

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, January 10, 2023**

(00:00:50)

**CALL TO ORDER**

Commission Chair Kelly Herzet called the Butler County Board of Commissioners meeting to order at 9:00 a.m. Present were Commissioner Marc Murphy, Commissioner Jeff Masterson, Commissioner Dan Woydziak, County Administrator Will Johnson and Clerk Recorder Jennifer Currier. Commissioner Wheeler was not in attendance.

(00:00:58)

**INVOCATION**

Pastor David Crook, First Southern Baptist Church, presented the invocation.

(00:03:43)

**APPROVAL OF MINUTES**

*Commissioner Woydziak motioned to approve the minutes from the January 3, 2023, Butler County Commission meeting as presented. Commissioner Masterson seconded the motion. Motion carried 4-0.*

(00:04:07)

**VOUCHERS**

*Commissioner Masterson motioned to approve vouchers dated January 10, 2023, in the amount of \$1,123,246.86. Commissioner Murphy seconded the motion. Motion carried 4-0.*

(00:04:29)

**PUBLIC COMMENTS**

There were no public comments.

(00:04:40)

**OLD BUSINESS OF THE OUTGOING BOARD**

*No action was taken.*

(00:04:55)

**THE RETIRING COUNTY COMMISSION ADJOURNS SINE DIE**

(00:05:00)

**SWEARING IN CEREMONY FOR COMMISSIONER ELECT POSITIONS**

Chief Judge Ricke swore Commissioner Dan Woydziak, District 5, and Commissioner Jeff Masterson, District 1, into office for another four year term; Chief Judge Ricke also swore in Darren Jackson as Commissioner for District 4.

(00:0009:20)

**THE NEW COUNTY COMMISSION CONVENES**

(00:09:32)

**REORGANIZATION OF THE COUNTY COMMISSION**

Annually the Commission selects a Chairman and Vice Chairman for the upcoming year. This is done at the same time as the appointments to office, which occurs after the second Monday in January. Commissioner Herzet lead the Commission last year and has indicated he would be willing to continue in this role. The Vice Chair will reside over the Commission meetings in the absence of the Chairman

*Commissioner Woydziak motioned to nominate Commissioner Herzet to the position of Chairman for 2023. Commissioner Murphy seconded the motion. Motion carried 5-0.*

*Commissioner Murphy motioned to nominate Commissioner Woydziak as Vice Chair for 2023. Commissioner Masterson seconded the motion. Motion carried 5-0.*

(00:12:55)

**ITEM #2 – STOP SIGNS - ROCK CREEK TOWNSHIP AND AUGUSTA TOWNSHIP**

Darryl Lutz, Public Works Director, came before the Board for approval to adopt separate resolutions to establish Stop control at the intersection of SW Purity Springs Rd and SW 200<sup>th</sup> St in Rock Creek Township and at the intersection of SW Diamond Rd and SW 80<sup>th</sup> St in Augusta Township. Rock Creek Township and Augusta Township requested the County Engineer's Office to determine the need for Stop signs to control traffic at those intersections. Staff has conducted the appropriate studies to determine the need and the appropriate regulatory signs if any to post for each location. In order for regulatory signs to be enforceable on County and Township roads in the unincorporated area of the County, they must be adopted by County resolution. Signs on Township roads are to be installed and maintained by the respective Township of jurisdiction. Staff has conducted the requested traffic studies for each Township; the following recommendations have been made and the respective Townships have requested adoption of the appropriate resolution for each:

- SW 80<sup>th</sup> St. and SW Diamond Rd in Augusta Township - Install Stop Signs on SW Diamond and allow thru traffic on SW 80<sup>th</sup> St.
- SW 200<sup>th</sup> St and SW Purity Springs Rd in Rock Creek Township - Install Stop Signs on SW 200<sup>th</sup> St and allow thru traffic on SW Purity Springs.

*Commissioner Murphy motioned to approve the adoption of Resolution No. 23-01 establishing Stop control SW Diamond Rd at the intersection with SW 80<sup>th</sup> St in Augusta Township and Resolution No. 23-02 establishing Stop control for SW 200<sup>th</sup> St at the intersection with SW Purity Springs Rd in Rock Creek Township and to authorize the Chair to sign the resolutions. Commission Chair Herzet seconded. Motion carried 5-0.*

(00:20:04)

**ITEM #3 – AUTHORIZATION FOR 2023 ANNUAL COMMODITY PURCHASES - PUBLIC WORKS DEPARTMENT**

Darryl Lutz, Public Works Director, came before the Board for approval to solicit bids for 2023 annual commodity purchases for the Highway Division, the Noxious Weed Division and the

Landfill Division of the Public Works Department. Public Works makes annual purchases of several large volume materials that are consumed. Following is a list of materials and estimated annual purchase amounts:

- tire purchases for all Public Works divisions (ave. \$55,000)
- uniform shirts for Public Works employees (\$7,500)
- liquid asphalts for highway maintenance program – ave. 650,000 gallons (\$1,500,000)
- culvert pipes – varies (up to \$40,000)
- herbicides and application products for Noxious Weed department use – varies (up to \$240,000)
- sign materials as needed (up to \$50,000)

Staff recommended and requested permission to solicit sealed bids as needed throughout the year. If requested or required by the County Commission, sealed bids can be presented to the County Commission for opening. The exception to this would be the bid process for sign materials. Sign material orders tend to be smaller in size with bids typically being submitted via fax or e-mail.

*Commissioner Woydziak motioned to approve the Department of Public Works to solicit sealed bids from local and/or regional vendors for 2023 annual purchases of tires, uniform shirts, liquid asphalts, culvert pipes and herbicides and application products to be presented to the Board for opening and for sign materials by informal bid with bids received by staff with all final purchase authorizations to be approved by the Board. Commissioner Masterson seconded. Motion carried 5-0.*

(00:22:44)

#### **ADDS AND ABATES**

*Commissioner Woydziak motioned to approve Adds in the amount of \$428.36 and Abates in the amount of \$8,365.18. Commissioner Murphy seconded. Motion carried 5-0.*

(00:23:04)

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

Commissioner Murphy welcomed Commissioner Jackson and congratulated Commissioner Woydziak and Commissioner Masterson on their new terms.

Commission Chair Herzet wished Commissioner Masterson a Happy Birthday and congratulated Commissioner Jackson on his new position on the Board.

Commissioner Jackson thanked everyone and is excited to get started.

Commissioner Woydziak and Mr. Lutz discussed the HWY 54 improvement and expansion project.

The Board and Administrator Johnson discussed the Legislative Agenda Luncheon which occurred last week.

Administrator Johnson welcomed Commissioner Jackson to the County and congratulated Commissioner Woydziak and Commissioner Masterson on their re-election. Administrator Johnson also invited the Board and public to a small reception in the Commission Room immediately following the meeting.

Administrator Johnson asked the Board for approval for the emergency purchase of a new hot water heater for the Augusta Public Safety Building in the amount of \$12,946.

Travis Cornell, Facilities Management, explained to the Board the type of hot water heater that was purchased and why the cost was so high.

***Commissioner Masterson motioned to approve the emergency purchase of the hot water heater for the Augusta Public Safety Building in the amount of \$12,946. Commissioner Woydziak seconded the motion. Motion carried 5-0.***

Administrator Johnson and Commissioner Woydziak attended the retirement reception for Commissioner Chip Westfall in Newton, Kansas.

(00:30:59)

**ITEM #1 – BID OPENING - HICKORY CREEK BRIDGE ON SE COLE CREEK RD**

Darryl Lutz, Public Works Director, came before the Board to receive and open sealed bids for a construction project to replace the Hickory Creek Bridge on SE Cole Creek Rd located 4.2 miles south of Leon, Kansas. Butler County maintains 434 bridge sized structures throughout the County in addition to over 2000 culvert sized structures. Public Works has identified several bridges on County and Township roads that are in need of major repair work or replacement. The projects have been prioritized and are included in the County’s approved bridge project Capital Improvement Program (CIP). The CIP includes a County funded bridge replacement project on SE Cole Creek Rd over Hickory Creek to replace an existing weight restricted steel pony truss bridge on a County maintained road that is narrow and in poor condition. Project engineering work and construction plans are completed, right-of-way has been acquired and utility relocation work is in progress. On December 10, 2022, the County Commission approved putting the project out for bid. Sealed bids were due to be submitted by 9:30 a.m., Tuesday, January 10, 2023. Mr. Lutz requested the Board to open the bids received and to read aloud the bidder’s name location and bid amount. Mr. Lutz also asked for the Commissioners to state whether the bid submittal includes a required bid guarantee as well as any acknowledgments of addenda received by the bidder prior to bid opening. It was recommended that the bids be evaluated by staff and a recommendation for action be made at a later date. The bids are as follows:

Bridges, Inc Newton, Kansas	B & B Bridge, Co LLC St. Paul, Kansas	Dondlinger & Sons Wichita, Kansas	Reece Construction Co. Salina, Kansas
\$1,114,231.20	\$1,176,561.14	\$1,268,891.60	\$1,298,814.18

*The Engineer’s estimate was \$1,181,486.14*

***Commissioner Masterson motioned to approve the bids received, opened and read for Project No. BR 16E2-28-6(21), the proposed bridge replacement project for the Hickory Creek Bridge***

*on SE Cole Creek Rd located 4.2 south of Leon, Kansas, and to direct the Public Works to tabulate and evaluate the bids accepted and to return at a later date with a recommendation for award of bid. Commission Chair Herzet seconded. Motion carried 5-0.*

(00:33:48)

**ADJOURNMENT**

*Commissioner Woydziak motioned to adjourn the meeting of the Board at 9:35 a.m.*

*Commissioner Masterson seconded the motion. Motion carried 5-0.*