

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, July 7, 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, County Administrator Will Johnson, and Clerk Recorder Chelsea Noel. Commissioner Dan Woydziak was absent.

**INVOCATION**

Commissioner Myers presented the invocation.

**APPROVAL OF MINUTES**

*Commissioner Myers provided the following amendments:*

*Change “Pastor Jordan Friesen, First Baptist Church, El Dorado, presented the invocation” to “Commissioner Masterson presented the invocation”.*

*Change “damn” to “dam” in Item #1.*

*Change the word “politic” to “political” in Item #5, page 4.*

*Commissioner Myers motioned to approve the minutes of the June 30, 2020, Butler County Commission meeting with the above amendments. Commissioner Masterson seconded the motion. Motion carried 4-0.*

(00:04:40)

**PUBLIC COMMENTS**

Brandi Lane, El Dorado Resident, came before the Board to request that the Commission vote to re-instate the Emergency Declaration until September 15<sup>th</sup>, 2020, which would coincide with the State of Kansas, to receive personal protective equipment (PPE), such as gowns, masks, gloves, hand sanitizer, and state conducted testing for COVID-19. Mrs. Lane noted Susan B. Allen Hospital has already reached out to the State because they are running low on gloves. Mrs. Lane stated it is disheartening that Butler County residents are being turned away for testing, and without the Declaration, testing costs each individual up to \$150/ per test and a five-day return period for each person. Mrs. Lane informed the Board that as of Sunday, July 5, Butler County has 71 confirmed cases of COVID-19, twelve more than last Tuesday. Mrs. Lane stated the Board needs to reinstate the order to provide testing, contact tracing and other services for Butler County residents.

Administrator Johnson stated Butler County is in the process of finding different testing options with better turnaround times for testing. Mrs. Lane stated the Butler County Health Department was processing each test with a 24-hour turnaround time when the Emergency Declaration was in place. Administrator Johnson stated the County still has a large stash of PPE available for Butler County entities and hospitals will go through the Emergency Management Department to access PPE. Mrs. Lane felt the Board should give a response as to why they chose not to extend the Emergency Declaration.

Hali McCord, El Dorado Resident, came before the Board and stated Butler County is in need of reinstatement of the Emergency Declaration to be re-instated. Ms. McCord stated she has a five-year old child who had a temperature of 104 for three days and she had to do the COVID-19 test

herself on her child. Ms. McCord stated she would like to see more health professionals conducting the testing and she would also like to see kids return to school in the fall and resources need to be available in order to do so. Administrator Johnson stated he does not feel that doctor's offices having more testing resources and PPE makes a difference with or without the Declaration. Commissioner Masterson stated his primary concern is the accuracy of information.

Mrs. Lane requested reasoning from the Board for not voting to extend the Emergency Declaration. Commissioner Masterson stated he does not feel Butler County is in a state of emergency based on the information he has received. Commissioner Myers echoed Commissioner Masterson's comment. Mrs. Lane stated the state of Kansas is going to continue to see an uptick in cases and she does not understand what the Board constitutes as an actual emergency. Mrs. Lane continued to express that she hoped the Board would start being proactive to stop the spread of COVID-19 and protect Butler County constituents. Administrator Johnson informed Mrs. Lane that the Emergency Declaration can be re-implemented at any time and at this time the Board does not feel Butler County is in a state of emergency.

Cecilia Goebel, Chief Nursing Officer at SBA, came before the Board and requested that the Board reconsider reinstating the Emergency Declaration. Mrs. Goebel stated the purpose of PPE is to make sure that all staff members are kept safe. Mrs. Goebel stated most PPE is already on back order and it is very important that our County have immediate access to PPE when needed, not when it is too late.

April Boyce, Kansas Medical Center Nurse, COVID-19 Unit, came before the Board to request that the Emergency Declaration be reinstated in Butler County. Mrs. Boyce stated hospitals are experiencing a shortage of PPE every single day and not having the extra supply of PPE is putting nurses and doctors even more at risk of contracting COVID-19.

Commissioner Wheeler felt it would be in the best interest of the Board to wait until Commissioner Woydziak returns next week before a decision was made to reinstate the Emergency Declaration to September 15, 2020. No action was taken.

(00:28:07)

#### **ITEM #1 – REPLACEMENT OF FLOORING/WALLS OF SHOWERS AT DETENTION FACILITY**

Tony Wilhite, Butler County Undersheriff, came before the Board for approval for the repair and replacement of shower floors at the Butler County Detention Facility. Mr. Wilhite stated these showers' surfaces have degraded and are in need of replacement. The floors of the showers were designed and built to allow water to flow outside of the shower area, thus presenting a trip and fall hazard and Mr. Wilhite stated numerous individuals slip on water that has pooled outside of the shower areas causing minor to major injuries. The floors of the showers are also decayed and dangerous due to so much usage over the years. The floors need to be built up with some sort of damming system to prevent the water from escaping the shower and the walls need refinished as well. Bids for the amount to repair these issues was solicited and the lowest bid was submitted by 4-States, Coffeyville, KS, in the amount of \$58,159.00. Commissioner Myers inquired about the expectation of the longevity of this project. Mr. Wilhite stated the cleaning crew has had to use harsher chemicals than normal to keep the facility clean and once this project is complete, the harsh chemicals and pressure washing will not be as necessary.

Scott McLean, 4-States, came before the Board to address questions about the epoxy process. Mr. McClean stated the epoxy holds up well over time and is slip resistant.

***Commissioner Wheeler motioned to approve the award of bid to 4-States, Coffeyville, KS, to repair the pod, dorm, hallway and booking showers at the Butler County Detention Facility in the amount not to exceed \$58,159.00. Commissioner Myers seconded the motion. Motion carried 4-0.***

(00:53:33)

**ITEM #2 – OPEN AND AWARD BIDS FOR THE EXTERIOR PAINTING OF THE NEW COMMUNITY CORRECTIONS AND EMP BUILDINGS**

Dan Ingalls, Facilities Management Director, came before the Board to open and award bids for the exterior painting of the new Community Corrections and EMP buildings. Following are the bids received:

Keri Unrein Painting & Signs	Augusta, KS	\$6,424.00
Van Asdale Construction	Wichita, KS	\$8,423.00

***Commissioner Masterson motioned to accept the bids received for the exterior painting of the new Community Corrections and EMP buildings and allowed staff to tabulate and evaluate the bids and to bring back a recommendation during this meeting. Commissioner Wheeler seconded the motion. Motion carried 4-0.***

(01:00:42)

**ITEM #3 – OPEN BIDS FOR MAINTENANCE AGREEMENT FOR FACILITY GENERATORS**

Dan Ingalls, Facilities Management Director, came before the Board to receive and open sealed bids for planned maintenance of the generator sets at six Butler County facilities. Following are the bids received:

Foley Equipment	Wichita, KS	\$6,358.80/yr
Cummins Sales & Service	Wichita, KS	\$5,019.88/yr
Tri-Star	No location listed	\$6,900/yr 1 - \$6,210/yr 2&3
C&C	Wichita, KS	\$4,395.00/yr

***Commissioner Masterson motioned to accept the bids received and allowed staff to evaluate and tabulate the bids and come back with a recommendation at a later time. Commissioner Wheeler seconded the motion. Motion carried 4-0.***

(01:05:23)

**ITEM #4 – BID OPENING – ANNUAL PIPE CULVERT PURCHASE & ANNUAL TIRE PURCHASES**

Darryl Lutz, Public Works Director, came before the Board to receive and open sealed bids for the annual purchase of pipe culvert and tires for the Public Works Department. Following are the bids received:

Steve & Sons	El Dorado, KS
Best One Tire	El Dorado, KS
Patton Automotive	El Dorado, KS

Quantity	Description	J & J Drainage Products		Welborn Sales, Inc.		Hizey Service		Metal Culverts, Inc.	
		Hutchinson, KS		Salina, KS		Augusta, Ks		Jefferson City, MO	
		Unit Price per ft	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
3	18" x 30'	\$ 430.50	\$ 1,291.50	\$ 482.70	\$ 1,448.10	\$ 493.86	\$ 1,481.58	\$ 509.10	\$ 1,527.30
2	30" x 30'	\$ 720.00	\$ 1,440.00	\$ 804.60	\$ 1,609.20	\$ 808.33	\$ 1,616.66	\$ 833.40	\$ 1,666.80
2	36" x 30'	\$ 864.00	\$ 1,728.00	\$ 965.70	\$ 1,931.40	\$ 964.20	\$ 1,928.40	\$ 993.90	\$ 1,987.80
4	24" x 28' beveled	\$ 1,089.60	\$ 4,358.40	\$ 795.20	\$ 3,180.80	\$ 918.21	\$ 3,672.84	\$ 946.20	\$ 3,784.80
3	21" x 15" x 30'	\$ 342.00	\$ 1,026.00	\$ 444.60	\$ 1,333.80	\$ 414.57	\$ 1,243.71	\$ 431.40	\$ 1,294.20
3	28" x 20" x 30'	\$ 574.20	\$ 1,722.60	\$ 669.30	\$ 2,007.90	\$ 693.76	\$ 2,081.28	\$ 715.20	\$ 2,145.60
4	35" x 24" x 30'	\$ 720.00	\$ 2,880.00	\$ 836.40	\$ 3,345.60	\$ 843.60	\$ 3,374.40	\$ 869.70	\$ 3,478.80
			\$ -						
6	21" x 15" Bands	\$ 20.00	\$ 120.00	\$ 28.16	\$ 168.96	\$ 20.74	\$ 124.44	\$ 21.57	\$ 129.42
1	28" x 20" Bands	\$ 25.00	\$ 25.00	\$ 36.64	\$ 36.64	\$ 27.93	\$ 27.93	\$ 29.07	\$ 29.07
2	35" x 24" Bands	\$ 28.00	\$ 56.00	\$ 41.82	\$ 83.64	\$ 33.81	\$ 67.62	\$ 35.19	\$ 70.38
1	49" x 33" Bands	\$ 38.00	\$ 38.00	\$ 54.62	\$ 54.62	\$ 31.32	\$ 31.32	\$ 48.91	\$ 48.91
	<b>Delivery Date</b>	2-4 weeks A.R.O		3 - 4 weeks		3 weeks A.R.O.		3 weeks A.R.O.	
	<b>Comments</b>	24" x 28' CMP will be in 1 piece							
		each with no bands.							
	<b>TOTAL</b>		<b>\$ 14,685.50</b>		<b>\$ 15,200.66</b>		<b>\$ 15,650.18</b>		<b>\$ 16,163.08</b>

*Commissioner Masterson motioned to accept the bids received and opened by the Board of County Commissioners for pipe culverts and to authorize the Department of Public Works to tabulate the bids and to return at a later time with recommendations for action regarding the purchases. Commissioner Wheeler seconded the motion. Motion carried 4-0.*

*Commissioner Masterson motioned to accept the bids received and opened by the Board of County Commissioners for tires and to authorize the Department of Public Works to tabulate the bids and to return at a later time with a recommendation for action. Commissioner Myers seconded the motion. Motion carried 4-0.*

(01:10:55)

**ITEM #5 – BOMAG LANDFILL COMPACTOR – FINAL DRIVE REPAIR**

Darryl Lutz, Public Works Director, came before the Board for approval of the estimated cost to replace a final drive motor on the Bomag Compactor at the landfill and to repair an extra final drive and final drive motor for spares. In March 2019, the Board of County Commissioners authorized the cost of repair work for a final drive motor on the right rear final drive on the old Bomag compactor at the landfill. Mr. Lutz noted the seal in the drive motor went bad, which allowed hydraulic oil to leak into the final drive gear case and one of the final drive motors on the front of the old Bomag Compactor has now started leaking hydraulic oil into the final drive gear case.

*Commissioner Masterson motioned to approve the cost to repair and install a final drive motor on the front of the old Bomag compactor at the landfill and to repair one additional final drive and final drive motor for spares. Commission Chairman Murphy seconded the motion. Motion carried 4-0.*

(01:18:02)

**ITEM #6 – TRIP MINIVAN REPLACEMENT BID OPENING**

Will Johnson, County Administrator, came before the Board to receive and open sealed bids for the trip minivan replacement for the Administration department. Following are the bids received:

Cody Foster Motors	2019 Dodge Grand Caravan	\$18,350.00
Don Hattan	2019 Dodge Grand Caravan	\$19,200.00

Parks Motors	2020 Voyager LX	\$27,374.00
Parks Motors	2020 Voyager – Stow & Go	\$28,574.00

***Commissioner Masterson motioned to accept the bids received and opened for the trip minivan replacement and to come back at a later time with a recommendation for action.***

***Commissioner Myers seconded the motion. Motion carried 4-0.***

(01:21:38)

**RECESS**

Commission Chairman Murphy recessed the meeting of the Board at 10:22 a.m. for five minutes

Commission Chairman Murphy reconvened the meeting of the Board at 10:27 a.m.

(01:21:57)

**ITEM #7 – BUTLER COUNTY CORONAVIRUS RELIEF FUND RESOLUTION 20-18**

Will Johnson, County Administrator, came before the Board for approval of Resolution 20-18, Butler County Coronavirus Relief Fund. Butler County has been awarded \$13.8 million as part of the CARES Act funding distribution to the State of Kansas. One of the requirements necessary is the adoption of the Resolution that states terms designated to ensure the lawful use of funds and transparency, equity and accountability. The Resolution must be adopted prior to July 13<sup>th</sup>, in order for funds to be distributed on July 15. Commissioner Myers provided the following changes to the resolution:

1. Strike the word secure & change the word priority to concern in the first preamble.
2. Update the 5<sup>th</sup> preamble to 71 reported cases, with no deaths.
3. Strike the first sentence from the 7<sup>th</sup> preamble.
4. Strike the words “it can” in the 8<sup>th</sup> preamble.
5. Insert “Butler County” on section 6, section D.

***Commissioner Masterson motioned to approve Resolution 20-18, Butler County Coronavirus Relief Fund as amended by Commissioner Myers and allowed the Chairman to sign.***

***Commission Chairman Murphy seconded the motion. Motion carried 4-0.***

David Stewart, Gravity Works Architecture, and County Administrator Will Johnson, came before the Board to review potential projects that Butler County is considering in Augusta and El Dorado that would be funded through SPARK funding. Administrator Johnson noted the SPARK funding has to be spent and completed by the end of the calendar year. Administrator Johnson stated these are projects that have been talked about in the past but have never been included in the budgets.

Dan Ingalls, Facilities Management Director, stated the Community Building/Health Department in El Dorado will be renovated by adding concrete to the back of the building to facilitate a drive-thru clinic for vaccinations and installing better ventilation throughout the facility. Mr. Ingalls stated the Augusta project would be to construct a building, an Emergency Operations Center (EOC). Mr. Ingalls stated the EOC would also be a storm shelter, drive-thru vaccination clinic, de-con room for EMS, and storage for personal protective equipment. Mr. Stewart discussed the construction management at risk process and how it will help expedite the projects.

Dan Ingalls, Facilities Management Director, came before the Board to recommend the award of bid to Kerry Unrein Painting & Signs, Augusta, for the exterior painting of the new Community Corrections and EMP buildings in the amount of \$6,424.00

***Commission Chairman Murphy motioned to approve the award of bid to Keri Unrein Painting & Signs, Augusta, in the amount of \$6,424.00. Commissioner Masterson seconded the motion. Motion carried 4-0.***

(02:08:00)

#### **VOUCHERS**

Commissioner Myers inquired about the ISG voucher.

***Commissioner Masterson motioned to approve vouchers for July 7, 2020, in the amount of \$733,722.90. Commission Chairman Murphy seconded the motion. Motion carried 4-0.***

(02:09:51)

#### **ADDS & ABATES**

***Commissioner Masterson motioned to approve Adds & Abates #2773 dated July 7, 2020; Adds in the amount of \$0.00 & Abates in the amount of \$1,496.04. Commission Chairman Murphy seconded the motion. Motion carried 4-0.***

(02:11:06)

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

Commissioner Wheeler noted an article in the Wichita Eagle regarding Government Day and that it reflected well on Butler County.

Commissioner Myers thanked everyone for their prayers regarding his son-in-law.

Commissioner Myers expressed the importance of Driver's License services in the Court House and felt that keeping the office open should be top priority for Butler County.

Administrator Johnson requested approval to award the culvert bids to J&J Drainage Products in the amount of \$14,685.50.

***Commissioner Masterson motioned to award the pipe culvert bids to J&J Drainage Products in the amount of \$14,685.50. Commissioner Myers seconded the motion. Motion carried 4-0.***

Administrator Johnson recommended approving the bid to Cody Foster Motors, El Dorado, for the trip mini-van replacement for a total of \$18,755.00, including document fees.

***Commissioner Myers motioned to approve the award of purchase for the trip minivan replacement to Cody Foster Motors, El Dorado, in the amount of \$18,755.00. Commissioner Wheeler seconded the motion. Motion carried 4-0.***

The Farm-to-Fork tour is Thursday, July 9<sup>th</sup>, but will be modified this year due to COVID-19.

Administrator Johnson stated Budget Hearings with department heads begin Monday, July 13<sup>th</sup>, at 9 a.m.

Administrator Johnson and Commissioner Wheeler will be meeting with CEO candidates for Susan B. Allen Hospital.

Commissioner Myers stated he feels that one of the fundamental misunderstandings is the fact that the reported and confirmed cases of COVID-19 do not represent the whole universe of COVID-19 cases in Butler County.

(02:32:29)

**ADJOURNMENT**

*Commissioner Masterson motioned to adjourn the meeting of the Board at 11:38 a.m.*

*Commissioner Wheeler seconded the motion. Motion carried 4-0.*