open the bids and bring the tabulation results to the County Commission on Tuesday, April 16<sup>th</sup>. Commissioner Masterson seconded the motion. Motion carried 5-0.*

Administrator Johnson stated the Board needs to set a date to host Quad Counties in June.

*Commissioner Woydziak motioned to Recess to Executive Session under the following exceptions to the Kansas Open Meetings Act starting at 10:25 a.m. with the public session resuming at 10:35 a.m. this 26th day of March 2019 in the Commission room, to discuss personnel matters of non-elected personnel, to protect the privacy of an individual/employee who is non-elected. Commissioner Masterson seconded the motion. Motion carried 5-0.*

*Present were Commissioner Masterson, Commissioner Murphy, Commissioner Myers, Commissioner Woydziak, Commissioner Wheeler, and County Administrator Will Johnson. No action was taken as a result of the Executive Session.*

(01:26:38)

**ADJOURNMENT**

*Commission Woydziak motioned to adjourn the meeting of the Board at 10:36 a.m. Commissioner Wheeler seconded the motion. Motion carried 5-0.*