

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, February 21, 2023

(00:00:30)

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 Jeff Masterson, Commissioner Marc Murphy, Commissioner Darren Jackson, Commissioner Dan Woydziak, County Administrator Will Johnson, County Counselor Terry Huelskamp and Clerk Recorder Jennifer Currier.

(00:00:34)

INVOCATION

Pastor Wanetta Baldwin, Community Church of Christ, presented the invocation.

(00:01:58)

APPROVAL OF MINUTES

Commissioner Masterson stated a correction was needed in the wording at the top of page three. The wording was changed from, *possible ways to possibly to correct them*, to, *ways to possibly correct them*.

Commissioner Masterson motioned to approve the minutes from the February 14, 2023, Butler County Commission meeting as amended. Commissioner Murphy seconded the motion. Motion carried 5-0.

(00:02:45)

PUBLIC COMMENTS

David Alfaro, Community Development Director, came before the Board to discuss updates on the Hackler house. Mr. Alfaro presented the Board with photos that were taken during the building process.

Mr. Alfaro aason informed the Board of a Conditional Use Permit (CUP) application that will be presented in the future for a 4,000 acre solar farm.

(00:12:30)

ITEM #1 - EMS AUGUSTA STATION REMODEL BID OPENING

Frank Williams, Emergency Medical Services (EMS) Director, came before the Board to receive and open new sealed bids for the EMS station remodel. After receiving two bids previously for the EMS Augusta Station Remodel, the scope of the project was reviewed and the Commissioners directed staff to rebid the project removing the mezzanine portion of the project. After review of the project and discussion of alternate options with the Augusta Department of Public Safety, Gravity Works Architecture, EMS Staff and County Administration. Gravity Works created an updated bid request and only sent it to the two previous bidders. The deadline to submit the new bid was February 20th at 3:00PM. The bids received are following:

- Commerce Construction Services - 2225 Southwest Blvd, Wichita, Kansas - \$135,583
- McCollom Construction Inc. - 512 State, Augusta, Kansas - \$137,000

Commissioner Masterson motioned to approve the bids and direct staff to review and return to the Commission with a recommendation at a later date. Commission Chair Herzet seconded. Motion carried 5-0.

(00:16:12)

ITEM #2 - KDOC FY22 UNEXPENDED FUNDS AWARD

Monty Herbert, Community Corrections Director, came before the Board to review the proposed allocation of awarded funds. The Kansas Department of Corrections (KDOC) is awarding FY22 unexpended funds to eligible agencies which are currently compliant with financial reporting requirements for FY22 and the first quarter of FY23. The 13th Judicial District Community Corrections is eligible and receiving \$28,530.22. This funding may be used for allowable expenses in accordance with KDOC Financial Rules, Guidelines and Reporting Instructions. Any funds remaining at the end of FY23 will be returned through normal unexpended funds recoupment process. The allocation of FY22 Unexpended Funds were determined after careful consideration of current status of the Adult Services Budget and the anticipation of future expenses.

Commissioner Masterson motioned to approve the proposed allocation of the KDOC FY22 unexpended funds award in the amount of \$28,530.22 and authorize the chair to sign. Commissioner Murphy seconded. Motion carried 5-0.

(00:17:46)

ITEM #3 - VOLUNTEER MANAGEMENT MINI-GRANT APPLICATION

Crystal Noles, Department on Aging (DoA) Director, came before the Board for approval of the Volunteer Management Mini Grant Application between the Butler County Department on Aging and the Kansas Volunteer Commission. DoA has been the host agency for the AmeriCorp RSVP Program for the past 20 years and added the AmeriCorp Foster Grandparent Program (FGP) in 2012. Through these two programs, the DoA has managed close to 200 volunteers across six counties. The DoA is currently going through an accreditation process through the Points of Light Foundation called Service Enterprise. This accreditation process is aimed at assisting the DoA with strengthening their policies, procedures, recruitment, recognition, onboarding, and volunteer management skills. Having a certified volunteer administrator will continue to assist in making the volunteer programs as strong as possible for maximum impact on the community. Butler County and the AmeriCorp RSVP Butler County program would greatly benefit from obtaining the Certified Volunteer Administration (CVA) designation. As of February 1, 2023 Kansas had only eight individuals with a CVA, out of 1,005 worldwide (cvacert.org). The knowledge gained from this distinctive course would equip the program leaders with effective and strategic tools to improve the mission and program. The additional funds from the mini-grant would be used for purchasing study materials, exam fees and provide the opportunity for the RSVP Program Manager, RSVP and FGP recruiters to attend the Points of Light Conference, further giving the DoA tools to grow the program and better serve our community. This grant request is for \$1,287.50, with Butler County required to match in the amount of \$1,287.50.

Commissioner Woydziak motioned to approve the grant application in the amount of \$1287.50 to the Kansas Volunteer Commission on behalf of the Butler County Department on Aging. Commissioner Masterson seconded. Motion carried 5-0.

(00:20:12)

ITEM #4 - BUTLER COUNTY COVID AND INFLUENZA VACCINATION INITIATIVE GRANT APPLICATION THROUGH THE NATIONAL COUNCIL ON AGING

Crystal Noles, Department on Aging Director, came before the Board for approval of the Butler County COVID and Influenza Vaccination Initiative grant application through the National Council on Aging in the amount of \$50,000. In the past year, Influenza vaccine rates have decreased significantly and COVID-19 vaccine rates remain low in Butler County when compared to national vaccination percentages. Currently, vaccination efforts are limited to the Health Department and consist of a few vaccination clinics with minimal outreach or community education attempts. This has been productive enough in the past, but with the past year's lowered Influenza vaccine rates and stagnant COVID-19 vaccine rates in Butler County, an expansion of efforts is necessary. This grant has the full support of the Health Department Director and Preparedness staff. This grant allows the DoA and Health Department to continue a very successful partnership in getting one of the most fragile populations vaccinated against two very potentially deadly infections. The Butler County RSVP program, in partnership with the Health Department would use the proposed grant funds to expand on the current system, if awarded. The aim would be for one clinic to be held in each of the communities of Benton, Cassoday, Douglass, Elbing, Latham, Leon, Potwin, Towanda, and Whitewater, as well as two clinics in each of the cities of Rose Hill, Augusta, Andover, and El Dorado, for a total of seventeen clinics over the fifteen month project period. Leading up to the clinics, outreach and education materials will be circulated in the community via volunteer efforts, specifically targeting older adults. In-home vaccinations will be made available between clinics, and Butler County RSVP and the DoA will leverage community connections to receive referrals for individuals who may require in-home services. Butler County RSVP senior volunteers will be available to serve as peer support for those who are interested in receiving in-home vaccinations, or who may need extra support in accessing clinic services. Volunteer support will also be utilized at vaccination clinics themselves. These clinics will not only assist our seniors, but will also assist in paying some staff time for both the DoA and the Health Department. The DoA will manage the grant finances and reporting for the grant. The Health Department will provide the nursing staff. We will continue to utilize volunteers to assist with vaccinations.

Commissioner Woydziak motioned to approve the grant application to the National Council on Aging for the Butler County Department on Aging. Commissioner Jackson seconded. Motion carried 5-0.

(00:23:01)

ITEM #5 - 2023 LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) ROSTER APPROVAL

Pam Dunham, Geographic Information Services (GIS) Director, came before the Board to present a copy of the 2023 LEPC roster to the Board for approval to submit to the State's

Commission on Emergency Planning and Response (CEPR) and to delegate Commission Chair Herzet as the Board of County Commissioners representative to the LEPC for 2023. LEPC's 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). Butler County Emergency Management (EMA) 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 EMA.

Commissioner Masterson motioned to approve the 2023 LEPC membership roster, including the designation of Commission Chair Herzet as the BOCC's 2023 representative to the LEPC, and authorized its submission to the State of Kansas. Commissioner Murphy seconded. Motion carried 5-0.

(00:25:55)

ITEM #6 - REQUEST TO START A BID PROCESS FOR CIP TC-008001 2019 – SAN (STORAGE AREA NETWORK) MAINTENANCE / UPGRADE

Lew Harter, Information Technologies (IT) Director, and Kevin Norman, IT Department, came before the Board for approval for the IT Department to solicit bids to replace the County's existing Tegile SAN and the two associated Nessus 5010 switches in the datacenter, and consolidate the budgeted CIP amounts for this project from 2022 and 2025 to 2023. The County's storage environment is composed of a Tegile SAN and the two Nessus 5010 switches that connect it to our virtual environment. The SAN, which cannot be expanded, is projected to run out of storage space around June of this year, and the two switches associated with it are beyond "end of life", and are no longer supported. These aging switches place the County at a risk of significant downtime in the event of a failure. Purchasing a new SAN and the associated switches would provide for the growth, performance, and reliability needed to continue to meet the County's growing data storage needs.

Commission Chair Herzet motioned to approve the request for the IT Department to solicit bids under CIP TC-008001 2019 and moved to combine the previously budgeted 2022 and 2025 CIP amounts to 2023. Commissioner Murphy seconded. Motion carried 5-0.

(00:32:33)

ITEM #7 - UPDATE OF THE 2023 REAL ESTATE PROPERTY VALUES

Deb Studebaker, County Appraiser, came before the Board to present an update of the 2023 Real Estate Property values. The Appraiser's Office is required annually to value all real property as of January 1st of each year and to mail a change of value notice to each property owner by March 1st of each year in compliance with K.S.A. 79-1460. The Board was presented with a copy of the 2023 Real Estate Appraised Value Report.

No action was taken.

(00:44:41)

ITEM #8 - BID OPENING - NOXIOUS WEED DEPARTMENT HERBICIDES

Ryan Lee, Noxious Weed Supervisor, came before the Board to receive and open sealed bids for the annual purchase of herbicides for the Noxious Weed Division of Public Works. Each year, the Noxious Weed Department solicits bids for herbicides and related chemicals for use by the department and for sale to customers treating their own weeds. The Board in January 2023 authorized Public Works to solicit bids for the requested items. The Board recommended that the Noxious Weed Department tabulate and evaluate the bids and to return at a later time with a recommendation for action. The herbicides will be awarded on a per line basis. Bids were received from the following:

- Sims – Osbourne, Kansas 67473
- Van Diest – Lindsborg, Kansas 67456
- Nutrien Ag Solutions – Glenwood Springs, Colorado 81601
- Fleming Feed and Grain – Leon, Kansas 67074

Commissioner Masterson motioned to approve the bids received and opened for herbicides for the Noxious Weed Department and to direct Staff to tabulate and evaluate the bids and to return at a later time with a recommendation for action. Commissioner Murphy seconded. Motion carried 5-0.

(00:48:35)

ITEM #9 - ANNUAL NOXIOUS WEED ERADICATION REPORT

Ryan Lee, Noxious Weed Supervisor, came before the Board for approval of the annual noxious weed eradication report for 2022 from the Butler County Noxious Weed Department. Counties are required by State statute to report to the Secretary of Agriculture each year an annual noxious weed eradication progress report on forms provided by the Secretary. This reporting requirement is found in KSA 2-1316 (d). The Weed Department keeps a database of the chemicals used, the type of weeds treated, the acres of each type of weed treated, and whether the weeds treated were noxious weeds or non-noxious weeds. A summary of this information was included in the annual report and was presented to the Board for review and acceptance.

Commissioner Masterson motioned to approve the 2022 annual noxious weed eradication progress report for Butler County and to direct the report to be submitted to the Secretary of Agriculture. Commissioner Woydziak seconded. Motion carried 5-0.

(00:59:22)

ITEM #10 - PUBLIC WORKS EQUIPMENT PURCHASES - 2023

Darryl Lutz, Public Works Director, came before the Board for approval to obtain bids for planned major equipment replacement for 2023. Public Works develops and maintains an equipment replacement plan for all of its divisions. Equipment, however, is operated until it is ready to be replaced. Several pieces of equipment are ready for replacement or purchase in 2023,

which will include some equipment carried over from prior years. Following is the equipment items proposed for bidding or purchase in 2023 for the Landfill and both Highway Shops.

2023 EQUIPMENT TO BE PURCHASED OR ALREADY PURCHASED

ITEM TO BE PURCHASED	LOCATION	DATE BID PUT OUT	DATE PURCHASED	ESTIMATED COST	AUCTUAL COST
Riding Mower	Landfill			\$15,000.00	
(2) Aerators	Landfill			\$100,000.00	
(6) Litter Screens	Landfill			\$40,000.00	
Rubber Tire Loader	Northshop			\$275,000.00	
Used Tandem (Good)	Northshop			\$150,000.00	
Shop Equipment	Northshop			\$8,000.00	
Rubber Tire Loader	Southshop			\$275,000.00	
Shop Equipment	Southshop			\$8,000.00	
	Weed Dept				
Technology	Office			\$25,000.00	
TOTAL COST OF ALL ITEMS LISTED ABOVE				\$896,000.00	\$0.00

Revised by: Mike Craft Feb 15, 2023

Funding for these items are included in the 2022-2026 CIP which was adopted by the Board in 2022. The amounts shown are the outright estimated purchase prices and does not include the estimated amounts expected from selling existing equipment. The equipment being replaced has reached the end of its service life such that the cost of continued ownership and operation exceeds the cost of replacing the equipment. The purchases proposed reflect major adjustments to the Public Works equipment replacement plan. There are several pieces of equipment that are being deferred to allow priority purchases to be made. Staff has noticed a considerable difference in estimated purchase costs over the last two years compared to actual costs of equipment at the time of bid. The only other purchase planned will be replacement of the large format scanner/printer used in the Engineering Department and some computer replacements.

Commissioner Masterson motioned to approve the Director of Public Works to obtain sealed bids for the new equipment requested by the Public Works Department and to obtain pricing as appropriate for the purchase of used equipment as requested by the Public Works Department. Commissioner Woydziak seconded. Motion carried 5-0.

(01:10:48)

ITEM #11 - PUBLIC WORKS DEPARTMENT SHIRT ORDER BIDS

Darryl Lutz, Public Works Director, came before the Board to receive and open bids for the annual purchase of PPE uniform shirts for the Department of Public Works. The Public Works Department has an approved program for providing clothing or clothing reimbursement for field employees. As part of this policy, the County purchases five summer shirts and five winter shirts for each field employee. Each seasonal type shirt will have the same style and color. The shirts include a County logo on the left chest area and the employee’s first name on the right chest area. Also included in the shirt order are safety shirts that comply with current federal safety standards for high visibility safety wear. Shirt bids are solicited from Butler County vendors that either reside in Butler County or have a place of business in Butler County. Following are the two bids received and opened:

- F5 Imprint El Dorado, Kansas - \$8,481.30
- Lefty’s El Dorado, Kansas - \$8,221.05

Commission Chair Herzet motioned to approve the bids received for the purchase of PPE uniform shirts for the Department of Public Works and to direct staff to tabulate the bids and

to return at a later time with a recommendation for action. Commissioner Masterson seconded. Motion carried 5-0.

(01:12:52)

ITEM #12 - SOLID WASTE MANAGEMENT PLANNING COMMITTEE APPOINTMENTS

Darryl Lutz, Public Works Director, came before the Board for approval of the appointments to the Butler County Solid Waste Management Planning Committee. Each year the Board approves the appointment or reappointment of approximately one third of the members of the solid waste management planning committee. Members serve on the committee on three year staggered terms. The Board adopted a new membership structure in 2016 that reduced the committee size from 27 members to 15 members. The Board was present a list of all proposed members on the committee. The only positions requiring action by the County Commission are five Term B positions. Three of the positions are city filled positions for El Dorado, Rose Hill/Douglass and Cassoday. Two positions are for County appointed positions representing private industry and County engineering. All of Term B appointments are re-appointments except for the City of Cassoday position. These appointees will serve a three year term ending December 31, 2025. In addition, the Board is requested to approve or accept mid-term appointments to any vacancies. The City of Augusta has appointed Anthony Craft as a city representative; the City of Augusta position is a Term C appointment and will serve till the end of 2023.

2023 POSITION APPOINTMENTS

2023 TERM A

POSITION	APPOINTEE	APPOINTING	MEMBERSHIP	ACTION	
		ENTITY	STATUS	TERM	REQUIRED
City of 2nd Class*	Rick Lanzrath	Andover	Reappointed	2-yr	
City of 3rd Class*	Kit Williams	Towanda/Benton	Reappointed	2-yr	
City of 3rd Class*	Jodie Laidler	Leon/Latham	Reappointed	2-yr	
Private Industry	Christine Sawyer	Holly Frontier	Reappointed	2-yr	
Engineer	Mike Craft	County	Reappointed	2-yr	

2023 TERM B

POSITION	APPOINTEE	APPOINTING	MEMBERSHIP	ACTION	
		ENTITY	STATUS	TERM	REQUIRED
City of 2nd Class*	Brad Meyer	El Dorado	Reappointed	3-yr	Accept *
Cities of 3rd Class*	Mike Powell	Rose Hill/Douglass	Reappointed	3-yr	Accept *
Cities of 3rd Class*	Colten Armstrong	Cassoday	Newly Appointed	3-yr	Accept *
Private Solid Waste	Mark Raccuglia	On-Site	Reappointed	3-yr	Approve
Planning/Health	David Alfaro	County	Reappointed	3-yr	Approve

2023 TERM C

POSITION	APPOINTEE	APPOINTING	MEMBERSHIP	ACTION	
		ENTITY	STATUS	TERM	REQUIRED
City of 2nd Class*	Anthony Craft	Augusta	Newly Appointed	1-yr	Accept *
City of 3rd Class*	Robert Johnstone	Whitewater/Potwin/Elbing	Reappointed	1-yr	
Unincorporated Areas	Sandy Koontz	County	Reappointed	1-yr	
BCC/Public Schools	Donald Rummelfanger	Butler College	Reappointed	1-yr	
Recycle Coordinator		County	Vacant	1-yr	

Commissioner Woydziak motioned to approve the appointments of City appointed members and to approve the appointments of County representatives as recommended to serve on the Butler County Solid Waste Management Planning Committee for Term B, a three year term beginning January 2023 and expiring in December 2025 and to also accept the appointment of Anthony Craft representing the City of Augusta to fill an unexpired Term C position. Commissioner Jackson seconded. Motion carried 5-0.

Mr. Lutz reminded the Board of the upcoming Township Meeting on February 28, 2023.

Mr. Lutz asked Commission Chair Herzet if he would be able to sign papers at Security Title for the land purchased across from the South Shop.

Mr. Lutz and the Board discussed the relocation of utilities and the road closure for the Butler Road Project.

Mr. Lutz and Commissioner Woydziak discussed House Bill 2237.

(01:21:47)

ITEM #13 – STATE PARK REVITALIZATION AND INVESTMENT IN NOTABLE TOURISM (SPRINT) GRANT

Will Johnson, County Administrator, came before the Board for approval to apply for up to \$10 million in SPRINT Grant funds for the proposed Multi-Purpose Event and Expo Facility. During the pandemic some sectors of the Kansas tourism industry experienced increased activity, state parks for example; while other sectors such as museums, performing arts centers, entertainment venues experienced a decline in activity. While the pandemic highlighted opportunities to grow the tourism sector, investments are needed to revitalize the sector and ensure tourism attractions remain regional economic drivers. This funding opportunity seeks to address the pandemic's impact and support the tourism industry by funding the development and/or improvement of tourism-focused businesses and tourism agencies. Tourism is a key sector for the Kansas economy and local communities. The Kansas Department of Commerce is seeking applications from tourism-focused businesses and tourism agencies for impactful capital projects which spur regional economic development. SPRINT applications can include, but are not limited to:

- Infrastructure enhancements, capital projects, renovations
- Construction, engineering and architecture, planning, inspections and environmental assessments
- Renovation and repair of indoor and outdoor facilities, roads and utility connections adjacent to the project site
- Development of public land to create a tourism destination
- Costs associated with recruitment of new permanent and semi-permanent exhibits
- Application costs for national museum affiliation

Commissioner Woydziak and Administrator Johnson discussed reactivating the committee for the Event Center.

Commission Chair Herzet motioned to approve applying for up to \$10 million in SPRINT Grant funds for the proposed Multi-Purpose Event and Expo Facility. Commissioner Murphy seconded. Motion carried 5-0.

(01:32:08)

VOUCHERS

Commissioner Masterson inquired about a charge for a doty belt; Frank Williams, EMS Director, explained for what a doty belt is used.

Commissioner Masterson also inquired about the Team Kansas charge, David Alfaro, Community Development Director, explained it is a membership fee.

Commissioner Masterson motioned to approve vouchers dated February 21, 2023, in the amount of \$280,021.40. Commissioner Murphy seconded the motion. Motion carried 5-0.

(01:33:55)

ADDS AND ABATES

Commissioner Woydziak motioned to approve Adds in the amount of \$130.70 and Abates in the amount of \$7,035.26. Commissioner Masterson seconded. Motion carried 5-0.

(01:34:16)

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

Terry Huelskamp, County Counselor, discussed two code enforcement cases with the Board.

Administrator Johnson informed the Board he will not be able to attend the EMS Survivors Banquet. Commission Chair Herzet and Commissioner Jackson will be in attendance.

Administrator Johnson informed the Board that the remodeling of the fourth floor Accounts Payable office has begun.

Administrator Johnson stated the Strategic Retreat went well.

Commissioner Woydziak reminded the Board of the Kansas County Commissioners Association (KCCA) Conference will be April 25th – 27th in Hays, Kansas.

Ryan Adkison, Assistant County Administrator/Finance Director discussed the option of an online bidding process, and explained this process would make bidding on projects more accessible for vendors.

(01:47:12)

ADJOURNMENT

Commissioner Woydziak motioned to adjourn the meeting of the Board at 10:47 a.m. Commissioner Masterson seconded the motion. Motion carried 5-0.