

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, February 18, 2020

CALL TO ORDER

Commission Chairman Marc Murphy called the Butler County Board of Commissioners to order at 9:00 a.m. Present were Commissioner Jeff Masterson, Commissioner Ed Myers, Commissioner Mike Wheeler, Commissioner Dan Woydziak, County Administrator Will Johnson, and Clerk Recorder Chelsea Noel.

INVOCATION

Pastor Ron Jones, Temple Baptist Church, El Dorado, presented the invocation.

APPROVAL OF MINUTES

Commissioner Woydziak motioned to approve the minutes of the Butler County Commission meeting from February 11, 2020, as written. Commissioner Masterson seconded the motion. Motion carried 4-0-1. Commissioner Myers abstained due to his absence last week.

(00:01:32)

PUBLIC COMMENTS

Chris Boettcher, 3107 SW Rustic Road, Benton, came before the Board to discuss problems he has been experiencing with his septic system that was installed on his property two years ago. Mr. Boettcher stated after he had the system installed sewage began to back-up into his house and it appeared the soil was not analyzed properly before the system was installed and then discovered that his sewer lines were completely packed with mud. Mr. Boettcher presented pictures of the installation to the Board. Mr. Boettcher stated the installer has since pumped out his sewer lines four to five times. Mr. Boettcher also discussed Butler County's codes for septic systems. Article 3 of Butler County's codes stated all sewage systems that are installed, repaired, altered or replaced have certain procedures that have to be followed and Mr. Boettcher requested assurance from the County that the proper steps took place when his new septic system was installed.

Corey Smith, Butler County Inspector, came before the Board and stated anywhere in the County where a system is installed is going to have a high clay content. Mr. Smith stated larger systems are normally installed to try and prevent back-ups like this happening in homes.

Administrator Johnson stated the Board needs to have a work session to discuss the language in Butler County's codes that are put in place.

David Alfaro, Community Development Director, stated he has been in contact with KDHE about Mr. Boettcher's septic problems and is working extensively to find other systems to fix the issue.

(00:39:37)

ITEM #1 – FLINTHILLS SERVICES, INC. BOARD OF DIRECTORS APPOINTMENT

Nicole Hall, Community Development Disability Organization, came before the Board to recommend Greg Buster to be appointed to fill the vacant District 4 position that is currently open on the Flinthills Board of Directors.

Greg Buster, 1825 Circle Drive, El Dorado, came before the Board and stated he has recently retired as the Special Education Administrator for El Dorado School District and he has worked with many agencies in Butler County. Mr. Buster felt this position is a great fit for him with his past experience and would be honored to fill the position.

Commissioner Wheeler motioned to appoint Greg Buster to the District 4 position of the Flinthills Services, Inc. Board of Directors. Commissioner Myers seconded the motion. Motion carried 5-0.

(00:41:39)

ITEM #2 – KANSAS GOVERNOR’S ONE SHOT TURKEY HUNT FUNDING

Will Johnson, County Administrator, came before the Board for the annual appropriation to the One Shot Turkey Hunt in the amount of \$5,000 for sponsorship of the event and portfolio. The event is also a key tourist activity in Butler County and a function that has been modeled nationally, and the County financial assistance presents a progressive stance in economic development activities in our County of the visitors to the hunt.

Lee White, Butler County News, came before the Board to address a concern he had with the Director of the One Shot Turkey Hunt who sent an e-mail to Governor Kelly’s staff and Mr. White was then denied in his request to interview Governor Kelly at last year’s One Shot Turkey Hunt. Mr. White stated the Turkey Hunt is publicly funded and was upset that his civil rights to the public were disregarded. Mr. White did not agree with investing any more money in the One Shot Turkey Hunt and encouraged the Board to table the item until the County Counselor could review it.

Administrator Johnson felt it would be in the County’s best interest not to get involved with the dispute and recommended funding.

Commissioner Masterson motioned to approve the funding of \$5,000 to the Kansas Governor’s Turkey Hunt in the amount of \$5,000 to be paid from the Economic Development Fund. Commissioner Woydziak seconded the motion. Motion carried 5-0.

(00:48:03)

ITEM #3 – LITTLE WALNUT RIVER BRIDGE PROJECT ON SW HAVERHILL ROAD – CONTRACT APPROVAL

Darryl Lutz, Public Works Director, came before the Board for approval of the contract for a planned project to replace the Little Walnut River Bridge on SW Haverhill Rd located 2.7 miles south of Haverhill Corner. The County Commission approved the award of contract on February 4, 2020, to Snodgrass & Sons Construction, Inc., Wichita, KS in the amount of \$1,402,331.16. Mr. Lutz stated contract documents have been sent to the Contractor for execution and attachment of required bonds. The contract documents have been returned to Butler County for approval and final execution. The Contract is a standard form document prepared and used by Butler County for road, bridge and drainage structure projects.

Commissioner Woydziak motioned to approve the contract for Project No. BR 4E7-28-5(19), the proposed bridge replacement project for the Little Walnut River Bridge on SW Haverhill Road located south of Haverhill Corner with Snodgrass & Sons, Inc., Wichita, KS for in the low bid amount of \$1,402,331.16 and authorized the Chair to sign. Commissioner Masterson seconded the motion. Motion carried 5-0.

(00:51:15)

NON-AGENDA ITEM – AWARD OF BID – GOOSE NECK HAUL TRAILER

Darryl Lutz, Public Works Director, came before the Board requesting to award the bid for a goose neck folding tail haul trailer for the Public Works Department to Trailers and Hitches, Augusta, Kansas, in the low bid amount of \$22,000.00.

Commissioner Woydziak motioned to approve the award of bid to Trailers & Hitches, Augusta, Kansas, in the amount of \$22,000.00, for a goose neck folding tail haul trailer for the Public Works Department. Commissioner Masterson seconded the motion. Motion carried 5-0.

(00:54:05)

NON-AGENDA ITEM – KDOT FEDERAL FUNDS EXCHANGE

Darryl Lutz, Public Works Director, came before the Board for approval of a request to KDOT related to Butler County's participation in the federal funds exchange program to receive available funds for the current federal fiscal year. KDOT instituted a new program that allows KDOT to purchase the federal aid from Counties for ninety cents for every one dollar of available funds. This program allows Counties to build their own projects utilizing our own design standards and administrative requirements. Butler County is eligible to receive up to \$319,314.73 to be applied toward a project or projects this year.

Commissioner Wheeler motioned to approve the request for KDOT to exchange Federal Funds form for Butler County to utilize available FFY 2020 federal aid funds in the estimated amount of \$319,314.73 for road and bridge construction projects. Commissioner Woydziak seconded the motion. Motion carried 5-0.

Mr. Lutz presented the Commissioners with a copy of what he would be presenting to the Rose Hill City Commission regarding the SW Butler Road and SW 150th Roadway project detours and phasing. Mr. Lutz stated he hopes to get approval to close the gates to Sienna Ranch during the construction phase to keep people from using the subdivision as a shortcut around the detour.

(01:11:45)

RECESS

Commission Chairman Murphy recessed the meeting of the Board at 10:12 a.m. for 5 minutes.

Commission Chairman Murphy reconvened the meeting of the Board at 10:17 a.m.

(01:14:28)

ITEM #4 – LANDFILL FEE ASSISTANCE PROGRAM

Will Johnson, County Administrator, came before the Board for approval of AR 20-01, a policy for the Landfill Fee Assistance Program. Recently the County Commission was approached by a citizen who recently purchased three mobile home parks, which were in a state of disrepair and requested assistance with landfill fees for the cleanup of the parks and disposal of dilapidated mobile homes. The Commission directed staff to develop a policy to provide a uniform method to incentivize the cleanup of properties which are in a state of disrepair or currently involved in an enforcement action for nuisance abatement on the property. The intent of the policy is not to incentivize individuals or businesses who have created the nuisance problem, but to allow an incentive for those persons interested in restoring the property to a productive state to be reimbursed a portion of their landfill fees for properties that are in an extreme state as determined

by the Commission and Community Development staff. The policy was presented on February 4th and modifications were requested to be considered at the next regularly scheduled meeting. Commissioner Myers asked if the acceptance of properly prepared house trailers was ever accepted (~~“~~amended by Commissioner Myers on February 25th to read “publicized”.) at the landfill. Mr. Lutz stated it was never an advertised item that the landfill accepted. Commissioner Woydziak felt the Board should accept the policy as it stands. Commissioner Myers mentioned giving Mrs. Donges a one-time deal for clean-up fees at the landfill. Commissioner Masterson didn't agree with a one-time deal because it sets a bad precedence. Commissioner Myers stated he agrees with the policy but still thinks modifications could be made at a later time. Commission Chairman Murphy stated he was not in favor of the policy.

Commissioner Woydziak motioned to approve AR 20-01, a policy for the Landfill Fee Assistance Program. Commissioner Myers seconded the motion. Motion carried 4-1. Commission Chairman Murphy opposed.

(01:51:03)

VOUCHERS

Commissioner Masterson motioned to approve vouchers for February 18, 2020, in the amount of \$482,576.45. Commission Chairman Murphy seconded the motion. Motion carried 5-0.

(02:02:25)

ADDS & ABATES

There were no Adds & Abates.

(02:02:31)

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

Commissioner Wheeler stated he plans to attend the Mayors dinner tonight.

Commissioner Wheeler stated he will not be at next week's Commission meeting.

Administrator Johnson stated Vitality Checks are coming up on March 9th, 12th and 14th.

Administrator Johnson reminded the Board there will be no meeting on March 3rd due to NACO.

Administrator Johnson reminded the Board about the Douglass Senior Center luncheon next week.

(02:17:20)

ADJOURNMENT

Commissioner Masterson motioned to adjourn the meeting of the Board at 11:22 a.m. Commissioner Woydziak seconded the motion. Motion carried 5-0.