

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, May 2, 2023

(00:00:07)

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, County Administrator Will Johnson, County Counselor Terry Huelskamp and Clerk Recorder Jennifer Currier. Commissioner Dan Woydziak was not in attendance.

(00:00:11)

INVOCATION

Chaplain Wade Graber presented the invocation.

(00:01:52)

APPROVAL OF MINUTES

Commissioner Masterson motioned to approve the minutes from the April 24, 2023, Joint Butler County Commission and Planning Commission meeting as presented and the April 25, 2023, Butler County Commission meeting as presented. Commissioner Murphy seconded the motion. Motion carried 4-0.

(00:02:26)

PUBLIC COMMENTS

There were no public comments.

(00:02:35)

ITEM #1 – JAIL INMATE PHONE, VIDEO VISITATION, INMATE TABLETS, MAIL, AND RELATED SERVICES

Daimon Cundiff, Undersheriff, and Larry Reynolds, Jail Administrator, came before the Board for approval to receive and file proposals for the jail inmate phone, video visitation, inmate tablets, mail, and related services. The Detention Facility has used Securus since 2007 for inmate phone services. Around 2019, tablets were provided to inmates in a secured and limited manner for educational, communication and entertainment purposes. Due to service issues, the Board approved the Sheriff to issue a request for proposals (RFP) in early 2023. RFP's were due by April 17, 2023. The County received five proposals in its solicitation software (DemandStar). The Sheriff's Office reviewed and ranked each proposal and selected NCIC as the proposal that provides the best overall value to the County due to better service reputation, a lower price for inmates, the County, and better product availability for the tablets.

Commissioner Masterson inquired if the Detention Facility has used NCIC before; Mr. Reynolds stated the Detention Facility has not.

Commissioner Murphy motioned to approve the received and filed proposals for the jail inmate phone, video visitation, inmate tablets, mail, and related services RFP and approve the

Chairman to sign an agreement with NCIC for jail inmate phone, video visitation, inmate tablets, mail, and related services. Commissioner Jackson seconded. Motion carried 4-0.

(00:06:40)

ITEM #2 – JAIL KITCHEN AND COMMISSARY SERVICES RFP

Daimon Cundiff, Undersheriff, and Larry Reynolds, Jail Administrator, came before the Board for approval to receive and file proposals for the jail kitchen and commissary services. The County has contracted with Summit Food Services in 2013 for both kitchen and commissary services. Due to service issues including food quality, consistency issues and commissary delivery issues, the Board approved the Sheriff to issue an RFP in early 2023. RFPs were due by April 2, 2023. The County received five proposals in its solicitation software, DemandStar; one vendor submitted the proposal to the incorrect RFP in DemandStar. The Sheriff's Office reviewed and ranked each proposal and selected Benchmark Government Solutions as the proposal that provides the best overall value to the County. Primary considerations for food were price per tray, customer service, references and food quality. The commissary services will experience fewer delivery issues due to the commissary warehouse being closer.

Mr. Reynolds stated Sumner County uses Benchmark and is very pleased with the service and food quality provided by from Benchmark.

Commissioner Jackson motioned to approve the proposal for the Jail kitchen and commissary services RFP and approve the Chairman to sign an agreement with Benchmark Government Solutions for Jail kitchen and commissary services. Commissioner Murphy seconded. Motion carried 4-0.

(00:09:53)

ITEM #3 – ADOPTION OF RESOLUTION ADDING AG/ACCESSORY POST AND FRAME (POLE BARN) CONSTRUCTION MINIMUM STANDARDS

David Alfaro, Community Development Director, came before the Board for approval of Resolution No. 23-12 establishing minimum standards for pole barns. On April 11, 2023, the Board heard from Staff regarding the need to establish minimum construction standards for pole barns constructed in Butler County. The reason for the establishment of the standards is to give all contractors the official notice that any pole barns larger than 14'x40'x80' will need to have plans stamped by a licensed engineer that is licensed to do work in the state of Kansas. Until now, the County has not had regulations officially adopted establishing standards but it has been the general practice to require stamped plans. This will give Staff the legal means to enforce this requirement. County Counselor Terry Huelskamp wrote and approved Resolution No. 23-12; Staff supports the Resolution as written.

Commissioner Murphy motioned to approve Resolution No. 23-12 adding minimum standards for the construction of AG/Accessory Post and Frame (Pole Barns) and direct the Chairman to sign the Resolution. Commissioner Jackson seconded. Motion carried 4-0.

(00:12:56)

ITEM #4 – AUTHORIZE THE DEPARTMENT ON AGING TO ORDER AND PURCHASE ONE REPLACEMENT VEHICLE FOR THE 5311 TRANSPORTATION PROGRAM

Crystal Noles, Department on Aging (DoA) Director, came before the Board for approval of for the DoA to order and purchase three vehicles for General Public Transportation, at a cost not to exceed \$220,000, as approved in the 5311 2021 Grant Renewal application through the Department of Transportation (KDOT). The DoA requested permission to order one vehicle that was approved by KDOT for the County’s KDOT 5311 Rural Transportation Program. KDOT allows for replacement vehicle applications within the 5311 General Public Transportation program to be applied for replacement once a vehicle reaches 100,000 miles. The vehicle must be at or over 100,000 miles when the grant renewal application is filed unless there are costly maintenance issues. Ordering of approved vehicle replacement will take place in August. Delivery of the new vehicles can take another seven to nine months from the order date. The DoA is currently awaiting three vehicles ordered in 2021. The DoA has seven vehicles in the fleet with four operating at more than 130,000 miles. KDOT has agreed to pay 10% of the match required in ordered to keep the County’s portion similar to previous purchases, even though vehicle prices have more than doubled. The cost should not exceed \$136,040. Federal funds will cover 80%, \$104,032, of the cost. The County’s cost will not exceed 10%, \$13,004, and KDOT will pay the other 10% match, which is \$13,004. The money for the match for these vehicles is in the Aging Reserve Budget; this project is also included in the approved CIP.

Commissioner Masterson motioned to approve the Department on Aging Director to order and purchase one mini bus for the 5311 General Public Transportation at a cost not to exceed \$136,040 as approved in the 5311 2023 Grant Renewal application through KDOT. Commissioner Murphy seconded. Motion carried 4-0.

Ms. Noles invited the Board to the Spring Fling on May 11, 2023. Following is a copy of the flyer:



(00:20:32)

ITEM #5 – 2023 COMPREHENSIVE SOLID WASTE MANAGEMENT PLAN ANNUAL REVIEW

Darryl Lutz, Public Works Director, came before the Board for approval of a report of the Butler County Solid Waste Management Planning Committee and Staff on the 2023 annual review of the Butler County Solid Waste Management Plan. The County adopted the current updated comprehensive solid waste management plan in May 2019 as required by State Statute. The plan is required to be reviewed annually and updated with a public hearing every five years. This year is the fourth annual review of the current adopted Solid Waste Management Plan. The annual review meeting was Thursday, April 13, 2023. A copy of the meeting’s agenda with pertinent reports attached, along with a copy of the draft minutes given to the Board. The main discussion was current activities at the landfill, upcoming projects and a review and discussion of milestone activities proposed in the 2019 Solid Waste Management Report. Staff requested the Butler County Solid Waste Management Committee's Annual Plan Review be accepted and the information will be submitted to the Kansas Department of Health and Environment (KDHE).

Mr. Lutz stated that due to low attendance at the Public Hearing there was not an election of new officers, current officer positions will remain the same.

Commissioner Masterson motioned to approve and accept the report on the 2023 annual review of the Butler County Solid Waste Management Plan and to direct Staff to submit the annual review to KDHE. Commission Chair Herzet seconded. Motion carried 4-0.

(00:30:40)

ITEM #6 – BUTLER COUNTY SOLID WASTE PLAN 5-YEAR UPDATE – PROFESSIONAL SERVICES REQUEST

Darryl Lutz, Public Works Director, came before the Board for approval to solicit an engineering proposal for consulting services to provide the mandatory five-year update to the Butler County Comprehensive Solid Waste Management Plan. State statutes and KDHE regulations require that each County in the State of Kansas have and maintain an up-to-date Solid Waste Management Plan. The plan is to be reviewed at least once a year and updated every five years. Engineering Solutions & Design prepared the previous plan updates with guidance and oversight from the Solid Waste Management Planning Committee in 2002, 2008, 2013 and again in 2018. It is time to provide a five-year update and Staff recommended to work directly with Engineering Solutions and Design again. KDHE notified Butler County that the five-year update is due in 2024. Engineering Solutions and Design assisted in the development of the County's recycling plan, as well. Engineering Solutions and Design fee has historically has been very fair. Mr. Lutz expects the work to take less than eight months to complete, followed with a public hearing and plan adoption.

Commissioner Masterson motioned to approve authorizing the Department of Public Works to obtain a fee proposal from Engineering Solutions & Design to provide professional services related to updating the Butler County Comprehensive Solid Waste Management Plan. Commissioner Murphy seconded. Motion carried 4-0.

(00:33:57)

ITEM #7 – PIPELINE AGREEMENT – SW BUTLER RD PROJECT FROM K-254 TO PARALLEL

Darryl Lutz, Public Works Director, came before the Board for approval of an agreement with Phillips 66 related to the SW Butler Rd Improvement Project from K-254 north to Parallel. The SW Butler Rd Improvement Project from K-254 to Parallel is a federal aid project funded through KDOT. The final project plans were completed in the Spring of 2022 and the project is currently under construction. County staff has coordinated and completed all the utility relocation work for phone, electric, water, fiber and natural gas transportation. The County recently approved an agreement with KPC to lower a natural gas pipeline. The County has been coordinating with Phillips 66 to replace an anode bed used by them and by KPC to provide corrosion protection for the pipelines. Phillips 66 owns the Cathodic Protection System and has been waiting for KPC to finalize an agreement prior to moving the grounding bed. In addition to relocating the anode bed, Phillips 66 decided to make some modifications to its current pipeline crossing. Phillips 66 has an existing road crossing that is cased and vented. Phillips 66 was planning to modify the vent pipe on the existing casing. Phillips 66 reconsidered the options and has now decided to remove the casing in lieu of extending the casing and is requesting Butler County to pay for removal of the pipeline casing. Phillips 66 requested the County to pay for 80% of the cost to reconstruct the anode bed for the Pipeline Corrosion Protection System and pay the cost of removal of the pipeline casing at the existing road crossing. The casing removal work will be coordinated with the KPC pipeline relocation work and the anode bed relocation will occur at a later time. The County requested that Phillips 66 pay for a portion of the cost for the casing removal work.

Commissioner Murphy motioned to table the utility agreement with Phillips 66 to relocate the anode bed for the Pipeline Corrosion Protection System and to remove the steel pipeline casing under the existing roadbed for Project No. 8C-4935-01, the SW Butler Rd Improvement Project from K-254 to Parallel. Commission Chair Herzet seconded. Motion carried 4-0.

(00:41:11)

ITEM #8 – PROPOSED 2023-2027 CIP WORK SESSION (EQUIPMENT, PUBLIC FACILITIES, TECHNOLOGY/OTHER)

Ryan Adkison, Assistant County Administrator/ Finance Director, came before the Board to review the proposed CIP over two work sessions before adoption. The work session is designed to present each project and have staff stand for questions. The Proposed 2023-2027 CIP is a planning document. All approved projects will come before the Commission before final financial commitments are made. The following departments were present for questions:

- Emergency Communications
- GIS
- Facilities Management
- Information Technology
- County Health Department
- Emergency Medical Services
- County Appraiser

No action was taken.

(01:37:17)

ITEM #9 – WORK SESSION - STRATEGIC PLAN

Will Johnson, County Administrator, came before the Board to discuss information on Wichita State University's (WSU) Retreat Summary and discuss items the Board would like to finalize as part of the County's 2023 Strategic Plan. In February, the Board participated in a strategic planning retreat with Wichita State University Public Policy and Management Center to discuss, develop and identify direction for the County's organization moving forward. The University provided a summary of the discussion for Staff to review and Staff provided feedback of the priorities they feel important to the County's organization. Commission will find a summary from WSU along with a summary from County Staff on their priorities. The work session focused on the Board's priorities to establish goals and direction for the County moving forward. Staff will bring back a final Strategic Plan document for consideration on a later date.

Administrator Johnson informed the Board to email their top three priorities for the 2023 Strategic Plan by Friday, May 5, 2023.

No action was taken.

(01:57:04)

VOUCHERS

Commissioner Masterson motioned to approve vouchers dated May 2, 2023, in the amount of \$1,324,907.03. Commissioner Murphy seconded the motion. Motion carried 4-0.

(01:58:27)

ADDS AND ABATES

Commissioner Jackson motioned to approve Adds in the amount of \$00.00 and Abates in the amount of \$4,738.29. Commission Chair Herzet seconded the motion. Motion carried 4-0.

(01:58:45)

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

Administrator Johnson is meeting with Susan B Allen Hospital to discuss insurance on Wednesday, May 3, 2023.

Administrator Johnson will meet with Former Commissioner Ed Meyers today. Mr. Meyers would like to discuss Solar Facilities.

Administrator Johnson wished Commission Chair Herzet Happy Birthday.

Administrator Johnson, Frank Williams, Emergency Medical Services Director, and Commission Chair Herzet will be meeting with the Mayor of City of Whitewater and others to discuss EMS Services.

Counselor Huelskamp will be attending the Planning and Zoning meeting this evening.

Administrator Johnson and the Board discussed the rough draft of the Solar Facility regulations and some adjustments that were proposed.

Counselor Huelskamp informed the Board how the legal actions are proceeding in regards to the IPS property.

Counselor Huelskamp did some research requested by Mark Rogers last week concerning his property boundaries; Mr. Rogers was disappointed in the outcome.

(02:09:28)

ADJOURNMENT

Commissioner Jackson motioned to adjourn the meeting of the Board at 11:10 a.m. Commissioner Masterson seconded the motion. Motion carried 4-0.