

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

WEDNESDAY, FEBRUARY 10, 2010

-4:00 p.m. – County Commission Meeting

-Convene

-Consider approval of the minutes of January 6, January 13 and January 20, 2010.

CONSENT AGENDA

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

REGULAR AGENDA

(2) Consider approval of request to expand the Lawrence-Douglas County Health Board from 5 to 7 members (Dan Partridge)

(3) Consider approval to renew contract for 2010 chip seals (Keith Browning)

(4) Other Business

(a) Consider approval of Accounts Payable (if necessary)

(b) Appointments

(c) Miscellaneous

(d) Public Comment

(5) Adjourn

THURSDAY, FEBRUARY 11, 2010

5:00-7:00 p.m. – KDOT open house to outline recommendations from the U.S. Hwy 56 Corridor Management plan at Baldwin Elementary School Intermediate Center.

5:30-8:00 p.m. LTA Annual Meeting at Maceli's. Mike Gaughan to attend.

TUESDAY, FEBRUARY 16, 2010

-6:00 p.m. -Joint City/County/School District Meeting at City Hall

WEDNESDAY, FEBRUARY 17, 2010

PP-11-6-09: Consider a Preliminary Plat for Pines International Addition, a one lot addition of approximately 2.3 acres, located at 1997 E 1400 Rd, and the following associated items: a variance from Section 20-811(d)(2)(ii) to permit a septic system on a lot with less than 3 acres of area, a variance from Section 20-811(c)(1) which requires sidewalks along roads in the UGA, and a Temporary Set Aside Agreement for the protection of the historic structure on site. Submitted by Grob Engineering Services, LLC for PINES International Inc., property owner of record. (PC Item 8; approved 8-0 on 1/27/10) (Mary Miller is the Planner)

SP-1-1-10: Consider approval of a site plan for construction of a manufacturing facility and parking lot for PINES International, located at 1997 E 1400 Rd. (Mary Miller is the Planner)

TA-10-22-09: Consider Text Amendment to the Zoning Regulations for the Unincorporated Territory of Douglas County to create a new Business District to support rural conference, recreational, and tourism sites. Initiated by the Board of County Commissioners on 6/24/09 Deferred from 11/18/09 Planning Commission. (PC Item 13; approved 8-0 on 1/27/10) (Mary Miller is the Planner)

WEDNESDAY, FEBRUARY 24, 2010

THURSDAY, FEBRUARY 25, 2010

9:00 a.m. to 3:00 p.m. – Planning Work Session in City Commission Room at City Hall.

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.

From: Dan Partridge
Sent: Wednesday, January 27, 2010 9:15 AM
To: Craig Weinaug (cweinaug@douglas-county.com); 'David L. Corliss'
Cc: Colleen Hill; 'Cowles Alan & Linda'
Subject: Request to expand the Board of Health from 5 to 7 members.

Craig and Dave,

At the January 25, 2010 Board of Health meeting the Board took action to request that the City and County Commissions amend the 1986 joint resolution in order to expand the size of the Board of Health from 5 to 7 members. The Board recommends that 3 members be appointed by the City of Lawrence, 3 by Douglas County and 1 as a joint appointment. Attached is the 1986 joint resolution for your reference.

Should this expansion be approved the Board further requests that the newly appointed Board members be appointed on or before March 9, 2010 so that they might attend the March 15 Board meeting as observers and fully participate in subsequent meetings.

In order to stagger the appointments so that appointments are made each year we ask that the initial term for a newly appointed city appointee be 4 years, and for the County appointee 2 years. Attached is a schedule to help illustrate the recommended appointment calendar along with the handout provided to the Board during their discussion of this issue.

I stand ready to assist you in any way and please let me know what further action you require.

Respectfully,

Dan Partridge, RS, MPH
Director
Lawrence-Douglas County Health Department
200 Maine Suite B
Lawrence, KS 66044
v: 785-843-3060 f: 785-843-3161
www.ldchealth.org

COUNTY RESOLUTION NO. 86-26

CITY RESOLUTION NO. 4957

A JOINT RESOLUTION PROVIDING FOR THE JOINT LAWRENCE-DOUGLAS COUNTY HEALTH BOARD; AMENDING CERTAIN SECTIONS OF COUNTY-CITY JOINT RESOLUTION NO. 1957, AS AMENDED; AND RESCINDING CERTAIN JOINT RESOLUTIONS.

On this 28th day of May, 1986, at a meeting of the Board of County Commissioners of Douglas County, Kansas, with the following members being present: Nancy B. Hiebert, David C. Hopper, and Warren Rhodes.

On this 11th day of June, 1986, at a meeting of the City Commission of Lawrence, Kansas, with the following members being present: Sandra Praeger, Mike Amyx, Ernest Angino, Howard Hill, and David Longhurst.

WHEREAS, in 1951 the governing bodies of Douglas County and the City of Lawrence adopted Joint Resolution No. 1957, establishing the Lawrence-Douglas County Health Board; and

WHEREAS, Joint Resolution No. 1957 has been amended by joint action on March 21, 1969, November 9, 1971, and March 27, 1984 and by adoption of Joint Resolution No. 3754 which authorized the Mental Health Committee of the Joint Lawrence-Douglas County Health Board to contract to provide mental health services.

WHEREAS, on February 18, 1986, the County and City governing bodies entered into an interlocal agreement with the Bert Nash Mental Health Center for the provision of mental health services in Douglas County, and such agreement provides for the administration of the agreement by a Joint Board of Mental Health; and

WHEREAS, the execution of the interlocal agreement eliminates the need for a Mental Health Committee of the Joint Lawrence-Douglas County Health Board.

NOW, THEREFORE, BE IT JOINTLY RESOLVED by the Board of County Commissioners of Douglas County and the City Commission of Lawrence that County-City Joint Resolution No. 1957, as amended, is hereby further amended as follows:

1. The Joint Lawrence-Douglas County Health Board, hereafter referred to as "The Board", established, pursuant to K.S.A. 65-205, by Joint Resolution No. 1957 shall be composed of five (5) members to be appointed as follows:
 - A. Two (2) members shall be appointed by the County Commission, two (2) by the City Commission, and one (1) by joint action of the two governing bodies.
 - B. The Board members shall have a term of office of three (3) years, and any vacancy on The Board shall be named by the same body that appointed the vacated member.
 - C. No appointed member of The Board may serve more than two (2) consecutive three-year terms.
 - D. The Public Health Officer shall serve as Secretary and be an ex-officio member of The Board without voting powers.
 - E. Three (3) members of The Board shall constitute a quorum.
 - F. The present board members shall continue as board members until their present terms expire.

2. The Board shall conduct monthly meetings. In the March meeting, The Board shall elect its officers from the voting membership: chairman, vice-chairman and treasurer, who shall hold office for one (1) year. In the June meeting, The Board

shall adopt and forward to the governing bodies budget recommendations for The Board. Annually, The Board shall review the personnel policies established for the Health Department. The treasurer shall receive and pay out all the monies allocated to The Board for public health by the two governing bodies. The treasurer shall give bond to be approved by the contracting governing bodies for the safe-keeping and due disbursements of all funds that may come into his hands by virtue of said office.

- 3. Responsibility for the approval of warrants for expenses of The Board for public health shall rest with The Board. All warrants shall be signed by the treasurer of The Board and countersigned by the chairman of The Board. Each month The Board shall submit to the governing bodies a statement of income and expenditures by The Board for the previous month.
- 4. When a vacancy occurs in the position of Public Health Officer, the Board shall be responsible for hiring a new officer. The Public Health Officer shall be responsible for filling vacancies on the Health Department staff.
- 5. The Board shall formulate and establish policies for operation of the Public Health Department. These policies shall be reviewed once each year. The Public Health Officer shall be responsible for administration of the policies established by the joint board of health.
- 6. Joint Resolution 1957, Joint Resolution 3754, and all other joint resolutions inconsistent herewith are hereby rescinded.
- 7. This joint resolution shall take effect and be in force from and after the last date above written.

THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

Nancy B. Hiebert
Nancy B. Hiebert, Chairman

Warren Rhodes
Warren Rhodes, Commissioner

David C. Hopper
David C. Hopper, Commissioner

ATTEST:

Patty Jaimes
Patty Jaimes, County Clerk

CITY COMMISSIONERS OF LAWRENCE, KANSAS

Sandra Praeger
Sandra Praeger, Mayor

David Longhurst
David Longhurst, Commissioner

Ernest E. Angino
Ernest Angino, Commissioner

Mike Amyx
Mike Amyx, Commissioner

Howard Hill
Howard Hill, Commissioner

ATTEST:

Vera Mercer
Vera Mercer, City Clerk

Current 5 member appointment calendar

Appointee	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
City	1		2	1		2	1		2	1		
County	1	2		1	2		1	2		1	2	
Joint			1			1			1			

Proposed 7 member appointment calendar

Appointee	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
City	1		2	1 3 *		2	1	3	2	1	3	2
County	1	2		1 3 **	2	3	1	2	3	1	2	3
Joint			1			1			1			1

* Initial term of 4 years

** initial term of 2 years

Board Composition

Historical Perspective

In 1969 the Lawrence-Douglas County Board of Health was reorganized to form an independent Board for the Bert Nash Mental Health Center. At that time the size of the Board of Health was reduced from 10 to 5 members.

Board members are appointed to 3 year terms by the City and County Commission and can serve 2 terms.

Board appointments are made in March. Currently the terms of two Board members expire in March (Alan Cowles and Karen Shumate). Both are eligible for reappointment. Board members eligible for reappointment should inform the Board of their interest in seeking reappointment at the January Board meeting in order to communicate our appointment needs to the City and County.

Recommendation

- 1) Expand the size of the Board from 5 to 7 members.
- 2) Additional members should be recruited from the education and business communities and submitted along with our regular appointments immediately following the February Board meeting. In order to properly space appointments the additional City appointment should have an initial term of 4 years and the additional County appointment an initial term of 2 years.

Rationale

- 1) Provide for broader community representation. A new strategic plan is needed. This plan should address the issue of community health planning aimed at improving the health of the community. Shown to the right is the most recent Kansas Health Institute report. This report indicates that many of the determinants of health need our attention, particularly in the area of education (both at the K-12 and University level) and employment (business).
- 2) Establish a more consistent pattern of appointment wherein each City Mayor and each County Commission Chair would annually appoint/re-appoint a Board member.

Table 5. List of Data Elements and Sources⁴

KANSAS INDICATORS			DATA SOURCE
Health Determinants — Health Care: Six Indicators			
1	No Health Insurance	70	Small Area Health Insurance Estima U.S. Census Bureau
2	Did Not Receive Needed Health Care	58	BRFSS, Office of Health Promotion,
3	No Dentist Visit in Past Year	11	BRFSS, Office of Health Promotion,
4	No Influenza Vaccine Shots In Past Year	62	BRFSS, Office of Health Promotion,
5	No Adequate Prenatal Care	51	Vital Statistics, Office of Health Ass
6	Breast Cancer Deaths	23	Vital Statistics, Office of Health Ass
Health Determinants — Health Behaviors: Ten Indicators			
1	Cigarette Smoking	32	BRFSS, Office of Health Promotion,
2	Smoking During Pregnancy	15	Vital Statistics, Office of Health Ass
3	Physical Inactivity	4	BRFSS, Office of Health Promotion,
4	Overweight and Obesity	4	BRFSS, Office of Health Promotion,
5	Low Fruit and Vegetable Consumption	32	BRFSS, Office of Health Promotion,
6	Binge Drinking	90	BRFSS, Office of Health Promotion,
7	Not Always Wearing Seatbelt	2	BRFSS, Office of Health Promotion,
8	Teen Birth	4	Vital Statistics, Office of Health Ass
9	Sexually Transmitted Disease	94	Bureau of Disease Control and Pre
10	Violent Crime	84	Kansas Bureau of Investigation
Health Determinants — Socioeconomic Factors: Six Indicators			
1	High School Non-Graduation	65	Kansas State Department of Educat
2	No High School Diploma	4	U.S. Census Bureau
3	Unemployment Rate	60	U.S. Bureau of Labor Statistics
4	Children in Poverty	14	Small Area Income and Poverty Esti U.S. Census Bureau
5	Divorce Rate	21	Vital Statistics, Office of Health Ass
6	Single Parent Households	94	U.S. Census Bureau
Health Determinants — Physical Environment: Six Indicators			
1	Respiratory Hazard Index	101	1999 National Air Toxics Assesmer U.S. Environmental Protection Ager
2	Secondhand Smoking	7	BRFSS, Office of Health Promotion,
3	Nitrate and Coliform Levels in Water	61	Bureau of Water, KDHE
4	Housing With Increased Lead Risk	3	U.S. Census Bureau
5	Lead Poisoned Children	35	Bureau of Consumer Health, KDHE
6	Commuting to Work by Driving Alone	46	U.S. Census Bureau
Health Outcomes: Three Indicators			
1	Years of Potential Life Lost Prior to Age 75 (YPLL-75)	11	Vital Statistics, Office of Health Ass
2	General Health Status: Fair or Poor	9	BRFSS, Office of Health Promotion,
3	Low Birth Weight	29	Vital Statistics, Office of Health Ass



DOUGLAS COUNTY PUBLIC WORKS

1242 Massachusetts Street
Lawrence, KS 66044-3350
(785) 832-5293 Fax (785) 841-0943
dgcopubw@douglas-county.com
www.douglas-county.com

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 *KB*

Date : February 4, 2010

Re : Consider renewing contract for 2010 chip seals

In April 2008, Douglas County awarded a contract to Vance Brothers, Inc. for chip sealing county roads. The contract was based on 45 miles of chip sealing, and the contract amount was \$725,757. The contract is renewable for two additional years (2009 & 2010).

In early 2009, we renewed the contract with Vance Brothers based on chip sealing 30 miles. Although the 2009 Road & Bridge Fund budget was based on sealing 45 miles, the mileage was reduced to accommodate anticipated reduced revenue.

We notified the contractor in December 2009 of our intent to renew the chip seal contract for 2010. We asked the contractor to submit prices based on 40 miles of chip seal. The 2010 Road & Bridge Fund 201 budget includes \$780,000 in the Sealing Contracts line item. The budget amount assumed sealing 40 miles at \$19,500 per mile.

As is typical, prices were submitted for utilizing lightweight aggregate (CM-L) for the base bid and for utilizing limestone chips (CM-K) as an alternate bid. The lightweight aggregate is expanded shale that is darker in color than limestone chips. It is preferable over crushed limestone because it is cleaner (less dust resulting in safer work zones and reduced liability), it results in far fewer cracked windshields, it has better skid resistance, and the excess chips on the roadway slopes and ditches are more easily mowed over. The darker color also makes pavement markings more effective.

Vance Brothers' submitted prices are attached. For chip sealing 40 miles, the cost is \$775,651.83, assuming CM-L aggregate is used, and \$716,135.36 if CM-K aggregate is used. Also attached is a comparison of prices from 2009 to 2010. The cost per mile for 2010 is slightly less than for 2009. Please note the 2009 costs are based on 30 miles of chip sealing while the 2010 costs are based on 40 miles.

We recommend renewing the contract for 2010 based on chip sealing approximately 40 miles of road, and using CM-L aggregate. The exact mileage and specific road segments to be sealed will be determined following an inspection of roads this spring.

Action Required: Authorization for Public Works Director to renew the 2008 chip seal contract with Vance Brothers, Inc. for 2010, based on chip sealing approximately 40 miles of road and using expanded shale (CM-L) aggregate.

PROJECT NO. 2010-1 (RENEWAL PROJECT NO. 2008-1)
 DOUGLAS COUNTY, KANSAS
 BID # 08005
 December 9, 2009



SCHEDULE OF PRICES

SPEC NO.	BIDDING ITEMS	APPROX. QUANTITIES	UNIT	UNIT PRICE DOLLARS CENTS	AMOUNT DOLLARS CENTS
1108	Lightweight Aggregate (CM-L)	4641	C.Y.	41.43	\$192,276.63
608/1203 Sp. Prov.	Emulsified Asphalt (CRS-1H), (CRS-2 1980 Specs, RS-2, RS-1H Optional at Engineers Request	867	Tons	475.00	\$411,825.00
610/1204	Cutback Asphalt (MC-30) for Prime (Add-Alternate Bid)	1	Tons	675.00	\$675.00
608/805 Sp. Prov.	Traffic Control	1	L.S.	20,000.00	\$20,000.00
608	Manipulation (Asphalt Seal)	2112	Station	59.60	\$125,875.20
801	Mobilization	1	L.S.	25,000.00	\$25,000.00

GRAND TOTAL \$775,651.83

ALTERNATE BID

SPEC NO.	BIDDING ITEMS	APPROX. QUANTITIES	UNIT	UNIT PRICE DOLLARS CENTS	AMOUNT DOLLARS CENTS
1108	Cover Material (CM-K)	5801	C.Y.	24.16	\$140,152.16
608/1203 Sp. Prov.	Emulsified Asphalt (CRS-1H), (CRS-2 1980 Specs, RS-2, RS-1H Optional at Engineers Request	867	Tons	475.00	\$411,825.00
610/1204	Cutback Asphalt (MC-30) for Prime (Add-Alternate Bid)	1	Tons	675.00	\$675.00
608/805 Sp. Prov.	Traffic Control	1	L.S.	20,000.00	\$20,000.00
608	Manipulation (Asphalt Seal)	2112	Station	56.10	\$118,483.20
801	Mobilization	1	L.S.	25,000.00	\$25,000.00

ADD-ALTERNATE GRAND TOTAL \$716,135.36

VANCE BROTHERS INC. 1/20/10

 CONTRACTOR DATE

NOTE: Bidder shall extend all items and total bid

**DOUGLAS COUNTY PUBLIC WORKS
PROJECT NO. 2010-1 (RENEWAL PROJECT NO. 2008-1)
ASPHALT SEALING
BID RENEWAL EVALUATION
1/22/2010**

SPEC NO.	BIDDING ITEM	UNIT	2009 QTY.	2010 QTY	2009		2010		% INCREASE 2009/2010
					BASED ON 30 MILES		BASED ON 40 MILES		
					VANCE BROS. INC.		VANCE BROS. INC.		
				UNIT PRICE	EXT.	UNIT PRICE	EXT.		
Sp. Prov.	Lightweight Aggregate (CM-L)	C.Y.	3481	4641	\$ 41.43	\$ 144,217.83	\$ 41.43	\$ 192,276.63	0.00%
Sp. Prov.	Emulsified Asphalt (CRS-II) CRS-1H, RS-2, RS-1H Optional at Engineer's Request	Tons	650	867	\$ 475.00	\$ 308,750.00	\$ 475.00	\$ 411,825.00	0.00%
612 1201	Cutback Asphalt (MC-30) for Prime (Add-Alternate bid)	Ton	1	1	\$ 775.00	\$ 775.00	\$ 675.00	\$ 675.00	-12.90%
613/821 Sp. Prov.	Traffic Control	L.S.	1	1	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	0.00%
613	Manipulation	Sta.	1584	2112	\$ 59.00	\$ 93,456.00	\$ 59.60	\$ 125,875.20	1.02%
820	Mobilization	L.S.	1	1	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	0.00%
TOTAL						\$ 592,198.83		\$ 775,651.83	
					COST PER MILE	\$ 19,739.96		\$ 19,391.30	-1.77%

**PROJECT NO. 2010-1 (RENEWAL PROJECT NO. 2008-1)
ALTERNATE BID**

SPEC NO.	BIDDING ITEM	UNIT	2009 QTY.	2010 QTY	2009		2010		% INCREASE 2009/2010
					BASED ON 30 MILES		BASED ON 40 MILES		
					VANCE BROS. INC.		VANCE BROS. INC.		
				UNIT PRICE	EXT.	UNIT PRICE	EXT.		
Sp. Prov.	Cover Material (CM-K)	C.Y.	4351	5801	\$ 19.85	\$ 86,367.35	\$ 24.16	\$ 140,152.16	21.71%
Sp. Prov.	Emulsified Asphalt (CRS-II) CRS-1H, RS-2, RS-1H Optional at Engineer's Request	Tons	650	867	\$ 475.00	\$ 308,750.00	\$ 475.00	\$ 411,825.00	0.00%
612 1201	Cutback Asphalt (MC-30) for Prime (Add-Alternate bid)	Ton	1	1	\$ 775.00	\$ 775.00	\$ 675.00	\$ 675.00	-12.90%
613/821 Sp. Prov.	Traffic Control	L.S.	1	1	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	0.00%
613	Manipulation	Sta.	1584	2112	\$ 57.50	\$ 91,080.00	\$ 56.10	\$ 118,483.20	-2.43%
820	Mobilization	L.S.	1	1	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	0%
TOTAL						\$ 531,972.35		\$ 716,135.36	
					COST PER MILE	\$ 17,732.41		\$ 17,903.38	0.96%