

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, November 8, 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, Commissioner Dan Woydziak, County Administrator Will Johnson, Jr., and Clerk Recorder Paula Stoskopf.

PUBLIC COMMENTS

James Daugherty, 680 Cedar, Benton, KS, and Kathie Bryan, 13434 SW 15th Street, Benton, KS, came before the Board to inquire if the APO placed on the 30 acres of property owned by Mrs. Bryan at 13434 SW 15th Street could possibly be rescinded to enable Mr. Daugherty the ability to purchase this piece of land to build upon. After discussion, the Board informed Mr. Daugherty that it was their consensus to explore the possibility of repealing the APO.

ITEM #1 – CONSIDER APPROVAL OF AN AGREEMENT WITH KDOT FOR BUTLER COUNTY TO PROVIDE CONSTRUCTION ENGINEERING SERVICES FOR THE SW BOYER ROAD/SW 55TH STREET ROAD RELOCATION PROJECT SOUTH OF EL DORADO

Darryl C. Lutz, P.E., Director of Public Works, came before the Board for approval of a contract for construction engineering services between KDOT and Butler County for the SW Boyer Road/SW 55th Street Road relocation project south of El Dorado. Mr. Lutz explained that the County's proposal to KDOT to perform the construction engineering services included utilizing County Staff. This is a federal aid project administered by KDOT and the County will receive 100% reimbursement of the estimated cost of \$28,464.93.

Commissioner Wheeler motioned to approve the contract for construction engineering services with KDOT for Butler County to provide construction engineering services related to Project No. 8 C-0067-01, the SW Boyer Road/SW 55th Street road realignment project related to a railroad crossing closure proposed for SW 55th Street located southwest of El Dorado and authorize the Chair to sign. Commissioner Harris seconded the motion. Motion carried 5-0.

ADDITIONAL AGENDA ITEM – CONSIDER APPROVAL OF AUTHORITY TO AWARD CONTRACT TO SECRETARY OF TRANSPORTATION FOR THE SW BOYER ROAD/SW 55TH STREET ROAD RELOCATION PROJECT SOUTH OF EL DORADO

Darryl C. Lutz, P.E., Director of Public Works, came before the Board for the Authority to Award Contract to the Secretary of Transportation for the SW Boyer Road/SW 55th Street road relocation project south of El Dorado. The low bid received from Alan's Excavating for this realignment project was below the Engineer's Estimate and below the project budget. Alan's Excavating is a KDOT qualified earth work grading contractor and located within Butler County. This project is funded with federal funds, so the County's share will be zero dollars.

Commissioner Wheeler motioned to approve the Authority to Award Contract/Commitment of County Funds for a construction contract with the low bidder, Alan's Excavating, Augusta, KS, in the amount of \$121,918.95 for KDOT Project No. 8 C-0067-01, the SW Boyer Road

realignment at SW 55th Street and authorize the Chair to sign. Commissioner Harris seconded the motion. Motion carried 5-0.

ITEM #2 – RECEIVE A REPORT REGARDING THE LANDFILL GAS PROJECT RFP

Darryl C. Lutz, P.E., Director of Public Works, came before the Board to provide a report regarding the RFP process related to the Landfill Gas Beneficial Utilization Project. Proposals were to be received by Tuesday, November 1, 2011. Mr. Lutz stated that numerous prospective developers expressed initial interest, however; only one developer reported that they would be submitting a bid. On the due date, that developer decided to not submit a proposal for the project at this time. Mr. Lutz explained to the Board some of the constraints that would limit this potential project's success. No action was taken.

RECESS

Commissioner Harris recessed the Board meeting at 9:44 a.m. for 5 minutes.

RECONVENE

Commissioner Harris reconvened the Board meeting at 9:49 a.m.

ITEM #5 – CONSIDER APPROVAL TO ALLOW COMPUTER SERVICES TO SOLICIT BIDS FOR THE 2011 PERSONAL COMPUTER SUPPLIER(S)

Scott Stoskopf, Computer Services Director, came before the Board for approval to solicit bids for the 2011 Personal Computer (PC) supplier(s). Mr. Stoskopf explained that the personal computers are on a three-year replacement cycle and this process will establish the supplier to be used. The first order will consist of the replacement of approximately 32 Desktops, 10 Notebooks, and 46 Monitors. Each department has budgeted for their own 2011 PC replacements. Sealed bids will be opened by the Technology Committee and the tabulated results will be brought before the Commission for the selection of the supplier.

Commissioner Woydziak motioned to authorize Computer Services to solicit bids for the 2011 Personal Computer supplier(s). Commissioner Masterson seconded the motion. Motion carried 5-0.

ITEM #6 – CONSIDER APPROVAL TO ALLOW COMPUTER SERVICES TO RENEW TREND MICRO NEAT SUITE VIRUS AND TREND MICRO SPAM PREVENTION

Scott Stoskopf, Computer Services Director, came before the Board for approval to renew Trend Micro Neat Suite Virus and Trend Micro Spam Prevention. This software protects the computers from viruses and spyware. It also filters spam and inappropriate e-mails. This cost is for an annual subscription. The following quotes were received from authorized Trend resellers –

CDW-G	\$7,181.60
Insight	\$8,627.66

Commissioner Masterson motioned to authorize Computer Services to renew Virus and Spam software subscriptions at a cost not to exceed \$7,181.60, to be funded by Computer Services' Contractual Services Line Item. Commissioner Woydziak seconded the motion. Motion carried 5-0.

ITEM #7 – CONSIDER APPROVAL TO PURCHASE 117 MS OFFICE PROFESSIONAL 2010 CALS (CLIENT ACCESS LICENSING) TO BRING ALL COUNTY PCS TO COMPATIBLE VERSIONS AND TO ALLOW THE REPLACEMENT OF 8 TRAINING LAPTOPS TO ALLOW SOFTWARE TRAINING OF USERS

Scott Stoskopf, Computer Services Director, came before the Board for approval to purchase 117 MS Office Professional 2010 CALS (Client Access Licensing). This purchase will allow Mr. Stoskopf to upgrade all County PCs to compatible versions and also allow for the replacement of 8 Training Laptops. These laptops will be used for software training of users. A Capital Improvement Project does exist with a budget of \$59,000.00.

Commissioner Woydziak motioned to approve the MS Office and Exchange Upgrade Project at a cost not to exceed \$59,000.00. Commissioner Wheeler seconded the motion. Motion carried 5-0.

ITEM #3 – PUBLIC HEARING REGARDING THE PROPOSED VACATION OF NE 80TH STREET BETWEEN NE ELLIS ROAD AND K-177 HIGHWAY IN CHELSEA TOWNSHIP – 10:00 A.M.

Darryl C. Lutz, P.E., Director of Public Works, came before the Board to hold a public hearing regarding the proposed vacation of NE 80th Street between NE Ellis Road and the BNSF Railway in Chelsea Township. Mr. Lutz reviewed the proposed road vacation with the Board.

Commissioner Harris opened the Public Hearing at 10:09 a.m. and invited those who would like to speak on this matter to come before the Board. No one came before the Board to speak regarding this closing.

Commissioner Harris closed the Public Hearing at 10:10 a.m.

Mr. Lutz noted that no negative comments have been received regarding this closing.

ITEM #4 – CONSIDER APPROVAL OF AN ORDER TO APPROVE OR TO DISAPPROVE VACATING NE 80TH STREET BETWEEN NE ELLIS ROAD AND K-177 HIGHWAY IN CHELSEA TOWNSHIP

Commissioner Wheeler motioned to approve an order finding in favor to vacate a portion of NE 80th Street between NE Ellis Road and K-177 Highway including the road crossing with the BNSF in Chelsea Township and authorize the Chair to sign the order. Commissioner Masterson seconded the motion. Motion carried 5-0.

COMMISSION ADDS & ABATES

There were no Adds & Abates for November 8, 2011.

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

Commissioner Harris requested Mr. Lutz to review the letter received from Natalie Donges regarding the sewer rates at Deer Grove RV Park.

Commissioner Woydziak notified the Board that due to the death of Peggy Funk, Logan Township Trustee, that position would need to be filled for the remainder of her term. This position will be up for election in August of 2012.

Commissioner Woydziak motioned to approve Monty Jessup, 14258 SE Cole Creek, Leon, KS, to fulfill the unexpired term of Logan Township Trustee. Commissioner Masterson seconded the motion. Motion carried 5-0.

Administrator Johnson reminded the Board of the dinner at the Whitewater Senior Center tomorrow starting at noon.

Administrator Johnson answered voucher questions from the Board.

Administrator Johnson reported that he informed the Windfarm applicants of their awards per phone call. He will also be sending out official letters of notification. Mr. Johnson stated that the applicants were grateful.

Administrator Johnson requested the Board's time to review the evaluation of Darryl Lutz, Butler County Engineer.

RECESS TO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS OF NON-ELECTED PERSONNEL

Commissioner Woydziak motioned to recess the Board to Executive Session at 10:55 a.m. for 15 minutes, with the public session resuming at 11:10 a.m., 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. Those in attendance were Commissioners Harris, Masterson, Palmer, Wheeler and Woydziak, and Administrator Will Johnson, Jr.

RECONVENE

Commissioner Harris reconvened the Board meeting at 11:10 a.m. No action was taken as a result of Executive Session.

ADJOURNMENT

Commissioner Woydziak motioned to adjourn the meeting of the Board at 11:11 a.m. Commissioner Masterson seconded the motion. Motion carried 5-0.

****Commissioners will be attending a luncheon at the Whitewater Senior Center starting at 12:00 Noon on Wednesday, November 9, 2011****