

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, May 19, 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 Executive Assistant Anna Wealand.

INVOCATION

Father John Lanzrath, St. John's Catholic Church, El Dorado, presented the invocation.

(00:00:27)

APPROVAL OF MINUTES

Commissioner Woydziak motioned to approve the minutes of the May 12, 2020, Butler County Commission meeting as written. Commissioner Wheeler seconded the motion. Motion carried 5-0.

(00:03:15)

PUBLIC COMMENTS

There were no public comments.

(00:03:26)

ITEM #1 – WORK SESSION – COVID-19 UPDATE

Jamie Downs, Butler County Health Department Director, came before the Board to give an update on the COVID-19 virus. Butler County's COVID-19 count went up by five, four of which were investigated by the Health Department with one in the State's correctional facility, which is possibly tied to a work release individual. Butler County's testing rate is currently 14.03/1000%, which is up from last week. Mrs. Downs stressed the importance of people to continue to see their physicians for ongoing medical issues (IE: heart problems, diabetes) as some people are putting off regular appointments due to virus concerns and their conditions are deteriorating due to lack of medical oversight. Mrs. Downs also stated immunization rates have gone down since the virus became known although the need for immunizations remains the same. Commissioner Woydziak inquired as to when Phase 1.5 of Kansas' reopening is over; the current end date for Phase 1.5 is June 1st. The Health Department has been working with local businesses and the District Court in regards to reopening strategies and measures. Discussion about Memorial Day and graduation ceremonies ensued. Commissioner Wheeler asked if Mrs. Downs was aware of the YMCA's plans for reopening. Mrs. Downs replied both the El Dorado & Andover YMCAs reopened yesterday with restrictions.

Keri Korthals, Emergency Management Director, came before the Board to give an update on COVID-19. Mrs. Korthals stated the big news for the last week was the transition to Phase 1.5. Being as the press release for Phase 1.5 came out two hours before a meeting involving various emergency personnel across the state there was not much warning. Phase 1.5 allowed fitness centers to open as long as no classes are conducted. The State of Kansas' Emergency Disaster ends May 26th but Phase 1.5 ends June 1st. Mrs. Korthals stated there will be a grey area if the State's declaration is not extended.

Butler County's Local Disaster Declaration expired yesterday. Mrs. Korthals encouraged the Board to discuss how the County is going to proceed from this point. Originally, counties were informed they did not need to have a local declaration to receive reimbursements and assistance, however, the State warned last week that is no longer the case. Therefore, counties need to have a local disaster declaration in place to assist with the counties receiving the various helps and reimbursements related to COVID-19 activities and expenditures. The Board has the option to place a disaster declaration for up to sixty days but it is not necessary to issue a declaration for the full time span available. Administrator Johnson suggested a declaration duration of two weeks, partially due to upcoming vacation pay outs for public safety personnel, with other declarations to be issued in two week intervals to help the County receive reimbursements for expenditures. Commissioner Woydziak stated the County needs to be prepared if the State ceases COVID-19 support operations to counties. Administrator Johnson said Butler County's main reason for extending the local disaster declaration would be for assistance with public safety personnel vacation payouts. Sedgwick County received some funds which have specific guidelines and documentation requirements for its use. If Sedgwick County does not have enough qualifying expenses for the funds the excess funds must be returned. Administrator Johnson commented Butler County, as a whole, has not experienced a huge amount of COVID-19 expenditures. Mrs. Korthals stated the CARES Act refunds 100% of COVID-19 expenses but FEMA refunds at a different percentage, so staff is working on evaluating the best funding option for the County. Mrs. Korthals stated reimbursing agencies are now requesting a signed copy of an entity's disaster declaration before consideration for reimbursement. Commissioner Wheeler asked to which date the County's disaster declaration should be extended. Administrator Johnson suggested June 5th as it is a payroll date for the County. Around ninety Kansas counties currently have disaster declarations in place.

Commissioner Woydziak motioned to extend Butler County's Local Disaster Declaration to June 2nd, 2020. Commissioner Murphy seconded the motion. Motion passed 4-1. Commissioner Myers opposed.

Administrator Johnson stated staff needs to ensure personal protective equipment (PPE) is restocked to appropriate levels as soon as possible to help wrap up the County's COVID-19 expenses. Orders to restock needed items must be placed prior to the cessation of the COVID-19 reimbursement time frame.

Mrs. Korthals said a County COVID-19 task force including Emergency Management, the Butler County Health Department, Emergency Communications, etc, was developed early on and is still meeting weekly to evaluate and monitor the County's health care trends.

Mrs. Korthals provided a brief synopsis of the rain Butler County received last week. Butler County received quite a bit of rainfall last week in a short period of time resulting in a flash flooding event. Thankfully the waters receded rapidly as well. Initial estimates indicate higher than eight inches of rain in some areas in Butler County. Mrs. Korthals stated the County's water tables are high due to last year's impressive rainfall so water may stand on the ground longer than anticipated.

(00:33:07)

ITEM #2 – COMMUNITY CORRECTIONS BUILDING RENT

Will Johnson, County Administrator, came before the Board for approval of Resolution 20-13 establishing the reimbursement rate from the Community Corrections Fund to the County General Fund for facilities rent. In 2019 the County Commission authorized a project to remodel the old South Central Mental Health Building for Community Corrections, allowing them to move from rented space in downtown El Dorado. The project was proposed as a cost neutral project over fifteen years as the funds utilized to pay for rent from Community Corrections would be reallocated back to the County to offset the cost of the project. The project was finished in February 2020 and staff moved into the building in late March 2020.

Resolution 20-13 allows for payment of \$3,600 monthly for year one, and then \$2,000 monthly for year two with a 3% escalator option. The Community Corrections fund will pay the County General fund back \$379,200 over fifteen years without any escalator. The Resolution further stipulates the responsibilities of each party, the County and Community Corrections, as to the services funded. The Resolution allows for a structure of the transfers and authorization in the event of an audit by the KDOC, which provides the majority of the funding for Community Corrections.

Commissioner Wheeler mentioned the proposed rent rate for Community Corrections is higher than what was paid at their previous location. Commissioner Myers asked if the 3% is compounding; Administrator Johnson responded that it is.

Commissioner Masterson motioned to approve Resolution 20-13 establishing the reimbursement rate from the Community Corrections Fund to the County General Fund for facilities rent. Commissioner Myers seconded the motion. Motion carried 5-0.

(00:36:47)

ITEM #3 – ANNUAL MOTOROLA SUA PAYMENT

Chris Davis, Emergency Communications Director, came before the Board for authorization to pay the invoice for the Motorola System Upgrade Agreement in the amount of \$86,556. In order to manage the statewide radio system KDOT must maintain current software versions. Butler County executed a new six year contract with Motorola in 2017 to provide matching upgrades. In 2015 the County reimbursed KDOT \$87,300. Motorola has explained that the costs have been reduced primarily due to a different upgrade schedule than before. KDOT and Motorola were negotiating a new scope during 2016 and no payment was made in that year. Our partnership with KDOT on the radio system has proven to be very beneficial to Butler County operationally by providing a state-wide footprint on all channels. Additionally, by taking advantage of their offer to utilize their controller, we have experienced significant cost efficiency. One of the “down sides” to this relationship is that all of the components of the system must utilize compatible software versions. It is not possible for us to upgrade our software without KDOT upgrading the software of the components that communicate with our components (and vice versa).

Commissioner Wheeler motioned to authorize the 9-1-1 Director to pay \$86,556 to Motorola for the annual System Upgrade Agreement. Commissioner Murphy seconded the motion. Motion carried 4-1. Commissioner Woydziak opposed.

(00:38:41)

ITEM #4 – REQUEST PERMISSION TO SOLICIT BIDS FOR TWO-INSPECTION TRUCKS FOR COMMUNITY D

David Alfaro, Community Development Director, came before the Board for permission to solicit bids for two-Inspection Trucks from Local Vendors. The Department of Community Development has budgeted in the CIP funds for the purchase of two new trucks for the two Building Inspectors. The Inspectors have been taking advantage of used vehicles handed down from the Sheriff's Department for years. This practice has worked well for years but the availability of trucks does not exist at this time and both of Community Development's current trucks are pushing or exceeded 200,000+ miles. The current vehicles have been in operation since 2009 & 2012 and require constant maintenance. Mr. Alfaro noted he does want to ensure the vehicles have hands-free Bluetooth technology but forgot to place that in his submission.

Administrator Johnson stated the County may try to sell one of the trucks in a year and see what the resale value to how much the County may be able to recover in cost. Truck resale value is pretty high and buying new trucks and selling them in a year is a fleet management strategy to which he was recently introduced.

Commissioner Woydziak motioned to approve allowing the Director of Community Development to solicit bids for two new Trucks for the Building Inspectors and bring the bids back at a later date for approval. Commissioner Wheeler seconded the motion. Motion carried 5-0.

Commissioner Wheeler inquired of the status of the IPS property. Commissioner Woydziak stated IPS vacated the property and either IPS or the County will have to clean it up. Administrator Johnson states the land owner, Mr. Smith, was very dependent on the rent income and probably cannot pay to have the property cleaned up. Mr. Alfaro believes the Kansas Department of Health and Environment (KDHE) may end up playing a role in the property's cleanup. Administrator Johnson is concerned about the "unknowns" as to what other items might be present at the property that are not immediately noticeable. The State may be able to pursue the tenant for violations; however, the County is not permitted to pursue the tenant but must pursue the landowner if the County decides to take action.

(00:46:35)

ITEM #5 – AUGUSTA PUBLIC SAFETY PARKING LOT ENTRANCES REPLACEMENT

Dan Ingalls, Facilities Management Director, came before the Board for approval of the bid from APAC in the amount of \$16,341.50 for the replacement of the two entrances on the south side of the Augusta Public Safety Building (APSB) parking lot. These entrances were not part of the scope of work identified for repairs, however, Augusta City staff and Butler County staff believe now would be the best time to replace these two entrances while repairs are being completed in the rest of the parking lot. Butler County's Engineering Department has reviewed the bid from APAC and feels that this price is reasonable and recommends proceeding forward. APAC bid

142.1 sq. yards at \$115.00 per yard for a total of \$16,341.50. As per the Lease Agreement, Butler County's portion is \$10,213.44 at 62.5% and the City of Augusta's portion is \$6128.06 at 37.5%.

Administrator Johnson stated the project's bid came in a lot lower than originally anticipated and is therefore in support of proceeding with the entrance work. Mr. Ingalls reports the City of Augusta is very much in support of the project.

Commissioner Myers motioned to approve the bid from APAC in the amount of \$16,341.50 for the Augusta Public Safety Parking Lot entrance repairs with BU CO to underwrite \$10,213.44 at 62.5% & the City of Augusta to underwrite \$6,128.06 at 37.5%. Commissioner Murphy seconded the motion. Motion carried 5-0.

Mr. Ingalls announced to the Board that Facilities Management crews have surpassed completing 20,000 work orders with Facility Dude. Mr. Ingalls stated the Facilities Management crews have done a great job and he is very grateful to, and proud of, them.

(00:50:39)

ITEM #6 – CEREAL MALT BEVERAGE LICENSE – BLUESTEM BAIT & GENERAL STORE

Will Johnson, County Administrator, came before the Board for approval of a Cereal Malt Beverage License for Bluestem Bait & General Store. Craig Travaille is seeking a CMB License to sell cereal malt beverages in original and unopened containers and not for consumption on the licensed premises at Bluestem Bait & General Store. There are seven campgrounds in Bluestem Point that Mr. Travaille would like to deliver CMB in an effort to keep people from drinking and driving.

Commissioner Wheeler motioned to approve the CMB License for Bluestem Bait & General Store, submitted by Craig Travaille. Commissioner Woydziak seconded the motion. Motion carried 5-0.

(00:55:33)

ITEM #7 – 2020-Q1 FINANCIAL/MANAGEMENT REPORT

Ryan Adkison, Finance Director, came before the Board to present the 2020 Q1 Financial/Management Report. The Commission receives quarterly financial/management reports as part of the County's overall transparency and management process. Information presented in this report should be considered by the Commission during the formulation and implementation of the CIP and operating budget and with other important decisions affecting the County's operations. Some discussion occurred regarding the Jail and revenue received from inmates. Most inmates at the Butler County Detention Facility are from Wyandotte and Saline counties and the jail is bringing in the amount of revenue per day that it should. The Commissioners asked questions of the Financial Management Report and Mr. Adkison provided the pertinent information. Mr. Adkison stated the budget process is beginning and he would like to touch base with the Board in regards to the upcoming budget. Budget hearings will be held the 13th – 17th of July.

Commissioner Myers motioned to receive and file the 2020-Q1 Financial/Management Report. Commissioner Woydziak seconded the motion. Motion carried 5-0.

(01:19:53)

VOUCHERS

Commissioners Myers & Wheeler asked questions of the vouchers.

Commissioner Masterson motioned to approve vouchers for May 19, 2020, in the amount of \$353,228.59. Commissioner Wheeler seconded the motion. Motion carried 5-0.

(01:24:11)

ADDS & ABATES

Commissioner Woydziak motioned to approve Adds & Abates #2768 dated May 19, 2020; Adds in the amount of \$0.00 & Abates in the amount of \$90.24. Commissioner Wheeler seconded the motion. Motion carried 5-0.

(01:24:26)

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

Commissioner Myers wanted to bid everyone a happy, healthy, and safe Memorial Day. He is excited to do a Zoom meeting with his mother on her birthday.

Administrator Johnson stated a conditional offer has been accepted in regards to an Information Technology Director, with June 8th as a tentative start date. No public announcement is currently being made as the individual needs to be able to provide notice to their current employer.

Administrator Johnson commented he anticipates the individual, who has a good amount of experience, being a good fit with County organization and a solid mentor to those currently in the department.

Administrator Johnson reported things have gone quite well in regards to reopening the courthouse to public access. The individuals who have been most upset are those requiring Driver's License transactions. Driver's License transactions at the State office in Andover are currently backed up to June. Administrator Johnson commented having the Court Security officers present at the Motor Vehicle stations has been very helpful.

There was some discussion about the Butler County Fair.

Commissioner Woydziak stated he recently spoke to a senator who said the Kansas legislature will be meeting soon. Commissioner Woydziak warned Administrator Johnsons to be prepared for SB 294 to resurface.

(01:54:00)

ADJOURNMENT

Commissioner Woydziak motioned to adjourn the meeting of the Board at 10:54 a.m. Commissioner Masterson seconded the motion. Motion carried 5-0.