

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, February 8, 2022

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 Dan Woydziak, Commissioner Mike Wheeler, Commissioner Marc Murphy, County Administrator Will Johnson, and Executive Assistant Anna Wealand. Commissioner Jeff Masterson was not in attendance.

(00:00:01)

INVOCATION

Ray Pile, retired, presented the invocation.

(00:01:25)

APPROVAL OF MINUTES

Commissioner Murphy suggested the following amendment:

Modify the motion in Item #5 to list Commissioner Woydziak as dissenting.

Commissioner Murphy motioned to approve the minutes from the February 1, 2022, Butler County Commission meeting as amended. Commissioner Wheeler seconded the motion. Motion carried 4-0.

(00:02:02)

PUBLIC COMMENTS

There were no public comments.

(00:02:20)

ITEM #1 –SPOTLIGHT AWARD – SOPHIE STEVENS, BUTLER COUNTY PUBLIC WORKS

Darryl Lutz, Public Works Director, approached the Board to request the presentation of a Spotlight Award to Sophie Stevens, Light Equipment Operator for the South Highway Maintenance Shop of the Butler County Department of Public Works. On Wednesday morning, December 15, 2021, an employee from the South Highway Maintenance Division of the Public Works Department suffered a major heart attack while on duty. The employee was training Ms. Stevens, a co-worker, to drive a county dump truck in preparation for a commercial driver's license (CDL) driving test. Ms. Stevens and the coworker were on K-177 east of El Dorado Lake when the incident occurred. Ms. Stevens was the only person with the coworker suffering the medical condition. She called 911 immediately and, while on the phone with 911, the employee became unresponsive and lost consciousness. Following the instructions of the 911 operator, Ms. Stevens pulled the employee out of the dump truck, got the employee on their back and began performing chest compressions until first responders arrived. EMS succeeded in getting a heartbeat back for the coworker and delivered them to the Kansas Medical Center. The employee was given a 10% chance of survival. Miraculously, eight days later, the employee was released from the hospital. If not for the immediate response of Ms. Stevens to call 911 and to start resuscitation measures, it is improbable that the employee would have survived the medical condition. A \$20 gift card is being awarded along with a certificate in a certificate holder.

Administrator Johnson stated the effort was a group one and desired to recognize the numerous individuals who were a part of the success. Brian Crandall, the employee who suffered the medical incident, approached the Board and expressed his gratitude to Ms. Stevens and the rest of the team which helped him.

Commissioner Woydziak stated he has received numerous positive comments from constituents for the way in which the County operated during the winter weather last week and commended the Public Works crews for their efforts.

Commission Chair Herzet asked Sheriff Hughey to thank Walker Andrews for his participation in helping Mr. Crandall.

Frank Williams, Butler County EMS Director, recognized the EMS and Rescue Squad crew members who were a part of the lifesaving efforts for Mr. Crandall.

Commission Chair Herzet presented Ms. Stevens with a spotlight award and gift card in appreciation for her swift response and aid to Mr. Crandall's medical condition.

No action was taken.

(00:21:18)

ITEM #2 – BUTLER COUNTY EVENT CENTER SCHEMATIC DESIGN

Administrator Johnson came before the Board for the consideration of the approval of an agreement with Gravity Works Architecture for schematic design to establish construction and operations cost for the proposed Butler County Event Center in an amount not to exceed \$120,000. In the fall of 2020 the County Commission contracted with Gravity Works to produce a planning document for a proposed multi-purpose Expo Facility which would replace the current County Fairgrounds, which is outdated and obsolete. A volunteer group of stakeholders were identified and asked to participate in discussions for a proposed facility and location. The stakeholders group met several times to discuss potential uses and toured facilities in Oklahoma to gain an idea of conceptual facilities. Gravity Works produced potential site plans on the current grounds at the El Dorado Lake and presented these outlines to the County Commission on November 23rd for future steps and goals to move the project forward. The Board discussed next steps in the facility's development which included reaching out to Kansas Department of Wildlife and Parks (KDWP) about the proposed site plan and work with Gravity Works to develop a 30% or schematic design so true costs for both construction and operations could be developed. Administrator Johnson and Vince Haines of Gravity Works Architecture met virtually with Wildlife and Parks in December to discuss the site plans; the Secretary and Director of Parks were both supportive of the County moving forward with the next phase of the project. Staff has requested a proposal from Gravity Works for the next phase of the project, which is now being presented to the Board.

The proposed facility will be located below the dam at the Lake at the site of the abandoned Department of Corrections Honor Camp. The proposed design and construction will require coordination between the County, KDWP, Corps of Engineers and Gravity Works. The facility would be a campus of buildings to include a business office, small group venue, indoor arena,

exposition hall and large group venue, pavilions with livestock accommodations, outdoor arena, site accommodations for trailer and electrical hookups. The facility could be used for livestock showing, indoor events and shows, concerts, attractions and the County fair. The scope of work proposed would include the design to a Schematic Design level and be sufficient to establish general design concepts that include, but not limited to site plan concepts and layout, floor plan concepts and layouts, accurate square footages to accommodate proposed uses and event flow, building forms and exterior design, building sections and proposed building materials. The project will be completed by July 1, 2022 to allow time to move the issue to a question on general election in November if the board desires. Compensation for this phase of the project will be \$120,000, with language in the agreement to utilize Gravity Works for the remaining design and construction inspection at a rate of 7% of the project budget minus and compensation already received, should the project receive funding and move forward. Compensation for this phase of the project will be \$120,000, with language in the agreement to utilize Gravity Works for the remaining design and construction inspection at a rate of 7% of the project budget minus and compensation already received, should the project receive funding and move forward. Funds to be ARP funds reserved by the County for special projects.

Vince Haines of Gravity Works was present. Commissioner Woydziak commented on a statement in the contract regarding sales tax; Administrator Johnson provided answers and clarifications to the Board's questions regarding the costs associated with the project. Commissioner Murphy asked how much the project is expected to cost in total; Administrator Johnson responded the estimated total cost is \$25 million. Commissioner Woydziak stated the event center task force needs to be proactive in campaigning for the sales tax before July 1st. Commissioner Woydziak stated a one cent sales tax will be a hard sell and stressed the importance of maintaining realistic expectations and visions regarding the project. Commissioner Woydziak commented on the State's possible Tourism Attraction Sub-grants for Kansas (TASK) program, should it pass, as a source of funding. The Board and Administrator Johnson discussed private funding. Commissioner Wheeler asked if Commissioner Masterson needs to be present to approve moving forward with the study; Administrator Johnson stated Commissioner Masterson's vote is only needed if the Board vote ends up tied today. Commissioner Murphy asked for clarification as to how much in funding the County would be committing to the project; Administrator Johnson replied the initial \$120,000 currently in question is the only amount the Board is committing to the project thus far but the Board can expect around \$1 million in design costs should the County progress further past the study.

Commissioner Woydziak expressed concern as to whether now is a wise time to investigate and begin construction with construction costs as high as they are currently. Mr. Haines approached the Board and provided insights into the planning and implementation of the construction cost estimates and bids for the project.

Commissioner Wheeler stated he is in favor of proceeding with the study. Commissioner Murphy stated he is in agreeance with proceeding with the study but stated the event center's operating costs will need to be paid by the facility; Commission Chair Herzet agreed. Commission Chair Herzet stated Commissioner Masterson expressed similar concerns as those just expressed by Commissioner Murphy last week.

Commissioner Wheeler motioned to approve an agreement with Gravity Works Architecture for schematic design to establish construction and operations cost for the proposed Butler County Event Center in an amount not to exceed \$120,000. Commissioner Murphy seconded. Motion carried 4-0.

(00:53:20)

RECESS

Commission Chair Herzet recessed the meeting at 9:53 a.m. for five minutes.

Commission Chair Herzet reconvened the meeting at 9:58 a.m.

(00:53:35)

ITEM #3 – LANDFILL DOZER – FUEL INJECTION SYSTEM REPAIR

Darryl Lutz, Public Works Director, came before the Board for the consideration of the approval of the estimated cost to repair the fuel injection pump and to replace fuel injectors on the Caterpillar dozer at the landfill. The Caterpillar D6R dozer at the landfill was rebuilt several years ago. Recently the dozer has exhibited engine problems related to the fuel injection system. It is believed that the injector pump is going bad. Also a couple of the injectors are going bad. The dozer is presently out of service until repairs are approved and completed. Staff has obtained an estimate from Foley Equipment Company for needed repairs to the Caterpillar D6R dozer at the landfill. Foley has already troubleshot the issue in order to develop a worst case scenario for repair costs. Attached for your reference is a copy of the repair estimate. The upper limit is cost is estimated to be \$11,335.70. This cost exceeds staffs limit of expenditures without obtaining County Commission approval. Staff recommends approval of the repair work and related cost. Equipment repairs are paid for out of the equipment repair line item of the Landfill Fund.

Commissioner Wheeler stated he believes the dozer should be repaired. Commissioner Woydziak inquired how much a new dozer would cost; Mr. Lutz estimated a cost around \$400,000 to \$500,000 for a new dozer.

Commissioner Woydziak motioned to approve the repair cost estimate from Foley Equipment Company, Wichita, Kansas, for fuel injection system repairs for the Caterpillar D6R dozer at the landfill in the estimated upper limit of cost in the amount of \$11,335.70 and authorized the repair work. Commissioner Murphy seconded. Motion carried 4-0.

Commissioner Wheeler stated he has received several messages regarding the cessation of trash service by Waste Connections in the Leon and Beaumont areas and asked Mr. Lutz for assistance with the issue. Mr. Lutz stated Beaumont does not have a governing body due to its lack of incorporation and Pete Ferrell, a resident of the area, is a strong community advocate and most likely the best point of contact for the issue. Mr. Lutz stated he will contact Mr. Ferrell regarding the issue and Administrator Johnson said he would follow up with Mr. Ferrell as well.

(01:01:31)

ITEM #4 – EMS BILLING SOFTWARE

Frank Williams, Butler County EMS Director, approached the Board for the authorization of the EMS Director to enter into an agreement with ImageTrend Billing Bridge as quoted and allow the EMS Director to sign. EMS has been utilizing billing software provided by MP Cloud

(Advance Claims) for five years. EMS billing software is utilized to process and track claims of all EMS charges for service, based on the approved fee schedule including all private insurance, Veteran's Administration, auto insurance, Medicaid, Medicare and self-pay methods of reimbursement. Over the last three years, MP Cloud's decreasing customer service and lack of software upgrades, compared to other EMS Billing software options, has created a need for change. There has been no change to billing software or upgrades in five years. Currently, the County's EMS billing specialists manually download information from the patient care reports and then manually upload this billing information into the MP Cloud software. Then, the claims of service are electronically filed or printed from the system and mailed to payers. The claim is then tracked and reviewed periodically until the reimbursement is paid. As part of a recent third-party consultant's review of the County's EMS billing processes, the consultant's recommendation is to change software vendors. This change will significantly decrease the workload on EMS office staff, which results in more efficient and quicker claims submission, thereby increasing revenue generated. Staff has researched other EMS Billing software vendors and there is only one, ImageTrend Billing Bridge, that communicates directly with the County's patient care reporting system. ImageTrend Billing Bridge is a sole proprietor of services to meet the County's EMS billing needs. This contract would be reviewed in 2024.

The current contracted cost of MP Cloud AdvanceClaim is \$7,700.00/annually + LexisNexis Risk Software of \$330.00 annually for a total annual cost of \$8,030.00. Recommended vendor contract quote ImageTrend Billing Bridge (All inclusive quote includes the primary billing software, clearinghouse risk software, onboarding and training) for a total annual cost of \$12,317.50 year one and \$8,317.50 year two. Butler County EMS would continue to maintain MP Cloud software access for an estimated six months (\$3,850.00) to close-out current claims in the system. Cost difference year one = increase of \$8,137.50 and year two = increase over current contract of \$617.50. The current EMS budget allows for this increased cost in contractals.

Commission Chair Herzet inquired if reference checks have been performed regarding ImageTrend Billing Bridge; Mr. Williams confirmed both regional, state, and extraterritorial references have been obtained. Training will be conducted virtually and the system could be up and running in about thirty days.

Commissioner Woydziak motioned to authorize the contract agreement with ImageTrend Billing Bridge as quoted and to allow the EMS Director to sign all necessary documents. Commissioner Murphy seconded. Motion carried 4-0.

Commissioner Wheeler expressed the importance of the CPR classes the County offers and asked if Butler County EMS offers those classes. Mr. Williams replied Butler County EMS does offer those classes and noted classes offered department-to-department are much better attended due to the support of Department Heads.

Commissioner Woydziak asked how many will be attending the annual EMS Survivor Banquet on February 24th; Mr. Williams stated ten were eligible for the banquet. Commission Chair Herzet expressed his gratitude to the Board for being progressive and keeping up with the times to provide the tools and resources for First Responders to perform their duties well.

(00:00:00)

ITEM#5 – EMS PATIENT LOAD SYSTEM MAINTENANCE CONTRACT

Frank Williams, Butler County EMS Director, approached the Board to discuss a staff recommended agreement for EMS patient load system maintenance. EMS utilizes Stryker PowerLoad systems in each ambulance. These mounted systems use electric and hydraulic systems to pick-up and load the electric cots used to move patients for transport. These also provide a secure locking system, which meets the national standards for crash worthiness. There a total of eight loading systems of various ages which require routine preventive maintenance to ensure proper function.

Over the past five years EMS has maintained a contract for preventive and repair maintenance on our Stryker loading systems and cots. Staff will be providing cot maintenance internally. The loading systems are unable to be maintained by any other vendor in the area or by County personnel. ProCare is the authorized Stryker repair company and has provided exceptional service throughout previous agreements. Therefore, the proposed agreement from ProCare Services for \$12,254.40 is recommended. The cost for maintenance increases as the equipment ages; the average age of the County’s load systems is five and a half years. The most recent agreement (2020) cost averaged \$1,352.35 per load system. The current quote averages \$1,531.80 per load system which is an increase of \$179.45 per system over two years.

The Board asked what the load capacity of the system; Mr. Williams stated the capacity is about 700 to 1,000 pounds.

Commissioner Wheeler motioned to approve the annual agreement with Stryker ProCare services, as presented, for a total of \$12,254.40 and to allow the EMS Director to sign. Commissioner Woydziak seconded. Motion carried 4-0.

Mr. Williams provided an update to the Board regarding staffing and stated another paramedic turned in their resignation yesterday to take a higher paying job at a hospital. Commission Chair Herzet asked how the Medical Director is doing; Mr. Williams stated the director is very supportive and engaged. Commission Chair Herzet asked as to the status of the retired rescue truck; Mr. Williams stated a group from Missouri is coming on Friday to perform a test drive in interest to possibly purchase the retired rescue truck. Scott Stueven, Butler County EMS, stated crews performed limitation testing on the new truck during the recent ice and snow. Mr. Williams stated EMS is down about six paramedics.

(01:20:18)

ITEM #6 – 2021-Q4 FINANCIAL/MANAGEMENT REPORT

Administrator Johnson asked to table the receipt and filing of the 2021-Q4 Financial/Management Report.

Commissioner Wheeler motioned to table the receipt and filing of the 2021-Q4 Financial/Management Report for one week. Commissioner Woydziak seconded. Motion carried 4-0.

(01:20:40)

ITEM #7 – 2022 LEPC ROSTER APPROVAL

Pam Dunham, GIS/Mapping Director, came before the Board to receive the Local Emergency Planning Committee (LEPC) Chairperson who will present a copy of the 2022 LEPC Roster for the Board of Commissioners' approval, prior to submission to the state's Commission on Emergency Planning and Response (CEPR). Additionally, the Board will delegate their representative to the LEPC for 2022 (Kelly Herzet is the 2021 representative and is currently listed on the 2022 roster). LEPCs are mandated entities under the federal Community Right to Know Act (EPCRA/SARA Title III). In Kansas, these committees exist at the county level and are tasked with such things as hazardous materials emergency planning and public information and awareness. LEPCs bring together stakeholders from emergency services, government agencies, private industry, hospitals, media, transportation, and schools, for the common purpose of educating and protecting the community. The Butler County LEPC is very active, meeting quarterly and participating in exercises and projects (such as publishing the Butler County Emergency Preparedness Guide) on a regular basis. The LEPC is also designated as the local Citizen Corp Council, the parent organization to the jurisdiction's Community Emergency Response Team (CERT). Emergency Management serves as the administrative arm of the LEPC/Citizen Corp Council. The committee operates with no budget support from Butler County but is occasionally the recipient of federal grant funds, which are administered by Emergency Management. The LEPC has a list of compliance requirements that they must complete on an annual basis. One of those items requires the committee to submit an updated roster of members and leadership to the state's CEPR each year.

Commissioner Woydziak asked for clarification regarding the roster presented; Mrs. Dunham provided the requested clarifications. Administrator Johnson asked who from the Board will be appointed; the Board nominated Commission Chair Herzet to continue as the Board's representative.

Commissioner Wheeler motioned to approve the 2022 LEPC membership roster, including designation of the BOCC's 2022 representative Commission Chair Herzet to the LEPC, and authorized its submission to the State of Kansas. Commissioner Murphy seconded. Motion carried 4-0.

Mrs. Dunham asked if the Board is open to new color schemes for the County district map posted in the Commission Room; the Board was not concerned about the colors as long as the map is easily legible.

(01:27:53)

VOUCHERS

Commissioner Woydziak motioned to approve vouchers dated February 8, 2022, in the amount of \$416,075.35. Commissioner Murphy seconded the motion. Motion carried 4-0.

Commissioner Woydziak commented on Advanced Correctional Healthcare's voucher costs.

(01:28:58)

ADDS & ABATES

Commissioner Woydziak motioned to approve Adds in the amount of \$0 and Abates in the amount of \$30,276.54. Commissioner Wheeler seconded. Motion carried 4-0.

(01:29:25)

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

Commissioner Woydziak stated he will be president of the Kansas County Commissioners Association (KCCA) this year. The KCCA is restarting the County Connections newsletter; the newsletter will be sent out weekly while legislation is in session but monthly when sessions are not in progress. Mike Taylor is a Strategic Consultant for the KCCA. Commissioner Wheeler asked if the KCCA is Mr. Taylor's only client; Commissioner Woydziak stated Mr. Taylor has one other small client.

Commissioner Woydziak noted discussion regarding a constitutional amendment to require each county to have an elected sheriff is underway. Commissioner Woydziak and Administrator Johnson stated the legislature is very quiet right now.

Feb 16th is the Kansas Association of Counties' Counties Day at the Capitol. Administrator Johnson read off the entities which have reserved booths for the event thus far.

Commission Chair Herzet noted a bill in the works to provide emergency jurisdiction to sheriff deputies traveling through jurisdictions not their own which will enable them to respond in a law enforcement capacity when encountering issues requiring a response.

Commissioner Woydziak commented on some agricultural legislation coming into play that would negatively affect rural communities, and the State as a whole.

Administrator Johnson commented the Commission Room's sound system has improved.

The County's salary study preliminary numbers have arrived.

Administrator Johnson is hosting a luncheon tomorrow for the Cities of Andover, Augusta, and Rose Hill managers to discuss projects to submit for the BASF grant.

Administrator Johnson stated he has a meeting next Tuesday regarding funding for the US-54 expansion which will extend into Butler County. Administrator Johnson stated he notified the group the County should have been approached regarding funding much sooner than now.

A ribbon cutting for a new Flinthills Services Inc. facility in Andover will be held at 5 p.m. on February 17th.

Janet Post will be sending the County the last funding request for the Governor's One Shot Turkey Hunt.

Administrator Johnson will be out of the office on Thursday for a seminar.

(01:52:32)

ADJOURNMENT

Commissioner Woydziak motioned to adjourn the meeting of the Board at 10:57 a.m.

Commissioner Wheeler seconded the motion. Motion carried 4-0.