

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, April 28, 2020

CALL TO ORDER

Commission Chairman Marc Murphy called the Butler County Board of Commissioners to order at 9:02 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

Commissioner Myers presented the invocation.

APPROVAL OF MINUTES

Commissioner Myers provided the following amendment: Correct the motion in Item #5 to read as follows: "Commissioner Masterson motioned to authorize the 9-1-1 Director to pay the Kansas 911 Coordinating Council \$108,360 for 2020 NG911 services. Commissioner (Murphy) seconded the motion. Motion carried (4-1)."

Commissioner Myers motioned to approve the minutes of the April 21, 2020, Butler County Commission meeting with the above amendment. Commissioner Wheeler seconded the motion. Motion carried 5-0.

(00:03:22)

ITEM #1 – WORK SESSION – SEPTIC/LAGOONS & ALTERNATIVE WASTE SYSTEMS

David Alfaro, Community Development Director, came before the Board to discuss septic/lagoons and alternative waste systems. The Department of Community Development has been evaluating the types of Waste Water Treatment Systems currently allowed for residential properties as well as the process of recommending the type of system based upon the soil type. Mr. Alfaro briefly discussed the process associated with waste water systems. The first step is a site inspection to verify the correct separation between setbacks and structures. Then, a test hole is dug and the review of the soil begins. Once that is completed, a determination is made as to whether a septic tank or lagoon is the best application for the property. The licensed installer completes the work and then the County Inspector completes a final inspection before signing off on the project. Any corrections that need to be made will be explained to the Installer and the corrections must be fixed prior to signing off on the project.

Chris Boettcher, 3107 SW Rustic Road, Benton, came before the Board to discuss problems he is experiencing with his septic tank. Mr. Boettcher presented the Commissioners with a slideshow presentation of septic systems, soils and the codes that pertain to them. Mr. Boettcher stated that when he had his septic system put in, none of those steps were followed. *Commissioner Masterson provided the following amendment: "Mr. Boettcher's residence was built in 1981 and the traditional pipe and gravel was installed, the original septic system began to fail in 2015, March of 2018 when the new septic system was installed and November of 2018 when the first indication of a sewer problem occurred."* ~~Mr. Boettcher stated he replaced his septic system in 2015 and it started failing in 2018.~~ Mr. Boettcher displayed pictures of his yard showing quite a bit of run off, and also how saturated the soil was in his yard. After the system was installed, it

took about eight months before it backed up the first time and was plugged up with mud. Commissioner Masterson stated Butler County's regulations specifically stated that a soil test must be completed before installation and Mr. Boettcher's installer did not complete the required steps. Mr. Alfaro stated at the time of Mr. Boettcher's septic tank installation the County did not require a soil test to be done because the septic system that was being installed was very similar to the prior one, but even without a soil test, the system still would have failed. Mr. Boettcher suggested the County be more thorough in the future when doing soil inspections. No action was taken.

(00:02:47)

PUBLIC COMMENTS

Mike Lowry of Allen, Gibbs & Houlik (AGH) came before the Board to receive and review the 2019 Butler County Financial Audit. Kansas State Law requires an annual audit of all County accounts to be performed by an independent certified public accounting firm at least annually.

Commission Chairman Murphy motioned to receive and file the 2019 financial audit. Commissioner Myers seconded the motion. Motion carried 5-0.

(01:07:53)

ITEM #2 – WORK SESSION – COVID-19 UPDATE

Keri Korthals, Emergency Management Director, came before the Board to give an update on COVID-19. Ms. Korthals discussed the Governor's re-opening steps and a recovery plan. The State of Kansas Emergency Declaration is set to expire on May 3rd, which means all executive orders tied to the Declaration would drop off. Ms. Korthals stated the Governor is dealing with legislative issues tied to extending the declaration or making a new declaration to replace it. The Governor's Chief of Staff attended the EOC briefing and provided some loose guidelines. The Governor is still on track with permitting the Stay at Home Order to expire, and any subsequent Stay at Home type action would be reverted to local governments. Ms. Korthals noted the State's tentative plan is to do a phased re-entry into normal operations, but is dependent on what the Federal guidelines entail. As long as Butler County follows the Governor's guidelines on re-opening the County's plans do not have to mirror the States. Ms. Korthals stated the Governor should have a press release for the public by Thursday. Commissioner Masterson inquired about Wal-Mart doing testing for COVID-19. Ms. Korthals stated Wal-Mart approached the State EOC over the weekend to help with community based testing and asked for a testing site. The State felt the best option would be to put testing sites on state owned property, such as Wildlife Parks. Ms. Korthals stated Wal-Mart is going to be providing all of the equipment necessary.

Jamie Downs, Butler County Health Department Director, came before the Board to give an update on the COVID-19 virus. Mrs. Downs stated she will be sending requests to the State for more help with testing. Mrs. Downs stated the testing availability is there, but individuals must meet the criteria. Mrs. Downs stated in order to re-open cities and counties, the State wants to see that people are not testing positive for the virus. Mrs. Downs stated the CDC added new symptoms for COVID-19. Mrs. Downs stated the phones are currently down at the Health Department, which is delaying the drive-thru testing site for Butler County until tomorrow. The state is allowing the Health Department to do 25 tests per day. Butler County's newest COVID-19 case is a child under the age of ten. Mrs. Downs discussed the different phases of re-opening the state to continue to stop the spread of the virus.

Commissioner Myers provided the following amendment: “County staff presented a perspective Emergency Order of Local Health Officer, which was discussed briefly.”

(01:50:28)

RECESS

Commission Chairman Murphy recessed the meeting of the Board 10:53 a.m. for seven minutes.

Commission Chairman Murphy reconvened the meeting at 11:00 a.m.

(01:50:33)

ITEM #3 – REVIEW AND APPROVE LINE ITEM ADJUSTMENTS ON THE FY20 ADULT COMMUNITY CORRECTIONS BUDGET – 3RD QUARTER REPORT

Ann Carpenter, Community Corrections Director, came before the Board for approval of the line item adjustments on the FY20 Adult Community Corrections budget, 3rd quarter report in the amount of \$11,020.21. This budget adjustment does not impact funding or general funds in any way.

Commissioner Woydziak motioned to approve the budget adjustment for the 3rd quarter FY20 Adult Community Corrections in the amount of \$11,020.21 and allow the chair to sign. Commissioner Masterson seconded the motion. Motion carried 5-0.

(01:52:26)

ITEM #4 – REQUEST APPROVAL FOR 3RD QUARTER FY20 BUDGET ADJUSTMENT FOR THE JUVENILE SERVICES BUDGET IN THE AMOUNT OF \$8,846.80

Ann Carpenter, Community Corrections Director, came before the Board for approval of the 3rd quarter budget adjustment for the Juvenile Services budget in the amount of \$8,846.80.

Commissioner Woydziak motioned to approve the line item adjustments for FY20 3rd Quarter report for the Juvenile Services budget for Community Corrections in the amount of \$8,846.80 and authorized the Chair to sign. Commissioner Masterson seconded the motion. Motion carried 5-0.

(01:53:16)

ITEM #5 – FY21 JUVENILE BLOCK GRANT BUDGET ADJUSTMENT

Ann Carpenter, Community Corrections Director, came before the Board for approval of the block grant budget adjustment in the amount of \$573,658.72. Mrs. Carpenter noted this budget adjustment would not have any financial impact to the County budget.

Commissioner Woydziak motioned to approve the FY21 Juvenile Services block grant in the amount of \$573,658.72. Commissioner Masterson seconded the motion. Motion carried 5-0.

(01:57:16)

VOUCHERS

Commissioner Myers asked questions of the vouchers.

Commissioner Woydziak motioned to approve vouchers for April 28, 2020, in the amount of \$380,788.30. Commissioner Masterson seconded the motion. Motion carried 5-0.

(02:04:32)

ADDS & ABATES

Commissioner Woydziak motioned to approve Adds & Abates #2765 dated April 28, 2020; Adds in the amount of \$0.00 & Abates in the amount of \$119.16. Commissioner Masterson seconded the motion. Motion carried 5-0.

(02:04:44)

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

Administrator Johnson noted two IT Director interviews were completed yesterday.

Commissioner Myers prepared graphs with information to share with the Board pertaining to COVID-19.

Commissioner Masterson stated he does not feel the Board reached a consensus about waste water systems and would like to know what the next step needs to be. Mr. Boettcher read the sanitary codes as they are listed and requested that Butler County review the language in the codes to require a soil test.

Commissioner Woydziak stated he has been volunteering at Rose Hill School providing meals to 500 children per day and Douglass Schools are providing around 300 meals a day to children. Commissioner Woydziak stated there are no income guidelines.

(03:01:48)

ADJOURNMENT

Commissioner Woydziak motioned to adjourn the meeting of the Board at 12:12 p.m. Commissioner Wheeler seconded the motion. Motion carried 5-0.