

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, October 4, 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 meetings of Monday, September 26, 2011, and Tuesday, September 27, 2011, as written. Commissioner Woydziak seconded the motion. Motion carried 5-0.*

**PUBLIC COMMENTS**

There were no public comments.

**ITEM #1 – CONSIDER APPROVAL OF REFURBISHING THE AMBULANCE CHASSIS ON A 2003 E-450 AMBULANCE WITH 200,000 MILES**

Grant Helferich, EMS Director, came before the Board for approval to refurbish the ambulance chassis only on a 2003 E-450 ambulance with 200,000 miles. Mr. Helferich stated that there is a two-year warranty on the engine, a three-year warranty on the transmission and a one-year warranty on all other components. The cost of the refurbishing is \$34,150.00 and will take approximately 30 days to complete.

*Commissioner Woydziak motioned to approve to allow the EMS Department to refurbish the chassis on the 2003 E-450 at a cost of \$34,150.00 to be funded from the EMS capital fund. Commissioner Masterson seconded the motion. Motion carried 5-0.*

**ITEM #2 – CONSIDER APPROVAL TO ALLOW THE EMS DEPARTMENT TO SEEK BIDS TO PURCHASE TWO EMS SUPPLY DISPENSING MACHINES**

Grant Helferich, EMS Director, came before the Board for approval to seek bids to purchase two EMS supply dispensing machines. At this time, the Butler County EMS is using AMBUTRAK inventory software to track medical supplies and equipment used. The Department is experiencing about \$100 to \$150 each week in insensible loss of medical supplies and equipment and it is not possible to track where these items are being used. The dispensing machines use a bar code reader, thumb print identifier or pin number to track who is getting the supplies and where the supplies are being used. The use of these dispensers will reduce the insensible loss. Each machine costs approximately \$11,250.00. Mr. Helferich stated that it is the goal to place one in the El Dorado Station and the Andover Station. Crews would report to these stations to restock the units after a call. The software in each machine is a web based system and tracking and inventory will be accessed from any computer with the appropriate security. By eliminating the insensible loss and the AMBUTRAK software, pay back on the system should be within three years.

*Commissioner Masterson motioned to approve the EMS Department to seek bids for EMS supply dispensing machines and submit bids in two (2) weeks. Commissioner Harris seconded the motion. Motion carried 5-0.*

**ITEM #3 – CONSIDER APPROVAL OF AGREEMENTS WITH THE CITY OF AUGUSTA TO GIVE CONSENT FOR THE NEW LEVEE PROJECT TO CROSS THUNDER ROAD AND RAILROAD PROPERTY**

Darryl C. Lutz, P.E., Director of Public Works, came before the Board for approval of agreements with the City of Augusta to give consent for the new levee project to cross Thunder Road and railroad property. The agreement to cross the railroad property acknowledges that the County is the owner of that tract and that the County gives consent to the City to construct and operate the levee and the City will hold the County harmless from any liability related to the construction and operation of the levee. The agreement to cross Thunder Road is similar except it acknowledges that the County has a road right-of-way for a public road.

*Commissioner Palmer motioned to approve separate agreements with the City of Augusta granting consent to allow the levee project to cross railroad property owned by the County and to cross Thunder Road which is situated on public road right-of-way and authorize the Chair to sign both agreements. Commissioner Masterson seconded the motion. Motion carried 5-0.*

Administrator Johnson recognized Bill Maness, with Senator Jerry Moran’s Office, who was seated in the audience. Mr. Maness stated that he brought greetings from Senator Moran and if there was anything that he or the Senator could be of assistance with, to please let them know. The Board welcomed Mr. Maness and thanked him for his presence.

**ITEM #4 – RECEIVE AND OPEN BIDS FOR THE PURCHASE OF PIPE CULVERTS FOR THE HIGHWAY DIVISION OF THE PUBLIC WORKS DEPARTMENT**

Darryl C. Lutz, P.E., Director of Public Works, came before the Board to receive and open bids for the purchase of pipe culverts for the highway division of the Public Works Department. Mr. Lutz explained that each year the Department of Public Works solicits bids for the purchase and delivery of pipe culverts used for replacement or new construction for entrances and cross road drainages and also for Township use. Vendors wishing to bid were required to submit their bids by Friday, September 30, 2011. The following bids were received:

Hizey Service Supply – Augusta, KS	\$18,332.39
Arnold & Harvey Seed – Leon, KS	\$18,495.49
Kahn Culvert, Inc. – Paola, KS	\$18,704.02
Kahn Culvert, Inc. – Paola, KS	\$18,529.10 (Alternate)
Welbron Sales, Inc. – Salina, KS	\$19,955.03
Metal Culverts – Jefferson City, MO	\$21,527.27
J & J Drainage – Hutchinson, KS	\$21,541.83

*Commissioner Woydziak motioned to accept the bids as read for the purchase of galvanized corrugated metal pipe culverts and authorize the Director of Public Works to tabulate the bids and to return at a later time with a recommendation for action. Commissioner Masterson seconded the motion. Motion carried 5-0.*

**ITEM #5 – CONSIDER APPROVAL OF AN AGREEMENT WITH KDOT RELATED TO THE PROPOSED BNSF CROSSING CLOSURE ON NE 80<sup>TH</sup> STREET**

Darryl C. Lutz, P.E., Director of Public Works, came before the Board for approval of an agreement with KDOT related to the proposed BNSF crossing closure on NE 80<sup>th</sup> Street. This agreement would provide federal aid incentive funds in the amount of \$7,500 to close the

NE 80<sup>th</sup> Street crossing with BNSF. The County is simply required to show proof to KDOT when the crossing is officially closed and to submit an invoice in the amount of the \$7,500. Payment of funds is subject to the crossing being closed, but the agreement does not bind Butler County if the crossing does not close.

*Commissioner Wheeler motioned to approve the Highway-Railroad Crossing Safety Improvement agreement with KDOT related to Project No. 8 X-0153-01 to provide payment to the County in the amount of \$7,500 to close the NE 80<sup>th</sup> Street road crossing with the BNSF Railroad. Commissioner Woydziak seconded the motion. Motion carried 5-0.*

**ITEM #6 – CONSIDER APPROVAL OF THE AWARD OF PURCHASE FOR A TANDEM AXLE CHASSIS FOR A DUMP TRUCK FOR THE DEPARTMENT OF PUBLIC WORKS**

Darryl C. Lutz, P.E., Director of Public Works, came before the Board to consider approving the award of purchase for a tandem axle chassis for a dump truck for the Department of Public Works. This equipment purchase is funded primarily with insurance proceeds from a claim against a truck that was destroyed by fire during the summer of 2011. Sealed bids were opened and read by the BOCC on Tuesday, September 27, 2011.

*Commissioner Woydziak motioned to approve the purchase of a new 2012 Peterbilt 348 tandem axle diesel powered truck chassis from Doonan Trucking Company, Wichita, Kansas, without trade in, for the total purchase price of \$109,656.64 based on the lowest bid for equipment meeting required specifications. Commissioner Masterson seconded the motion. Motion carried 4-1. Commissioner Wheeler voted no. Mr. Wheeler stated that he felt that the County cannot afford Peterbilt equipment. He stated that other truckers cannot afford to buy it so they think the County cannot afford to buy it. Commissioner Woydziak stated that buying an inferior truck that is in the shop all the time is not a good use of tax payer's money.*

**ITEM #7 – CONSIDER APPROVAL OF A CONTRACT RENEWAL WITH PREFERRED HEALTH FOR EMPLOYEE HEALTH INSURANCE**

Will Johnson, County Administrator, came before the Board to consider renewal of the health insurance contract for 2011-2012 with Preferred Health. The contract for 2011-2012 includes a 4.2% decrease and maintains the current plan parameters. Employee premiums will decrease from \$51.80 bi-monthly for a single plan to \$49.69 and \$114.69 bi-monthly for a family plan to \$109.89. Mr. Johnson noted that in 2012 the County will re-evaluate the health insurance program and solicit pricing and programs from various firms while again analyzing an option for self-insuring.

*Commissioner Masterson motioned to approve the group contract with Preferred Health of Kansas, Inc., with an effective date of 11-1-11 for a one-year period and allow the Chair to sign. Commissioner Harris seconded the motion. Motion carried 5-0.*

**RECESS**

Commissioner Harris recessed the Board meeting at 9:54 a.m. for 5 minutes.

**RECONVENE**

Commissioner Harris reconvened the Board meeting at 10:03 a.m.

**ITEM #8 – CONSIDER TABLED APPROVAL TO ADOPT RESOLUTION 11-28 WHICH IS A DOCUMENT ESTABLISHING BUTLER COUNTY’S INTENT TO PARTICIPATE WITH A CONSORTIUM OF COUNTIES AND OTHER PUBLIC ENTITIES TO APPLY FOR A HUD (U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT) SUSTAINABLE COMMUNITIES REGIONAL PLANNING GRANT**

The Board discussed the adoption of Resolution No. 11-28 which would establish the County’s intent to participate with a consortium of counties and other public entities to apply for a HUD (U.S. Department of Housing and Urban Development) Sustainable Communities Regional Planning Grant. The deadline to submit an application is October 6, 2011. The Board noted that it is hard to project what types of activities the County might be asked or required to commit to if a Planning Grant is awarded and the County is a participating member of the Consortium. Commissioner Woydziak stated that Kristey Williams, Augusta City Mayor, informed him that there is a 120 day review period after the grant is awarded for an entity to decline and pull out if they deem necessary after they are able to see and review all paperwork. Commissioner Masterson stated that he felt it necessary for the County to have a seat at the table when decisions are made concerning this grant and that the region would be participating even if the County did not. Commissioner Palmer stated that she could not support this due to the possible repercussions with the EPA’s involvement in this grant.

*Commissioner Harris motioned to approve Resolution No. 11-28 authorizing Butler County to participate in a consortium of counties and other public entities to apply for a HUD Sustainable Communities Regional Planning Grant. Commissioner Wheeler seconded the motion. Motion carried 4-1. Commissioner Palmer voted no. Commissioner Woydziak noted that the only reason he felt comfortable voting yes was because of the 120 day review period which allows an entity to decline participation if found necessary at a later date. The other Board Members concurred.*

**APPROVAL OF VOUCHERS**

*Commissioner Wheeler motioned to approve the vouchers for October 4, 2011, in the amount of \$731,330.70. Commissioner Woydziak seconded the motion. Motion carried 5-0.*

**COMMISSION ADDS & ABATES**

There were no Adds & Abates for October 4, 2011.

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

Commissioner Woydziak commented that the coop project done on a one mile stretch of 160<sup>th</sup> Street with the City of Rose Hill, Pleasant Township, and the County has come along nicely. He stated to Mr. Lutz that he has received a lot of positive comments about his crews.

Commissioner Woydziak requested an update on the bridge that is out on NW River Valley Road. Mr. Lutz stated that it is 32 to 38 days from completion of the project.

Commissioner Woydziak informed the Board of an invitation from Barton Solvents to a BBQ on Wednesday, October 5<sup>th</sup>. The BOCC was invited because of their participation through Economic Development in getting them here in El Dorado. The invitation was also extended to Administrator Johnson and Brandon Kaufmann, Finance Director.

Commissioner Masterson related to the Board that the Andover Historical Society has relocated in the old Andover public library and are now open to the public. He requested a review of the formula for the funding provided to these entities. Administrator Johnson stated that he could put it on the agenda next week.

Commissioner Harris stated that he would be going to the Butler County Soil Conservation District Meeting on Wednesday, October 5<sup>th</sup> at 7:00 a.m. He invited the other Commissioners to attend.

Commissioner Harris noted the BBQ Luncheon hosted by Security First Title on Wednesday, October 5<sup>th</sup> from 11:30 a.m. to 1:30 p.m. It will be held at the 4-H Building in El Dorado.

Commissioner Harris reported that the meeting in Topeka with Governor Brownback was well attended and successful. The discussion held was in regards to Keystone and the tax abatement allowed them in the state of Kansas.

Commissioner Wheeler noted the Employee Appreciation Breakfast that will be held on Friday, October 28<sup>th</sup>.

Commissioner Palmer reported that the lunch with Congressman Pompeo went well. It was well attended and good discussions were held.

Commissioner Palmer acknowledged the re-districting plans submitted for review. These will be discussed the third week of October when Ron Roberts, County Clerk, returns from vacation. Administrator Johnson stated that any ideas could be submitted to him and he would have them drawn up for review.

Administrator Johnson noted that he would be meeting with Raymond Criss on Wednesday, October 5<sup>th</sup>.

Commissioner Woydziak requested Administrator Johnson to forward to the Board the information regarding KAC which will be held November 13 – 15, 2011.

#### **ADJOURNMENT**

*Commissioner Wheeler motioned to adjourn the meeting of the Board at 10:41 a.m.  
Commissioner Woydziak seconded the motion. Motion carried 5-0.*