

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, October 18, 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.

**APPROVAL OF MINUTES**

*Commissioner Masterson motioned to approve the minutes of the Butler County Commission meeting of Tuesday, October 11, 2011, as written. Commissioner Wheeler seconded the motion. Motion carried 4-0 with 1 abstention. Commissioner Woydziak was absent at this meeting.*

**PUBLIC COMMENTS**

There were no public comments.

**ITEM #1 – CONSIDER APPROVAL OF LOAN APPLICATION FROM TYLER BRICKLEY IN THE AMOUNT OF \$28,500 TO HELP FINANCE PURCHASE OF JACOB’S WELL EATING ESTABLISHMENT IN EL DORADO**

David Alfaro, Butler County Economic Development Director, came before the Board for approval of a loan application from Tyler Brickley in the amount of \$28,500.00 to help finance his purchase of Jacob’s Well located in El Dorado. Jacob’s Well was founded in 2005 and is a well established eating establishment in the El Dorado community. Mr. Brickley brought his business plan to BCED two months ago. Mr. Alfaro stated that upon review of his plan, his office worked with Mr. Brickley to aid him in assisting funds for this project. He is also receiving \$13,500.00 from El Dorado Main Street Program and \$10,000.00 through private funds. This project will result in the retention of 7 current employees and the addition of possibly 2 new employees in 2012. Mr. Brickley answered questions from the Board regarding the type of lease he has with the landlord. The concept of Jacob’s Well is being taken to Kansas City and that is what is prompting this project. Mr. Alfaro stated that there are more than adequate funds within the Rail Fund Line Item to support this loan request and that BCED does recommend the loan to be given.

*Commissioner Wheeler motioned to approve the Loan Request from Tyler Brickley in the amount of \$28,500.00 to help finance the purchase of Jacob’s Well. Commissioner Masterson seconded the motion. Motion carried 5-0.*

**ITEM #2 – RECEIVE AND OPEN BIDS FOR TWO (2) MEDICAL SUPPLY DISPENSING MACHINES TO BE USED BY THE EMS DEPARTMENT**

Grant Helferich, Butler County EMS Director, came before the Board to receive and open bids for two (2) medical supply dispensing machines to be used by the EMS Department. Bids were to be received by Monday, October 17, 2011. The following bids were received –

<b>Company</b>	<b>Cost per Machine</b>	<b>Shipping Costs</b>
Boundtree Medical	\$ 7,400.00 + web access	Included
UCapIt(IDS)	\$11,295.00 web access incl.	Included
Vendtek	\$ 9,450.00+ web access	\$350.00

*Commissioner Masterson motioned to approve the receiving of bids for EMS supply dispensing machines and allow EMS staff to review bids and bring back a recommendation at a later date. Commissioner Woydziak seconded the motion. Motion carried 5-0.*

**ITEM #3 – RECEIVE AND OPEN BIDS FOR THE ELECTRICAL UPGRADES TO THE HISTORIC COURTHOUSE**

Dan Ingalls, Director of Facilities Management, came before the Board to receive and open bids for the Electrical Upgrades to the Historic Courthouse. Due to the aging electrical distribution system, there is a need to relocate some of the existing electrical panels and the installation of two new electrical panels. Financing will be through matching grants with the National Park Service and the National Trust for Historic Preservation. Butler County's portion will come from Fund 85. The following bids were received-

Ziegler Electric, Wichita, KS	\$20,986.00 Base Bid excl. sales tax
	\$12,897.00 Alternate Bid excl. sales tax
Total Electric, Wichita, KS	\$49,812.00 Base Bid
	\$43,225.00 Optional Add On
MI-TE Electric, Augusta, KS	\$21,082.91 Base Bid incl. sales tax
	\$ 5,916.38 Optional 3 <sup>rd</sup> Floor incl. sales tax
	\$ 6,856.48 Optional 4 <sup>th</sup> Floor incl. sales tax

*Commissioner Woydziak motioned to approve the opening of the bids and recommend sending them back to staff for analysis and consideration. Commissioner Masterson seconded the motion. Motion carried 5-0.*

**ITEM #4 – RECEIVE A REPORT RELATED TO THE EIGHT MILE CREEK SOUTH OF DOUGLASS ON THE COWLEY COUNTY LINE**

Darryl C. Lutz, P.E., Director of Public Works, came before the Board to receive a letter from Cowley County regarding disposition of the closed bridge on the south County Line over Eight Mile Creek. Mr. Lutz presented the Board with a letter from Dale Steward, Cowley County Engineer, regarding the bridge located on the Butler/Cowley County line. Mr. Steward is in agreement that due to the condition and age of the bridge, along with the relatively low weight carrying capacity, there could be potential liability issues with disposing of the bridge for reuse. Mr. Lutz stated that if in the future the County would decide to dispose of the bridge, the iron could be salvaged or the County could advertise for bids to the general public for removal of the bridge. The bridge is physically barricaded at this time to prevent access. No action was taken.

**ITEM #5 – CONSIDER SETTING A DATE FOR PUBLIC HEARING FOR THE PROPOSED VACATION OF NE 80<sup>TH</sup> STREET BETWEEN NE ELLIS ROAD AND THE BNSF RAILWAY IN CHELSEA TOWNSHIP**

Darryl C. Lutz, P.E., Director of Public Works, came before the Board to consider setting a date for public hearing for the proposed vacation of NE 80<sup>th</sup> Street between NE Ellis Road and the BNSF Railway in Chelsea Township in accordance with K.S.A. 68-102a.

*Commissioner Wheeler motioned to approve setting a public notice date of Tuesday, November 8, 2011, at 10:00 a.m. to consider vacating a portion of NE 80<sup>th</sup> Street between NE Ellis Road and the BNSF crossing in Chelsea Township and authorize the publication and mailing of legal notice. Commissioner Harris seconded the motion. Motion carried 5-0.*

**ITEM #6 – WORK SESSION – WORK COMP REPORT PRESENTED BY ICI INSURANCE**

Brandon Kaufmann, Finance Officer, and Lonnie Currier, ICI Insurance, came before the Board to present the 3<sup>rd</sup> Quarter Work Comp Report.

**APPROVAL OF VOUCHERS**

*Commissioner Palmer motioned to approve the vouchers for October 18, 2011, in the amount of \$575,490.24. Commissioner Wheeler seconded the motion. Motion carried 5-0.*

**COMMISSION ADDS & ABATES**

*Commissioner Woydziak motioned to approve Adds & Abates #2503 dated October 18, 2011; Adds in the amount of \$491.08 and Abates in the amount of \$1,352.06. Commissioner Masterson seconded the motion. Motion carried 5-0.*

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

Commissioner Harris reported that the luncheon at the Towanda Senior Center was very enjoyable. The food was good and there were 36 people in attendance.

Commissioner Harris informed Administrator Johnson that he had received phone calls again regarding the truck traffic on S. Haverhill down to Hwy 400. Administrator Johnson stated that he would pass the information along to the Sheriff who is responsible for enforcement on that road.

Commissioner Harris noted that he would be attending a meeting on Thursday at El Dorado Inc., and a social following for Security Title. Commissioner Wheeler stated he would be attending too.

Administrator Johnson informed the Board that it has been discovered that Kansas Sheet Rock in Augusta has two buildings that encroach on rail property. He stated that it is by a matter of feet only, but needs to be addressed and can be done through a quit claim deed. Administrator Johnson will bring this business back to the Board as an official action item.

Administrator Johnson received the consensus of the Board to request the cities of Augusta and Andover to decide by January 1<sup>st</sup> if they want the property involved in the Rails to Trails Program. If not, the County will start the process of revocation.

**ADJOURNMENT**

*Commissioner Woydziak motioned to adjourn the meeting of the Board at 10:34 a.m. Commissioner Masterson seconded the motion. Motion carried 5-0.*