

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, August 1, 2023

(00:00:06)

CALL TO ORDER

Commission Chair Kelly Herzet called the Butler County Board of Commissioners meeting to order at 9:01 a.m. Present were Commissioner Jeff Masterson, Commissioner Marc Murphy, Commissioner Darren Jackson, Commissioner Dan Woydziak, Administrator Will Johnson, County Counselor Terry Huelskamp and Anna Wealand, Executive Assistant.

(00:00:16)

INVOCATION

James Gillespie, First Baptist Church, Douglass, Kansas, presented the invocation.

(00:01:26)

APPROVAL OF MINUTES

Commissioner Murphy motioned to approve the minutes from the July 25, 2023, Butler County Commission meeting as presented. Commissioner Jackson seconded the motion. Motion carried 4-0-1. Commissioner Masterson abstained due to his absence last week.

(00:01:52)

PUBLIC COMMENTS

There were no public comments.

(00:02:02)

ITEM #1 - BID AWARDS – ANNUAL TIRE PURCHASES

Darryl Lutz, Public Works Director, came before the Board for approval of the award of bids for the annual purchase of tires for the Public Works Department based upon a corrected tabulation of bids. Sealed bids were received and opened by the Board on Tuesday, July 18, 2023, and the award of bid was approved by the Board on Tuesday, July 25, 2023. Staff previously tabulated the tire bids received based upon a misinterpretation of information submitted by one of the tire vendors. The tabulation was revised with the correct tire bid information and was presented to the Board. The awards will be made on a line item basis. Mr. Lutz requested the Board rescind the tire bid award approved on Tuesday, July 25, 2023, and to approve the revised award of bid.

Commissioner Murphy motioned to approve to rescind the award of bid approved by the County Commission on July 25, 2023, and to approve the revised award of bid for tires as recommended by the Department of Public Works to Patton Automotive in the amount of \$34,652.50, to Cannady Collision in the amount of \$15,626.18, to Firestone in the amount of \$38,182.65 and to Steve and Sons Tire Inc. in the amount of \$7,030.82. Commissioner Masterson seconded. Motion carried 5-0.

(00:06:25)

ITEM #2- LEACHATE EVAPORATION - BUTLER COUNTY LANDFILL

Darryl Lutz, Public Works Director, came before the Board for approval to purchase two evaporation units for leachate management at the Butler County Landfill. Public Works requested permission in February 2023 to purchase two evaporation units for the landfill to be used to manage leachate. The County contracted with Burns and McDonnell Engineering Co in 2022 to help identify, select and propose equipment that would have a positive proforma analysis and would meet the Kansas Department of Health and Environment’s (KDHE) requirement for evaporation of leachate without drift or spray. Burns and McDonnell initially evaluated two different types of evaporation equipment offered by a major supplier in the wastewater handling industry. After evaluating operating requirements for each type of unit, only one model was selected for in-depth consideration based upon performance, ease of operation and no airborne mist; the Board was provided a copy of the evaluation report. The analysis is based upon purchasing and installing two PittBoss Composite Evaporators manufactured by Resource West, Inc. (RWI), Grand Junction, Colorado. The evaporation rate expected should well exceed the current leachate generation on an annual basis. The expected return on investment is expected to be less than two years. Staff has reviewed the leachate evaporation report and proforma prepared by Burns and McDonnell and concurs with the recommendation. Staff reached out to RWI to obtain a current cost proposal. The revised cost proposal is for the delivered and installed cost of two units with required electrical and control equipment in the amount of \$98,391.93, which is a \$1,668.50 increase from one year ago. Staff proposes moving forward with the recommendation for the installation of two single phase evaporators, which is the least cost option supported by the current electric distribution equipment at the landfill. The estimate received is as follows:

<u>Item</u>	<u>Part Number Description</u>	<u>Quantity</u>	<u>Price</u>	<u>Extended Price</u>
1	20395 PittBoss Composite Evaporator	2	\$33,963.320 /EA	\$67,926.64
2	20424 VFD Assembly - Qty 2 Single Phase 240v VFDs with distribution box	1	\$8,780.000 /EA	\$8,780.00
3	20057 Power cable from VFD to evaporator - 200 feet each	400	\$1.610 /FT	\$644.00
4	20322ALT Power cable floats	20	\$22.490 /EA	\$449.80
5	20438 Drift Sentinel weather station	1	\$9,354.420 /EA	\$9,354.42
6	20157 VFD Skid	1	\$1,752.380 /EA	\$1,752.38
7	20214 Mooring Line - 1,200'	1	\$135.000 /ROL	\$135.00
8	20456 Lifting Rig - For safely assembling, placing the evaporator in the pond, and removing it when needed	1	\$1,849.690 /EA	\$1,849.69
9	INSTALL RWI assembly, install, and training - Estimate	1	\$7,500.000 /EA	\$7,500.00
Total USD:				\$98,391.93

Commissioner Masterson asked if the units are fairly low maintenance; Mr. Lutz confirmed that is the case. Commissioner Jackson asked about the lead time; Mr. Lutz stated the lead time is ten weeks. Commissioner Murphy asked about the equipments’ warranty; Mr. Lutz did not

remember off the top of his head but stated the warranty informatio is available on the provider's website.

The Board, Mr. Lutz and Administrator Johnson discussed the differences between leachate and waste water and the manners in which they are handled.

Commission Chair Herzet motioned to approve the purchase and installation of two Pitt Boss Composite mechanical evaporation units from Resource West, Inc., Grand Junction, Colorado, including installation and all related control equipment for a proposed cost of \$98,391.93. Commissioner Murphy seconded. Motion carried 5-0.

Commissioner Woydziak inquired as to the progress of the chip seal program; Mr. Lutz responded the project is going well and on schedule with a few minor hiccups. Brooming next day and will be fog sealed.

SE Cole Creek Rd will be closed for bridge replacement starting August 7th. The closure is expected to last through the end of February in to March of 2024.

Commissioner Woydziak asked how work on Butler Rd is progressing; Mr. Lutz stated the road is scheduled to re-open August 14th.

Commissioner Jackson received a call from a landowner regarding Johnson grass in the ditch near El Dorado State Park. Administrator Johnson confirmed the ditch in question is under the township's jurisdiction.

Public Works crews will replace a box bridge on Flinthills Rd. The road will be closed beginning August 9th; the closure is expected to last four to five months.

Mr. Lutz introduced Joe Pendergrass, City Councilman of the City of Cassoday. Mr. Pendergrass attended the meeting to observe how the meeting is conducted. Public Works is working with the City regarding treatment of the sewage generated by the Fox Lake residential area. The most likely arrangement will be for the County to provide maintenance and the City will collect maintenance fees from residents to provide to County so as to avoid individual assessments.

Commission Chair Herzet stated he has received several calls from constituents regarding concerns about the intersection of Haverhill Rd and 100th St.

(00:25:01)

ITEM #3 - COMMUNITY CORRECTIONS ON-CALL PAY INCREASE

Monty Herbert, Community Corrections Director, came before the Board for approval of an increase in hourly on-call pay from \$2.25 to \$2.75 for Community Corrections. The current on-call pay for Juvenile Intake Staff and Electronic Monitoring Staff is currently set at \$2.25/hour. This rate of pay has been in place for over an estimated ten year period. On-call is required for both programs outside of regular work hours as response is required from these two programs on a 24/7 basis. Staff is requesting an increase to \$2.75/hour. Prior to July 1, 2023, Community Corrections on-call pay was funded by the Butler County General Fund. Beginning July 1, 2023,

on-call pay for Juvenile Intake duties will be funded by the Kansas Department of Corrections (KDOC) Juvenile Comprehensive Grant; funding for Electronic Monitoring will continue to be funded by the Butler County General Fund.

Commissioner Jackson motioned to approve the increase in Community Corrections on-call pay from \$2.25/hour to \$2.75/hour effective August 6, 2023. Commissioner Woydziak seconded. Motion carried 5-0.

(00:26:57)

ITEM #4 - JAIL MEDICAL SERVICES RFP

Ryan Adkison, Assistant County Administrator/Finance Director, came before the Board for approval to issue a RFP for Jail medical services. The Jail contracts with a vendor to provide medical services to inmates. Services include physical, mental and, potentially, dental health. This is one of the Jail's largest contractual expenditures and most important risk management relationships. The Jail has collaborated with its current medical provider for several years and Staff believes soliciting proposals for updated services is in the best interest of the County. The schedule for the RFP process is as follows:

- 08/01/2023 - issue RFP
- 10/17/2023 - close RFP and receive proposals
- 11/14/2023 - approve contract with winning vendor

All contracts will be approved as to form by legal counsel before presentation to the Commission for approval.

Larry Reynolds, Jail Administrator, and Daimon Cundiff, Undersheriff, were present.

The Board and Mr. Reynolds discussed the Jail's current medical and dental procedures and their desires for future arrangements.

Commissioner Masterson motioned to approve for staff to issue a Jail Medical RFP. Commissioner Murphy seconded. Motion carried 5-0.

(00:32:37)

ITEM #5 - WORK SESSION - 30 FOR 30 RESOLUTION

Will Johnson, County Administrator, and the Board held a work session to review the 30 x 30 Opposing Resolution and Information, and to determine if the County Commission wishes to consider taking action on the Resolution. Marci Laffen, Andover, Kansas, and Angel Cushing, Allen, Kansas, came before the Board on June 13, 2023, to discuss the 30x30 program and requested the Commission adopt an Opposing Resolution to the program. The 30x30 program is a plan advanced by the Biden Administration to permanently protect 30% of America's land and oceans by 2030. The program was adopted by the Biden Administration through Executive Order 14008, "Tackling the Climate Crisis at Home and Abroad" (86 Fed. Reg. 7,619), signed January 27, 2021. Passage of the proposed Opposing Resolution will have no binding action and is simply a Proclamation stating the Commission's opposition to the proposed federal action. The program most likely will have minimal to no impact on property in Butler County. Population

densities are too high in Butler County compared to areas in states to the north and west to justify acquisition. Several smaller rural counties have adopted the Resolution and if the County Commission so chooses to adopt the Resolution, then Butler County will be the largest County by far to adopt.

Commissioner Masterson stated he intended to, but did not, notify Ms. Laffen of the resolution's presence on the agenda. Commissioner Woydziak commented he notified Ms. Laffen. Commissioner Jackson said he spoke to the Conservation District about the Resolution. Commissioner Woydziak stated he does not have opposition to the Resolution. Administrator Johnson recommended adopting the resolution and will place it on next week's agenda as an action item.

No action was taken.

(00:37:18)

ITEM #6 - WORK SESSION - BUDGET

Will Johnson, County Administrator, Ryan Adkison, Assistant County Administrator/Finance Director, and the Board reviewed budget information. Another work session is scheduled for next week.

Commissioner Woydziak stated he would like to reduce employee raises from 6% to 5%.

The Board discussed the fuel budget and the difficulties associated with budgeting for fuel expenses due to rapid market changes.

Commissioners Woydziak and Murphy commented on the flat line items and commended staff on their efforts in maintaining such a budget. The Commissioners agreed the largest expense increase pertains to wages and benefits.

The Board discussed the various requests for funding and to which organizations funds should be increased and from where in the budget to take the increases.

The Board would like to decrease the mill by 1.6.

Commissioner Woydziak brought up the topic of the County's fire districts and their budgets. Mr. Adkison has been working with the districts in regards to their budgets and has been helping them understand how to plan budgets for future needs.

August 22nd is the public hearing date for the County's 2024 budget.

Administrator Johnson noted the Boards requests for changes in the proposed budget. The five changes requested are as follows: Reduce employee raises to 5%, earmark \$150,000 for asphalt, set the mill levy at 30.5, provide the Butler County Animal Response Team (BuCART) with \$5,000 more in funding and provide the Cerebral Palsy organization with \$10,000 more in funding.

No action was taken.

(01:06:01)

VOUCHERS

Commissioner Masterson motioned to approve vouchers dated August 1, 2023, in the amount of \$1,459,630.57. Commissioner Murphy seconded the motion. Motion carried 5-0.

(01:06:19)

ADDS AND ABATES

Commissioner Masterson motioned to approve Adds in the amount of \$2,198.28 and Abates in the amount of \$498.72. Commissioner Murphy seconded the motion. Motion carried 5-0.

(01:06:40)

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

Commissioners Masterson and Murphy will be gone September 5th; due to a lack of a quorum no meeting will be held September 5th.

Commissioner Murphy will be absent August 29th

Commissioner Woydziak will be absent September 12th and possibly September 19th.

Mike Taylor, with the help of the Kansas County Commissioners Association (KCCA,) is pushing to reduce local ad valorem taxes through revenue sharing from the state with their excess funds. The Board stated they would rather see the state reduce the twenty mill school levy utilizing the excess funds.

The Planning Commission is meeting tonight and will go over the proposed solar regulations and hopefully move forward. David Alfaro, Community Development Director, was present and answered questions from the Board.

The K254 Corridor Development Association is holding a meeting this Friday in Kechi.

Event Center meetings will be held the 2nd Tuesday of each month going forward.

Administrator Johnson plans to meet with the Butler Community College Foundation Board regarding Event Center naming rights. The Event Center Committee is targeting the primary election in August 2024 to place a sales tax question on the ballot.

The Health Insurance Committee held a meeting last week. The Committee voted to work on equality in contributions from the Board to level out the health plans. The PPO plan will increase 5%, the HDHP Plan 2 will decrease some and minor modifications will be made to Plan 3.

Meritain is in receipt of a cancellation notice from the County and has offered the County some options after receipt of the letter but the County is continuing with its move to the Provider's Care Network.

Administrator Johnson explained some of the proposed changes to the health plan.

(01:27:00)

ADJOURNMENT

Commissioner Woydziak motioned to adjourn the meeting of the Board at 10:28 a.m.

Commissioner Masterson seconded the motion. Motion carried 5-0.