

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

WEDNESDAY, SEPTEMBER 1, 2010

6:35 p.m. meeting only

- Consider approval of a proclamation declaring September 2010 as "National Preparedness Month" (Alexandria Norman)
- Consider approval of a proclamation declaring September 8th as "International Literacy Day" (Chris Day)
- Consider approval of a proclamation declaring September 5-11, 2010 as "Suicide Prevention Week" (Marcia Epstein)
- Consider the approval of the minutes for July 28 and August 4, 2010

CONSENT AGENDA

- (1) (a) Consider approval of Commission Orders; and
(b) Authorization to solicit proposals for engineering services for the reconstruction of Route 1055 (6th Street) in Baldwin City from US-56 highway to Route 12 (Keith Browning)

REGULAR AGENDA

- (2) Consider adopting report of the 2010 annual review of the Douglas/Jefferson Counties Regional Solid Waste Management Plan (Keith Browning)
- (3) Consider approval to purchase a hydraulic excavator for public works (Jackie Waggoner)
- (4) Other Business
 - (a) Consider approval of Accounts Payable (if necessary)
 - (b) Appointments
 - (c) Miscellaneous
 - (d) Public Comment
- (5) Adjourn

WEDNESDAY, SEPTEMBER 8, 2010

- Discuss request for renewal of sunflower broadband franchise agreement and assignment to Knology (Rod Kutemeier, World Company)

WEDNESDAY, SEPTEMBER 15, 2010

4:00 p.m. Meeting Only

WEDNESDAY, SEPTEMBER 22, 2010

- Discussion of Lone Star concession building (Weinaug/Browning)

WEDNESDAY, SEPTEMBER 29, 2010

WEDNESDAY, OCTOBER 13, 2010

- Discussion on SmartStar program from Westar Energy (Eileen Horn)

MONDAY, NOVEMBER 8, 2010

-9:00 a.m. Canvass for Election

***Note:** The Douglas County Commission meets regularly on Wednesdays at 4:00 P.M. for administrative items and 6:35 P.M. for public items at the Douglas County Courthouse. Specific regular meeting dates that are not listed above have not been cancelled unless specifically noted on this schedule.*



PROCLAMATION

NATIONAL PREPAREDNESS MONTH SEPTEMBER 2010

WHEREAS, National Preparedness Month is a nationwide effort held each September; and

WHEREAS, the goal of the seventh annual National Preparedness Month is to increase public awareness about the importance of preparing for emergencies and to encourage individuals to take action and

WHEREAS, no community is truly prepared for a disaster until every individual, family and business takes personal responsibility for preparedness; and

WHEREAS, the U.S. Department of Homeland Security, through its *Ready* campaign and Citizens Corps program, works with a wide variety of organizations, including local, state and federal government agencies and the private sector, to highlight the importance of emergency preparedness and to promote individual involvement through events and activities across the nation; and

WHEREAS, all Americans need to take some simple steps to prepare for emergencies, including getting an emergency supply kit, making a family emergency plan, being informed about different threats and getting involved in preparing their communities; and

WHEREAS, the flooding, record and near-record snowfall, severe storms, severe winter storms, straight-line winds and tornadoes that affected both Kansas and Douglas County in 2010, illustrate the potential devastation to communities and highlight the importance of preplanning disaster response and sheltering operations; and

WHEREAS, the citizens of Douglas County should join with citizens across the nation to ensure we have taken the necessary actions, including accessing all available disaster preparedness information.

NOW, THEREFORE, BE IT RESOLVED THAT Douglas County does hereby proclaim the month of September to be "National Preparedness Month" and that Douglas County will continue to participate in efforts that ensure we have an integrated disaster response capability so all emergency responders and the general public can work together effectively.

**PROCLAIMED BY THE CHAIRMAN OF THE DOUGLAS COUNTY COMMISSION ON THIS
1ST DAY OF SEPTEMBER, 2010.**

**BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS**

Nancy Thellman, Chairman

Jim Flory, Vice-Chair

Mike Gaughan, Member



Office of the County Commission
PROCLAMATION
For Douglas County, Kansas

WHEREAS: *There are over 774 million adults worldwide who lack the literacy skills needed to obtain good jobs or to actively participate in the education of their children; and it is estimated that more than 75 million children worldwide do not attend school and over 150,000 people in the state of Kansas over the age of 16 lack the ability to read or write.*

WHEREAS: *Altrusa International, Inc., an organization of executive and professional women committed to community service, has pledged to work toward worldwide literacy; and*

WHEREAS: *The community of Lawrence has residents of all ages, in every neighborhood, who are functionally illiterate; and*

WHEREAS: *Altrusa International, Inc., of Lawrence is the underwriting sponsor of the River City Reading Festival. They have supported New York Elementary School with a large donation of books, as well as, volunteers for elementary reading companions. Altrusa has given books to Women's Transitional Care Services (WTCS) and First Step House, along with annual scholarships for women. They have provided large print books and subscriptions to Lawrence Senior Services, newspaper subscriptions to Health Care Access, and have implemented the ongoing Newborn Book Project at Lawrence Memorial Hospital, and thereby encourages reading and the promotion of life-long literacy for the residents of Lawrence;*

NOW, THEREFORE, *the Board of County Commissioners of Douglas County, Kansas, do hereby proclaim September 8th, 2010 as*

“INTERNATIONAL LITERACY DAY”

and urges all citizens of this community to continue working together in addressing literacy needs in Lawrence and Douglas County.

Dated this 1st day of September, 2010.

**BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS**

Nancy Thellman, Chairman

Jim Flory, Vice-Chair

Mike Gaughan, Member



Office of the County Commission
P R O C L A M A T I O N
For Douglas County, Kansas

- WHEREAS:** *In the United States, one person dies by suicide every 15 minutes; and*
- WHEREAS:** *The rate of deaths by suicide in Kansas is even higher than the national rate, with suicide being the second leading cause of death for Kansans between the ages of 15 and 24 and the eleventh leading cause of all deaths in the state of Kansas, with a total of 350 Kansans lost to suicide during 2008; and*
- WHEREAS:** *In each recent year **between ten and twenty people** in Douglas County died by suicide, leaving friends and families forever changed by their deaths; and*
- WHEREAS:** *Many of those people who died never received effective mental health services, for many reasons including limited access to treatment, the stigma associated with using mental health treatment and the stigma associated with losing a loved one to suicide; and*
- WHEREAS:** *Local businesses and organizations such as Peoples Bank, Headquarters Counseling Center, Bert Nash Community Mental Health Center, Depression and Bipolar Support Alliance, Douglas County CHIP, Lawrence-Douglas County Fire and Medical, Lawrence Police Department and the Douglas County Sheriff's Department encourage local initiatives to reduce the frequency of suicide attempts and deaths based on the goals contained in the National Strategy for Suicide Prevention; and*
- WHEREAS:** *Far too many Douglas County community members struggle with suicidal thoughts, and far too many lose loved ones to suicide each year; and*
- WHEREAS:** *It is never someone else's fault when someone dies of suicide; and*
- WHEREAS:** *Most deaths from suicide are preventable when community members as well as physical and mental health care providers know how to help and provide help when it's needed.*

NOW, THEREFORE, the Board of County Commissioners of Douglas County, Kansas, do hereby proclaim September 5 – 11, 2010 as **"SUICIDE PREVENTION WEEK"**

Dated this 1st day of September, 2010.

**BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS**

Nancy Thellman, Chairman

Jim Flory, Vice-Chair

Mike Gaughan, Member

MEMORANDUM

To : Board of County Commissioners

From : Keith A. Browning, P.E., Director of Public Works/County Engineer

Date : August 26, 2010

Re : Consent Agenda authorization to solicit proposals for engineering services
Reconstruction of Route 1055 (6th Street) from US-56 highway to Route 12

The BOCC recently approved a cooperation agreement with Baldwin City for the reconstruction of Route 1055 (6th Street) from US-56 highway to Route 12. Under the agreement, Douglas County shall secure the services of a consultant to provide engineering design services. Douglas County and Baldwin City equally share the costs of these services.

A selection committee comprised of Douglas County Public Works personnel and Baldwin City representatives will (1) request proposals from several engineering firms, (2) rank the proposals and determine which firms to interview, (3) interview a short list of firms, and (4) determine the top ranked firm with whom to negotiate a fee and contract. The negotiated contract and fee will then be presented to the BOCC for approval.

The CIP currently includes \$1,300,000 for Douglas County's portion of the project cost.

Action Required: Consent Agenda approval to solicit proposals for engineering design services for the reconstruction of Route 1055 (6th Street) in Baldwin City from US-56 highway to Route 12.

MEMORANDUM

To : Board of County Commissioners

From : Keith A. Browning, P.E., Director of Public Works/County Engineer

Date : August 17, 2010

Re : Consent Agenda Adoption of Annual Review of Solid Waste Management Plan

In 1992, state statutes were revised to require the development of Solid Waste Management (SWM) plans for all counties, and also allowed counties to form regions to develop the SWM plans. Jefferson and Douglas County subsequently formed a 2-county region for formulation of the SWM Plan. The original SWM Plan is dated December 1996. The 2-county region's consultant, Franklin Associates, prepared the plan. K.S.A. 65-3405 requires the plan to be reviewed annually and updated every five years. We conducted a 5-year update in 2009, which was approved by KDHE.

The Douglas/Jefferson Counties Regional SWM Committee met on July 29, 2010 to conduct the annual review of the SWM Plan. K.S.A. 65-3405 requires the BOCC of each county within the SWM region to review and adopt the regional committee's report of the annual review.

Ten members of the eleven-member SWM Committee met for this year's annual review. In addition, Eileen Horn, Lawrence/Douglas County Sustainability Coordinator, attended the annual review meeting. The ten members included representatives from each county's Board of County Commissioners, City of Lawrence Public Works-Solid Waste Division, Lawrence/Douglas County Health Department, Jefferson County Zoning, KU Environmental Health & Safety Department, Hamm Landfill, the City of Lecompton, and Douglas County Public Works.

Attached is a copy of this year's report of the annual review of the SWM Plan. Also attached is a listing of SWM Committee members.

Action Required: Consent Agenda adoption of the report of the 2010 annual review of the Douglas/Jefferson Counties Regional Solid Waste Management Plan.

2010 ANNUAL REVIEW REPORT
DOUGLAS/JEFFERSON COUNTIES
REGIONAL SOLID WASTE MANAGEMENT PLAN

The Douglas/Jefferson Counties Regional Solid Waste Management Committee met on July 29, 2010 for the annual review of the SWM Plan as required by K.S.A. 65-3405(c). The meeting was held at the City of Lawrence's Solid Waste Annex North (SWAN) building. The following ten (10) members of the eleven-person committee attended the annual review:

<u>Member Name</u>	<u>Agency/Entity Represented</u>
Lynn Luck	Jefferson County BoCC
Nancy Thellman	Douglas County BoCC
Mike Russell	KU Environmental, Health and Safety Dept.
Kathy Richardson	Lawrence Public Works, Solid Waste Div.
Paul Studebaker	Unincorporated Douglas County
Richard Ziesenis	Lawrence/Douglas County Health Dept.
Roy Paslay	City of Lecompton (mayor)
Eloise Tichenor	Jefferson County Planning & Zoning
Charlie Sedlock	Hamm Landfill
Keith Browning	Douglas County Public Works

In addition, Eileen Horn, Lawrence/Douglas County Sustainability Director, attended the annual review meeting. This is a new city/county position. Eileen began her duties earlier this year.

The main goal of the annual review is to identify any changes to the region's solid waste management system since the approval of most recent five-year update. The most recent five-year update was completed in 2010.

The committee identified the following changes to the region's SWM system or general SWM activities since last year's five-year update:

1. City of Lawrence

(a) Significant Increase in Residential and Commercial Curbside Recycling Participation in Lawrence

In January 2010, Deffenbaugh Industries registered with the City of Lawrence to provide convenient, affordable curbside recycling options for both residents and businesses. Deffenbaugh is one of six registered curbside recycling haulers operating in Lawrence. Their new service which launched in March 2010 has significantly increased the number of households participating in curbside recycling. Customers receive a 65 gallon cart to set out their co-mingled recyclables weekly. Acceptable items include all types of paper, plastics (#1-7), aluminum cans and tin containers. Items not accepted are glass bottles and plastic bags. Deffenbaugh also expanded their commercial recycling program in

Lawrence offering businesses a convenient service for co-mingled recyclables (i.e. single stream recycling). Business customers receive recycling bins in various sizes from 65 gallon carts to larger 6 to 8 cubic yard containers depending on their needs.

(b) City of Lawrence Solid Waste Division Performance Audit Completed

Michael Eglinski, the City Auditor, presented the final report of the Solid Waste Division audit and a list of recommendations to the City Commission in February 2010. During the last few months, staff has made progress on implementing the recommendations. Two of the nine recommendations relate to improving the City's process of estimating municipal solid waste and recycling:

1. Develop policies and procedures for estimating municipal solid waste and recycling which will include forms published by the US EPA in Measuring Recycling: A Guide for State and Local Governments.

2. Test the conversion factors used for estimating yard waste.

The complete report and recommendation follow-up are posted on the City's website: <http://www.lawrenceks.org/auditor>.

(c) Electronic Recycling Events in Lawrence Continue To Be Hosted by the City of Lawrence

The City of Lawrence continues to host two Electronic Recycling Events per year: one event in the Spring and the other in the Fall. The participation and material collected at these events continues to be impressive even though new electronics recycling services have been implemented at several retail stores (i.e. Best Buy, Office Depot, and UNI Computers). Participant numbers and tons collected to date: Spring 2010 (583 vehicles, 28.16 tons), Fall 2009 (747 vehicles, 35.48 tons), Spring 2009 (455 vehicles, 22.87 tons), Fall 2008 (513 vehicles, 26.30 tons), Spring 2008 (676 vehicles, 30.03 tons). These events are not limited to Lawrence residents only.

(d) City of Lawrence/Douglas County Household Hazardous Waste (HHW) Facility Standard Operating Plan Updated

The City of Lawrence completed updates to the HHW Facility Standard Operating Plan including the Emergency Response Plan which was submitted to KDHE for review in July 2010.

2. Jefferson County

- (a) Jefferson County no longer accepts white goods containing Freon.

- (b) Collection of paper has increased slightly.

- (c) Collection of cardboard is consistent with last year.

- (d) HHW quantities have increased slightly, but the increase is balanced by increased re-use of products

3. University of Kansas

- (a) KU's IT group now oversees computer and electronics recycling.
- (b) Other recycling on campus is now operated under KU's Facilities group.
- (c) KU is seeing an increase in hazardous waste due to the increase in research activities and facilities.

4. Hamm Landfill

- (a) Summit Group has purchased Hamm. No immediate changes in landfill operations are anticipated.
- (b) Landfill tonnage has flattened. This is attributed to recycling efforts, demographics, and the economy in the region.
- (c) Estimated landfill capacity remains approximately 80 years.
- (d) The landfill is currently constructing a new cell.

5. Small Cities

- (a) A private hauler (Sean Ball) provides recycling services in Lecompton. He collects newspapers, plastics & clear glass.
- (b) The City of Eudora plans to start a green waste program with possible compost site.

6. Other SWM issues for follow-up

- (a) Possibility of creating a partnership between the City of Lawrence and Douglas County for collection and proper disposal of Freon containing items (i.e. refrigerators and AC units).
- (b) Possibility of creating a partnership between the City of Lawrence and Douglas County for collection and disposal of automobile tires.
- (c) Revisiting the partnership between the City of Lawrence and Douglas County for the operations of the City of Lawrence/Douglas County Household Hazardous Waste (HHW) Facility.

SWM Plan status

The committee found that the SWM Plan is still valid. No significant updates to the Plan are required at this time.

Douglas/Jefferson Counties Solid Waste Planning Region
Solid Waste Management Committee
Current Membership
June 2010

1. Lynn Luck
P.O. Box 82
Oskaloosa, KS 66066

Telephone: 785-863-2637
Email: mlluck23@yahoo.com
Entity represented: Jefferson County Board of County Commissioners
2. Nancy Thellman
1547 N 2000 Rd
Lawrence, KS 66044

Telephone: 785-832-0031
Email: nthellman@douglas-county.com
Entity represented: Douglas County Board of County Commissioners
3. Mike Russell
KU-EHS Department
140 Burt Hall
1540 W. 15th St.
Lawrence, KS

Telephone: 785-864-2854
Email: mjrussell@ku.edu
Entity represented: KU Environmental Health & Safety
4. Kathy Richardson
P.O. Box 708
Lawrence, KS 66044

Telephone: 785-832-3046
Email: krichardson@ci.lawrence.ks.us
Entity represented: City of Lawrence Public Works, Solid Waste Division
5. Paul Studebaker
817 N 1750 Rd.
Lawrence, KS 66049

Telephone: 785-842-1890
Email: pstudebakr@aol.com
Entity represented: unincorporated areas

DGCO/JFCO SWM Committee Members

6. Richard Ziesenis
Lawrence/Douglas County Health Dept.
200 Maine, Suite B
Lawrence, KS 66044

Telephone: 785-843-3060
Email: rziesenis@ldchealth.org
Entity represented: Lawrence/Douglas County Health Dept.
7. Roy Paslay
Box 40
Lecompton, KS 66050

Telephone: 785-887-6407
Email: none
Entity represented: Lecompton City Council
8. Eloise Tichenor
P.O. Box 628
Oskaloosa, KS 66066

Telephone: 785-863-2241
Email: etichenor@jfcountryks.com
Entity represented: Jefferson County Planning & Zoning
9. Mark O. Richards
3630 178th
Denison, KS 66419

Telephone: 785-633-3802
Email: MRichards@jfcountryks.com
Entity represented: Jefferson County Auxiliary Services
10. Charlie Sedlock
P.O. Box 17
Perry, KS 66073

Telephone: 785-597-5111
Email: csedlock@nrhamm.com
Entity represented: Hamm Landfill
11. Keith Browning
Douglas County Public Works
1242 Massachusetts
Lawrence, KS 66044

Telephone: 785-832-5293
Email: browning@douglas-county.com
Entity represented: Douglas County Public Works

MEMO TO: The Board of County Commissioners
Craig Weinaug, County Administrator

FROM: Jackie Waggoner, Purchasing Director
Division of Purchasing

SUBJECT: Consider Purchase of a Hydraulic Excavator for Public Works

DATE: August 26, 2010

Public Works has funds allocated in equipment reserve to replace their existing 1987 John Deere 690D Excavator with approximately 10,393 hours. The primary use of the equipment is to dig box culverts for bridges, ditching, removing brush and trees, and clearing creek channels. Their existing excavator is experiencing hydraulic cylinder leaks, and the rollers and tracks are worn out. This equipment would be sold in our auction.

In the process of developing the specifications, we became aware of a contract established by Coffey County that met our requirements with one exception (exclude a quick lube/auto greaser for pavement breaker). The contract was formed through a competitive bidding process in July 2010 and includes a five-year full machine warranty, and a five-year \$85,000 buy back. Their awarded contractor, Foley Equipment, is willing to honor the contract price.

To ensure this contract provided the County the most competitive option we looked at the Houston-Galveston Area Council's (HGAC) cooperative buying program. The program is established through an inter-local agreement with Mid-America Regional Council (MARC). A summary of both HGAC and Coffey County contracts are provided below:

	COFFEY COUNTY FOLEY EQUIPMENT	HGAC VICTOR L. PHILLIPS CO.
Model	Caterpillar 324DL	Case CX240B
Cost (includes warranty)	\$217,482 (5-year full machine)	*\$218,845 (1-year full machine; 2-year engine)
5-Year Buy Back	\$ 85,000	NA
Option: 6-Year/6000 Hour Full Machine Warranty	\$ 1,725	NA

*took exception to the specifications

Mike Perkins would like to take advantage of the option for the 6-year/6000 hour full machine warranty. As you can see by accessing the Coffey County contract with the warranty option, the cost would be \$362 higher than the HGAC contract. However, the Foley Equipment contract meets our specifications, allows for a five-year buy back, and provides a six-year full machine warranty versus one-year full machine and two-year engine. Mike and I will be available at the meeting to discuss this purchase.

RECOMMENDATION: The Board of County Commissioners waives the purchasing policy to purchase a 2010 hydraulic excavator from Foley Equipment in the amount of \$219,207.