

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, August 15, 2023

(00:02:30)

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.

(00:02:33)

INVOCATION

Pastor Ron Jones, Temple Baptist Church, presented the invocation.

(00:03:36)

APPROVAL OF MINUTES

Commissioner Murphy motioned to approve the minutes from the August 8, 2023, Butler County Commission meeting as presented. Commissioner Masterson seconded the motion. Motion carried 5-0.

(00:03:56)

PUBLIC COMMENTS

There were no public comments.

(00:03:59)

**ITEM #1 - INITIATION OF COUNTY EMERGENCY OPERATIONS PLAN
APPROVAL PROCESS**

Keri Korthals, Emergency Management Director, came before the Board for its support of the concept of operations outlined in the draft Butler County, Kansas Emergency Operations Plan (2023 update) by signing a statement of concurrence and allowing the plan to be submitted to the State of Kansas for formal review and approval. During the last update to the Kansas Planning Standards the Kansas Division of Emergency Management (KDEM) added an extra step to the Emergency Operations Plan approval process. Counties are now required to obtain signatures of concurrence from the Board of County Commissioners and the Local Emergency Operation Plan Chair (LEPC) prior to submitting a draft plan for review and approval. Kansas statute gives KDEM the authority to set planning standards and it requires county Emergency Operations Plans to be reviewed and approved by the State. Previously, plans were brought before the Board after the State's review and approval. Following KDEM approval and any updates/adjustments requested by the State during the approval process, the plan must be resubmitted to the Board of Commissioners to be officially adopted as the County's plan. Emergency Management staff have completed the most recent plan update process with the County's stakeholders and are prepared to submit the draft to KDEM for review.

Commissioner Jackson motioned to approve the submission of the 2023 version of the Butler County, Kansas Emergency Operations Plan to the Kansas Division of Emergency Management for review and approval and authorize the Chair to sign the LEOP Concurrence document. Commissioner Woydziak seconded. Motion carried 5-0.

(00:09:21)

ITEM #2 - QUANTIFERON IN-TUBE (QFT) TESTING CONTRACT BETWEEN THE BUTLER COUNTY HEALTH DEPARTMENT AND THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT (KDHE)

Jamie Downs, Health Department Director, and Jessica Horner, Health Department, came before the Board for approval of an agreement between the Butler County Health Department and the Kansas Department of Health and Environment (KDHE) for QFT Testing. Tuberculosis (TB) is a serious public health threat. In order to address this threat, KDHE collaborates with local providers to identify suspected cases of TB. QFT is a test for TB infection or latent TB. QFT is an interferon-gamma release assay (IGRA) used in TB diagnosis. The QFT assay is a whole-blood test that uses proteins from three TB antigens in an in-tube format. An individual is considered positive for M. tuberculosis infection if the response to TB antigens is above the test cut-off. Currently the Health Department offers a TB skin test. This test shows if someone has been exposed to TB but does not tell staff if someone is active and infectious. A chest x-ray is another form of diagnosing TB; the x-ray, like the skin test, is not the most accurate form of testing. As TB medications are hard on the body, it is important to accurately diagnosis active TB. The Health Department's access to QFT testing will allow staff to provide the correct treatment and save our patients an additional trip to another lab as well as the cost of an expensive test. KDHE is willing to provide QFT testing for the Butler County Health Department as resources allow, and the Health Department wishes to engage the services of KDHE to perform the QFT test.

Commissioner Murphy motioned to approve the agreement between Butler County Health Department and KDHE for QFT testing and allow the Chair to sign. Commissioner Woydziak seconded. Motion carried 5-0.

(00:14:20)

ITEM #3 - SENIOR CARE ACT CONTRACT EXTENSION FOR FY 2024

Crystal Noles, Department on Aging Director, came before the Board for approval of the FY 2024 Senior Care Act Case Management and Assessment Contract extension between the Central Plains Area Agency on Aging and the Butler County Department on Aging (DOA). The Senior Care Act program is an in home service program administered by the Central Plains Area Agency on Aging (CPAAA) for Butler, Sedgwick, and Harvey Counties. Since the beginning of the program, the Butler County DOA has provided the assessment and management of any clients in Butler County receiving these in home services. The Kansas Department for Aging and Disabilities Services is requiring that the CPAAA have a contract with the Butler County DOA in order to continue to provide these services. The first of these contracts was signed in November of 2016. A new contract must be signed with each new fiscal year. The new fiscal year began July 1. Butler County currently has 41 people on the Senior Care Act program. Intakes are completed by Butler County DOA staff. Assessments are then scheduled in individual homes to determine the clients' needs for services by evaluating activities of daily

living. The services are monitored by Butler County DOA staff. Annual reassessments are conducted for each client. Case Management services are provided by Butler County DOA staff for all clients on the SCA program in Butler County. Butler County clients benefit from having this program administered locally, rather than relying on these services to be provided from Wichita, however, all information is shared with the CPAAA, as they are the responsible party for the Senior Care Act Program. Files are audited quarterly by the Kansas Department of Aging and Disabilities Services (KDADS) to assure compliance with the Field Service Manual approved by KDADS.

Commissioner Woydziak motioned to approve the FY 2024 Senior Care Act Case Management and Assessment Contract between the Central Plains Area Agency on Aging and the Butler County Department on Aging and allow the Chair to sign. Commissioner Jackson seconded. Motion carried 5-0.

(00:17:07)

ITEM #4 - OLDER AMERICANS ACT CONTRACT FOR FY 2023-2024 BETWEEN THE BUTLER COUNTY DEPARTMENT ON AGING (BCDOA) AND THE CENTRAL PLAINS AREA AGENCY ON AGING (CPAAA)

Crystal Noles, Department on Aging Director, came before the Board for approval of the FY 2023-2024 Older Americans Act Case Management and Assessment Contract between the CPAAA and the BCDOA. The first of these contracts was signed in November of 2016 to cover FY 2017. The new fiscal year begins October 1. This agreement is to extend the current contract for one year, running October 1, 2023, through September 30, 2024. Butler County has historically served as the assessment and case management entity for this program. Intakes are completed by BCDOA staff. Assessments are then scheduled in individual homes to determine the clients' needs for services by evaluating activities of daily living. The services are monitored by BCDOA staff. Case Management services are provided by the BCDOA director for all clients in this program. Butler County clients benefit from having this program administered locally, rather than relying on these services to be provided from Wichita, however, all information is shared with the CPAAA, as they are the responsible party for the Older Americans Act Program. Files are audited quarterly by the Kansas Department of Aging and Disabilities Services (KDADS) to assure compliance with the Field Service Manual approved by KDADS.

Commissioner Masterson motioned to approve the FY 2024 Older Americans Act Case Management and Assessment Agreement between the Central Plains Area Agency on Aging and the Butler County Department on Aging. Commission Chair Herzet seconded. Motion carried 5-0.

(00:19:26)

ITEM #5 - ESRI SOFTWARE MAINTENANCE

Pam Dunham, GIS Director, came before the Board for approval of the expenditure of \$21,055 for yearly ESRI software maintenance. ESRI software maintenance is a yearly amount paid to keep the GIS software up and running smoothly. This maintenance agreement covers the software installed in the GIS Department, Appraisal Department, Emergency Response (E911, Police, Fire, EMS), Emergency Management, Engineering and Community Development, as well as the countywide deployment of Web Maps/Apps/Dashboards and County GIS/Mapping

Property Ownership website, Election HUB, etc. Maintenance provides Butler County with the most current version of the software, a consistent version of the software across the county, 24-7 technical support, and two free ESRI User Conference registrations. Maintenance also provides the County with editor licenses for field workers to edit data in the field. All ESRI upgrades and patches as well as e-Learning resources, are included with current maintenance as well as cloud content and services. Allowing the software maintenance to lapse can have detrimental consequences for Butler County. The potential exists for any module to go down and disable all mapping functionality for any number of departments, emergency response personnel, and our customer base utilizing the County website. Maintenance insures the County have 24-7 access to customer service to get services back up and running, regardless of the cause. There is not an option to purchase upgrades on an individual year basis, any lapses in maintenance are required to be brought to a current status in order to add maintenance back on, or a new licenses, must be purchased. In order to maintain all departments on the same platform for sharing capabilities the ESRI maintenance must remain current.

Commissioner Murphy motioned to approve the GIS Director to renew the yearly software maintenance with ESRI in the amount of \$21,055.00. Commissioner Masterson seconded. Motion carried 5-0.

(00:21:47)

ITEM #6 - ANNUAL COPIER REPLACEMENT

Lew Harter, Information Technology (IT) Director, came before the Board for approval of the purchase of new copiers from RK Black to replace old copiers for the County Clerk, EMS, Booking, Motor Vehicle Office, Register of Deeds, Payroll, GIS Department, Jail, Court Security, Sheriff's Department and the County Administrator's office. IT works with R.K. Black to review and determine which copiers require replacement based on the number of service tickets, age, and cost. The proposed replacements are not adding to the machine count, but replacing current ones. There should be significant on-going cost savings based on the lower cost-per-page charge R.K. Black assesses. There will also be increased efficiency of staff due to faster copy speeds and greater machine reliability. The total purchase price is \$29,998.67 for the new copiers. RK Black is the sole source provider of copiers for the County, and has demonstrated good faith in meeting the County's needs. Staff verified the prices quoted are competitive for the copiers, and the per page cost of service for the copiers is competitive as well.

Commissioner Jackson motioned to approve the purchase of the copiers from R.K. Black for a total of \$29,998.67, and authorize staff to sign all purchase documents as needed. Commission Chair Herzet seconded. Motion carried 5-0.

(00:23:41)

ITEM #7 - BUTLER COUNTY SOLID WASTE PLAN 5-YEAR UPDATE – PROFESSIONAL SERVICES AGREEMENT

Darryl Lutz, Public Works Director, came before the Board for approval of an engineering agreement for consulting services to provide the mandatory five-year update to the Butler County Comprehensive Solid Waste Management Plan. State statutes and the Kansas Department of Health and Environment (KDHE) regulations require that each County in the

State of Kansas have and maintain an up-to-date solid waste management plan. The plan is to be reviewed at least once each year and updated every five years. The previous plan updates were prepared by Engineering Solutions and Design with guidance and oversight from the Solid Waste Management Planning Committee in 2002, 2008, 2013 and again in 2018. KDHE notified Butler County the five-year update is due in 2024. On May 2, 2023, the Board of County Commissioners authorized the Director of Public Works to work with Engineering Solutions and Design to develop a negotiated scope and fee to provide the requested work. Staff prepared a general scope of work for the required work to update the County's solid waste management plan and presented it to Engineering Solutions and Design (ES&D). County Staff met with ES&D and the Chairperson of the County's solid waste management planning committee in a virtual meeting to review a detailed scope of work provided by the engineer. Staff came to agreement on the scope and ES&D has prepared a formal engineering agreement for consideration that includes the agreed to scope. The agreement has been reviewed and Staff recommended approval of the agreement.

Commissioner Woydziak motioned to approve the agreement with Engineering Solutions and Design, Inc., Overland Park, Kansas, to provide professional services related to developing the required five-year update to the Butler County Comprehensive Solid Waste Management Plan in the not to exceed lump sum amount of \$23,500 and to authorize the Chair to sign. Commissioner Murphy seconded. Motion carried 5-0.

Mr. Lutz informed the Board that Foley Equipment would like a picture of the Commissioners with the new compactor located at the Landfill; the Commissioners agreed to proceed to the Landfill when the meeting ends.

Mr. Lutz stated Butler Rd is open for use but there is still some minor work to be completed.

Mr. Lutz informed the Board that SE Cole Creek Rd, 4.2 miles south of the City of Leon, is closed due to the start of the bridge replacement project.

Mr. Lutz stated the City of Cassoday and the County have come to an agreement for accepting and treating the residential wastewater from Fox Lake Estates. The City of Cassoday will charge the County a 10% administrative fee.

Commissioner Woydziak stated he is very impressed with the chip seal project currently underway

Commission Chair Herzet inquired about the sub-station located at HWY 77 and NW 150th St; Mr. Lutz stated the sub-station is the hub for the Marion County Wind Farms.

Commissioner Jackson inquired when KDOT will begin resurfacing HWY 177 from HWY 54 to the Chase County line; Mr. Lutz stated KDOT sent out a notice indicating August 15th as the start date.

(00:35:08)

ITEM #8 - WORKFORCE ALLIANCE CHIEF ELECTED OFFICIALS BOARD (CEOB) AGREEMENT

Will Johnson, County Administrator, came before the Board for approval of Resolution No. 23-33, approving as to form a proposed agreement between Workforce Alliance of South Central Kansas, Inc., and the Chief Elected Officials Board (CEOB) for the Kansas Local Workforce Innovation and Opportunity Act Area IV and authorizing execution of the same by the County's designated representative to said CEOB. The Workforce Innovation and Opportunity Act of 2014 is a new federal employment and training legislation that supersedes the Workforce Investment Act of 1998. The program helps out of work individuals learn new job skills and obtain gainful employment. The County last entered into an agreement through a Resolution with Workforce Development in June of 2019 through Resolution 19-11. The agreement signifies the commitment of Butler County and continues with the modifications to the program made by the last agreement. The previous agreement modified the existing structure of the Workforce program and established a new board of directors called the CEOB. This board continues to be made up of only elected officials instead of appointed staff. The new agreement must be in place by August 1, to receive federal dollars for the workforce training and development.

Commissioners Murphy and Masterson currently, and will continue to, serve on the CEOB.

Commissioner Jackson motioned to approve Resolution No. 23-33, an agreement between Workforce Alliance of South Central Kansas, Inc. and the Chief Elected Officials Board for the Kansas Local Workforce Innovation and Opportunity Act Area IV and authorizing execution of the same by the County's designated representative to said Chief Elected Officials Board (CEOB). Commission Chair Herzet seconded. Motion carried 5-0.

(00:39:07)

ITEM #9 - WORK SESSION - BUDGET

Ryan Adkison, Assistant County Administrator/Finance Director, came before the Board for the final work session to review information concerning the proposed 2024 budget.

No action was taken.

(00:51:14)

VOUCHERS

Commissioner Woydziak motioned to approve vouchers dated August 15, 2023, in the amount of \$840,928.50. Commissioner Jackson seconded the motion. Motion carried 5-0.

Commissioner Masterson inquired about the voucher to MMI; Administrator Johnson stated it is liability insurance coverage for the Health Department.

(00:56:01)

ADDS AND ABATES

Commissioner Masterson motioned to approve Adds in the amount of \$00.00 and Abates in the amount of \$395.42. Commissioner Murphy seconded the motion. Motion carried 5-0.

(00:56:19)

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

Commissioner Murphy attended the Republican meeting last week and was asked if there will be a storm shelter at the proposed Event Center; Administrator Johnson stated there is currently not a storm shelter at the proposed facility.

Commissioner Jackson attended the Conservation District tour; only six people attended.

Administrator Johnson and the Board discussed the number of members on the Butler County Fair Board. Commissioner Jackson indicated the Fair Board would like to reduce the number of members required for a quorum.

Administrator Johnson informed the Board that a d Public Hearing for the Solar Facility Regulations will be held during the Commission Meeting on August 29th.

The Rose Hill Senior Center luncheon is next week following the Commission Meeting.

The Commissioners received an email informing them of the Walnut River Bridge Meeting on Thursday, August 17th, at 2:00 p.m.

Administrator Johnson received a voicemail this morning from a wind farm that is looking to sell/transfer ownership; Administrator Johnson will return the call this afternoon.

Administrator Johnson attended a meeting with the Butler Foundation last week to discuss fundraising for the proposed Event Center. Administrator Johnson spoke with Swanson House, Emporia, Kansas, this morning; Swanson House specializes in fundraising for large projects.

Terry Huelskamp, County Counselor, David Alfaro, Community Development Director and Administrator Johnson had a meeting with the Smith Family to discuss the cleanup of the IPS property; the Smith Family does not understand the magnitude of work it will take to clean up the property. Another meeting will be held next week.

(01:11:39)

ADJOURNMENT

Commissioner Woydziak motioned to adjourn the meeting of the Board at 10:09 a.m.

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