

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, March 16, 2021**

**CALL TO ORDER**

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

(00:00:20)

**INVOCATION**

Ryan Adkison presented the invocation

(00:01:56)

**APPROVAL OF MINUTES**

Commissioner Wheeler noted a correction needed to be made to a line in the minutes that read “The advanced warning signs will then be maintained by Sycamore Township. It should read “. The advanced warning signs will then be maintained by Milton Township”. Also the name of the presenter of the Invocations was left out of the minutes, “Rev Wanetta Baldwin” was added to correct the error.

*Commissioner Wheeler motioned to approve the amended minutes from the March 9, 2021, Butler County Commission meeting as amended. Commissioner Herzet seconded the motion. Motion carried 5-0.*

(00:03:00)

**PUBLIC COMMENTS**

Commissioner Woydziak welcomed a nursing student from Pittsburg State doing her observation of the Commission meeting.

(00:03:25)

**ITEM #1 – EMS and 911 Communications Medical Director**

Frank Williams, Director of Emergency Medical Services, came before the board to receive, review and discuss the contract for services of Medical Director. The top candidate for the position has agreed to the terms. The interview committee unanimously selected Dr. Sellberg to offer a contract of services to. Dr. Sellberg has agreed to the terms of the contract.

The Butler County Commissioners conducted a work session in January to discuss the resignation of Emergency Management services and Emergency 911’s current Medical Director, Paige Dodson M.D. The Commissioners guided staff to solicit applications, assigned an interview committee and choose the best candidate. Commissioner Herzet, Administrator Johnson, Interim 911 Director Jeremy Seglem and EMS Director Frank Williams conducted 4 interviews. The top candidate Martin Sellberg M.D. was offered the contract. Dr. Sellberg has more than thirty years of experience in Emergency Medicine and EMS Medical Direction. Dr. Sellberg meets and exceeds the requirements for the contracted position. Dr. Sellberg currently practices at Kansas Medical Center in the Emergency Department.

**Commissioner Woydziak motioned to approve the contract for EMS and 911 Communication Medical Director as presented and authorized the Chair to sign. Commissioner Murphy seconded the motion. Motion carried 5-0.**

Administrator Johnson reported the State will be opening up Vaccine Clinics for phases 3 and 4 and they will include individuals age fifty (50) and over. Jamie Downs, Director Of the Butler County Health Department, will be setting up clinics in Andover, El Dorado and Augusta for vaccine distribution in the near future.

(00:17:00)

**ITEM #2 – Bid Award- Noxious Weed Department Herbicides**

Ryan Lee, Noxious Weed Department Supervisor, came before the board for approval to award bids for the annual purchase of herbicides for the Noxious Weed Division of the Public Works Department. Each year, the Weed Department solicits bids for herbicides and related chemicals for use by their department and for sale to customers treating their own weeds. The Board of County Commissioners in January of this year authorized the Department of Public Works to solicit bids for the requested items. Sealed bids were received by the Noxious Weed Supervisor and were opened and read by the County Commission on Tuesday, March 9, 2021.

A total of 4 vendors were solicited and 3 responses were received. Included in the tabulation is a recommendation for each individual herbicide bid award. The unit prices for 2-4D products, Escort XP, 2-4D w/Dicamba and Imazapic are slightly less (-0.2% to -4.5%) this year compared to 2020, however, the price for the glyphosate product increased by 33% over 2020. The purchase recommendations are highlighted on the tabulation. These prices will establish the price to be paid through the year to purchase additional chemicals as needed. The total estimated purchases for 2021 are budgeted at \$240,000. Bids were as follows:

2021				Sims		Van Diest		Red River		Nutrien Ag Solutions	
CHEMICAL BID REQUEST				Ryan Delaney		Bill Bean		Josh Britt		Bernie Devlin	
				Osborne, KS 67473		Lindsborg, KS 67456		Ada, OK 74820		Castle Rock, CO 80109	
PRODUCT	SIZE	QT Y	UNI TS	Per Unit	Total Bid	Per Unit	Total Bid	Per Unit	Total Bid	Per Unit	Total Bid
2, 4-D 4# Amine	2.5 GAL	360	GAL	\$ 8.90	\$ 3,204.00	\$ 8.77	\$ 3,157.20	NO BID		\$ 8.94	\$ 3,218.40
2, 4-D 4# Amine	30 GAL	150	GAL	\$ 8.70	\$ 1,305.00	\$ 8.77	\$ 1,315.50			\$ 9.49	\$ 1,423.50
Escort XP	8 OZ	448	OZ	\$ 3.75	\$ 1,680.00	\$ 2.09	\$ 936.32			\$ 2.09	\$ 936.32
Escort XP	16 OZ	128	OZ	\$ 3.75	\$ 4,800.00	\$ 2.09	\$ 2,675.20			\$ 2.09	\$ 2,675.20
Esplanade 200 SC	2.5 GAL	2.5	GAL	\$ 1,220.00	\$ 3,050.00	\$ 1,218.56	\$ 3,046.40			\$ 1,218.56	\$ 3,046.40
Glyphosate 4#	2.5 GAL	360	GAL	\$ 14.50	\$ 5,220.00	\$ 15.79	\$ 5,684.40			\$ 13.99	\$ 5,036.40
Imazapic	1 GAL	40	GAL	\$ 89.50	\$ 3,580.00	\$ 89.99	\$ 3,599.60			\$ 91.49	\$ 3,659.60
Outrider	20 OZ	200	OZ	\$ 16.00	\$ 3,200.00	\$ 13.68	\$ 2,736.00			\$ 14.89	\$ 2,978.00
Tordon RTU	1 QT	24	QTS	\$ 9.85	\$ 236.40	\$ 12.64	\$ 303.36			\$ 11.19	\$ 268.56

Weedmaster or Equivalent	2.5 GAL	180	GAL	\$ 17.55	\$ 3,159.00	\$ 16.22	\$ 2,919.60		\$ 16.98	\$ 3,051.00
					\$ 29,434.40		\$ 26,373.58			\$ 26,293.38
<b>Total</b>										
<b>Award Recommendation</b>					\$ 3,816.40		\$ 10,128.30			\$ 11,694.32

*Commissioner Wheeler motioned to accept the award of bids for the annual purchase prices of herbicides for the Noxious Weed Department as recommended in the tabulation of bids and to approve the initial purchase awards to Sims, Osborne, KS in the amount of \$3,816.40, to Van Diest, Lindsborg, KS in the amount of \$10,128.30, and to Nutrien Ag Solutions, Castle Rock, CO in the amount of \$11,694.32. Commissioner Herzet seconded the motion. Motion carried 5-0.*

(00:18:48)

**ITEM #3 – Asphalt Millings Processing for 2021 – Request for Bids**

Darryl Lutz, Director of Public Works, came before the Board for approval authorizing the Department of Public Works to request bids for crushing and screening asphalt millings to be used in Butler County’s highway maintenance program. The County began purchasing asphalt millings in 2001/2002 for use in producing hot-mix and cold-mix asphalt material for use in the County’s highway maintenance program. The County continues to purchase good asphalt millings when they are available. Asphalt millings used in the County’s cold mix asphalt material must be properly sized. The County as needed will contract for crushing and screening of asphalt millings for this purpose. The County is in need of crushing and screening material this year. The last time this work was performed was in the spring of 2017.

The Public Works Department proposes to crush and screen materials at 3 locations to coincide with proposed work in 2021. It is proposed to process a total of 6,500 tons of material at the El Dorado Shop, DeGraff Stockpile and at the new Price Stockpile. Staff will solicit formal sealed proposals from vendors in Kansas that have portable crushing and screening plants and provide this service.

*Commissioner Wodyziak moved to authorize the Department of Public Works to obtain sealed bids for crushing and screening approximately 6,500 tons of asphalt millings at 3 stockpile locations in Butler County. Commissioner Chair Masterson seconded the motion. Motion carried 5-0.*

Darryl Lutz, Director of Public Works, came before the Board for approval of payment to be made to Fleet Pride for a hydraulic wet line system installation on the new haul truck in the amount of \$8,601.12.

*Commissioner Murphy motioned to authorize the Department of Public Works to pay \$8,601.12 for the installation of a hydraulic wet kit to Fleet Pride. Commissioner Wodyziak seconded the motion. Motion carried 5-0.*

(00:31:32)

**ITEM #4 – Hold Harmless Agreement Surency**

Will Johnson, Butler County Administrator, came before the Board for approval of a Hold Harmless Agreement with Surency and WEX for Flex Plan Benefits. With the change to Simple Pay WEX is requiring Surency Life to subrogate for changing the Merchant Identifier substantiation process and Surency in turn is requiring Butler County for indemnification. Currently the way the process works makes it extremely difficult for employees to submit the documentation for approval of flex plan charges if they use their flex plan debit card to make payments to Simple Pay. Approval of the indemnification would streamline the process for employees when making payments to Simple Pay from their Surency Flex Plan. There is no risk to the County as all charges billed from Surency would be allowable costs under IRS regulation. Legal Counsel has reviewed the document and, while normally he would not recommend an indemnification agreement, understands the necessity in this case and the lack of risk.

*Commissioner Wodyziak motioned to approve the Hold Harmless Agreement with Surency and WEX for Flex Plan Benefits and allow the County Administrator to sign. Commissioner Herzet seconded the motion. Motion carried 5-0.*

(00:36:00)

**VOUCHERS**

*Commissioner Wheeler motioned to approve vouchers dated March 16, 2021, in the amount of \$606,826.69. Commissioner Herzet seconded the motion. Motion carried 5-0.*

(00:37:25)

**ADDS & ABATES.**

*Commissioner Wodyziak motioned to approve the Adds in the amount of \$2,384.22 and the Abates in the amount of \$585.14. Commissioner Murphy seconded the motion. Motion carried 5-0.*

(00:39:08)

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

Commissioner Mike Wheeler announced the resignation of Glencoe Township Treasurer James Squire, effective March 11<sup>th</sup> 2021. Commissioner Wheeler also announced he had secured a replacement for the position. The replacement for Glencoe Township Treasurer will be Cathy Shaffer of Latham

*Commissioner Wheeler motioned to accept the resignation of Glencoe Township Treasurer James Squire and nominate Cathy Shaffer as the new Township Treasurer. Commissioner Wodyziak seconded the motion. Motion carried 5-0*

Administrator Johnson reported on the Corona Virus Relief Fund (CRF). Administrator Johnson stated that Butler County will receive approximately 12.9 million dollars in CRF funds. Payments will be distributed to Counties, Cities and Townships dependent on the amount they are to receive, amounts over one hundred thousand dollars will be paid by the United States Treasury, any amount below that will be distributed by the State of Kansas. Administrator Johnson said the letters were being sent out from Butler County to Cities and Townships that will

be receiving funds advising them to create a fund for the monies they will be receiving and to hold funds until there is better clarification on how funds may be utilized.

Administrator Johnson stated that Ryan Adkison, Butler County Assistant Administrator/ Financial Officer would soon be presenting an item to modify the policy to increase the reserve fund.

(01:10:30)

**ADJOURNMENT**

*Commissioner Wheeler motioned to adjourn the meeting of the Board at 10:11 AM, Commissioner Herzet seconded the motion. Motion carried 5-0.*