

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, April 3, 2018**

**CALL TO ORDER**

Commission Chairman Dan Woydziak called the Butler County Board of Commissioners to order at 9:00 a.m. Present were Commissioner Jeff Masterson, Commissioner Marc Murphy, Commissioner Ed Myers, Commissioner Mike Wheeler, County Administrator Will Johnson, and Clerk Recorder Chelsea Noel.

**INVOCATION**

Pastor Wanetta Baldwin, Community of Christ Church, El Dorado, presented the invocation.

**APPROVAL OF MINUTES**

*Commissioner Myers provided the following amendment: Add the following sentence to Item #5. "Commissioner Myers stated based on his experience with seismic exploration techniques, he felt the neighbors' concerns about adverse effects on ponds and springs were reasonable." Commissioner Myers motioned to approve the minutes of the Butler County Commission meeting from Tuesday, March 27, 2018 with the above amendment. Commissioner Wheeler seconded the motion. Motion carried 5-0.*

(00:02:27)

**PUBLIC COMMENTS**

There were no public comments.

(00:02:34)

**ITEM #1 – WYANDOTTE COUNTY SHERIFF'S OFFICE INMATE HOUSING CONTRACT**

Will Johnson, County Administrator, came before the Board for approval of a modification to the existing contract with Wyandotte County for the housing of inmates at the Butler County Jail. Revenue housing of inmates is a means to offset the operational expenses of the Butler County Detention Center. The Butler County Sheriff's Office has housed inmates from Wyandotte County in the past with success. The impact would be an additional ten inmates at \$40 per day which would be an additional \$400 per day and \$3,500 per month.

*Commissioner Myers motioned to approve a modification of the existing contract with Wyandotte County for the housing of inmates at the Butler County Jail. Commissioner Wheeler seconded the motion. Motion carried 5-0.*

(00:11:08)

**ITEM #2 – AWARD REQUEST FOR PROPOSAL (RFP) FOR HISTORIC COURTHOUSE BUILDING AUTOMATION**

Dan Ingalls, Facilities Management Director, came before the Board to award the RFP from 5 Star Mechanical for the purpose of installing HVAC Building Automation in the Historic Courthouse at a cost of \$6,335.00 per year for the next five years. The RFP included installation of all equipment for automation and provided four seasonal visits per year for preventive maintenance.

*Commissioner Murphy motioned to award 5 Star Mechanical the RFP in the amount of \$6,335.00 per year for the next five years for the purpose of installing HVAC Building Automation in the Historic Courthouse and a service agreement to service the equipment. Commissioner Masterson seconded the motion. Motion carried 5-0.*

(00:16:15)

**NON-AGENDA ITEM – NOXIOUS WEED HERBICIDES – BID OPENING**

Les Stalnaker, Noxious Weed Supervisor, came before the Board to receive and open sealed bids for the annual purchase of herbicides for the Noxious Weed Division of the Public Works Department. Following are the bids received:

2018 BID REQUEST				# 28 Crop Productions		Sims		# 110 Van Diest		Red River		Snyder Sales & Service		Helena	
				Bernie Devlin		Ryan Delaney		Bill Bean		Josh Britt		Scott Snyder		Paul Sweat	
				Castle Rock , CO 80138		Osborne, KS 67473		Lindsborg, KS 67456		Ada, OK 74820		Elwood, NE 68937		Hutchinson, KS 67501	
PRODUCT	SIZE	QTY	UNITS	\$ Each	Total	\$ Each	Total Bid	\$ Each	Total Bid	\$ Each	Total Bid	\$ Each	Total Bid	\$ Each	Total Bid
2, 4-D 4# Amine	2.5 GAL	360	GAL	\$ 8.90	\$ 3,204.00	\$ 9.25	\$ 3,330.00	\$ 8.93	\$ 3,214.80						
Rodeo	2.5 GAL	20	GAL			\$ 22.25	\$ 445.00	\$ 19.23	\$ 384.60						
Glyphosate	2.5 GAL	360	GAL	\$ 11.09	\$ 3,992.40	\$ 11.00	\$ 3,960.00	\$ 11.34	\$ 4,082.40						
Glyphosate	30 GAL	150	GAL	\$ 11.09	\$ 1,663.50	\$ 14.25	\$ 2,137.50	\$ 10.84	\$ 1,626.00						
Tordon 22K	2.5 GAL	180	GAL	\$ 44.99	\$ 8,098.20	\$ 40.00	\$ 7,200.00	\$ 44.54	\$ 8,017.20						
Plateau	1 GAL	30	GAL	\$ 96.39	\$ 2,891.70	\$ 125.25	\$ 3,757.50	\$ 96.29	\$ 2,888.70						
Remedy Ultra	1 GAL	180	GAL	\$ 46.09	\$ 8,296.20	\$ 55.00	\$ 9,900.00	\$ 46.09	\$ 8,296.20						
Remedy Ultra	2.5 GAL	360	GAL	\$ 46.09	\$16,592.40	\$ 55.00	\$19,800.00	\$ 46.09	\$16,592.40						
Pathway	2.5 GAL	180	GAL	\$ 27.29	\$ 4,912.20	\$ 37.00	\$ 6,660.00	\$ 27.19	\$ 4,894.20						
Tordon RTU	1 QT	36	QT	\$ 11.74	\$ 422.64	\$ 9.85	\$ 354.60	\$ 11.19	\$ 402.84						
Imitator	2.5	20	GAL					\$ 15.09	\$ 301.80						
Panoramic	1 GAL	30	GAL			\$ 113.00	\$ 3,390.00	\$ 94.29	\$ 2,828.70						
Auqanet	2.5	20	GAL	\$ 13.49	\$ 269.80										
* Picloram 22K	2.5 GAL	180	GAL			\$ 37.70	\$ 6,786.00								
* Triclopyr 4EC	1 GAL	180	GAL			\$ 44.75	\$ 8,055.00								
* Triclopyr 4EC	2.5 GAL	360	GAL			\$ 44.75	\$16,110.00								
Total purchased					\$ 269.80		\$11,514.60		\$37,836.90						
Total Awarded Bid															
					GRAND TOTAL			\$	49,621.30						

NO BID

*Commission Chairman Woydziak motioned to accept the bids received and opened for herbicides for the Noxious Weed Department and to direct the Department of Public Works to tabulate the bids, evaluate the bids and to return at a later time with a recommendation for action. Commissioner Myers seconded the motion. Motion carried 5-0.*

(00:23:28)

**ITEM #4 – LIQUID ASPHALT BID OPENING**

Darryl Lutz, Public Works Director, came before the Board to receive and open liquid asphalt bids for the Highway Department. The Public Works Department purchases 600,000 to 800,000 gallons of liquid asphalt each year for asphalt road maintenance work and for the annual chip seal program. In the past, price quotes were solicited from two local distribution terminals in El Dorado. As of 2004, only one liquid asphalt terminal is still in operation locally. Since 2004, other terminals outside the El Dorado have been solicited for submitting price quotations for liquid asphalts. Following are the bids received:

	Ergon Asphalt Emulsions, Inc. Overland Park, KS		Vance Brothers, Inc. Kansas City, MO		Coastal Energy Corp. Willow Springs, MO		Wright Asphalt Products Co. Dodge City, KS		APAC-Central Springfield, MO	
PRODUCT	TERMINAL PRICE	DELIVERED PRICE	TERMINAL PRICE	DELIVERED PRICE	TERMINAL PRICE	DELIVERED PRICE	TERMINAL PRICE	DELIVERED PRICE	TERMINAL PRICE	DELIVERED PRICE
AEP	\$ 2.01	\$ 2.08	NB	NB	\$ 2.10	\$ 2.20				
CRS-1H	\$ 1.54	\$ 1.61	\$ 2.10	\$ 2.25	\$ 1.70	\$ 1.80				
CRS-1HM	\$ 1.65	\$ 1.72	\$ 2.25	\$ 2.40	\$ 1.85	\$ 1.95				
CRS-1HP	\$ 1.76	\$ 1.83	\$ 2.25	\$ 2.40	\$ 2.00	\$ 2.10				
CMS-1PF	NB	NB	NB	NB	NB	NB				
CMS-1PC	\$ 2.73	\$ 2.80	NB	NB	NB	NB				
CHFRS-2P	\$ 1.86	\$ 1.93	NB	NB	\$ 2.05	\$ 2.15				
CBC-1H or ETac-H	\$ 2.25	\$ 2.45	NB	NB	NB	NB				
CQS-1F (Fog seal)	\$ 1.75	\$ 1.82	\$ 2.25	\$ 2.40	\$ 2.00	\$ 2.10				
CRS-TR	NB	NB	NB	NB	NB	NB	\$ 1.44	\$ 1.68		
TR-Fog	NB	NB	NB	NB	NB	NB	\$ 1.28	\$ 1.52		
HFMS-1	\$ 1.96	\$ 2.03	\$ 2.25	\$ 2.40	NB	NB				
MC-250	\$ 2.33	\$ 2.33	\$ 3.00	\$ 3.15	\$ 2.25	\$ 2.35			\$ 2.05	\$ 2.25
MC-30	\$ 2.48	\$ 2.48	\$ 3.00	\$ 3.15	\$ 2.40	\$ 2.50			\$ 2.16	\$ 2.36
MC-3000	\$ 2.25	\$ 2.25	\$ 3.00	\$ 3.15	\$ 2.10	\$ 2.20			\$ 1.94	\$ 2.14
MC-800	\$ 2.30	\$ 2.30	\$ 3.00	\$ 3.15	\$ 2.15	\$ 2.25			\$ 2.00	\$ 2.20
SS-1H	\$ 1.80	\$ 1.87	\$ 2.10	\$ 2.25	\$ 1.85	\$ 1.95				
SS1HP	\$ 1.95	\$ 2.02	\$ 2.25	\$ 2.40	NB	NB				
Demurrage	\$ 88.00	per hr. after 2 hrs.	\$ 70.00	per hr. after 1.5 hours free	\$ 75.00	per hr. after 2 hrs.	\$ 80.00	after 2 hrs free unloading	\$ 70.00	after 2 hrs free unloading
Pumping	\$ 70.00	if requested	\$ 65.00		\$ 75.00		no charge		\$ 70.00	

**Commissioner Masterson motioned to accept the bids received and opened for liquid asphalts and directed the Public Works Director to review the prices quoted and to return at a later time with a recommendation for purchase. Commissioner Murphy seconded the motion. Motion carried 5-0.**

(00:27:48)

**ITEM #5 – PUBLIC WORKS DEPARTMENT SHIRT ORDER BIDS**

Darryl Lutz, Public Works Director, came before the Board to receive and open bids for the annual purchase of PPE uniform shirts for the Department of Public Works. Following are the bids received:

Wells Designs	El Dorado, KS	\$6,583.00
Graphic Concepts Inc	El Dorado, KS	\$7,902.45

**Commission Chairman Woydziak motioned to accept the bids received for the purchase of PPE uniform shirts for the Department of Public Works and directed staff to tabulate the bids and to return at a later time with a recommendation for action. Commissioner Murphy seconded the motion. Motion carried 5-0.**

(00:29:31)

**ITEM #6 – PRE-CAST CONCRETE BOX CULVERT SECTIONS – SW 210<sup>TH</sup> ST. ENTRANCE PROJECT**

Darryl Lutz, Public Works Director, came before the Board to receive sealed bids for the purchase and delivery of pre-cast concrete box sections for a culvert replacement project in Butler County. In conjunction with this year’s culvert letting program, staff proposed to reconstruct an entrance with a new properly sized drainage structure that serves two properties on SW 210th St just west of Eightmile Creek. The County is building a waterway to correct a drainage problem that was created many years ago as part of a major bridge and approach roadway improvement project on SW 210th St. The proposed pre-cast concrete box will be large

enough to carry ditch water east to the creek and prevent the water from cutting across productive farm ground. Following are the bids received:

Wichita Concrete Pipe Co.	Wichita, KS	\$20,139.12
Oldcastle Precast	Topeka, KS	\$22,404.50

Mr. Lutz stated he felt comfortable with accepting the bid from Wichita Concrete Pipe Company.

*Commission Chairman Woydziak motioned to award the bid to Wichita Concrete Pipe Company in the amount of \$20,139.12 for pre-cast reinforced concrete box sections for a culvert replacement. Commissioner Masterson seconded the motion. Motion carried 5-0.*

(00:35:59)

**ITEM #8 – PUBLIC WORKS MOWING TRACTORS – BID AWARD/PURCHASE APPROVAL**

Darryl Lutz, Public Works Director, came before the Board to award the purchase for three 4-wheel drive mowing tractors for the Public Works Department to Ravenscraft Implement, Inc., Whitewater, KS, in the amount of \$234,300.00. Commission Chairman Woydziak requested a work session on equipment trade-in and buy-back programs.

*Commissioner Myers motioned to award the purchase for three 4-wheel drive mowing tractors for the Public Works Department to Ravenscraft Implement Inc., Whitewater, KS, in the amount of \$234,300.00. Commissioner Masterson seconded the motion. Motion carried 5-0.*

(00:45:41)

**ITEM #7 – GROUNDWATER MONITORING PROGRAM, ANNUAL PROFESSIONAL SERVICES AND LEACHATE RECIRCULATION LINE EXTENSION PROJECT – BUTLER COUNTY LANDFILL**

Darryl Lutz, Public Works Director, came before the Board for approval of separate agreements for engineering services related to the landfill for semi-annual groundwater monitoring work, for annual on-call general engineering services and for a planned extension of leachate recirculation lines. The Butler County Landfill programs funds each year for required semi-annual ground water sampling, analysis and reporting work, for annual miscellaneous engineering services primarily related to air permit reporting requirements and technical support for landfill operations and for planned major improvement projects which this year includes the planned extension of leachate recirculation lines into Area 2B. Butler County utilizes the firm of Burns & McDonnell Engineering Company to provide engineering services for the proposed work.

*Commissioner Masterson motioned to approve three separate agreements for engineering services provided by Burns & McDonnell Engineering Company in the not to exceed amount of \$125,364 for 2018 through 2020 semi-annual groundwater monitoring work at the landfill, for 2018 miscellaneous on-call engineering services in the not-to-exceed amount of \$30,000, and in the not-to-exceed amount of \$45,776 for all phases of engineering work for the extension of leachate recirculation lines in Area 2B and the proposed construction of a new access road and authorized the Chair to sign said agreements. Commissioner Murphy seconded the motion. Motion carried 5-0.*

(01:05:11)

**ITEM #3 – RECESS TO EXECUTIVE SESSION**

*Commissioner Masterson motioned to recess to Executive Session under the following exceptions to the Kansas Open Meetings Act at 10:05 a.m. with the public session resuming at 10:35 a.m. this 3<sup>rd</sup> day of April 2018, for the 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. There will be four separate items discussed in the Executive Session. Present were Commissioner Masterson, Commissioner Murphy, Commissioner Myers, Commissioner Wheeler, Commissioner Woydziak, Legal Counsel Terry Huelskamp, and County Administrator Will Johnson. Commissioner Murphy seconded the motion. Motion carried 5-0.*

*Commission Chairman Woydziak motioned to extend the Executive Session for ten minutes with the public session resuming at 10:45 a.m. Commissioner Wheeler seconded the motion. No action was taken as a result of the Executive Session.*

(01:06:40)

**ITEM #9 – PROPOSED 2018-2022 CIP WORK SESSION (EQUIPMENT, PUBLIC FACILITIES, TECHNOLOGY/OTHER)**

Ryan Adkison, Assistant County Administrator/Finance Director, along with some department heads, came before the Board to present the Commission with the proposed 2018-2022 Capital Improvement Plan (CIP) projects. The Proposed 2018-2022 CIP totals \$52,073,530 or \$3,578,425 more than the prior year. Primary funding is derived from operational transfers and the primary project categories are roads and bridges. No action was taken.

*Commissioner Masterson left the meeting at 12:13 p.m.*

Darryl Lutz reminded the Commissioners about the Rose Hill Town Hall meeting on Monday, April 9<sup>th</sup>, to discuss intersection improvement options for the planned reconstruction at SW Butler Road and SW 150<sup>th</sup> Street.

(02:44:37)

**VOUCHERS**

*Commissioner Wheeler motioned to approve vouchers for April 3, 2018 in the amount of \$782,353.45. Commissioner Myers seconded the motion. Motion carried 4-0.*

(02:45:01)

**COMMISSION ADDS & ABATES**

*Commissioner Murphy motioned to approve Adds & Abates #2682 dated April 3, 2018; Adds in the amount of \$0.00 and Abates in the amount of \$1,554.70. Commissioner Woydziak seconded the motion. Motion carried 4-0.*

(02:54:21)

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

The Commissioners will be attending the Planning Commission meeting tonight at 7:00 p.m. to discuss the Kansas Open Meetings Act with County Attorney Darrin Devinney.

The South Central Mental Health Luncheon is April 17<sup>th</sup> following the Commission meeting.

Commissioner Wheeler stated the Butler County Times mistakenly reported that the Butler County Commissioners violated the Kansas Open Meetings Act. Commissioner Wheeler noted

he responded back to the Times and informed them it was the Butler County Planning Commission who violated the Open Meetings Act.

(02:56:26)

**ADJOURNMENT**

*Commissioner Wheeler motioned to adjourn the meeting of the Board at 12:36 p.m.  
Commissioner Myers seconded the motion. Motion carried 4-0.*