

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Monday, April 11, 2011**

**9:00 A.M. CANVASS VOTES FROM LOCAL ELECTIONS**

**CALL TO ORDER**

Commission Chairman Bruce Harris called the Butler County Board of Commissioners to order at 10:00 a.m. Present were Commissioner Jeff Masterson, Commissioner Peggy Palmer, Commissioner Mike Wheeler, County Administrator Will Johnson, Jr., and Clerk Recorder Tammy Bridges. Commissioner Dan Woydziak was absent.

**APPROVAL OF MINUTES**

*Commissioner Masterson motioned to approve the minutes of the Butler County Commission Meeting of Tuesday, April 5, 2011 as written. Commissioner Wheeler seconded the motion. Motion carried 4-0.*

**PUBLIC COMMENTS**

There were no public comments.

**ITEM #1 – CONSIDER APPROVAL OF THE AWARD OF BID FOR THE PURCHASE OF UNIFORM LOGO SHIRTS FOR THE PUBLIC WORKS DEPARTMENT**

Darryl Lutz, P.E., Director of Public Works, came before the Board for approval of the award of bid for the purchase of uniform logo shirts. The low bid for the entire shirt order was received from Wells Design, El Dorado, KS in the total amount of \$5,217.70.

*Commissioner Palmer motioned to approve the purchase of uniform logo shirts for public works field employees in the low bid amount of \$5,217.70 from Wells Design, El Dorado, KS. Commissioner Wheeler seconded the motion. Motion carried 4-0.*

**ITEM #2 – CONSIDER APPROVAL OF A RESOLUTION AUTHORIZING THE INITIATION OF THE TAX FORECLOSURE PROCEEDINGS IN BUTLER COUNTY DISTRICT COURT IN CONNECTION WITH REAL ESTATE BURDENED WITH THREE (3) OR MORE YEARS OF DELINQUENT TAXES**

Will Johnson, County Administrator, came before the Board for approval of a resolution authorizing the initiation of tax foreclosure proceedings in connection with real estate burdened with three or more years of delinquent taxes.

*Commissioner Harris motioned to approve Resolution 11-07 authorizing and directing the County Counselor of Butler County, Kansas to initiate tax foreclosure proceedings upon certain real estate located within Butler County, Kansas. Commissioner Wheeler seconded the motion. Motion carried 4-0.*

**ITEM #3 – RECEIVE AND OPEN BIDS FOR HIGHWAY TRAFFIC PAINT FOR THE HIGHWAY DEPARTMENT**

Darryl Lutz, P.E., Director of Public Works, came before the Board to receive and open bids for highway traffic paint. Bids were received from:

	Yellow Paint	White Paint	Reflective Beads
Ennis Paint	\$30,130.50	\$43,666.75	\$24,300.00
Flex-O-Lite	No Bid	No Bid	\$17,340.00
All States Coatings	\$35,245.00	\$49,257.50	No Bid
Sherwin Williams	\$35,665.00	\$47,167.50	\$22,800.00
Roadsafe Traffic Systems	\$38,500.00	\$52,250.00	\$21,300.00
Kansas Correctional Industries	No Bid	No Bid	No Bid

*Commissioner Masterson motioned to approve the paint order from Ennis Paint in the amount of \$30,103.50 for Class B Yellow Paint and \$43,666.75 for class A White Paint and the reflective bead order from Flex-o-Lite in the amount of \$17,340.00. Commissioner Wheeler seconded the motion. Motion carried 4-0.*

**ITEM #4 – CONSIDER APPROVAL OF THE AWARD OF BIDS FOR THE PURCHASE OF HERBICIDES FOR THE BUTLER COUNTY WEED DEPARTMENT FOR 2011**

Darryl Lutz, P.E., Director of Public Works, came before the Board for approval of the award of bids for the purchase of herbicides for 2011. Following are the bids received:

**BUTLER COUNTY NOXIOUS WEED  
2011 Herbicide Bids**

Bid Opened: April 5, 2011

PRODUCT	CONTAINER SIZE	QTY	UNITS	Alligare		Crop Productions		Sims		Van Diest		VMS	
				Opelika, AL 36801		Cheney, KS 67025		Osborne, KS 67473		Lindsborg, Ks 67456		Wichita, KS 67214	
				\$ Each	Total	\$ Each	Total Bid	\$ Each	Total Bid	\$ Each	Total Bid	\$ Each	Total Bid
1 2,4-D Amine 4#	1 gal	20	GAL			\$ 14.85	\$ 297.00	\$ 13.57	\$ 271.40	\$ 12.97	\$ 259.40	\$ 14.25	\$ 285.00
2 2,4-D Amine 4#	2.5 gal	1,200	GAL	\$ 12.75	\$ 15,300.00	\$ 10.29	\$ 12,348.00	\$ 11.23	\$ 13,476.00	\$ 10.99	\$ 13,188.00	\$ 12.65	\$ 15,180.00
3 2,4-D Amine 4#	30 gal	800	GAL	\$ 12.05	\$ 7,230.00	\$ 10.29	\$ 6,174.00	\$ 10.89	\$ 6,414.00	\$ 10.94	\$ 6,584.00	\$ 12.05	\$ 7,230.00
4 2,4 D Totes	285 gal	265	GAL	\$ 11.25	\$ 2,981.25	\$ 11.15	\$ 2,954.75	\$ 10.89	\$ 2,832.85	\$ 10.76	\$ 2,851.40	\$ 11.04	\$ 2,925.60
5 2,4-D Ester 4#	2.5 gal	100	GAL			\$ 18.15	\$ 1,815.00	\$ 14.89	\$ 1,489.00	\$ 14.21	\$ 1,421.00		
6 2,4-D Ester 6#	30 gal	300	GAL			\$ 19.82	\$ 5,946.00	\$ 18.15	\$ 5,445.00	\$ 18.85	\$ 5,655.00		
7 Triplet	1 gal	30	GAL							\$ 19.97	\$ 599.10	\$ 24.95	\$ 748.50
8 Veteran 720	2.5 gal	100	GAL			\$ 17.15	\$ 1,715.00			\$ 28.49	\$ 2,849.00	\$ 25.89	\$ 2,589.00
9 DICAMBA	2.5 gal	100	GAL	\$ 32.75	\$ 3,275.00	\$ 28.50	\$ 2,850.00	\$ 27.29	\$ 2,729.00	\$ 27.98	\$ 2,798.00	\$ 35.00	\$ 3,500.00
10 Glyphosate	2.5 gal	1,200	GAL	\$ 10.05	\$ 12,060.00	\$ 9.75	\$ 11,700.00	\$ 9.73	\$ 11,876.00	\$ 9.59	\$ 11,508.00	\$ 10.89	\$ 12,828.00
11 PastureGard	2.5 gal	60	GAL			\$ 43.25	\$ 2,595.00	\$ 48.90	\$ 2,814.00	\$ 47.49	\$ 2,849.40	\$ 57.89	\$ 3,473.40
12 Remedy Ultra	1 gal	50	GAL	\$ 44.80	\$ 2,230.00	\$ 48.39	\$ 2,419.50	\$ 50.98	\$ 2,549.00	\$ 48.23	\$ 2,411.50		
13 Remedy Ultra	2.5 gal	720	GAL	\$ 42.00	\$ 30,240.00	\$ 48.39	\$ 34,840.80	\$ 50.98	\$ 36,705.80	\$ 48.23	\$ 34,725.60	\$ 48.88	\$ 33,753.60
14 Remedy Ultra	30 gal	90	GAL	\$ 41.25	\$ 3,712.50	\$ 48.39	\$ 4,355.10	\$ 50.98	\$ 4,588.20	\$ 48.23	\$ 4,340.70	\$ 48.88	\$ 4,219.20
15 Escort XP	2 oz	240	OZ			\$ 6.25	\$ 1,500.00	\$ 9.88	\$ 2,371.20	\$ 4.89	\$ 1,173.60	\$ 3.54	\$ 849.60
16 Escort XP	16 oz	4,000	OZ	\$ 3.05	\$ 12,200.00	\$ 2.65	\$ 10,600.00	\$ 9.88	\$ 39,520.00	\$ 3.59	\$ 14,380.00	\$ 3.54	\$ 14,160.00
17 Escort XP	84 oz	512	OZ			\$ 4.05	\$ 2,073.60			\$ 4.29	\$ 2,196.48		
18 Pathway	2.5 gal	30	GAL			\$ 28.58	\$ 856.80	\$ 31.50	\$ 945.00	\$ 28.97	\$ 869.10	\$ 30.34	\$ 910.20
19 Sahara DG	10 lb	80	LB	\$ 15.20	\$ 1,216.00			\$ 10.75	\$ 860.00	\$ 10.39	\$ 831.20	\$ 19.20	\$ 1,536.00
20 90% Nonionic	1 gal	20	GAL	\$ 7.25	\$ 145.00	\$ 11.35	\$ 227.00	\$ 12.00	\$ 240.00	\$ 8.89	\$ 177.80	\$ 11.00	\$ 220.00
21 90% Nonionic	2.5 gal	240	GAL	\$ 7.05	\$ 1,692.00	\$ 10.85	\$ 2,604.00	\$ 8.59	\$ 2,061.80	\$ 8.49	\$ 2,037.80	\$ 9.08	\$ 2,174.40
22 Picloram 22K	2.5 gal	480	GAL	\$ 41.80	\$ 19,968.00	\$ 42.58	\$ 20,428.80	\$ 41.47	\$ 19,905.60	\$ 42.84	\$ 20,583.20	\$ 42.95	\$ 20,816.00
23 Plateau	1 gal	30	GAL	\$ 127.85	\$ 3,829.50	\$ 126.50	\$ 3,795.00			\$ 126.29	\$ 3,788.70	\$ 137.00	\$ 4,110.00
24 Plateau	2.5 gal	25	GAL	\$ 127.85	\$ 3,191.25							\$ 137.00	\$ 3,425.00
25 Outrider	20 oz	100	OZ			\$ 12.55	\$ 1,255.00	\$ 15.50	\$ 1,550.00	\$ 12.57	\$ 1,257.00	\$ 14.00	\$ 1,400.00
26 Milestone	1 qt	12	QT			\$ 68.50	\$ 822.00	\$ 68.14	\$ 817.68	\$ 69.94	\$ 838.08	\$ 92.50	\$ 1,110.00
Total per Company					\$ 119,270.50		\$ 133,972.35		\$ 159,241.13		\$ 140,108.86		\$ 137,243.50
Total Winning Bid					\$ 41,210.75		\$ 37,617.40		\$ 31,730.13		\$ 19,581.00		\$ -
COMMENTS				Item #15 did not meet bid specs. Bid 8 oz cont.		Item #15 did not meet bid specs. Bid 8 oz cont.		Item #15 did not meet bid specs. Bid 8 oz cont.				Item #15 did not meet bid specs. Bid 8 oz cont.	
Total Recommended Purchases:					\$ 130,139.28								

*Commissioner Wheeler motioned to approve the award of bids for herbicide purchases as follows: Alligare in the amount of \$41,210.75; Crop Productions in the amount of \$37,617.40; Sims in the amount of \$31,730.13; and Van Diest in the amount of \$19,581.00 for a total of \$130,139.28. Commissioner Masterson seconded the motion. Motion carried 4-0.*

**ITEM #5 – WORK SESSION – DISCUSS THE PROPOSED DIKE ROAD RE-ALIGNMENT PROJECT RELATED TO THE AUGUSTA LEVY PROJECT**

Darryl Lutz, P.E., Director of Public Works, and Max Hubbell, Goedecke Engineering, came before the Board to discuss the proposed Dike Rd. re-alignment project. As a result of discussion between the City and County, it was felt that Dike Rd. north of US-54 needed to remain open and that the most feasible option was to re-locate the road west of the pipelines. The Board discussed supporting payment of the cost difference to construct the re-aligned portion of Dike Rd. north of US-54 to a wider standard to accommodate future construction as a county paved road. It was the consensus of the Board for Mr. Lutz to develop an agreement with the City of Augusta on a cost share and bring it back for Commission consideration. No action was taken.

Mr. Lutz noted County Counselor Norm Manley is working on an Order to Vacate Dike Rd. south of the highway and will bring an agreement between the City and County back in a couple of weeks for review.

Mr. Lutz commented that Goedecke Engineering has finished plans to raise the Sewer District 12 forced main to accommodate the new dike. Mr. Lutz will bring back estimates for financing this project.

**RECESS**

Commissioner Harris recessed the Board meeting at 10:11 a.m. for 5 minutes.

**RECONVENE**

Commissioner Harris reconvened the Board meeting at 10:16 a.m.

Mr. Lutz asked for approval to renew the contract with KDHE for an additional \$5,000 to reimburse the fee for recycling Cathode Ray Tubes (CRTs) collected through electronic waste. Mr. Lutz noted there would be a request in a few months for another reimbursement of this fee.

*Commissioner Masterson motioned to approve the contract with KDHE for an additional \$5,000 for reimbursement toward the recycling of Cathode Ray Tubes. Commissioner Palmer seconded the motion. Motion carried 4-0.*

Mr. Lutz stated Household Hazardous Waste (HHW) can be taken to the Landfill and updated the Board on the gas to energy project. He noted the City of Bel Aire trash agreement is no longer a possibility.

**APPROVAL OF VOUCHERS**

*Commissioner Masterson motioned to approve the vouchers for April 11, 2011 in the amount of \$453,889.09. Commissioner Harris seconded the motion. Motion carried 4-0.*

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

Commissioner Wheeler mentioned an article about consolidating elections. He noted the spring election cost \$32,000 and seems that with the light turnout, it could be consolidated with the November election. Commissioner Wheeler noted there is a house bill concerning this and stated this would be a great way to cut an unnecessary expense. Administrator Johnson noted that would be combining a partisan election with a non-partisan election.

Commissioner Palmer noted on Tuesday, April 19, she will tour the Flinthills Services building and invited the other Commissioners to attend as well.

Administrator Johnson reminded the Board of the Senior Center luncheon in El Dorado today.

Administrator Johnson stated the One-Shot Turkey Hunt starts on Thursday, April 14<sup>th</sup>.

Administrator Johnson noted the ribbon cutting at the Augusta Public Safety Facility to dedicate the new 800 MHz Communications Plan will be Friday, April 15<sup>th</sup> at 11:00 a.m.

Administrator Johnson informed the Board that County Clerk Ron Roberts's mother passed away.

#### **ADJOURNMENT**

*Commissioner Wheeler motioned to adjourn the meeting of the Board at 10:40 a.m.*

*Commissioner Masterson seconded the motion. Motion carried 4-0.*