

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, March 17, 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 Wanetta Baldwin, Community of Christ Church, El Dorado, presented the invocation.

**APPROVAL OF MINUTES**

*Commissioner Woydziak motioned to approve the minutes of the Butler County Commission meeting from March 10, 2020, as written. Commissioner Wheeler seconded the motion. Motion carried 5-0.*

(00:01:41)

**PUBLIC COMMENTS**

Will Johnson, County Administrator, came before the Board to relay a message from Janet Post, Director of the Governor's One Shot Turkey Hunt, stating that the 2020 One-Shot Turkey Hunt has been cancelled due to COVID-19. The Board of Directors wanted to make sure that the money that was donated to the hunt from the County is returned.

(00:03:25)

**ITEM #1 – FLINTHILLS SERVICES, INC. BOARD MEMBER APPOINTMENT**

Kathy Walter, Flintills Services Board Director, came before the Board to recommend the Board appoint Brett Kappleman as a member of the Flinthills Services, Inc., Board of Directors. Brett Kappleman has been selected to replace Mr. Barkus in the District 4 position. Mr. Kappleman resides in Sedgwick County but owns a business and is employed in Butler County. The Flinthills Services Inc.'s bylaws allow for the appointment of one board member who resides in Sedgwick County but is employed in Butler County.

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

(00:07:08)

**ITEM #2 – ANNUAL SUBSCRIPTION RENEWAL WITH CHAMP SOFTWARE FOR 5 NIGHTINGALE NOTES CONCURRENT LICENSES FROM APRIL 1, 2020 TO MARCH 31, 2021**

Jamie Downs, Butler County Health Department Director, came before the Board for approval of the Annual Subscription renewal with Champ Software for five Nightingale Notes concurrent licenses from 4/1/20 to 3/31/21. In November 2013, the Health Department entered in to a three-year agreement with Champ Software for the purchase of five concurrent user licenses to Nightingale Notes, an electronic health record database and clinic management software. At that

time, entering in to the agreement we received a discount on the cost of the interface between the software and the KS Immunization Registry and the Ks Health Information Exchange.

***Commissioner Woydziak motioned to approve the annual subscription renewal with champ software for five Nightingale Notes Concurrent Licenses from April 1, 2020 to March 31, 2021 in the amount of \$16,957.00. Commissioner Masterson seconded the motion. Motion carried 5-0.***

(00:08:30)

#### **NON-AGENDA ITEM – WORK SESSION**

Will Johnson, County Administrator, came before the Board to discuss the Federal recommendations that Butler County will follow to help prevent the widespread disease of Corona Virus (COVID-19). Administrator Johnson stated things are escalating nationally and very rapidly and noted it is very important that all Butler County employees are following the recommendations and practicing frequent hygiene amongst themselves. Administrator Johnson stated Butler County will continue to operate as normal as possible and offer the services that we can. Administrator Johnson stated there has not been a new case in Kansas yet today and in China in the last 24 hours there have been fewer than ten new cases. Butler County is going to suggest that people utilize online services when they can but will still remain open to the public. Administrator Johnson displayed a PowerPoint that listed recommendations from the CDC and the White House. The CDC is suggesting gatherings of no more than 50 people for eight weeks and suggests that everyone practice social distancing as much as possible. President Trump has declared a National Emergency at this time, which will allow the Federal Government to provide more assistance to states. Administrator Johnson stated Butler County could also sign a Public Health Declaration at this time, declaring a public health emergency in Butler County. Keri Korthals, Emergency Management Director, stated Butler County EMA is already taking preventative measures to help prevent the spread of COVID-19 and discussed the benefits to the County if a Public Health Declaration is signed. Commissioner Masterson stated he does not see the need to sign a declaration yet but if the situation changes he will be on board. Commissioner Myers expressed hesitation about signing a Declaration at this time, feeling it could cause Butler County citizens to panic and could be interpreted in a bad way. Administrator Johnson informed the Commissioners that all senior center luncheons have been cancelled through May. Commissioner Myers inquired about County transportation services. Crystal Noles, Department on Aging Director, stated her staff has already begun implementing new guidelines on Butler County transportation busses by limiting the number of people on the bus and will follow all recommendations from the CDC. The Board came to the consensus to not sign the Public Health Declaration at this time and they will re-evaluate at next week's Commission meeting.

***Commissioner Woydizak motioned to accept the recommendations from the CDC with the exception of signing the public health declaration at this time. Commissioner Myers seconded the motion. Motion carried 5-0.***

(01:09:11)

#### **ITEM #3 – APPROVAL OF BUCKSKIN ADDITION PRELIMINARY PLAT AND DRAINAGE PLAN**

David Alfaro, Community Development Director, came before the Board for approval of a proposed preliminary plat and drainage plan for the Buckskin Addition, submitted by the City of

Augusta. This one lot subdivision is located in the Growth Area (ETJ) of the City of Augusta and, more specifically, adjacent to the Kellogg Heights Subdivision, west of Augusta. As part of the approval process any activity that takes place within the Extraterritorial Jurisdiction of the City of Augusta must be reviewed and approved by the Office of Community Development and ultimately the Board of Butler County Commissioners. This activity falls within that classification and will need to be discussed and a recommendation made to the City. Mr. Alfaro recommended approval of the proposal.

Anita Riley introduced herself to the Board as the new City Planner for the City of Augusta.

***Commissioner Masterson motioned to approve the Preliminary Plat and Drainage Plan as submitted by the City of Augusta and directed staff to pass along the positive recommendation to the City on behalf of the County Commission. Commissioner Woydziak seconded the motion. Motion carried 5-0.***

(01:19:23)

**ITEM #4 – RECEIVE BIDS FOR THE AUGUSTA PUBLIC SAFETY PARKING LOT REPAIR**

Dan Ingalls, Facilities Management Director, came before the Board to receive and open sealed bids for the parking lot repair at the Augusta Public Safety building. Following are the bids received:

APAC Construction	Wichita, KS	\$66,597.00
Pearson Construction, LLC	Wichita, KS	\$66,668.00
Encore Pavement	Wichita, KS	\$91,363.50

***Commissioner Wheeler motioned to accept the bids received and allowed staff to evaluate the bids and bring back a recommendation at a later date. Commissioner Myers seconded the motion. Motion carried 5-0.***

(01:18:45)

**EXECUTIVE SESSION**

***Commission Chairman Murphy motioned to move into Executive Session under the following exception to the Kansas Open Meetings Act, for consultation with an attorney for the body or agency which would be deemed privileged in the attorney-client relationship, starting at 10:20 a.m. and resuming at 10:35 a.m., this 17<sup>th</sup> day of March, 2020. Present were Commission Chairman Murphy, Commissioner Masterson, Commissioner Myers, Commissioner Wheeler, Commissioner Woydziak, County Administrator Will Johnson and County Counselor Terry Huelskamp. Commissioner Masterson seconded the motion. Motion carried 5-0.***

No action was taken as a result of the Executive Session.

(01:22:45)

**ITEM #5 – SW BUTLER ROAD PROJECT AT SW 150<sup>TH</sup> ST – AUTHORITY TO AWARD CONTRACTS**

Darryl Lutz, Public Works Director, came before the Board for approval of the contract for the Commitment of Funds for the construction of the SW Butler Road project at SW 150<sup>th</sup> Street to Cornejo & Sons, LLC, Wichita, KS in the low bid amount of \$4,757,793 and to approve the submission of payment from Butler County to KDOT in the amount of \$1,047,000 for the County's share of project cost.

*Commissioner Woydziak motioned to approve the Authority to Award Contract Commitment of County Funds to KDOT to award the construction contract to Cornejo & Sons, LLC, Wichita, KS, in the low bid amount of \$4,757,793 and to approve the submission of payment from Butler County to KDOT in the amount of \$1,047,000 for the County's share of project cost and to authorize the Chair to sign the related document. Commissioner Masterson seconded the motion. Motion carried 5-0.*

(01:26:46)

**ITEM #6 – CREDIT CARD USE FOR LANDFILL TICKET TRANSACTIONS**

Darryl Lutz, Public Works Director, came before the Board for approval of a payment processing agreement and a fee schedule for allowing credit card transactions at the landfill for payment of landfill fees. The ticketing software company has now introduced a second credit card processing vendor who has been much more flexible in establishing a controlled method for payment of transaction fees. The cost associated with each transaction is 2.50% with a minimum charge of \$1.95 plus the credit card transaction fee for each charge. Mr. Lutz stated the agreement will be submitted to legal counsel for review.

*Commissioner Myers motioned to table approval of this item until further information is provided to the Commission. Commission Chairman Murphy seconded the motion. Motion carried 5-0.*

Mr. Lutz stated several projects were submitted to WAMPO for the long range transportation plan and only one Butler County project was selected. Mr. Lutz stated the intersection project on Butler Road and 170<sup>th</sup> Street was selected. Mr. Lutz stated he requested a de-briefing and he was informed that the projects would be re-evaluated again in two years.

(01:51:50)

**VOUCHERS**

*Commissioner Wheeler motioned to approve vouchers for March 17, 2020, in the amount of \$433,390.87. Commissioner Woydziak seconded the motion. Motion carried 5-0.*

(01:54:53)

**ADDS & ABATES**

*Commissioner Woydziak motioned to approve Adds & Abates #2761 dated March 17, 2020; Adds in the amount of \$0.00 & Abates in the amount of \$73,314.72. Commissioner Masterson seconded the motion. Motion carried 5-0.*

(01:55:06)

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

Administrator Johnson informed the Board that the Kansas Legislature will be closing soon due to COVID-19.

(01:58:38)

**ADJOURNMENT**

*Commissioner Woydzak motioned to adjourn the meeting of the Board at 11:16 a.m. Commissioner Masterson seconded the motion. Motion carried 5-0.*