

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, March 14, 2023**

(00:00:13)

**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.

(00:00:23)

**INVOCATION**

Commissioner Masterson presented the invocation.

(00:01:13)

**APPROVAL OF MINUTES**

*Commissioner Murphy motioned to approve the minutes from the March 7, 2023, Butler County Commission meeting as presented. Commissioner Masterson seconded the motion. Motion carried 5-0.*

(00:00:00)

**PUBLIC COMMENTS**

Crystal Noles, Department on Aging Director, presented the Commissioners invitations to a volunteer recognition dinner themed A Night at the Oscars, to be held on April 1<sup>st</sup>.

(00:02:33)

**ITEM #1 - KANSAS ASSOCIATION OF COUNTIES (KAC) SERVICE AWARDS & SHERIFF DEPARTMENT EMPLOYEE RECOGNITION**

Will Johnson, County Administrator, came before the Board to present the KAC Service Awards and Sheriff Department Employee Recognition. The KAC has a service award program in which the County has not participated in the past. This year HR Staff submitted employees for the recognition program and request the awards be presented. The KAC program has been offered for several years but this is the first year the County has participated. The Sheriff's Department likewise has service awards it presented on a case by case basis for outstanding performance and requested to present those at the same time as the KAC awards. The list of awardees is as follows:

## **BUTLER COUNTY EMPLOYEE SERVICE AWARDS**

### **8 Years**

Kelsi Moore	Community Corrections
Ryan Adkison	Administration
Kayce Rickels	Sheriff/Detention
Michael Lewis	EMS
Matthew Balocca	Appraiser's Dept.
Travis Unruh	EMS
Rebecca Weaver	Emergency Communications
Ralph Marler III	Public Works
Joseph Blake	Public Works
Adam Spickler	Sheriff's Dept.
Chelsie Hrabe	Appraiser's Dept.

### **16 Years**

Dennis Morris	Sheriff/Detention
Justin Bowlin	Emergency Communications
Laurie Mann	Sheriff's Dept.
Floyd Hunt	Sheriff/Detention
Michael Craft	Public Works
David Alfaro	Community Development
Stuart Funk	EMS
Kenneth Willhite	Public Works
Bryan Brooker	Public Works
Penny Howell	Motor Vehicle

### **24 Years**

Theresa Stanphill	Community Corrections
Patrick Light	Sheriff's Department

Sherriff Hughey presented Recognition Awards to the following:

- Merit Award – Detective Carmen Sperry
- Life Saving Award – Deputy Thomas Maloney
- Life Saving Award – Sergeant Regina Michealson and Deputy Christopher Hilborn
- Deputy of the Year for 2022 – Deputy Jacob Lawrence
- Detention Deputy of the Year 2022 – Deputy Joseph Butcher
- Civilian Employee of the Year for 2022 – Laurie Mann

*No action was taken.*

(00:15:04)

**ITEM #2 - JAIL COMMISSARY SERVICES RFP**

Daimon Cundiff, Undersheriff, came before the Board for approval for Staff to issue a RFP for Jail food and commissary services. The current inmate food service provider offers the regularly scheduled meals for the inmate population as well as commissary services. The County has contracted with Summit food service since March of 2009. Based on price and quality, as well as modernization in the field of inmate food service, Staff feel it is a good time to bid out this service.

*Commissioner Woydziak motioned to approve staff to issue a Jail food and commissary RFP. Commissioner Masterson seconded. Motion carried 5-0.*

(00:17:31)

**ITEM #3 - JUDICIAL BUILDING MODIFICATIONS FOR COURT SERVICES**

Travis Cornell, Facilities Management Director, came before the Board for approval to go to the Architect for Judicial Building offices drawings. Court Services has outgrown their area and needs more office space. By remodeling the Court Services breakroom/conference room there will be room for two more offices. Remodeling will allow Court Services to have the staff they need in one area.

The Board and Mr. Cornell discussed permanent and module options for the new office spaces.

*Commissioner Woydziak motioned to approve Facilities Management to go to the Architect and obtain drawings for the Court Services Offices. Commissioner Masterson seconded. Motion carried 5-0.*

(00:23:56)

**ITEM #4 - 2023 LIQUID ASPHALT PURCHASES - BID AWARD**

Darryl Lutz, Public Works Director, came before the Board for approval of the award of purchase for liquid asphalts for the Highway Division of Public Works. Public Works purchases 600,000 to 800,000 gallons of liquid asphalt each year for asphalt road maintenance work and for the annual chip seal program. In the past, price quotes were solicited from two local distribution terminals in El Dorado. As of 2004, only one liquid asphalt terminal is still in operation locally. Since 2004, other terminals outside the El Dorado have been solicited for submitting price quotations for liquid asphalts. To get a fair bid comparison Butler County requests bid prices for pick up at the actual terminal and a separate bid price for delivery. Bids for 2023 purchases were received and opened by the County Commission on March 7, 2023. Bids were received from four vendors for some or most of the items requested. The primary products used by Butler County are CRS-1HM and CHFRS-2P for chip sealing and HFMS-1 for cold mix asphalt production. The County also uses limited quantities of SS-1H and CRS-1H for tack oil for patching and for overlays. Most of the unit prices increased this year from 4% to 14% over 2022 prices. Staff will be recommending purchasing CRS-1H, CRS-1HM, CHFRS-2P, CQS-1F (fog seal), HFMS-1, and SS-1H from Ergon Asphalts. Ergon provided the lowest bid on all the asphalt emulsion products normally used by Butler County except for CQS-1F.

*Commissioner Masterson motioned to approve the award of bid for the purchase of liquid asphalts for 2023 to Ergon Asphalts and Emulsions, Kansas City, Kansas, as having the lowest net cost for CRS-1HM, CRS-1H, CHFRS-2P, CQS-1F (fog seal), HFMS-1, CMS-Special and SS-1H liquid emulsified asphalts delivered to El Dorado or picked up. Commissioner Murphy seconded. Motion carried 5-0.*

(00:27:43)

**ITEM #5 - 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. This plan is used as a tool to help budget for equipment replacement and is incorporated into the County's current CIP and adopted budgets. 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. Staff recently received permission to seek bids for equipment at the landfill which included five portable litter screens, two leachate evaporators, a 40' tarp machine and a mower. Staff is presently waiting for a new wiring harness for the old Bomag landfill compactor that also has had repeated final drive problems. Staff does not know if or when a wiring harness will be available and are concerned that the machine will break down. Staff would like to move forward with plans to replace the old compactor which is actually planned for replacement in 2023 in the equipment plan. The expected cost is between \$600,000 and \$700,000.

*Commissioner Woydziak motioned to approve the Director of Public Works to obtain sealed bids for a new landfill compactor to replace a landfill compactor purchased in 2008. Commissioner Jackson seconded. Motion carried 5-0.*

(00:36:18)

**ITEM #6 - LANDFILL SCALE HOUSE AND SCALE REPLACEMENT PROJECT**

Darryl Lutz, Public Works Director, came before the Board for approval of an agreement for architectural services for the design of the new scale house for the Butler County Landfill. Public Works has had a project in the CIP for several years to replace the landfill scales and to construct a new scale house. The scales and scale house are almost 30 years old and the scales are under an order to be replaced or removed from service. In December 2022, the County Commission authorized staff to proceed with soliciting for architectural services for the scale house and to proceed with obtaining bids for a new scales. Staff met with Gravity Works Architecture in December and January to review the proposed scale house project. Staff has also been working with Burns and McDonnell to provide site grading plans for the new access roads and scale house. Gravity Works has provided a proposed scope and fee in the form of a letter agreement. The fee will be based upon actual cost with an estimated upper limit of cost of \$25,000 to provide design, construction documents and construction oversight as needed. Staff is very satisfied with the proposal and recommends approval of the letter agreement.

*Commission Chair Herzet motioned to approve a letter agreement with Gravity Works Architecture, El Dorado, Kansas, to prepare plans and bid documents for a new scale house at*

*the landfill with an estimated upper limit of fee of \$25,000 and to authorize the Chair to sign. Commissioner Murphy seconded. Motion carried 5-0.*

(00:43:45)

**ITEM #7 - EQUIPMENT STORAGE BUILDINGS FOR PUBLIC WORKS**

Darryl Lutz, Public Works Director, came before the Board for approval to proceed with obtaining a proposal for architectural services for planned equipment storage buildings for the South Highway Shop and for the Noxious Weed Department. The Department of Public Works has two equipment storage building projects in the adopted CIP. One of the projects is a new equipment storage building for the Noxious Weed Department to replace a wood storage shed that is too small and falling down. The other project is for a third planned equipment storage building for the South Highway Maintenance facility located east of Augusta. Design was planned to begin in 2022, but, was moved to 2023. Staff is requesting permission to solicit for architectural services to plan and design the two buildings. Staff is proposing to use the services of Gravity Works Architecture, El Dorado, Kansas; the firm is familiar with both project sites and would be ready to begin developing plans right away. Gravity Works proposed on the facility design work for the landfill scale house and gave the County a very reasonable fee proposal. Staff will return at a later date with a scope and fee proposal for consideration by the County Commission.

*Commissioner Murphy motioned to approve the Department of Public Works to work with Gravity Works Architecture, El Dorado, Kansas, to obtain a proposal to provide construction plans, specifications and bidding documents for two planned equipment storage buildings for the Public Works Department. Commissioner Jackson seconded. Motion carried 5-0.*

Commission Chair Herzet inquired if the new gates at the North and South Shops were completed; Mr. Lutz stated the gates and fence were installed but still have to be manually opened and closed.

(00:48:30)

**ITEM #8 - SPOUSAL INCENTIVE PLAN POLICY ADOPTION**

Will Johnson, County Administrator, came before the Board for approval of the spousal incentive plan policy AR 21-01. In 2021 USI presented an update to the County's self-insurance program in August and proposed a program to help diversify and lower the overall cost to the County's program. This program was adopted as AR 21-01 in September of 2021. In 2021 the plan only had one participant and the Commission discussed with USI in 2022 to add a premium incentive to the program with which the Commission was in favor. The program was modified and an additional individual signed up for the program. Staff believes with additional education the County will get other employees who will consider the plan and apply for the program thereby netting the County additional savings. The Spousal Incentive Program provides an incentive for employees to take their spouses insurance and move them and/or their families off the County plan, thus reducing the overall cost of the program to the County. The plan is strictly an optional program and employees are not forced to move to the plan. Employees who choose to utilize this incentive receive reimbursement to co-pays and out of pocket costs up to a specific threshold defined by the policy. USI recommended adding a premium incentive to the program to help incentivize the plan in September of 2022, which the Commission was in favor of, but staff failed to get the policy amendment formally approved. The amendment would allow for a

premium incentive of up to \$300 per month and would be paid on the difference of the applicant's new plan costs versus the plan cost in which they left at the County. The incentive would only cover the difference in the plan cost. For example, if an employee paid \$250 per month for the County health insurance and the spouse's plan they move to cost \$450 per month, the County would reimburse the employee \$200 a month to move to the spouse's health insurance plan. The employee would be required to provide proof of the spouses plan cost and human resources would then set the reimbursement amount with the TPA Surency. Section 5 of the policy is the amendment. The proposed policy has been vetted by USI and meets their satisfaction.

***Commissioner Murphy motioned to approve the amendment to the spousal incentive plan policy AR 21-01. Commissioner Masterson seconded. Motion carried 5-0.***

(00:51:01)

**ITEM #9 - DISPOSITION OF REAL PROPERTY RESOLUTION**

Will Johnson, County Administrator, came before the Board for approval of Resolution No. 23-06, a resolution notifying the public of the disposition of real property by Butler County, Kansas. South Central Mental Health (SCMH) has operated its administrative offices at 520 E. Augusta Ave for over 20 years. When the Department of Aging moved its offices to the Point in Augusta, the County tried to transfer the old office space to another entity for several years until SCMh found a use for it and opened the Hangar for after school activities. In 2020, when the County built the new EOC facility the County platted the property surrounding the Augusta Public Safety Building and specifically carved out a lot for SCMh so the tax County could transfer to them the Administrative building and the old Department on Aging facility at a later date. In 2006, the County set a policy through Resolution for the disposition of surplus property. According to the policy in order to dispose of real property public notification is required. As such, this Resolution will serve as the public notice. The Commission will then come back in two weeks and do a formal approval of a quit claim deed on the lot to be transferred to SCMh. This resolution will simply serve as public notification of the transfers and the formal actions to transfer can take place at a later date. The resolution will be published in the County Newspaper and be posted on the County's website. No other action can take place until after a 14 day waiting period.

***Commission Chair Herzet motioned to approve Resolution No. 23-06 a Resolution notifying the public of the disposition of real property by Butler County, Kansas. Commissioner Masterson seconded. Motion carried 5-0.***

(00:54:00)

**VOUCHERS**

***Commissioner Masterson motioned to approve vouchers dated March 14, 2023, in the amount of \$561,085.24. Commissioner Murphy seconded the motion. Motion carried 5-0.***

(00:54:21)

**ADDS AND ABATES**

***Commissioner Woydziak motioned to approve Adds in the amount of \$403.68 and Abates in the amount of \$856.68. Commission Chair Herzet seconded. Motion carried 5-0.***

(00:54:40)

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

Commissioner Masterson reminded the Board of the Farm Bureau Dinner tonight at the Kansas Oil Museum. All The Commissioners will be in attendance.

The Board discussed electric vehicles and charging stations.

Administrator Johnson received the last letter of support for the Sprint Grant; the deadline to turn in the application was extended until March 14, 2023.

(01:02:28)

**ADJOURNMENT**

*Commissioner Woydziak motioned to adjourn the meeting of the Board at 10:02 a.m.*

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