

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, June 27, 2023

(00:00:10)

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, Commissioner Dan Woydziak, Administrator Will Johnson, County Counselor Terry Huelskamp and Clerk Recorder Jennifer Currier.

(00:00:15)

INVOCATION

Pastor Ryan Lynch, Andover United Methodist Church, presented the invocation.

(00:01:20)

APPROVAL OF MINUTES

Commissioner Masterson motioned to approve the minutes from the June 20, 2023, Butler County Commission meeting as presented. Commissioner Murphy seconded the motion. Motion carried 5-0.

(00:01:42)

PUBLIC COMMENTS

Carri Guy, Butler County Employee Association President, came before the Board for the Commissioners to vote on the Employee Association Fourth of July Themed Door Decorating Contest.

(00:05:19)

ITEM #1 – REQUEST FOR A MORTGAGE LOT SPLIT WITH AN APO ON PROPERTY LOCATED AT 0 SW 130th ST, AUGUSTA, KANSAS, BY HAROLD RALSTON

David Alfaro, Community Development Director, came before the Board for approval of a 10+/- acre mortgage lot split with a 29+/- acre APO. Harold Ralston owns a tract of land containing 67+/- acres currently zoned AG-40. The property is known as 0 SW 130th St, Augusta, Kansas. Mr. Ralston is proposing to split out a 10+/- acre tract of land with the placement of a 29+/- acre APO on a portion of the property. The property is used for agricultural related activities; Staff feels the request meets the criteria for such a split and placing an APO on the property is appropriate. State Statute requires all landowners located within a 1,000' radius of the property be notified of the request; Staff did not receive any comments for or against the request. The Planning Commission approved the request by a vote of 6-0 and Staff supports the recommendation.

Roger Cutsinger, Savoy Surveying, was present for questions.

Commissioner Woydziak motioned to approve the request for a mortgage lot split with an APO on property owned by Harold Ralston and direct the Chairman to sign the APO Agreement. Commissioner Jackson seconded. Motion carried 5-0.

(00:07:25)

ITEM #2 – REQUEST FOR A CHANGE IN ZONING FROM AG-40 TO RURAL RESIDENTIAL (RR) ON PROPERTY LOCATED AT 3091 SW MEADOWLARK RD, BENTON, KANSAS, AS SUBMITTED BY LARRY YOUNG

David Alfaro, Community Development Director, came before the Board for approval of a change in zoning on property located at 3091 SW Meadowlark Rd, Benton, Kansas, from AG-40 to RR. Larry Young owns a tract of land that contains 19+/- acres. Mr. Young has requested to rezone the 19+/- acres, which could allow him to potentially split the property into two-tracts and sell the north portion to a neighbor for grazing of cattle. The property is located adjacent to both AG-40 and RR zoned properties as well as adjacent to the city limits of Benton, Kansas. The change in zoning would not be considered detrimental to the area. State Statute requires all landowners located within a 1,000' radius of the property be notified and while one property owner did express some concern, it would not lead to a negative impact to the area. The Planning Commission approved the request by a vote of 6-0.

Mr. Alfaro informed the Board the future buyer of the north portion of the property is a current Butler County employee.

Shawn Haring, Building Inspector, was present.

Commissioner Masterson motioned to approve the request for a change in zoning from AG-40 to RR and direct the Chairman to sign Resolution No. 23-21. Commissioner Murphy seconded. Motion carried 5-0.

(00:09:39)

ITEM #3 – REQUEST FOR A CHANGE IN ZONING FROM AG-40 TO RESIDENTIAL ESTATES ON PROPERTY LOCATED AT 0 SW INDIANOLA RD, ROSE HILL, KANSAS, AS SUBMITTED BY FORREST JONES

David Alfaro, Community Development Director, came before the Board for approval of a request for a change in zoning from AG-40 to RE on property located at 0 SW Indianola Rd, Rose Hill, Kansas. Forrest Jones owns a tract of land that contains 20+/- acres. Mr. Jones is requesting to rezone the 20+/- acres, which would allow him to potentially split the property into two-tracts and construct a new single-family dwelling on the newly created tract. The property is located in an area surrounded by AG-40 but has numerous tracts of RR property located within the immediate area. Mr. Alfaro stated it is important to note that even though the newly created tracts would exceed the 3:1 depth versus width requirement, the lot dimensions meet the spirit and intent of the requirement, as there are similar lot sizes just north of the property. State Statute requires all landowners within a 1,000' radius of the property be notified of the request and Staff did not receive any comments for or against the request. The Planning Commission approved the request by a vote of 6-0 and Staff supports the recommendation as well.

Commissioner Woydziak motioned to approve the request for a change in zoning from AG-40 to RE and direct the Chairman to sign Resolution No. 23-22. Commissioner Masterson seconded. Motion carried 5-0.

(00:11:43)

ITEM #4 – REQUEST FOR A CHANGE IN ZONING FROM AG-80 TO RESIDENTIAL ESTATES (RE) ON PROPERTY LOCATED AT 5069 SW 210TH ST, DOUGLASS, KANSAS, AS SUBMITTED BY DUANE NUZUM

David Alfaro, Community Development Director, came before the Board for approval of a request for a change in zoning from AG-80 to RE on property located at 5069 SW 210th St, Douglass, Kansas. Duane Nuzum owns a tract that contains 39+/- acres and contains a single-family dwelling on the property. Mr. Nuzum is requesting to rezone the property, which would allow him to split out 10-acres around the residence and then split off the remaining 29+/- acres. SW 210th St is a paved County arterial road; a request to the County Engineer for another entrance off 210th St would be required. If the entrance is not approved the property is abutted to the east by SW Hopkins Switch Rd, so an entrance to the newly created tract could be arranged off SW Hopkins Switch Rd. State Statute requires all landowners within a 1,000' radius of the property be contacted; Staff did have one person appear at the Planning Commission meeting to express concern that Mr. Nuzum might try to split the property into numerous tracts. Staff and the Planning Commission explained more than one split would require a Plat and again all property owners within the 1,000' radius would be notified of the request and allowed to express any concerns they might have. After addressing the landowners concerns, the Planning Commission approved the request by a vote of 6-0; Staff supports the recommendation as well.

Commissioner Woydziak motioned to approve the change in zoning from AG-80 to RE on property located at 3059 SW 210th St, Douglas, Kansas, and direct the Chairman to sign Resolution No. 23-23. Commission Chair Herzet seconded. Motion carried 5-0.

(00:14:26)

ITEM #5 – REQUEST TO START A BID PROCESS FOR CIP TC-008003 2020 – DOCUMENT MANAGEMENT SOLUTION

Lew Harter, Information Technologies (IT) Director, came before the Board for approval to solicit proposals for a comprehensive document management solution. The County is in need of a comprehensive document management solution to enable IT to better meet the growing needs for managing, indexing, searching, and archiving documents; as well as creating workflows, improving efficiency, and automating retention policies. Currently, each department has their own system of managing documents. Terry Huelskamp, County Counselor, is currently working on a document policy; the new system is intended to align with that policy. Acquiring a document management solution will greatly enhance the County's ability to maintain documents according to retention requirements, find necessary documents in a timely manner, avoid duplication of documents, and facilitate document sharing with authorized individuals.

Mr. Harter and the Board discussed the pros and cons of onsite versus cloud storage of documents.

Ryan Adkison, Assistant County Administrator/Finance Director, informed the Board that the finances for a comprehensive document management solution are already in the budget.

Commissioner Woydziak motioned to approve the request for the IT Department to solicit proposals under CIP TC-008003 2020 using the provided Request for Proposal as the basis. In addition, after receiving proposals, a selection committee is to be convened to review the proposals, select the proposal offering the best value to the County and bring the Commission a contract for approval. Commissioner Jackson seconded. Motion carried 5-0.

(00:20:05)

ITEM #6 – REQUEST TO OPEN SEALED BIDS FOR REPLACING THE AUGUSTA PUBLIC SAFETY BUILDING ROOF

Travis Cornell, Facilities Management Director, came before the Board for approval to receive and open sealed bids for the Augusta Public Safety Building roof. The roof is in poor condition and has been patched numerous times; new leaks are encountered every time it rains. Mr. Cornell presented the sealed bids to the Board to be read aloud. Staff will return with a detailed bid tabulation of the received bids at a later time. The bids are as follow:

Name	Address	Amount
Ray’s Roofing	Newton, Kansas	\$294,000
Stanfield Roofing, Inc.	El Dorado, Kansas	\$262,341.84 plus two add ons

Administrator Johnson stated the bids were a lot lower than anticipated.

Commissioner Masterson motioned to approve the sealed bids for the Augusta Public Safety Building roof and to authorize Facilities Management to tabulate the bids and return at a later time with recommendations for actions. Commissioner Woydziak seconded. Motion carried 5-0.

(00:22:41)

ITEM #7 – RIGHT OF WAY ACCEPTANCE - NORTH BRANCH HICKORY CREEK BRIDGE ON SE FLINTHILLS RD

Darryl Lutz, Public Works Director, came before the Board for approval to accept the dedication of easements for right-of-way for tracts related to the project to replace the North Branch Hickory Creek Bridge on SE Flinthills Rd, Hickory Township, located four point eight miles north and one mile east of Latham, Kansas. The final plans are complete and Staff has been working with property owners on right-of-way and easement acquisition. Agreements have been reached with all property owners and official offers based upon approved values have been presented. The two property owners have approved the settlement offers for the right-of-ways and easements. Staff has received the signed right-of-way document from the property owner on the east side of the bridge. The project is currently being advertised for bids to be received in mid-July. The project is partially funded with \$200,000 of State funding under the Kansas Department of Transportations (KDOT) Local Bridge Improvement Program. The payments and settlements are based upon minimum payments typically offered for permanent easement and will include any additional cost to cure items such as fence replacements. A list of tracts and the related right-of-way offers were presented to the Board.

Commissioner Murphy motioned to approve the acceptance of dedications of easements for rights-of-way and to approve the settlements negotiated for Project No. BR 14E2-28-7(23), the

proposed bridge replacement project for the North Branch Hickory Creek Bridge on SE Flinthills Rd, located four point eight miles north and one mile east of Latham, Kansas, and to authorize the Chairman to sign the documents. Commissioner Masterson seconded. Motion carried 5-0.

Mr. Lutz and the Board discussed the upcoming round-a-bout project on SW Ohio St and SW 20th St.

Commissioner Jackson and Mr. Lutz conversed about the Cassoday pump station as Commissioner Jackson has received several phone calls concerning the pump station. Mr. Lutz has a meeting this evening with the City of Cassoday and will discuss the station with City Staff.

Mr. Lutz reminded the Board of the 254 Corridor Management Plan meeting tonight from 5:30 p.m. to 7:00 p.m. at Circle Middle School in Benton, Kansas. There will be a presentation starting at 5:45 p.m.

(00:40:55)

NON – AGENDA ITEM – TRUCK FRAME REPAIRS- TWO 2007 PETERBUILT DUMP TRUCKS

Darryl Lutz, Public Works Director, came before the Board for approval for cost estimates to repair the frame on two Peterbuilt tandem dump trucks. The County operates two Peterbuilt dump trucks that were purchased new in 2006; the trucks are in relatively good condition and will receive new beds soon. The trucks were specified with a fishplate, two frames nested together, frame design for strength when they were ordered. Unfortunately, the fishplate design is susceptible to rust buildup between the frames and ultimately to significant section loss in the frame. Staff likes the truck with the non-DEF engines and high cab construction. Staff has worked for several months to identify shops what could rebuild the frames. Staff found one shop in Wichita that will replace the frame with a frame the County has from a truck that burned several years ago, but would not provide a quote to rebuild the second truck. Staff found a second shop in Wichita, Kansas, that was willing to provide a cost estimate to replace the frame from the second truck with new iron. Staff recently found a shop in Pratt, Kansas, that would rebuild both truck frames, one frame with the frame the County has and one frame with new frame iron. Quotes were received from the three vendors. The Quotes are as follows.

Name	Location	Amount
FleetPride	Wichita, Kansas	\$19,261.60 using County's old frame
Wichita Kenworth Body Shop	Wichita, Kansas	\$47,270.80 one new iron frame
Southwest Truck Parts	Pratt, Kansas	\$23,276.60 both frames

Staff recommends the award of bid be awarded to Southwest Truck Parts for \$23,276.60.

Commissioner Masterson motioned to approve the estimated cost of repairing the frames in two Peterbuilt dump trucks by Southwest Truck Parts, Pratt, Kansas in the estimated upper

limit of total cost of \$26,000 including 12% for contingency. Commissioner Murphy seconded. Motion carried 5-0.

Mr. Lutz informed the Board he will be back next week to discuss issues with the Boomag compactor used at the Landfill.

(00:49:15)

ITEM #8 – WORK SESSION - BUTLER COUNTY EVENT CENTER/FAIRGROUNDS

Will Johnson, County Administrator, and Vince Haines, Gravity Works Architecture, came before the Board to discuss the future location of the Butler County Event Center/Fairgrounds. Over the past 30 years, there have been discussions and even some planning for relocation of the Butler County Fairgrounds. Each time the idea has been presented it has not garnered enough support to move forward. With the abandonment of the old honor camp an opportunity exists to move forward with acquisition of the property and discussion/planning for a new facility. The County is in a position to take the lead in discussion with the Corps to transfer the property or enter into a long-term lease on the property for an events/fair facility. There is a large amount of support locally and in the County for such a facility. The County has the support of the Kansas Department of Wildlife and Parks (KDWP) and Kansas Department of Corrections (KDOC) to acquire the property.

Mr. Haines presented the Board with a PowerPoint presentation showing the proposed design of the Event Center/Fairgrounds.

Administrator Johnson stated the Event Center/Fairgrounds Committee is meeting this evening.

No action was taken.

(01:44:32)

VOUCHERS

Commissioner Masterson motioned to approve vouchers dated June 27, 2023, in the amount of \$312,857.86. Commissioner Murphy seconded the motion. Motion carried 5-0.

(01:44:48)

ADDS AND ABATES

Commissioner Woydziak motioned to approve Adds in the amount of \$32.46 and Abates in the amount of \$4,132.90. Commissioner Jackson seconded the motion. Motion carried 5-0.

(01:45:06)

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

Commission Chair Herzet stated he will be attending the 254 Corridor Meeting this evening; Administrator Johnson will not be able to attend the meeting.

Administrator Johnson inquired if the Board will be able to meet next week on July 3rd; the Board stated they would be able to meet on the Monday instead of Tuesday the 4th.

Administrator Johnson informed the Board budget meetings with the Departments is taking place now and the budget hearing with the Board will take place July 17th through July 19th.

Administrator Johnson reminded the Board of the Redler Institute of Culinary Arts – Charcuterie Event - Thursday, ~~July~~ June 29th; at 6 p.m.

Administrator Johnson requested a head count on who plans to attend the Farm to Fork event.

Administrator Johnson reminded the Board of the Andover Senior Center luncheon on July 11th.

Administrator Johnson is meeting with the City of Benton to discuss issues pertaining to annexation of land and speed limit signs.

Ryan Adkison, Assistant County Administrator/Finance Director, handed out information to the Board from Mr. Lutz regarding the 254 Corridor meeting this evening.

Mr. Adkison came before the Board a few weeks ago to open bids for the State Rehabilitation Tax Credit Program. Mr. Adkison and Counselor Huelskamp have not been able to come to an agreement with the broker from California on a contract. Mr. Adkison would like permission to start working with the Union State Bank, which is a local bank out of Winfield, Kansas.

Commissioner Masterson motioned to approve changing to Union State Bank, Winfield, for the Kansas for the State Rehabilitation Tax Credit Program. Commissioner Murphy seconded. Motion carried 5-0.

(01:52:30)

ADJOURNMENT

Commissioner Woydziak motioned to adjourn the meeting of the Board at 10:53 a.m. Commissioner Masterson seconded the motion. Motion carried 5-0.