

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, July 13, 2021**

**CALL TO ORDER**

Commission Chair Jeff Masterson called the Butler County Board of Commissioners meeting to order at 9:00 a.m. Present were Commissioner Marc Murphy, Commissioner Dan Woydziak, Commissioner Kelly Herzet, Commissioner Mike Wheeler, County Administrator Will Johnson, and Clerk Recorder KOLEEN LANEY..

(00:00:10)

**INVOCATION**

Ryan Adkison, Director of Finance, presented the invocation.

(00:00:45)

**APPROVAL OF MINUTES**

*Commissioner Murphy motioned to approve the minutes from the June 28, 2021, Butler County Commission meeting as written. Commissioner Wheeler seconded the motion. Motion carried 5-0.*

(00:01:15)

**PUBLIC COMMENTS**

Shane Scott 717 Osage, Augusta, Kansas came before the Board representing Augusta's Red Brick District (State St). Mr Scott asked Commissioners to help abolish the requirement of 30% food sales required to sell liquor by the drink. Abolishing requirements would allow businesses like breweries or tap rooms to come into Butler County. Many counties in Kansas have changed their laws to allow liquor by the drink. Changing liquor by the drink laws would have to be voted on by the residents of Butler County.

*Commissioner Herzet motioned to direct staff to draft a resolution for public vote on liquor by the drink and bring back before the Board for consideration. Commissioner Woydziak seconded the motion. Motion carried 5-0.*

(00:11:40)

**ITEM #1- Authorize the Department on Aging to Order and Purchase three (3) Replacement Vehicles for the 5311 Transportation Program**

Crystal Noles, Director of Department on Aging, came before the Board for approval to authorize the Department on Aging Director to order and purchase three (3) vehicles for the 5311 General Public Transportation program, at a cost not to exceed \$220,000.00 as approved in the 5311 2021 Grant Renewal application through the Kansas Department of Transportation (KDOT).

*Commissioner Woydziak motioned to approve the Department on Aging Director to order and purchase three (3) mini buses for the 5311 General Public Transportation, at a cost not to exceed \$220,000.00 as approved in the 5311 2022 Grant Renewal application through KDOT. Commissioner Murphy seconded the motion. Motion carried 5-0.*

(00:13:55)

**ITEM #2- Leachate Pump Replacement Purchase - Landfill**

Darryl Lutz, Director of Public Works, came before the Board for approval to purchase two (2) replacement leachate pumps for the landfill.

*Commissioner Herzet motioned to approve the payment of costs to DXP, Lenexa, KS for the landfill to purchase two (2) new single phase submersible pumps for pumping leachate for the total purchase price of \$9,980 plus shipping. Commissioner Woydziak seconded the motion. Motion carried 5-0.*

(00:19:28)

**ITEM #3 – Road Vacation Order for a Portion of SE 116th Terrace - Beaumont, KS**

Darryl Lutz, Director of Public Works, came before the Board for approval of a petition to vacate a portion of SE 116th Terrace east of SE Wildgrass Rd in Beaumont, KS, and to consider action to find either favorably or unfavorably of the Report of Viewers.

*Commissioner Wheeler motioned to approve the Report of Viewers related to the petition requesting the vacation of SE 116th Ter east of SE Wildgrass Rd to the Butler-Greenwood County Line in Beaumont, KS, to find in favor of the Report of Viewers and that said road right-of-way be hereby ordered vacated and to authorize the Chair to sign the order. Commissioner Woydziak seconded the motion. Motion carried 5-0.*

(00:25:08)

**ITEM #4 – Road Vacation Petition for NW 140th St between NW Indianola Rd and NW Tawakoni Rd in Fairmount Township**

Darryl Lutz, Director of Public Works, came before the Board for approval of a petition to vacate public road right-of-way and setting a road viewing date for NW 140th St between NW Indianola Rd and NW Tawakoni Rd Fairmount Township.

*Commissioner Woydziak motioned to approve the petition requesting the vacation of NW 140th St between NW Indianola Rd and a point 150 feet west of NW Tawakoni Rd in Fairmount Township, to appoint Commissioner Chair Masterson, Commissioner Herzet, and Commissioner Woydziak as road viewers and to set a road viewing date for Tuesday, August 10, 2021 at 8:00 a.m. at the location. Commissioner Herzet seconded the motion. Motion carried 5-0.*

(00:33:10)

**VOUCHERS**

*Commissioner Wheeler motioned to approve vouchers dated July 6, 2021, in the amount of \$1,189,463.63. Commissioner Murphy seconded the motion. Motion carried 5-0.*

*Commissioner Wheeler motioned to approve vouchers dated July 13, 2021, in the amount of \$541,645.34. Commissioner Herzet seconded the motion. Motion carried 5-0.*

(00:33:57)

**ADDS & ABATES**

*Commissioner Woydziak motioned to approve Adds in the amount of \$0.00 and Abates in the amount of 562.06. Commissioner Herzet seconded the motion. Motion carried 5-0.*

(00:34:17)

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

Commissioner Woydziak had a request from the Douglass Historical Society requesting help for funds to repair their building. The Historical Societys' building was found to have some structural damage. The cost to repair the damage is approximately \$12,000.00. The Historical Society has raised roughly \$6,000.00 through their own fundraising efforts.

*Commissioner Woydziak moved to approve a request from the Douglass Historical Society for \$3,500.00 and funds be paid through Windfarm Reserve Funds. Commissioner Herzet seconded the motion. Motion carried 5-0.*

Administrator Johnson announced he is still looking for one more volunteer for the goat milking event happening Sunday the 18<sup>th</sup> at 5:00 p.m. at the Butler County Fair.

Administrator Johnson stated he visited with Secretary of Wildlife and Parks, Brad Loveless, concerning the Corps of Engineers building located at El Dorado Lake. The County would like to see efforts to remove the building underway, it was suggested that the County work through their State Legislators. The Department of Corrections would be responsible for the removal of the structure.

Administrator Johnson updated the Board on the road cost and justification for chip sealing in Benton Township.

Administrator Johnson spoke about the Butler County Fair Board and some issues that are occurring within the organization.

(00:55:14)

**RECESS**

Commission Chairman Masterson recessed the meeting of the Board at 9:56 a.m. for nine (9) minutes.

(01:01:00)

**RECONVENE**

Commission Chairman Masterson reconvened the meeting of the Board at 10:05 a.m.

(01:04:51)

**ITEM #5-2022 Budget Workshop**

The Board reviewed the 2022 budgets with the following Department Heads:

- Department on Aging
- Emergency Communications
- District Court
- County Clerk

- Appraiser
- Community Corrections
- Computer Services
- Health Department
- Motor Vehicle

(2:24:35)

**RECESS**

Commission Chairman Masterson recessed the meeting of the Board at 11:25 a.m. for seven (7) minutes.

**RECONVENE**

Commission Chairman Masterson reconvened the meeting of the Board at 11:32 a.m.

(02:31:01)

**CONTINUED BUDGET WORKSHOPS**

- EMS

(02:49:01)

**RECESS**

Commission Chairman Masterson recessed the meeting of the Board at 11:49 a.m. to reconvene at 9:00 a.m. July 14, 2021.

(00:00:38)

**RECONVENE**

Commission Chairman Masterson reconvened the meeting of the Board at 9:00 a.m. July 14, 2021.

(00:01:31)

**ITEM #1-2022 Budget Workshop**

The Board reviewed the 2022 budgets with the following Department Heads:

- Butler County Extension office
- Big Brothers Big Sisters
- SCARF
- Fire Districts
- Register of Deeds
- Butler County Fair Association

(00:58:24)

**RECESS**

Commission Chairman Masterson recessed the meeting of the Board at 9:58 a.m. for nine (9) minutes.

(01:07:00)

**RECONVENE**

Commission Chairman Masterson reconvened the meeting of the Board at 10:07 a.m.

(01:07:03)

**CONTINUED BUDGET WORKSHOPS**

-CDDO

-Soil Conservation

-CASA

-South Central Mental Health

-Overview

*Commissioner Woydziak motioned to approve the publication of the Proposed 2022 Butler County budget and the establishment of a max mill levy of 32.812 and the publication of the Proposed 2022 Butler County Fire Districts #1-9 budgets and set the public hearing for the Revenue Neutral Rate and the proposed 2022 Budget on August 24, 2021 at 9 am at the Historic Butler County Courthouse. Commissioner Herzet seconded the motion. Motion carried 4-1. Commission Chair Masterson was opposed.*

*Commissioner Woydziak made a motion to notify the Butler County Clerk of intent to exceed the revenue neutral rate in the Butler County Budget and authorize the chair to sign. Commissioner Herzet seconded the motion. Motion carried 5-0.*

*Commissioner Woydziak made a motion to notify Butler County Fire Districts #1-9 of intent to exceed the revenue neutral rate for the Fire District #1-9 budgets and to authorize the chair to sign. Commissioner Herzet seconded the motion. Motion carried 5-0.*

(03:12:00)

**ADJOURNMENT**

*Commissioner Woydziak motioned to adjourn the meeting of the Board at 12:12 p.m. Commissioner Herzet seconded the motion. Motion carried 5-0.*