

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

WEDNESDAY, JULY 1, 2009

6:35 p.m.

-Convene

-Consider approval of minutes for June 10, June 15, June 17 and June 22, 2009

CONSENT AGENDA

- (1) (a) Consider approval of Commission Orders;

REGULAR AGENDA

- (2) Public Hearing for a resolution stating the intent of the Douglas County Board of Commissioners to acquire land for Lecompton Township
- (3) Consider approval of 2010-2014 Five-Year Plan request for federally funded projects (Keith Browning)
- (4) Consider authorization to overlay widened portion of Route 438 near K-10 intersection (Keith Browning)
- (5) Other Business
 - (a) Consider approval of Accounts Payable (if necessary)
 - (b) Appointments
 - (c) Miscellaneous
 - (d) Public Comment
- (6) Adjourn

MONDAY, JULY 6, 2009 (Times for each hearing are approximate and may start earlier than indicated on the schedule)

-Budget Hearings:

- 8 am: County Treasurer (Paula Gilchrist)
- 8:15 am: Lawrence Community Shelter (Loring Henderson)
- 8:30 am: Health Department (Dan Partridge)
- 8:45 am: Extension Service (Bill Wood)
- 9:00 am: Youth Services (Pam Weigand)
- 9:15 am: The Shelter (Judy Culley)
- 9:30 am: Appraiser (Steve Miles)
- 9:45 am: Emergency Communications (Selma Southard)
- 10:00 am: Emergency Management (Teri Smith)
- 10:15 am: Building & Zoning (Keith Dabney)
- 10:25 am: Ambulance (Mark Bradford)

TUESDAY, JULY 7, 2009 (8 AM)

-Budget Hearings:

1) Administrative Issues (Weinaug and Madl), and/or issues identified by County Commissioners (revenues, employee benefits including discussion of health insurance premiums, CIP, Farmland Industries redevelopment, reserve funds, administration, administrative services, countywide, coroner, Information Technology, shared costs and transfers, and special building fund.

2) Decisions by Commissioners instructing staff on revisions to budget, including revisions to options list

WEDNESDAY, JULY 8, 2009 (Light Agenda)

MONDAY, JULY 13, 2009

- Conduct the public hearing on, and consider the advisability of, the City of Lawrence's petition for approval to annex approximately 448 acres of land generally known as the former Farmland Industries Property, and adjacent right-of-way, located east of the City of Lawrence, along K-10 Highway and west of East Hills Business Park.(Toni Wheeler)
- Consider approval new road request for E 350 Road (Kate & Sean Welch)
- Departmental presentation from Information Services and GIS
- Continuation of 2010 Budget Hearings, if necessary (Decisions by Commissioners instructing staff on revisions to budget)

TUESDAY, JULY 14, 2009

- Continuation of 2010 Budget Hearings, if necessary (Decisions by Commissioners instructing staff on revisions to budget)

WEDNESDAY, JULY 15, 2009

- Consider approving revised CPA-2004-02, a Comprehensive Plan Amendment to Horizon 2020, Chapter 7: Industrial and Employment Related Land Use and consider adopting Joint City Ordinance No. 8402/County Resolution. (PC Approved 8-0 on 4/22/09; CC Approved 2nd Reading 5-0 on 6/9/09) Amy Brown is the Planner.

MONDAY, JULY 22, 2009

- No Commission Meeting

MONDAY, JULY 27, 2009 (Light Agenda)

- Consider adoption of Resolution authorizing sale of bonds to finance improvements in Southeast Lawrence Sanitary Sewer Main Benefit Districts No. 1, No. 2, and No. 3 (Evan Ice)

WEDNESDAY, JULY 29, 2009

MONDAY, AUGUST 10, 2009

- Consider adoption of Resolution relating to the issuance of bands to finance improvements in Southeast Lawrence Sanitary Sewer Main Benefit Districts No. 1, No. 2, and No. 3 (Evan Ice)

MONDAY, SEPTEMBER 7, 2009

- No Commission Meeting in Observation of Labor Day

MONDAY, SEPTEMBER 21, 2009 (Light Agenda)

WEDNESDAY, NOVEMBER 4, 2009

- Lone Star Weed Discussion

Note: The Douglas County Commission meets regularly on Mondays at 8:10 A.M. and Wednesdays at 6:35 P.M. at the Douglas County Courthouse. Specific regular meeting dates that are not listed above have not been cancelled unless specifically noted on this schedule.

RESOLUTION NO. _____

A RESOLUTION STATING THE INTENT OF THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS TO ACQUIRE CERTAIN REAL ESTATE ON BEHALF AND AT THE COST OF LECOMPTON TOWNSHIP, DOUGLAS COUNTY, KANSAS

WHEREAS, K.S.A. 80-121 provides a procedure by which the Board of County Commissioners (hereinafter the "County Board") of Douglas County, Kansas (hereinafter the "County") is permitted to acquire real estate on behalf of and at the cost of Lecompton Township, Douglas County, Kansas (hereinafter the "Township"); and

WHEREAS, pursuant to K.S.A. 80-121, the Lecompton Township Board (hereinafter the "Township Board") has adopted a Resolution and submitted it to the County Board, requesting that the County Board acquire certain real estate for and at the cost of the Township; and

WHEREAS, the County Board has called and held a public hearing in accordance with K.S.A. 80-121(a) and adopts this Resolution to state its intent to acquire the real estate identified below on behalf of and at the cost of the Township.

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS, SITTING IN REGULAR SESSION THIS ____ DAY OF _____ 2009, PURSUANT TO K.S.A. 80-121(b), DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Statement of Intent. The County Board intends to acquire the Real Estate, as described in Section 2 of this Resolution, on behalf of and at the cost of the Township.

Section 2. Identification of Real Estate. The real estate that the County Board intends to acquire (hereinafter the "Real Estate") is as follows:

That portion of the Southwest Quarter (SW ¼) of Section 2, Township 12 South, Range 18 East of the Sixth Principal Meridian, in the City of Lecompton, Douglas County, Kansas,

Commencing at the northeast corner of said Southwest Quarter (SW ¼), thence south along the east line of said Southwest Quarter (SW ¼) on a bearing of South 1 degree 52 minutes 34 seconds East a distance of 837.57 feet to the point of beginning of the land to be described, thence North 89 degrees 37 minutes 34 seconds West a distance of 526.85 feet, thence South 30 degrees 16 minutes 0 seconds East a distance of 155.19 feet, thence South 36 degrees 55 minutes 27 seconds East a distance of 208.74 feet to the center of N 1851 Diag Road (Permanent Road Record No. 102) as traveled, thence South 89 degrees 37 minutes 34 seconds East along the center of N 1851 Diag Road (Permanent Road Record No. 102) as traveled and its prolongation a distance of 333.04 feet to the east line of said Southwest Quarter (SW ¼), thence North 1 degree 52 minutes 34 seconds West along the east line of said Southwest Quarter (SW ¼) a distance of 299.81 feet to the point of beginning; containing 3.00 acres, more or less.

Section 3. Conveyance to Lecompton Township. Upon acquisition of the Real Estate, the County Board shall convey title thereto to the Township and the Township shall reimburse the County for all expenses incurred by Douglas County relating to the acquisition of the Real Estate, including notice and election expenses, if any.

Section 4. Publication and Protest Petition. The County Clerk is directed to cause this Resolution to be published once each week for two consecutive weeks in a newspaper of general circulation in the Township. If within 30 days following the last publication, a petition signed by at least 5% of the qualified electors of the Township is filed with the County Clerk, the Real Estate shall not be acquired pursuant to this Resolution unless the question is submitted to and approved by a majority of the qualified electors of the Township voting at an election thereof. If a sufficient petition is not filed or if the question is submitted and approved at an election, the County Board shall acquire the Real Estate and convey it to the Township pursuant to Section 3 of this Resolution.

ADOPTED this ____ day of _____ 2009, by the Board of County Commissioners of Douglas County, Kansas.

BOARD OF COUNTY COMMISSIONERS OF
DOUGLAS COUNTY, KANSAS:

Nancy Thellman, Chair

Jim Flory, Member

Mike Gaughan, Member

ATTEST:

Jameson D. Shew, County Clerk



DOUGLAS COUNTY PUBLIC WORKS

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

MEMORANDUM

To : Board of County Commissioners

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

Date : June 19, 2009

Re : Consider approval of 2010-2014 Five-Year Plan request for federally funded projects

The five-year plan is a listing of projects utilizing federal funds administered by KDOT. A five-year plan request for the following five-year period is updated each year and submitted to KDOT. Our current five-year plan (2009-2013) includes the following lone project with status shown in parentheses:

- Project No. 23 C-4123-01; Replacement of Route 1057 bridge over the Wakarusa River (Engineering design contract awarded and engineering study just beginning. Scheduled for January 2012 bid opening date.)

KDOT estimates Douglas County will receive \$479,718 in "obligation authority" for federal funds each year for the 2010-2014 planning period. Given Douglas County's estimated 2009 carryover balance of *negative* \$545,821, KDOT estimates a total of \$2,332,485 in federal funds will be available to Douglas County for the 2010-2014 five-year period. The Route 1057 bridge project listed above will likely substantially consume those funds. Assuming currently listed cost estimates, Douglas County will have approximately \$400,000 in available federal obligation authority following the Route 1057 bridge project.

This department proposes to add the following project to the 2010-2014 five-year plan request:

- Route 458 improvements from Route 1 to 1175N (Banning's Corner); Reconstruct 3 curves to 55-mph design speed, rehabilitate remaining tangent sections including adding 6-foot wide paved shoulders, mill & overlay, replace 5 box culverts (one is bridge size). Project length = 4.25 miles. Estimated construction cost = \$3,705,000. Let date = January 2014.

The currently approved CIP includes \$3,000,000 for the above project with construction scheduled for 2014.

MEMORANDUM

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Other projects currently included in the CIP considered for the five-year plan request (in lieu of the Route 458 project discussed above) include:

1. Route 442 from Lawrence city limits to Wakarusa River bridge
Project length = 2.9 miles; Estimated construction cost = \$910,500; mill 1", patch deteriorated pavement, 2" overlay, 4' wide paved shoulders.
2. Route 1055 curve at 875N
Estimated construction cost = \$400,000; safety improvements; possibly eligible for HRRR funding.
3. Route 442 curves at E 50
Estimated construction cost = \$835,000; safety improvements
4. Bridge No. 15.89N-04.50E
Estimated construction cost = \$243,200; replace existing 28' span, 16' wide bridge on dead end road; Sufficiency Rating = 42.7; constructed 1920; posted load limit = 5 tons
5. Bridge No. 09.64N-10.00E
Estimated construction cost = \$550,000; replace existing 132' long 3-span bridge; situated in far southwest corner of UGA; Sufficiency Rating = 47.8; constructed 1961; posted load limit = 12 tons
6. Route 458/1023 from Route 442 (at Stull) to Route 1
Project length = 10.8 miles; Estimated construction cost = \$3,175,000; mill 1"-3", patch deteriorated pavement, 3" overlay, 6' wide paved shoulders.

Attached is a copy of the proposed 2010-2014 five-year plan request to KDOT. The opportunity for public input into the Five-Year Plan project selection process is required. The BOCC should solicit public comment.

Also attached is a Request for Construction Project form for the Route 458 improvement project we propose to add to the five-year plan request.

Action Required: Accept public comment on the proposed five-year plan update, and determine the projects to be included in the plan. If appropriate, approve Request for Construction Project for Route 458 improvement project from Route 1 to 1175N.

ATTACHMENT A

COUNTY FIVE-YEAR PLAN

Listed below please find your Five-Year plan included in the Fiscal Years (FY's) 2009 thru 2013 Five-Year Construction Program. Please review and indicate priorities for projects in Fiscal Years 2010 thru 2014 in column (3). Indicate any corrections or additions and return a copy of this sheet with an attached map indicating project locations to the BUREAU OF LOCAL PROJECTS.

FUND CLASS:
 STP = Construction Cost X 0.80 X 1.15
 BRO or BRS = Construction Cost X 0.80 X 1.15
 SAF = Construction Cost X 0.90 X 1.15

(3)

County Name	Co No	Project No.	Location Description	Length (Miles)	Work Type	Proposed			Const Cost (\$1,000)	Federal Funds (\$1,000)	Fund Class	2009-13		2010-2014		
						Let	Date	FFY				County	Priority	County	Priority	
						Mo	Yr	FFY								
Douglas	23	C-4123-01	2.0 mi W & 1.0 mi S of Eudora	0.100	Gr, Br Rehab, Su	1	2012	2012	2073	1907	STP-		1		1	
Douglas	23		CR 458 from CR 1 to 1175N	4.250	Gr, Su	1	2014	2014	3705	3409	STP				2	

* Indicates Maximum Federal Funds due either to request by county or insufficient federal funds in 5-year Plan to fully fund project.

Kent A. Brumby
 County Engineer or County Official
 Date 6/25/2009

Note: A form 1302 must be returned for all projects added to the plan. Indicate the location of each project on the attached map and return.

KANSAS DEPARTMENT OF TRANSPORTATION
BUREAU OF LOCAL PROJECTS
REQUEST FOR CONSTRUCTION PROJECT

Submit One (1) Copy, With Map

County Douglas

WHEREAS: The Secretary of Transportation of the State of Kansas, hereinafter referred to as the Secretary, has been designated as agent for Douglas County under an agreement dated , or,

WHEREAS: The Secretary's agency for the City of will be designated under an agreement to be executed, and,

WHEREAS: the Federal-Aid Highway Act of 1956, as amended, and subsequent acts and amendments, provided Federal-Aid funds to assist the counties, cities and other political sub-divisions in improving their roads and streets, and,

WHEREAS: The above-noted county/city desires to improve a certain portion of their road or street system as is more fully described hereinafter, now, therefore,

BE IT RESOLVED: That the Secretary is hereby requested to program, for construction, that portion of road / street which is functionally classified as a Major Collector on Route Number 458 located: from Route 1 (E 800 Rd.) to approx. 1175 E 1000 Road

Total Project Length (Km) 4.25 (Mi) Est. Let Date January 2014

ESTIMATED costs of such improvements are as follows:

Table with 2 columns: Description and Amount. Rows include Grading / Culverts / Storm Sewer (\$2,128,678), Surfacing (Type) (\$1,497,875), Bridges (Number), Seeding (\$78,000), Other, and ESTIMATED Total for Project (\$3,704,553).

Surveys and plans will be prepared by: Consultant

BE IT FURTHER RESOLVED: That sufficient funds of Douglas County are now, or will be available and are hereby pledged to the Secretary in the amount and at the time required for the supplementing of federal funds available for the completion of this project. Prior to Federal Authorization, any project expenditures made by the County/City are ineligible for federal funding and remain the responsibility of the County/City. Upon cancellation of the project by the County/City, the County/City shall reimburse the Secretary within thirty (30) days after receipt of statement of cost incurred by the Secretary prior to cancellation.

Day Month Year, at , Kansas.

Recommended for Approval: APPROPRIATE LOCAL OFFICIAL(S)

County/City Engineer or Administrator, Chairperson/Mayor, Member, ATTEST: County/City Clerk, Member

REQUEST FOR CONSTRUCTION PROJECT

RR within 1/2 mile _____ RR Owner _____ County Douglas

Area Served: General Farming ___ Livestock ___ Oil/Gas ___ Industrial ___ Suburban ___ Urban ___
 Others: _____

Utilities to be adjusted: _____

Environmental Concerns: Parks No Wetlands No Other No

Traffic Data: Present AADT 1,607 Year _____ Estimated Future AADT _____ Year _____

Existing Facilities:					Curb & Gutter	Storm Sewer			
Roadbed Width	Surface Type	Surface Width	Condition	Surface Thickness					
(M)	chip seal	(M)			no shoulders	7 culverts, 10 box culverts			
26.00		(Ft)	24.00	(Ft)					
Proposed Facilities:					Curb & Gutter	Storm Sewer			
Roadbed Width	Surface Type	Surface Width	Surfacing By:	Surface Thickness or Rate/Km or /Mi					
(M)	asphalt	(M)		10"	6 foot shoulders	13 culverts, 5 larger box culverts +			
36.00		(Ft)	24.00	(Ft)					
Existing Bridges:					Safe Load	Suff. Rating	Rating Year	Posted	
NBIP Structure Number	Structure Type	Over-all Length		Clear Roadway					
none		(M)	(Ft)	(M)	(Ft)				
		(M)	(Ft)	(M)	(Ft)				
Proposed New Bridges:					Safe Load	Suff. Rating	Rating Year	Posted	
Structure Type		Over-all Length		Clear Roadway					
Double 12' X 8' RCB		60.00	(M) (Ft)	(M) (Ft)					
		(M)	(Ft)	(M)	(Ft)				
Railroad Crossings:			No. of Tracks	Main Tracks	Other Tracks	Avg. Trains Daily	Min. Vis. @ 300'	Present Protection	Proposed Protection
Company Name									

Comments: _____

REQUEST FOR CONSTRUCTION PROJECT

In accordance with the Bureau of Local Projects (BLP) Memo 99-11, dated December 16, 1999, we are required, under the Comprehensive Transportation Program (CTP) to collect and record total costs of all work phases of projects. This includes local agency federal-aid and state-aid projects that include any non-participating, pre-construction local agency costs for preliminary engineering (plan design), rights of way and utility adjustments.

Please show below your estimate of the cost of any of the following non-participating work phases for this proposed project.

Preliminary Engineering (PE)

Please estimate the payments you will make to your consultant. If your agency will perform its own PE, include your estimated direct costs plus overhead.

Rights of Way (R/W)

Please estimate the payments you will make to landowners.

Utility Adjustments (UTIL)

Please estimate the total of any payments you will make to utility companies for adjustments to utilities located on private easements.

ESTIMATED non-construction costs are as follows:

Preliminary Engineering	<u>Consultant</u>	\$	<u>370,000</u>
Rights of Way	_____	\$	<u>300,000</u>
Utility Adjustments	<u>RWD#6,AT&T,Westar</u>	\$	<u>650,000</u>
Other	_____	\$	_____
ESTIMATED Total for Project		\$	<u><u>1,320,000</u></u>



DOUGLAS COUNTY PUBLIC WORKS

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

MEMORANDUM

To : Board of County Commissioners

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

Date : June 25, 2009

Re : Authorization to overlay widened portion of Route 438 near K-10 intersection

As you are aware, work is underway on the Route 438 improvement project (Project No. 2007-13) from Route 1029 to just west of the K-10 intersection. The opportunity exists to take advantage of the favorable asphalt bid price Hamm submitted for Project No. 2007-13. The bid prices for asphalt base and surface, respectively, are \$36.60/ton and \$42.55/ton.

The widened portion of Route 438 east of the project limits and near the K-10 intersection is exhibiting moderate rutting and cracking. A 3" overlay of the existing pavement in this area would extend the pavement life significantly. It would be much cheaper to overlay it this year utilizing Project No. 2007-13 bid prices than to address the problem in subsequent years.

We estimate the additional cost to overlay the widened portion of Route 438 east of the project limits to be \$96,265. This includes approximately 1100 tons of HMA Base and 1100 tons of HMA Surface. It also includes approximately 400 tons of AB-3 @ \$23.00/ton to shoulder-up to the overlaid pavement.

We propose to pay for the additional overlay work from the CIP, which includes \$3,000,000 for Project No. 2007-13. We currently estimate total Project No. 2007-13 costs to be approximately \$1.9 million.

Action Required: Consider authorizing asphalt overlay work for the widened portion of Route 438 in the vicinity of the K-10 intersection, at a cost not-to-exceed \$100,000, to be paid from the CIP.

