

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, June 23, 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

Reverend Christine Gilson, El Dorado, presented the invocation.

APPROVAL OF MINUTES

Commissioner Woydziak motioned to approve the minutes of the June 16, 2020, Butler County Commission meeting as presented. Commissioner Myers seconded the motion. Motion carried 5-0.

(00:01:44)

PUBLIC COMMENTS

There were no public comments.

(00:01:53)

ITEM #1 – WORK SESSION – COVID-19 UPDATE

Jamie Downs, Butler County Health Department Director, came before the Board to give an update on COVID-19. Mrs. Downs stated Butler County had an increase in positive cases over the last week and Butler County is now at 44 positive cases and five probable cases and our testing rate is now 33.1/1000. Currently there are nine people in quarantine and no one in the hospital at this time. Mrs. Downs stated anyone who tests positive with the antigen test will be considered a “probable positive”. Mrs. Downs expressed her concern with a non-compliant positive that has chosen not to quarantine at home. Mrs. Downs requested feedback from the Board on their opinions to announce the zip codes of all of the active positive cases, in order to better protect our citizens. The Board did not see it as a problem to share that information. Mrs. Downs informed the Board that KDHE added Arkansas, Arizona, and Alabama to the travel ban list. Commissioner Masterson stated that is not a law or executive order, simply a recommendation. Mrs. Downs stated the travel ban list comes from KDHE and it is not a law, it is a mandate. Administrator Johnson stated it is the County’s job to publicize this information to Butler County constituents. Administrator Johnson stated there are internal consequences to disobeying the travel ban. Mrs. Downs also informed the Board that isolation and quarantine have an entirely different set of laws that have been in place for decades. Mrs. Downs stated she is checking into alternative ways to offer COVID-19 testing. The COVID-19 test will cost \$150 per test per person, and insurance can be billed. Mrs. Downs also informed the Board that any college student that tests positive for COVID-19 will be counted toward a positive case in whichever county they are attending college.

Keri Korthals, Emergency Management Director, came before the Board to give an update on COVID-19. Ms. Korthals stated Governor Kelly re-evaluated her recommendations to the Ad Astra Plan. Governor Kelly determined that counties should remain in Phase 3 for the time

being, which the most notable part of Phase 3 is the mass gatherings of no more than 45 people. Ms. Korthals stated Governor Kelly did not mention when she plans to re-evaluate COVID-19 again. Ms. Korthals stated Governor Kelly pointed out an increase in cases over the last week since the counties have taken charge of the recommendations. Commissioner Myers stated nationwide deaths have been trending down while testing has increased. Commissioner Myers stated there are indications that COVID-19 has weakened and feels like the virus is changing. Commissioner Myers feels that Kansas has done a great job at flattening the curve of this virus.

Administrator Johnson notified the Board of the Sparks Funding, a three trillion dollar stimulus bill from the Federal Government. Kansas was awarded 1.2 billion dollars from Sparks Funding. Allocation of funds will be based on the number of positive cases and 50% of the funds will be distributed in the first wave. Butler County's allocation is 13.781 million dollars, to spend on COVID-19 related expenses. Administrator Johnson stated he would have more guidance and details regarding the funding within a few weeks.

Commissioner Myers discussed the Q-less system and a few minor complaints with the pathway to check-in online. Administrator Johnson stated he would address Commissioner Myers' concerns. Administrator Johnson stated all of the sneeze guards and personal protective equipment in the Courthouse will stay in place to protect individuals.

(00:46:48)

ITEM #2 – CASE MANAGEMENT SOFTWARE SERVICE CONTRACT

Darrin Devinney, Butler County Attorney, came before the Board for approval to adopt the service contract with Pine Technologies, LLC. Journal Technologies has been the case management software (CMS) provider for the Butler County Attorney for several years. Journal sent notification that they would no longer provide a service contract after June 2021 for the software updates as they will phase out the software package. In response, Pine Technologies has recently formed from a core of Journal employees to provide service and support for JustWare, the CMS. Pine Technologies has submitted a contract for service provision for at least the next three years. The first term would be for six months, the second term for six months, and the third for a year and the fourth for a year. This agreed stratification protects the County if the business itself fails or there are major issues of contract noncompliance. The payment for the renewal terms are divided out and there was no increase requested by Pine for the term establishment. The first payment of \$13,000 for the first term of six months would become due thirty days after the signing of the contract. Commissioner Myers inquired about the service term language written in the contract. Commissioner Myers stated it seems inconsistent that the service term would continue until the third anniversary of the end date of the service term. Mr. Devinney agreed with Commissioner Myers and stated Pine Technologies would revise the contract. Commissioner Myers inquired about the other types of clients that Pine Technologies currently has.

Commissioner Masterson motioned to approve the revised service contract for case management with Pine Technologies. Commissioner Woydziak seconded the motion. Motion carried 5-0.

(01:04:05)

ITEM #3 – EMS AMBULANCE PURCHASE

Scott Stueven, EMS Assistant Director, came before the Board for approval to award the ambulance purchase bid to American Emergency Vehicles for two 2021 Ford E450 Type 3 ambulances at the purchase cost of \$180,273.00 + \$3,000 upgrade options allowance each or \$366,546.00 total. Commissioner Myers inquired about the variance in the floor patient department.

Commissioner Woydziak motioned to award the ambulance bid, submitted by American Emergency Vehicles (AEV) for 2 - 2021 Ford E450 Type III (Large box) ambulances at the purchase cost of \$180,273.00 + \$3000.00 upgrade options on each ambulance for a total purchase price of \$366,546.00 and authorize the Commission Chair to sign the purchase agreement.. Commissioner Wheeler seconded the motion. Motion carried 5-0.

(01:11:15)

ITEM #4 – LANDFILL STAFFING

Darryl Lutz, Public Works Director, came before the Board for approval of adding two part time positions at the Landfill to direct traffic while unloading trash. The positions will be filled as Light Equipment Operator II's and will be cross trained to allow rotation of staff from several other positions. The total cost to the Landfill will be approximately \$2,056 every two weeks or \$53,450 annually, including all salary related overhead costs. The primary benefits to the County will be improved safety for our patrons, reduced liability exposure and improved operating efficiency for waste disposal operations. The costs for operating the landfill have been fairly static while the revenues for the landfill are exceeding total overall landfill costs. Sufficient budget capacity exists in the 2020 budget and the 2021 proposed budget will include the additional personnel costs.

Commissioner Myers motioned to approve the addition of two part time positions at the landfill as Light Equipment Operators II's to be funded through the Sanitary Landfill fund to allow placement of a spotter to direct traffic unloading trash at the landfill and authorized the Department of Public Works to proceed with filling these positions immediately. Commissioner Wheeler seconded the motion. Motion carried 5-0.

(01:26:07)

ITEM #5 – PUBLIC WORKS EQUIPMENT PURCHASE – USED WATER TRUCK

Darryl Lutz, Public Works Director, came before the Board for approval to purchase a used water truck for use by the Department of Public Works. Mr. Lutz stated his department has been looking for a used 4,000-gallon water truck for at least the last three years and has found a local water truck available for purchase. Staff rented the water trucks for two weeks to determine the operating condition of the truck. The costs range from \$62,000 up to \$85,000 and the conditions all seem to be similar. United Rentals in Wichita has a 4,000-gallon water truck on a 2013 Freightliner chassis with 33,500 miles coming back in from rental that they are ready to sell. The truck's listed price was \$64,804. United Rentals reduced the purchase price down to \$62,000 and agreed to apply two weeks of rent in the amount of \$3,058 towards the cost of purchase for a net purchase cost of \$58,942.

Commissioner Masterson motioned to approve the purchase of a 2013 Freightliner chassis with a 4,000-gallon water tank and spray system from United Rentals, Wichita, KS for the Public Works Department for the lowest and best price of \$58,942.00. Commissioner Wheeler seconded the motion. Motion carried 5-0.

(01:31:45)

ITEM #6 – FEDERAL AID ER FUNDING – 2019 FLOODING

Darryl Lutz, Public Works Director, came before the Board for approval of an agreement with KDOT to receive federal aid emergency relief funding for road damage repair costs on County major collector roads resulting from the flooding in 2019. The County sustained damage to county maintained roads from flooding that occurred in May/June 2019. The County approved a local disaster declaration along with the state of Kansas. Kansas subsequently received a presidential declaration, which would allow the County to be eligible to for reimbursement on certain flood damage costs. Damage repairs on major county roads are not eligible for reimbursement funding through FEMA, however, the federal highway administration has a special program for emergency relief funding for damage to County federal aid routes not eligible for damage cost reimbursements under FEMA. The County submitted six repair projects to KDOT totaling \$148,234.03 for county road repair work. KDOT has prepared a project agreement for approval by Butler County, which would allow the County to request for reimbursement of completed repair work costs. The County will receive 80% reimbursement for all permanent repair work.

Commissioner Woydziak motioned to approve the agreement with KDOT for Project #8C-5037-01 for Butler County to receive federal aid emergency funding to reimburse the County for County road damage repairs related to the May/June 2019 flooding in the estimated amount of \$118,587.24 and authorized the Chair to sign. Commissioner Masterson seconded the motion. Motion carried 5-0.

Commissioner Woydziak discussed a letter he received from constituents that live on County Line Road because of the calcium chloride that is going to be paved on their road to help with the dirt problem.

(01:41:39)

VOUCHERS

Commissioner Wheeler motioned to approve vouchers for June 23, 2020, in the amount of \$958,795.83. Commissioner Woydziak seconded the motion. Motion carried 5-0.

(01:42:37)

ADDS & ABATES

Commissioner Woydziak motioned to approve Adds & Abates #2771 dated June 23, 2020; Adds in the amount of \$27.18 & Abates in the amount of \$19,746.28. Commissioner Masterson seconded the motion. Motion carried 5-0.

(01:42:52)

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

Commissioner Myers discussed the Homeless Summit invitation from the City of El Dorado.

Commissioner Masterson left the meeting.

Administrator Johnson requested approval to rescind the global masking policy that was approved by the Board of County Commissioners on April 14, 2020.

Commissioner Woydziak motioned to rescind the masking policy for Butler County employees and recommended social distancing when possible. Commission Chairman Murphy seconded the motion. Motion carried 4-0.

Administrator Johnson requested approval from the Board to allow Fire District #2 in Augusta to purchase a fire truck. Administrator Johnson stated Fire District #2 received a grant and it will not cost them anything.

Commission Chairman Murphy motioned to allow Fire District #2 to purchase a fire truck. Commissioner Woydziak seconded the motion. Motion carried 4-0.

Administrator Johnson informed the Board that the Butler County 4-H kids are donating money to the project study for the new county 4-H grounds.

(01:54:55)

ADJOURNMENT

Commissioner Woydziak motioned to adjourn the meeting of the Board at 10:55 a.m. Commissioner Wheeler seconded the motion. Motion carried 4-0.