

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, February 2, 2021

CALL TO ORDER

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

INVOCATION

Ryan Adkison, Finance Director, presented the invocation.

(00:00:54)

APPROVAL OF MINUTES

Commission Chair Masterson noted a typo in the title of Item #2. The title reads: *Item#2 – Trquest*. The title should read: *Item #2: Request*.

Commission Chair Masterson confirmed with David Alfaro, Community Development Director, that the acronym for the Butler Electric Coop, BEC, utilized in Item #3 was correct.

Commissioner Woydziak motioned to approve the minutes from the January 26, 2021, Butler County Commission meeting as amended. Commissioner Wheeler seconded the motion. Motion carried 4-0-1. Commissioner Herzet abstained due to his absence last week.

(00:02:13)

PUBLIC COMMENTS

There were no public comments.

(00:02:22)

ITEM #1 – ANNUAL MOTOROLA SUA PAYMENT

Jeremy Seglem, Interim Emergency Communications Director, came before the Board for the consideration of authorizing the Interim Director to pay the invoice for Motorola System Upgrade Agreement in the amount of \$90,883.08. In order to manage the statewide radio system the Kansas Department of Transportation (KDOT) must maintain current software versions. Butler County executed a new six (6) year contract with Motorola in 2017 to provide shared upgrades. The County's partnership with KDOT on the radio system has proven to be very beneficial to Butler County operationally by providing a state-wide footprint on limited channels and a regional footprint on all channels. Additionally, by taking advantage of their offer to utilize their controller the County has experienced significant cost efficiency. One of the "down sides" to this relationship is that all of the components of the system must utilize compatible software versions. It is not possible for Butler County to upgrade the County's software without KDOT upgrading the software of the components that communicate with the County's components (and vice versa.) This requirement naturally puts KDOT in the driver's seat when determining the schedule for system wide upgrades.

The upgrade cost of \$90,833.08 is a budgeted item through Strategic Communications. The payment schedule is as follows:

2017 - \$74,773 2018 - \$78,511 2019 - \$82,438.92
2020 - \$86,557 2021 - \$90,883.08 2022 - \$95,428

2021 is year five (5) of an existing six (6) year contract. This year's payment reflects a five percent increase over last year. Mr. Seglem noted next year will be the last year of the contract and the County will be able to renegotiate with the company. Commission Chair Masterson commented on the County's lack of options regarding the system's maintenance. Administrator Johnson noted the agreement discussed today pertains to the system's software, not the physical components. The maintenance agreement for the physical components is with a different company. Commissioner Woydziak stated he is unhappy with the company for stating a certain condition was a part of the contract some years ago and then pulling back that statement later on.

Commissioner Wheeler motioned to authorize the 9-1-1 Interim Director to pay \$90,883.08 to Motorola for the annual System Upgrade Agreement. Commissioner Murphy seconded. Motion carried 4-1. Commissioner Woydziak opposed.

Commissioner Woydziak stated his objection was due to the above stated reason.

(00:05:41)

ITEM #2 – NEXT GENERATION 911 ANNUAL PAYMENT

Jeremy Seglem, Interim Emergency Communications Director, came before the Board for the consideration of authorizing the annual payment for NG911. In 2017 Butler County entered into an agreement with the Kansas 911 Coordinating Council for NG911 call handling equipment and participation on the statewide ESI Net. This is the final year of the County's initial four year agreement. Text-to-911 capability was achieved shortly after migrating to ESI net. Geospatial routing is now enabled in Butler County, improving call routing and location accuracy utilizing a state wide mapping platform. The hosted solution cost is \$108,360 per year. The current balance of the 9-1-1 fund is \$458,635.

Commissioner Woydziak inquired if this payment is optional or if the County has to pay the fees; Mr. Seglem replied the payment is necessary if the County would like to continue to utilize NG911. Commissioner Murphy asked if cities are paying any of the NG911 fees; Mr. Seglem stated the payment in discussion is entirely the responsibility of Butler County but the cities of Augusta and Andover have their own agreements with NG911. Commissioner Woydziak asked if plans exist to allow for videos to be sent by individuals to Dispatch; Mr. Seglem said receiving videos is still in the works. Commissioner Woydziak commented on his concern about inundations to the 911 system with texted information. Mr. Seglem stated picture messages can be sent to 911 but the County does not keep those photos, they are passed on to the correct agency. Discussion ensued regarding the amount of data being sent and the burden storing said data can become. Commissioner Wheeler asked if 911 is receiving text messages; Mr. Seglem confirmed the County's Dispatch center is receiving about a dozen texts a year.

Commissioner Murphy motioned to approve the payment to the Kansas 9-1-1 Coordinating Council in the amount of \$108,360 for 2021 NG911 services. Commissioner Herzet seconded. Motion carried 4-1. Commissioner Woydziak opposed.

Commission Chair Masterson asked Mr. Seglem about a purchase card expenditure for Guardian Tracking Training in the vouchers. Mr. Seglem stated Guardian Tracking is a tool which allows

supervisors to track their staff; the fee is annual. Commissioner Herzet asked if the software assists in knowing how long an individual was on a call and how many hours an employee was on a console. Mr. Seglem reported the software is used to track what trainings and hours on a console a staff member has.

(00:14:50)

ITEM #3 – UP RAILROAD CROSSING SIGNALS AND GATES AT NW 100TH ST. – AGREEMENT

Darryl Lutz, Public Works Director, approached the Board for the consideration of a tabled item to consider approving an agreement with KDOT and with the Union Pacific Railroad Company (UP) for the installation of railroad crossing signals and gates at the UP railroad crossing located on NW 100th St. just south of Whitewater. The Union Pacific, Burlington Northern Santa Fe Railway Company (BNSF,) along with KDOT have been investing money into improving safety at railroad crossings for several years. Most of the crossings along the BNSF main line and some of the major County road crossings along the UP have been improved with new signals and automatic gates. The next crossing being proposed by KDOT for signal upgrades in Butler County is at the UP crossing on NW 100th St. located just north of Whitewater. The current crossing is a passive crossing which will receive signals and gates. This item was tabled by the County Commission in February 2020 to give staff an opportunity to work with the UP to move the signals further away from the edge of the road. KDOT previously submitted to Butler County a standard form three (3) party agreement for consideration and approval. A copy of the agreement was attached to the agenda. The obligation of Butler County is to install and maintain the advance warning signs on each approach to the crossing. The advanced warning signs will then be maintained by Milton Township. The cost of the crossing improvements is being paid for 100% with federal funds administered by KDOT on behalf of the railroad. Staff has been unsuccessful at getting the UP to move the proposed location of the signals. No capital outlay will be required from Butler County. The agreement is a standard form agreement prepared by KDOT and previously approved to form by Butler County Legal Counsel.

Commissioner Woydziak asked as to the likelihood of NW 100th St being improved in the near future; Mr. Lutz stated he does not foresee improvements being made in the near future. Mr. Lutz did state he is concerned about the railroad installing gates and signals based on the current crossing, which is crooked, and local residents would be required to pay to reinstall the gates and signals in the future event that the crossing's alignment is corrected. Commission Chair Masterson inquired if the road or the crossing is crooked; Mr. Lutz replied the crossing is crooked. Commissioner Wheeler asked for clarification as to which township will maintain the advance warning signs as Sycamore Township was listed as maintaining the signs; Mr. Lutz stated Sycamore Township was erroneously listed and Milton Township is the agency that will maintain the signs. Mr. Lutz stated a development occurred regarding this issue last night and believes will know the railroad's answer in the next week or two. The Board discussed the safety concerns the crossing's current orientation present.

Commissioner Woydziak motioned to table the agreement with the Union Pacific Railroad Company and KDOT related to KDOT Project No. 8 X-3058-01 to provide for the installation of automatic signals and gates at the UP railroad crossing on NW 100th St. for one week. Commissioner Herzet seconded. Motion carried 5-0.

(00:25:20)

ITEM #4 – PUBLIC WORKS DEPARTMENT MECHANIC TRUCK SERVICE BODIES – BID AWARD

Darryl Lutz, Public Works Director, approached the Board for the consideration of approving the award of bid for the purchase of two (2) mechanic truck service bodies each equipped with a crane and air compressor for the Public Works Department to be installed on two (2) new Ford F-550 truck chassis. The Department of Public Works develops and maintains an equipment replacement plan for all of its divisions. This plan is used as a tool to help budget for equipment replacement and new purchases and is incorporated into the County's current CIP and adopted budgets. The County Commission on October 13, 2020, approved the purchase of two (2) new 2021 Ford F550 dual rear wheel truck chassis for the purpose of replacing two (2) mechanics trucks for the Public Works Department. Staff has recently sent out requests for sealed bids to several truck body companies in Wichita for the purchase and installation of two (2) mechanic service bodies equipped a crane and air compressor to be installed on the new truck chassis when they arrive. Sealed bids were received and opened by the County Commission on January 26, 2021.

Sealed bids were received, opened and read from three (3) truck equipment vendors in the Wichita area. A tabulation of the bids received was included in the agenda packet. The lowest bid, which met all the requested specifications, was received from Midwest Truck Equipment Co., Wichita, Kansas. The total bid from Midwest Truck Equipment was \$125,068 for two (2) truck service bodies, each equipped with a hydraulic crane and high capacity air compressor and including installation. These new mechanic trucks with service bodies are planned to be in service for twenty (20) years and are replacing two (2) lighter weight mechanic trucks which have been in service since 2001. Staff recommends the award of purchase. These equipment purchases are planned in the County's CIP and are budgeted. The total equipment cost for each is about \$17,000 over budget, however, the cost for the equipment as specified was underestimated. The overrun is easily offset by several recent equipment purchases that came in under budget. Cash is available for making the planned purchases and the County's adopted Purchasing Policy is being followed.

The Commissioners asked for clarifications on the delivery time frames; Mr. Lutz provided the requested clarifications. Commissioner Wheeler inquired as to the disposal of the current mechanics truck; Mr. Lutz replied the current trucks would be sold through Purple Wave Auction.

Commissioner Wheeler motioned to approve the award of purchase for two (2) mechanics truck service bodies each equipped with a crane and air compressor including installation to Midwest Truck Equipment Co., Wichita, Kansas, in the total lowest and best bid amount of \$125,068. Commissioner Woydziak seconded. Motion carried 5-0.

(00:30:42)

ITEM #5 – POSTING OF BRIDGES FOR WEIGHT LIMITS – ADOPTION OF RESOLUTION

Darryl Lutz, Public Works Director, came before the Board for the consideration of the adoption of a resolution to establish updated bridge weight limits on County bridges based primarily upon new bridge load rating requirements. KDOT is in the fifth year of a multi-year program to load rate all County and City owned bridges using the most current load rating criteria. In addition the Kansas Legislature passed a state law in 2018 increasing the weight limits for emergency vehicles (fire trucks) which is above the legal weight limits for standard highway trucks. Federal regulations require all highway bridges on the interstate system and on the National Highway System be load rated for fire trucks and special vehicles including all local bridges within one (1) mile of these federal designated highways. State law, however, does not exclude load rating and posting of local bridges beyond the one (1) mile fringe along federal designated highways. The result is that all local bridges being load rated starting last year going forward now have to be load rated based upon the new fire truck weight limits and posted if required. In addition the County has load ratings on several other bridges that need to be updated or removed.

Butler County had ninety-three (93) of its 433 bridges load rated this year by KDOT. Of the ninety-three (93) bridges evaluated this year, twenty-nine (29) bridges including one (1) bridge currently posted do not require any posting under the new criteria. Fifteen (15) bridges currently not posted will now be required to be posted as a result on using new load rating calculation methods required by the Federal Highway Administration (FHWA.) An additional forty-nine (49) bridges currently not posted will now be required to be posted because of the increased weight limit allowed for fire trucks. In total, sixty-three (63) bridges that previously did not require posting will now have to be posted. KDOT has provided guidance to the County on new types of signs for posting emergency vehicle weight limits. The County has an option of simply posting these bridges using the standard three (3) truck weight limit sign or to use a special weight limit sign for emergency vehicles only. Staff will present its recommendation for posting bridges subject to load posting including updates for several other bridges that the posting requirements have changed or is no longer required. A map with current posted bridges and bridges that will now be required to be posted was provided to the Board. Mr. Lutz had a resolution for adopting the required weight limits prepared for the Board and present during the meeting. The cost for one (1) pair of weight limit signs, posts and installation is approximately \$150 per bridge. The cost to post the additional sixty-three (63) bridges will be approximately \$9,500. Adoption of the bridge weight limit resolution is necessary to allow enforcement. The adoption of bridge weight limits by counties for County owned bridges is authorized by statute.

Discussion regarding the practicality of the new requirements occurred. The Board expressed concerns about the confusion the posting of more signage may cause and the possible delays following the new postings may cause in emergency response times for fire districts. Mr. Lutz said the Public Works department will work diligently to develop policies to mitigate possible response delays.

Commissioner Wheeler motioned to table the adoption of a Resolution establishing required bridge weight limits on County owned bridges throughout Butler County and repealing any previously adopted bridge weight limit resolutions for one week. Commission Chair Masterson seconded. Motion carried 5-0.

Mr. Lutz stated he currently has no updates about the SW 150th St. and SW Butler Rd. roundabout.

The Haverhill Rd. Bridge opened to traffic last Tuesday although some minor cleanup items remain. Commission Chair Masterson inquired if the payment listed in the vouchers for the Haverhill Rd. Bridge is a final payment; Mr. Lutz replied the listed payment is not the final payment.

Commissioner Woydziak asked when the box culvert bids will commence. Mr. Lutz said he believes the contractor would like to start in February.

(00:56:37)

VOUCHERS

Commissioner Wheeler inquired about a voucher referring to shredding service through Underground Vaults. Administrator Johnson replied departments may use Underground Vault's shredding service if documents are already there, which was the case for this voucher from the Register of Deeds' office.

Commissioner Wheeler motioned to approve vouchers dated February 2, 2021, in the amount of \$614,862.33. Commissioner Murphy seconded the motion. Motion carried 5-0.

(00:57:50)

ADDS & ABATES.

Commissioner Wheeler motioned to approve the Adds in the amount of \$0.00 and the Abates in the amount of \$7,661.26. Commissioner Murphy seconded the motion. Motion carried 5-0.

(00:58:15)

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

Commissioner Wheeler requested clarification that fire district appointments will be presented next week. Administrator Johnson confirmed that they will and said he will provide the Board with information regarding the appointments.

Commissioner Wheeler noted the Detention Center's inmate count is currently at 140 and asked for an update on the Detention Center's staffing and overtime status. Administrator Johnson noted Detention Center staffing is very good and overtime costs are reducing. Quite a bit of overtime is still being spent due to required isolation for incoming inmates. Despite the overtime costs the Detention Center's revenue is still on target. Commissioner Wheeler confirmed with Commissioner Herzet that incoming inmates are automatically quarantined in a solitary cell for the required length of time upon entering the Detention Center. The Board expressed the desire to maintain solid staffing levels at the Detention Center.

Commission Chair Masterson welcomed Commissioner Herzet to the Board.

Commissioner Herzet stated he will be part of an interview committee for a new Medical Director.

Commissioner Woydziak commented on the County's sign-up procedure for COVID-19 vaccines and the difficulty some people are having in obtaining a vaccination appointment. Administrator Johnson stated Butler County was allocated extra doses last week without warning. El Dorado Truecare Pharmacy already has a COVID-19 vaccination waiting list of 3,000 people. Administrator Johnson noted the County's First Responders and Public Safety individuals have largely received the vaccine and the County has shifted its vaccination focus to individuals aged sixty-five (65) and older. Individuals aged eighty-five (85) and older are a focus sub group as well and the Department on Aging has agreed to help with signing these individuals up for appointments. Commission Chair Masterson asked how the County can make sure everyone aged sixty-five (65) and older who wants the vaccine has received the vaccine before moving to the next phase. Administrator Johnson stated cancelled and no-show vaccination appointments are filled utilizing a list the Butler County Health Department has compiled of individuals who have contacted various County agencies. The City of Andover has approached the Health Department regarding the possibility of holding a COVID-19 vaccination clinic in Andover. The City would provide and coordinate everything except nurses, the Health Department would only need to provide a nurse to administer the vaccinations. Administrator Johnson stated he has heard nothing but accolades regarding the implementation of the County's COVID-19 vaccination clinics.

Administrator Johnson stated the K-254 Corridor Association is holding a meeting Friday morning via Zoom.

Brandon Kauffman, former Butler County Finance Director, is the new Finance Director for the Kansas Turnpike Authority. Administrator Johnson is going to have lunch with Mr. Kauffman on Friday.

Commission Chair Masterson asked if the Adams Rd. K-254 approach's current state is considered a permanent repair by KDOT. Administrator Johnson confirmed KDOT does not consider the current state a permanent solution, only a temporary solution to be completed later.

Administrator Johnson will meet with Senator Marshall's office next Wednesday.

Concrete is being poured right now at the Augusta Emergency Operations Center.

Administrator Johnson asked the Board to consider whether they would prefer a Public Safety Office position versus a 911 Director as the subject will be discussed during next week's Commission meeting. Administrator Johnson stated has been very pleased with Interim 911 Director Jeremy Seglem's performance and there is no need to rush the decision regarding the 911 Director position.

Fire District board appointments will be discussed next week as well.

Commissioner Woydziak expressed a desire for the County to move toward handing the abandoned rail road land over to the Surface Transportation Board (STB.) Commissioner Woydziak stated he would like that to be on the agenda in the near future. Commission Chair Masterson asked what actions from the County would be necessary to start that process.

Commissioner Woydziak stated County Staff would need to contact the STB and notify the STB that Butler County desires to no longer be involved in the AARTI and then follow directions from the STB. Administrator Johnson noted a segment on the east side of Augusta in currently in no-man's land. Commissioner Murphy asked about the possibility of giving the segment directly back to the adjacent landowners; Administrator Johnson said he doubts the STB would allow that. Administrator Johnson reminded the Board the County will never not be involved with the trail it due to the Kansas Recreational Trails Act and the Andover Augusta Rail Trail Initiative (AARTI) will most likely apply for the land. The Board discussion lawsuits pertaining to the abandoned rail land.

Administrator Johnson asked Darryl Lutz to provide the Board with any information and updates from KDOT on K-254 approaches. Mr. Lutz said he does not have any updates except he understands that the current Adams Rd approach is considered a patch job by KDOT and not a permanent solution.

Commissioner Woydziak inquired where in the process the County is in regards to a replacement motor for the paving machine. Mr. Lutz stated the company performing the work asked Public Works to send the old engine out to them so the company could install all the correct parts on the new motor. \$45,000 when done. Once the new motor is installed Public Works will get the paving machine in a Purple Wave auction as soon as possible.

(01:32:14)

ADJOURNMENT

*Commissioner Woydziak motioned to adjourn the meeting of the Board at 10:33 a.m.
Commissioner Wheeler seconded the motion. Motion carried 5-0.*