

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, April 12, 2011

CALL TO ORDER

Commission Chairman Bruce Harris called the Butler County Board of Commissioners to order at 9:00 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.

PUBLIC COMMENTS

Bonnie Smith, 3412 SW 100th St., Augusta, came before the Board to express concerns about traffic speeding on SW 100th St. and suggested lowering the speed limit to 45 mph through the residential area. She mentioned truck traffic and not being able to see the painted lines on the road when it is wet. Commissioner Harris stated the Commission would take this under advisement.

ITEM #1 – WORK SESSION – AUGUSTA SENIOR CENTER

Crystal Noles, Department on Aging Director, as well as members of the Augusta Senior Center Board came before the Board to discuss the Augusta Senior Center and issues involving failure to pay payroll taxes from 2003-2010 and failure to file 990's from 2003-2008. Ms. Noles suggested a loan from the county for interest and missed payments in the amount of \$33,819.93 contingent on the IRS waiving penalties and interest. In this case, an agreement would be set up with the Augusta Senior Center to withhold quarterly allocations to pay off the loan.

Commissioner Palmer motioned to proceed with a loan and ask staff to bring back a contract between the Augusta Senior Center Board of Directors and the County to be contingent upon the IRS waiving penalties and interest on the penalties. Commissioner Masterson seconded the motion. Motion carried 3-1. Commissioner Wheeler voted no because he felt when agencies mismanage funds, the County cannot bail them out (as this type of action can set a dangerous precedent.) amendment to the minutes by Mike Wheeler on April 19, 2011.

The Commissioners requested involvement from the City of Augusta similar to how the City of El Dorado is involved with the El Dorado Senior Center.

Eugene Moser, 1035 State St., came before the Board to express appreciation of Crystal Noles and everything she has done to help the Augusta Senior Center.

ITEM #2 – CONSIDER APPROVAL OF THE AMENDMENTS TO THE BUTLER COUNTY EMPLOYEE ASSOCIATION BY-LAWS

Sandy Zieman, President, Butler County Employee Association, came before the Board for approval of the amendments to the Butler County Employee Association By-Laws, specifically, Article 4 – Quorum and Voting and Article 6 – Officers.

Commissioner Wheeler motioned to approve the Amendments to the Butler County Employee Association By-laws and allow the Chair to sign. Commissioner Masterson seconded the motion. Motion carried 4-0.

ITEM #3 – CONSIDER APPROVAL OF THE RECOMMENDATION OF THE EMS DEPARTMENT TO ENACT THE RESOLUTION TO CHANGE CURRENT EMS CHARGES

Grant Helferich, Director of EMS, came before the Board for approval to enact a resolution to change current EMS charges. The recommendation is to increase some of the EMS transport charges as well as loaded mile charge.

Commissioner Harris motioned to approve Resolution 11-08, a resolution establishing ambulance service rates for the Butler County Emergency Medical Service Department. Commissioner Wheeler seconded the motion. Motion carried 4-0.

RECESS

Commissioner Harris recessed the Board meeting at 10:04 a.m. for 15 minutes.

RECONVENE

Commissioner Harris reconvened the Board meeting at 10:19 a.m.

ITEM #4 – CONSIDER A REQUEST FROM THE CITY OF AUGUSTA FOR A COST SHARE OF SURVEY WORK ON THE RAIL PROPERTY TRANSFER

Will Johnson, County Administrator, came before the Board for approval of a request from the City of Augusta for participation in funding of a survey for the railroad transfer. The County transferred the NITU management of the rail property to the City of Augusta last year and has been working on transferring the ownership of the property to the city since that time. The City of Augusta would like to acquire a survey of the property before taking ownership and has hired Goedecke Engineering to perform the survey. The cost of the survey is \$10,000 and the City of Augusta is requesting the County split the cost. Discussion followed about setting a precedent of contributing 10% of the survey cost.

Commissioner Palmer motioned to approve the request from the City of Augusta for funding of a survey of the rail property to be transferred to the City of Augusta in the amount of \$1,000, which establishes a 10% contribution threshold. Commissioner Masterson seconded the motion. Motion carried 3-1. Commissioner Wheeler voted no because the property was a gift.

ITEM #5 – WORK SESSION – DISCUSSION OF SANITARY CODE (NUISANCE) VIOLATION

Rod Compton, Planning & Zoning Director, came before the Board to discuss a Sanitary Code (nuisance) violation. Mrs. Dorothy Polowich is living in an RV trailer on property located on SW 134th St. where a fire occurred in 2009. Mr. Compton noted a neighbor is complaining about the debris on the property and the lack of sanitation facilities. Discussion followed. Commissioner Masterson suggested allowing her additional time to comply.

Commissioner Masterson motioned to allow Mrs. Polowich an additional year to bring her property into compliance. Commissioner Harris seconded the motion. Motion carried 4-0.

Commissioner Palmer noted this decision was made due to her age, health, disability, and lack of family support.

ITEM #6 – CONSIDER TABLED PROPOSAL FOR ADOPTION OF A RESOLUTION ESTABLISHING FINANCIAL POLICIES FOR THE BOARD OF COUNTY COMMISSIONERS

Brandon Kauffman, Finance Director, came before the Board for approval of a resolution establishing financial policies for Butler County.

Commissioner Masterson motioned to approve Resolution 11-06 authorizing the adoption of financial policies for Butler County. Commissioner Palmer seconded the motion. Motion carried 4-0.

ITEM #7 – WORK SESSION – CIP PUBLIC FACILITIES

Brandon Kauffman, Finance Director, came before the Board to discuss the CIP for Public Facilities. No action was taken.

RECESS

Commissioner Harris recessed the Board meeting at 11:45 a.m. for 5 minutes.

RECONVENE

Commissioner Harris reconvened the Board meeting at 11:50 a.m.

Crystal Noles presented invitations to the Commissioners for the Spring Fling on May 4, 2011 in El Dorado at the Civic Center, 4-H Building, and El Dorado Senior Center.

COMMISSION ADDS & ABATES

Commissioner Wheeler motioned to approve Adds & Abates #2480 dated April 12, 2011; Adds in the amount of \$1,355.70 and Abates in the amount of \$20,404.02. Commissioner Masterson seconded the motion. Motion carried 4-0.

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

Commissioner Palmer mentioned that Tour Butler would be offering a tour around Butler County and she would be welcoming people at the Augusta Historic Theatre. They will also be visiting Andover, Benton, and El Dorado.

Administrator Johnson stated Keystone Pipeline has agreed to an engineer developing a scope of work for road repair on River Valley Rd. north of Hwy. 254.

Administrator Johnson noted the City of Whitewater overlay project is scheduled to start on April 25th.

Administrator Johnson noted the HVAC system in the Historic Courthouse will be finished when the insulation on the pipes and valves is completed.

Administrator Johnson stated Undersheriff Kelly Herzet's nomination as Butler County Sheriff was confirmed by the Republican Party last night.

ITEM #8 – WORK SESSION – QUARTERLY FINANCIAL REPORT

Brandon Kauffman, Finance Director, came before the Board to present the Quarterly Financial Report. No action was taken.

Commissioner Harris reminded the Commissioners about the Administrator's evaluation form.

ADJOURNMENT

Commissioner Masterson motioned to adjourn the meeting of the Board at 12:25 p.m.

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