

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, June 12, 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, County Administrator Will Johnson, and Clerk Recorder Chelsea Noel. Commissioner Mike Wheeler was absent.

INVOCATION

Chaplain David Griffis, Hope Community Church, Andover, presented the invocation.

APPROVAL OF MINUTES

Commissioner Myers provided the following amendment: Change Fairview Township to Butler County in item #3.

Commissioner Myers motioned to approve the minutes of the Butler County Commission meeting from Tuesday, June 5, 2018 with the above amendment. Commissioner Murphy seconded the motion. Motion carried 4-0.

Commissioner Murphy motioned to approve the minutes of the joint Butler County Commission and Butler Community College Trustee minutes from May 23, 2018. Commissioner Masterson seconded the motion. Motion carried 4-0.

(00:05:22)

PUBLIC COMMENTS

There were no public comments.

(00:05:36)

ITEM #1 – TABLED – COMMUNITY COLLEGE FUNDING RESOLUTION

Will Johnson, County Administrator, came before the Board for approval of tabled Resolution #18-09, a Resolution of support for a reduction of the Butler Community College Property Tax Levy and to make changes the Board felt necessary as a result of the meeting with Butler Community College. For the last 10 years the County Commission has advocated for a different funding structure for Community Colleges to spread the impact of the taxes levied on the people who utilize the college instead of simply its location. Recently the College increased its mill levy by almost 2 mills, which equated to over a 10% increase in taxes levied. This has resulted in a larger number of people advocating for change. Representative Williams has been working aggressively to find a middle ground to help resolve this issue in Butler County and lower the burden of taxes paid by our county residents for the Community College. The college currently serves almost 80% out of county students and this has been the norm for several years.

Commissioner Myers presented the Board with a minor change to Resolution 18-09.

Commissioner Myers stated the Commissioners do not want to run the college's business; however they would like to offer constructive suggestions. Commissioner Myers prepared a chart that consisted of out-of-county vs. in-county tuition and fees as a percentage by academic year at Butler Community College. Commissioner Myers discussed the difference in revenue brought in by in-county and out-of-county tuition fees. Commissioner Myers expressed that the Board is not trying to direct the Board of Trustees but simply asking that the Board of Trustees joins in the effort to achieve fair funding for Butler Community College. Commission Chairman

Woydziak hoped by passing this resolution that it will bring awareness across the State and will make an impact to local tax payers. Commission Chairman Woydziak stated the College is a great asset to Butler County and wants them to succeed but feels the out-of-county tuition fees need to be increased. Commissioner Murphy stated Butler County tax payers deserve fairness and feels the Board is on the right track by passing the resolution to achieve fair funding. Commissioner Masterson stated he is prepared to support the resolution and hoped the County could maintain a good working relationship with the College.

Dr. Krull, BCC President, felt there is a broader solution that could be attained at the state level and would not require a tax increase to anyone.

Herb Llewellyn, 1661 Pennsylvania, El Dorado, came before the Board and suggested the Commissioners do not make this issue their priority. Mr. Llewellyn felt the County Commission should not focus so much on lowering taxes and more about services and the demand for services that are provided by institutions such as the college. Mr. Llewellyn hoped the Board would have faith in the Board of Trustees to do the job they were elected to do.

Commissioner Myers motioned to approve Resolution #18-09, a Resolution of support for fair funding of Butler Community College Property Tax Levy. Commissioner Murphy seconded the motion. Motion carried 4-0.

Vince Haines, El Dorado City Mayor, came before the Board for discussion regarding the revocation of Integrated Plastic Solution's CUP. Commission Chairman Woydziak asked Mr. Haines for help to recoup the clean-up costs if the CUP is revoked. Mr. Haines stated the City of El Dorado would be willing to work with the County to help with the clean-up.

(00:39:25)

ITEM #2 – CULVERT LETTING NO. 73 – NOTICE TO CONTRACTORS

Darryl Lutz, Public Works Director, came before the Board for approval of a Notice to Contractors for Culvert Letting No. 73 for the construction of 10 reinforced concrete box structures throughout Butler County. The letting includes 8 large culvert sized structures and 2 bridge sized structures and the letting date is proposed for Tuesday, July 10, 2018 at 10:00 a.m.

Commissioner Masterson motioned to approve the Notice to Contractors for Culvert Letting No. 73 for the construction of ten (10) reinforced concrete box structures throughout Butler County and setting the letting date for 10:00 a.m., Tuesday, July 10, 2018 and authorized the Chair to sign. Commissioner Murphy seconded the motion. Motion carried 4-0.

(00:43:12)

ITEM #3 – 2018 LEACHATE RECIRCULATION LINES EXTENSION FOR AREA 2B – INVITATION TO BID

Darryl Lutz, Public Works Director, came before the Board for approval of an Invitation to Bid (Notice to Contractors) for construction of leachate recirculation lines and access road for Area 2B of the landfill. Completion of these extensions will allow the landfill to continue to grow vertically as planned. The project will also include the construction of a new access road up the east slope of Area 2B. The first tier of leachate recirculation lines was extended into Area 2B in 2014. Plans and construction documents have been prepared by Burns & McDonnell Engineering Company and the project is ready to go out for bid. Bid opening is planned for Tuesday, July 10, 2018 at 10:00 a.m.

Commission Chairman Woydziak motioned to approve the Invitation to Bid for Project No. LF-LREXP-18 for the construction of landfill leachate recirculation line extensions and an access road for Area 2B of the landfill with bid opening to be 10:00 a.m., Tuesday, July 10, 2018 and authorized the Chair to sign. Commissioner Murphy seconded the motion. Motion carried 4-0.

(00:45:35)

ITEM #4 – HOT MIX SURFACING PROJECT – ROSE HILL ROAD THROUGH THE CITY OF ROSE HILL – NOTICE TO SURFACING CONTRACTORS

Darryl Lutz, Public Works Director, came before the Board for approval of a Notice to Surfacing Contractors for a hot mix asphalt surfacing project on Rose Hill Road through the City of Rose Hill. It is being planned to mill and overlay the existing surface of SW Butler Road beginning about 1/4 mile north of SW 190th and then north for about 1.7 miles to just south of the SW 170th Street intersection. Mr. Lutz stated sealed bids will be received on Tuesday, July 10th at 10:00 a.m.

Commission Chairman Woydziak motioned to approve a Notice to Surfacing Contractors for Project No. BC-843(6-7)18 for a milling and hot mix asphalt surface overlay project on Rose Hill Road through Rose Hill and authorized the Chair to sign. Commissioner Masterson seconded the motion. Motion carried 4-0.

(00:54:58)

NON-AGENDA ITEM

Darryl Lutz, Public Works Director, came before the Board and informed them of an error regarding the award of bid to purchase two tandem axle dump trucks from Wichita Kenworth that was approved last week. Mr. Lutz stated Wichita Kenworth did not include the price for one of the truck bed setups, which was \$59,769.00. Mr. Lutz also stated Kenworth was not willing to honor their original bid once the mistake was recognized. Staff re-evaluated the bids that were received last week and Truck Center Companies, Wichita, KS was the lowest bid received in the amount of \$325,065.00.

Commissioner Murphy motioned to rescind the purchase approval from Wichita Kenworth for two Kenworth trucks, two snow plows and two salt/sand spreaders in the total amount of \$321,982.00 and to award the bid to Truck Center Companies, Wichita, KS for two 2019 Freightliner trucks for a total delivered price of \$325,065.00 including two salt/sand spreaders and two snow plows. Commissioner Myers seconded the motion. Motion carried 4-0.

(01:01:23)

RECESS

Commission Chairman Woydziak recessed the meeting of the Board at 10:01 a.m. for 7 minutes.

Commission Chairman Woydziak reconvened the meeting of the Board at 10:08 a.m.

(01:01:41)

ITEM #6 – WORK SESSION – DETENTION FEES & RETENTION POLICY

Kelly Herzet, Butler County Sheriff, came before the Board for discussion on the current fees charged to organizations housing inmates at the Detention Facility and also to discuss the reinstatement of the Retention Policy. Sheriff Herzet stated the Detention Facility currently has

206 inmates and is 15 staff members short. He informed the Board that there were nine potential candidates testing for hire today and two in the process of being hired. Sheriff Herzet stated the Detention Facility is running smoothly. Detention Captain Toby Stewart felt the Retention Policy was a good incentive and thought reimplementation would boost morale. Lieutenant Burnett came before the Board and provided stats from when the policy was originally put in place. Lieutenant Burnett also felt the policy would boost morale and is a good recruitment tool for the facility. The Commissioners expressed the importance of making every effort possible to bring up the staffing levels before they become worse. The Board came to the consensus to bring back the policy at a later date for reimplementation. Sheriff Herzet also informed the Board that he feels comfortable with the current fee of \$35/day that is charged to other organizations for housing inmates. Commission Chairman Woydziak expressed his appreciation to the Sheriff's Office for their continued hard work for the citizens of Butler County. No action was taken.

(01:30:14)

ITEM #5 – COMMUNITY BUILDING UTILIZATION POLICY UPDATE

Will Johnson, County Administrator, came before the Board for approval of a modification to the Community Building Reservations Procedures to allow for the consumption of beer and wine with an additional deposit of \$150. As a result of the change to the liquor laws in Kansas staff is recommending a change to this section of the policy to allow for the consumption of beer and wine. As such staff also recommended a separate deposit above and beyond the current deposit for use of the building. The following language is being proposed by staff: Consumption of beer or wine may be authorized after the Request for Use of Alcohol form has been submitted and reviewed. The form must be submitted with an additional \$150 deposit fee. This fee is above and beyond the deposit required for the community building rental. Hard liquor and spirits are not allowed. No alcoholic beverages may be sold or a fee charged for alcohol consumption. A separate deposit of \$150 will also be charged along with a new request form for the use of alcohol. This change will allow for the traditional events to continue and will allow for wine to be served at such events as wedding receptions. This will not allow for liquor to be utilized or served at the building. Commissioner Myers stated he could not support the policy change due to the upcoming significant jump in the alcohol content. The Board came to the consensus to table the item for one week.

Commissioner Murphy motioned to table approval of the changes to the Community Building Reservations Procedures to allow for the consumption of beer and wine with an additional deposit of \$150 and the language recommended by staff. Commissioner Myers seconded the motion. Motion carried 4-0.

(01:43:38)

ITEM #7 – WORK SESSION – SHORT TERM AND LONG TERM COMMISSION GOALS

Will Johnson, County Administrator, came before the Board for discussion on short term and long term goals of the Butler County Commission. Commissioner Myers inquired about the listed short term and long term Commission Objectives. No action was taken.

(01:55:50)

VOUCHERS

Commissioners Murphy and Myers asked questions of the vouchers.

Commissioner Myers motioned to approve vouchers for June 12, 2018 in the amount of \$632,864.44. Commissioner Murphy seconded the motion. Motion carried 4-0.

(02:00:41)

COMMISSION ADDS & ABATES

Commissioner Masterson motioned to approve Adds & Abates #2692 dated June 12, 2018; Adds in the amount of \$0.00 and Abates in the amount of \$1,142.42. Commissioner Murphy seconded the motion. Motion carried 4-0.

(02:01:00)

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

Administrator Johnson noted he has voting delegates for KAC.

Administrator Johnson stated he received a letter from Keyta Kelly withdrawing from doing the County's personal property tax collection.

(02:03:34)

ADJOURNMENT

Commission Chairman Woydziak motioned to adjourn the meeting of the Board at 11:11 a.m. Commissioner Murphy seconded the motion. Motion carried 4-0.

The Commissioners attended a luncheon at the Augusta Senior Center following the meeting