

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, September 13, 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 Tammy Bridges.

**APPROVAL OF MINUTES**

*Commissioner Woydziak motioned to approve the minutes of the Butler County Commission meeting of Tuesday, September 6, 2011, as written. Commissioner Wheeler seconded the motion. Motion carried 4-0 with one abstention from Commissioner Masterson since he was absent from that meeting.*

**PUBLIC COMMENTS**

There were no public comments.

**ITEM #4 – CONSIDER TABLED ACCEPTANCE AND PROMULGATION OF THE EMERGENCY OPERATIONS PLAN**

Will Johnson, County Administrator, came before the Board for acceptance and promulgation of the Emergency Operations Plan with endorsement by signature. This item was tabled on September 6, 2011 for further review.

*Commissioner Palmer motioned to approve the Butler County Emergency Operations Plan. Commissioner Wheeler seconded the motion. Motion carried 5-0.*

**ITEM #3 – CONSIDER ACCEPTING THE AWARD FROM THE KANSAS HOUSING RESOURCES CORPORATION FOR THE EMERGENCY ASSISTANCE SHELTER GRANT**

Brandon Kauffman, Finance Director, came before the Board for acceptance of the award from the Kansas Housing Resources Corporation for the Emergency Assistance Shelter grant. Staff recently received a letter from the Kansas Housing Resources Corporation advising the County of a total award of \$5,132.

*Commissioner Woydziak motioned to accept the Emergency Assistance Shelter Grant award. Commissioner Masterson seconded the motion. Motion carried 5-0.*

**ITEM #1 – CONSIDER APPROVAL OF AN APPLICATION TO KDOT FOR HIGH RISK RURAL ROAD PROGRAM FUNDING FOR A PROPOSED PROJECT ON SW SHUMWAY ROAD JUST SOUTH OF SW 100<sup>TH</sup> STREET**

Darryl C. Lutz, P.E., Director of Public Works, came before the Board for approval of an application to KDOT for High Risk Rural Road Program funding for a proposed project on SW Shumway Rd. east of Augusta and south of SW 100<sup>th</sup> St. This location is the site of numerous traffic accidents, many of which were fatality accidents. The project will remove a sharp turn in the road located on a fairly steep grade. If the project is approved by KDOT, the County will be responsible for 100% of engineering and right-of-way costs and 10% of construction costs. Mr.

Lutz presented a cost estimate just under \$60,000. Staff will propose the project to be a 2014 or 2015 project and will be funded through the County road and bridge project CIP.

*Commissioner Woydziak motioned to approve the project application for funding under the KDOT's High Risk Rural Roads program for road realignment safety improvements on SW Shumway Rd. approximately 0.3 mile south of SW 100<sup>th</sup> St. and authorize the Chair to sign. Commissioner Palmer seconded the motion. Motion carried 5-0.*

**ITEM #2 – CONSIDER APPROVAL OF AN APPLICATION TO KDOT FOR FEDERAL AID OFF-SYSTEM BRIDGE REPLACEMENT FUNDS FOR THE PLANNED WALNUT RIVER BRIDGE REPLACEMENT PROJECT ON SW 80<sup>TH</sup> STREET**

Darryl C. Lutz, P.E., Director of Public Works, came before the Board for approval of an application to KDOT for federal aid off-system bridge replacement funds for the planned Walnut River bridge replacement project of SW 80<sup>th</sup> St. east of Augusta. If approved, funding will be for 80% of construction and construction engineering costs. Butler County will be responsible for 100% of design cost, right-of-way, utility relocation costs, and 20% of construction and construction engineering costs. Preliminary cost estimates for construction only are \$1,071,000.

*Commissioner Palmer motioned to approve the Request for Construction Project to KDOT for the proposed federal aid off-system bridge replacement project over the Walnut River on SW 80<sup>th</sup> St. and authorize the Chair to sign. Commissioner Masterson seconded the motion. Motion carried 5-0.*

**Additional Agenda Item**

Mr. Lutz came before the Board regarding mobile and handheld radios. He noted 50 mobile radios and 20 handheld units were included in the budget. Mr. Lutz stated we did not plan for enough handheld units and will need 12 or 13 more to fill the need. Jeff Armantrout, Radio Systems Technician, has located 15 new radios that are still in the boxes. Mr. Lutz asked for approval to purchase 15 radios at \$900.00 per radio for a total of \$13,500. This amount will be paid from the Capital Equipment line item in the Public Works Budget.

*Commissioner Masterson motioned to approve purchasing 15 handheld radios at \$900.00 per radio for a total of \$13,500.00. Commissioner Wheeler seconded the motion. Motion carried 5-0.*

**ITEM #5 – CONSIDER APPROVAL OF A LETTER TO STATE REPRESENTATIVES REQUESTING MODIFICATIONS TO EXISTING PIPELINE EXEMPTION LEGISLATION**

Will Johnson, County Administrator, came before the Board for approval of a letter requesting modifications to existing pipeline exemption legislation. The Board suggested revisions and Commissioner Harris recommended sending the letter to the Senate and House Energy Committees. It was noted that Kansas was the only state that allowed these tax exemptions.

*Commissioner Palmer motioned to table this item for two weeks until September 27, 2011 for revisions. Commissioner Wheeler seconded the motion. Motion carried 5-0.*

**ITEM #6 – RECESS TO EXECUTIVE SESSION FOR CONSULTATION WITH AN ATTORNEY FOR THE BODY OR AGENCY, WHICH WOULD BE DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP**

*Commissioner Woydziak motioned to recess the Board to Executive Session at 10:00 a.m. for 15 minutes, with the public session resuming at 10:15 a.m., for consultation with an attorney for the body or agency, which would be deemed privileged in the attorney-client relationship to protect the interests of the County. Commissioner Masterson seconded the motion. Motion carried 5-0. Those in attendance were Commissioners Harris, Masterson, Palmer, Wheeler, Woydziak, Administrator Will Johnson, and Attorney Ed Keeley via phone.*

**RECONVENE**

Commissioner Harris reconvened the Board meeting at 10:15 a.m. No action was taken as a result of Executive Session.

**APPROVAL OF VOUCHERS**

*Commissioner Wheeler motioned to approve the vouchers for September 13, 2011, in the amount of \$317,361.25. Commissioner Palmer seconded the motion. Motion carried 5-0.*

**COMMISSION ADDS & ABATES**

*Commissioner Wheeler motioned to approve Adds & Abates #2500 dated September 13, 2011; Adds in the amount of \$0.00 and Abates in the amount of \$1,761.22. Commissioner Woydziak seconded the motion. Motion carried 5-0.*

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

Commissioner Woydziak reminded the Board of the Quad County meeting on Monday, September 19, 2011 in Newton.

Administrator Johnson stated the Cassoday Senior Center luncheon will be Tuesday, September 20<sup>th</sup>.

Administrator Johnson reminded the Board that he will be attending the ICMA Conference next week and Brandon Kauffman, Finance Director, will be attending the Commission meeting.

Commissioner Masterson commented he attended the REAP meeting and reported on a presentation on the HUD Sustainable Communities Regional Planning Grant. He noted the packet included REAP's 3-year Strategic Plan.

Commissioner Harris stated he and Commissioner Wheeler attended the 9/11 ceremony on Sunday morning and said it went very well. Commissioner Wheeler said he was proud of the County employees who participated.

Commissioner Palmer noted Representative Mike Pompeo's office contacted her about having lunch with the Board on Tuesday, September 27th. Administrator Johnson suggested meeting at the Hereford House in Andover.

Administrator Johnson commented about the great turnout for the employee Benefits Fair last week.

Administrator Johnson noted he would be attending a meeting with the Secretary of Wildlife & Parks and staff regarding developing a resort at the El Dorado Lake.

Administrator Johnson stated he would be meeting with Global Propane this afternoon and viewing the facility.

Administrator Johnson said the safety program is working very well, noted 99% participation in the on line safety training, and discussed the “Near Miss” program.

**ADJOURNMENT**

*Commissioner Woydziak motioned to adjourn the meeting of the Board at 10:37 a.m.*

*Commissioner Masterson seconded the motion. Motion carried 5-0.*