

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, January 4, 2022**

**CALL TO ORDER**

Commission Chair Jeff Masterson called the Butler County Board of Commissioners meeting to order at 9:00 a.m. Present were Commissioner Marc Murphy, Commissioner Kelly Herzet, Commissioner Mike Wheeler, County Administrator Will Johnson, and Executive Assistant Anna Wealand. Commissioner Dan Woydziak was absent.

(00:00:10)

**INVOCATION**

Reverend Christine Gilson, retired, presented the invocation.

(00:01:15)

**APPROVAL OF MINUTES**

*Commissioner Murphy motioned to approve the minutes from the December 28, 2021, Butler County Commission meeting as presented. Commissioner Wheeler seconded the motion. Motion carried 4-0.*

(00:01:44)

**PUBLIC COMMENTS**

Darryl Lutz, Director of Public Works, came before the Board to present Travis Cornell as the new Facilities Management Director. Commission Chair Masterson inquired if Mr. Cornell has found someone to replace him at his previous post at the Detention Center; Mr. Cornell stated work is in progress to find a replacement. Commissioner Herzet stated Mr. Cornell did very well managing the maintenance aspects at the jail.

Steve Shannon of S.D.S. Inc, 520 N Industrial Rd, came before the Board. A truck and trailer were stolen from his business on December 23<sup>rd</sup> or 24<sup>th</sup> of 2021. Mr. Shannon stated he has received information from undercover agents that drug people have targeted the Integrated Plastic Solutions (IPS) facility as an easy steal target and will continue to be a target. Mr. Shannon requested street lights be placed on the road to help illuminate the road to assist security cameras on the company's property. Businesses in the area have installed lights on their property but their lights do not illuminate the street. Mr. Shannon stated homeless individuals are living at IPS and someone is setting fires out there as well. The Board and Mr. Shannon discussed the status of the cleanup efforts for the IPS property. Mr. Shannon has contacted Evergy and street light installation has to begin with the Commission; poles already exist in the area. Mr. Shannon stated the Butler County Sheriff's Office has been very helpful. Commissioner Herzet stated he will contact Mr. Shannon with an update on the street light situation.

(00:16:)

**ITEM #1 –TYLER TECHNOLOGIES (NEW WORLD) SOFTWARE AND SERVICES RENEWAL**

Lew Harter, Information Technologies Director, came before the Board for the consideration of the approval of the renewal of the Tyler Technologies (New World) software and services and the authorization of staff to sign all purchase documents as needed. New World (A Tyler Company) provides the software for the County's Computer Aided Dispatch (CAD), Sheriff

Records Management, and Jail Records Management. All of this software is integrated, preventing the need for duplicate entries and providing an efficient means of data sharing. The New World software, particularly the CAD applications, are mission critical to providing public safety. These applications also contain legal documentation and criminal history information that is regulated by law. This renewal will extend maintenance and support of the software for the period from January 1<sup>st</sup>, 2022, through December 31<sup>st</sup>, 2022. The total cost of the renewal is \$96,054.52. The departmental breakdown of the charges is as follows: CAD portion 9-1-1 fund 66: \$43,360.04. Records Portion SO: \$29,881.47. Jail portion: \$22,813.11. The SO portion and the Jail portion will be paid from Information Technology's account 0001-008-6214-000. For comparison, the 2021 cost was \$89,663.54. The County will begin to pay maintenance on the third party corrections interface (VINE) in 2022 of \$1,907.85. The remaining increase of \$4,493.23 represents a 5% increase over the previous year.

***Commissioner Herzet motioned to approve the software maintenance renewal to New World in the amount of \$96,054.52 and authorized staff to sign all purchase documents as necessary. Commissioner Murphy seconded. Motion carried 4-0.***

(00:18:42)

**ITEM #2- ROAD VACATION PETITION FOR NW 60<sup>TH</sup> ST BETWEEN NW OHIO STREET RD AND K-196 HIGHWAY IN PLUM GROVE TOWNSHIP**

Darryl Lutz, Public Works Director, approached the Board for the consideration of the acceptance of a petition to vacate public road right-of-way and the setting of a road viewing date for NW 60<sup>th</sup> St between NW Ohio Street Rd and K-196 Highway in Plum Grove Township. The County has received a petition from Donovan Claassen requesting the vacation of road right-of-way for NW 60<sup>th</sup> St from NW Ohio Street Rd east a little over one half mile to the west line of K-196 Highway in Plum Grove Township. The road segment proposed to be vacated is presently a dirt road in poor condition. Mr. Claassen is a landowner on the north side of the road proposed to be vacated. The minimum requirement for a petition for road vacation is for any adjacent property owner to sign the petition. At this time, the County Commission will be receiving a petition to vacate a public road. The County Commission will need to appoint three disinterested persons to act as road viewers and to set a road viewing date and time for the road viewing to occur. The road viewing is to occur no sooner than twenty days from the date of first publication and no more than twenty days from the date of second publication. The road viewers will be directed to meet at the place of beginning at the published time to receive public comment, to determine if said road is of public utility and to consider any other information pertinent to vacating a public road. The viewers will then prepare a report of viewers with a recommendation for action to present to the County Commission for consideration and acceptance. It is proposed that a road viewing be set for Tuesday, February 1, 2022, at 8:00 a.m. The County will follow statutory procedures and requirements for vacating public roads.

Commission Chair Masterson, Commissioner Herzet, and Commissioner Wheeler offered to participate in the viewing.

***Commissioner Herzet motioned to accept the petition requesting the vacation of NW 60<sup>th</sup> St between NW Ohio Street Rd and the west line of K-196 Highway in Plum Grove Township, to appoint Commission Chair Masterson, Commissioner Herzet, and Commissioner Wheeler as***

*road viewers and to set a road viewing date for Tuesday, February 1, 2022, at 8:00 a.m. at the location. Commissioner Wheeler seconded. Motion carried 4-0.*

(00:24:50)

**ITEM #3 – HAZARDOUS MATERIALS RESPONSE AGREEMENT**

Administrator Johnson came before the Board for the consideration of the approval of the Hazardous Materials Response Agreement update with the City of El Dorado. The City of El Dorado has performed hazardous material responses in the County since the mid 1990's when the original agreement was initiated. The cost to the County has been nominal in the amount of \$16,000 annually since its inception. The City is in need of upgrading equipment and a response vehicle and has asked the County to consider a new agreement to include participation with the vehicle purchase. In the agreement the City maintains the fixed cost of \$16,000 per year to help offset staff training/certifications along with some disposable equipment. The City is asking for participation in the purchase of a replacement response vehicle in this contract. Staff has proposed two different levels of participation depending on the utilization of the vehicle. If the vehicle is solely utilized for hazmat response then the County would take on a larger cost share of the vehicle than if the truck is a multi-response fire truck with hazmat capabilities. The remaining terms of the agreement are essentially the same as they have been for the last twenty-five years. \$16,000 annually for hazmat support and then cost share of a response vehicle either in the amount of \$187,500 or a maximum of 75% for a vehicle dedicated to hazmat response or \$62,500 or a maximum of 25% for a multi-purpose response vehicle. The agreement also includes language for the City to reimburse the County \$125,000 should they convert the dedicated vehicle to a multi-response vehicle. The agreement has been reviewed and approved as to form by legal counsel.

Commission Chair Masterson inquired as to where the County's funds for this partnership will come; Administrator Johnson stated the funds would come from the General Fund.

*\*\*\*The Historic Courthouse lost power at 9:26 a.m. and the audio and video livestream recordings ceased at that time due to the power outage.\*\*\**

*Commissioner Wheeler motioned to approve the Hazardous Materials Response Agreement update with the City of El Dorado and allowed the Chair to sign. Commissioner Herzet seconded. Motion carried 4-0.*

(00:00:00)

**VOUCHERS**

Commission Chair Masterson and Commissioner Wheeler made inquiries regarding the vouchers and Administrator Johnson provided the requested answers.

*Commissioner Wheeler motioned to approve vouchers dated January 4, 2022, in the amount of \$234,632.18. Commissioner Murphy seconded the motion. Motion carried 4-0.*

(00:00:00)

**ADDS & ABATES**

***Commissioner Wheeler motioned to approve Adds in the amount of \$4,418.64 and Abates in the amount of \$4,366.30. Commissioner Murphy seconded. Motion carried 4-0.***

(00:00:00)

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

Commissioner Wheeler commented a copy of the December 28, 2021, minutes were not present for the Board to sign; Executive Assistant Wealand apologized for the oversight and stated they would be made available.

Commissioner Murphy stated he will be absent next week.

Administrator Johnson asked the Board to consider the reorganization of the Board for 2022 as the topic will be placed on next week's agenda. The Board discussed the matter and decided Commissioner Herzet will be the Chair and Commissioner Murphy will be the Vice Chair.

Administrator Johnson asked the Board if any of them would be interested in attending the National Association of Counties (NACo) conference in February in Washington D.C. Administrator Johnson informed the Board Washington D.C. is requiring proof of COVID-19 vaccination and the wearing of face masks to enter buildings. Administrator Johnson stated he has made two hotel and conference registration reservations as placeholders but has not booked any flights as of yet. Commissioner Woydziak has informed Administrator Johnson he is still deciding whether to attend the event. Commissioner Wheeler stated he will get back to Administrator Johnson regarding his attendance. Commission Chair Masterson and Commissioner Murphy were not interested in attending.

The 2022 Legislative Luncheon will be held at 12 p.m. today at the Point Events center in Augusta. Administrator Johnson stated all but two of the Butler County Delegation will be in attendance; Representative Humphries and Senator Fagg will be unable to attend.

(00:00:00)

**ADJOURNMENT**

***Commissioner Wheeler motioned to adjourn the meeting of the Board at 9:39 a.m. Commissioner Murphy seconded the motion. Motion carried 4-0.***

*The Commissioners attended a luncheon with the 2022 Butler County Legislative Delegation at the Point Events Center in Augusta at 12 p.m.*