

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, August 29, 2023**

(00:01:27)

**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 Darren Jackson, Commissioner Dan Woydziak, Administrator Will Johnson, County Counselor Terry Huelskamp and Clerk Recorder Jennifer Currier. Commissioner Marc Murphy was not in attendance.

(00:01:38)

**INVOCATION**

Pastor David Griffis, Heaven Sent Ministries, presented the invocation.

(00:06:15)

**APPROVAL OF MINUTES**

*Commissioner Masterson motioned to approve the minutes from the August 22, 2023, Butler County Commission meeting as presented. Commissioner Jackson seconded the motion. Motion carried 4-0.*

(00:06:39)

**PUBLIC COMMENTS**

Heather Rinkenbaugh, El Dorado Community Foundation Chair, presented grant checks to the following local programs:

- Family Life Center
- Augusta 1<sup>st</sup> United Methodist Church- Special Families
- Bradford Memorial Library
- Butler Homeless Initiative
- El Dorado Chamber of Commerce
- Douglass Area Ministerial Alliance
- Butler County Emergency Management
- Partners in Education Foundation

Monty Hughey, Butler County Sheriff, and Brenna Sperry, Butler County Detective, presented Life Saving Awards for two different events.

On April 24, 2023, Bluestem High School Teacher Jason Williams called Butler County 911 to report a non-responsive and not breathing Beth Davis, staff member, in his classroom. Mr. Williams and Vice Principle Steve Oltman performed CPR (Cardiopulmonary Resuscitation) on Ms. Davis. The school nurse, Nicole Hiedeman, BSN, RN, was contacted and performed CPR and applied an AED, Automated External Defibrillator. Butler County Deputy Billy Cole and Corporal Sean Skov assisted with CPR. Miss Davis was transported by EMS and hospitalized. Due to the efforts of all those involved Ms. Davis made a 100% recovery. The Civilian Lifesaving Award was presented to:

- Nicole Hiedeman, BSN, RN
- Jason Williams, Steve Oltman

The Deputy Lifesaving Award was presented to:

- Deputy Billy Cole
- Corporal Sean Skov - Skov has since left the Department

On August 19, 2023, Butler County Detention Deputies and staff responded to an unresponsive inmate in a cell. The inmate was cold to the touch and did not appear to be breathing; there was no rise to the chest and no pulse. A determination was immediately made that the inmate was possibly the victim of an opioid overdose. The deputies and staff immediately rendered aid and assistance to the inmate by providing CPR and administering multiple doses of Narcan. The inmate was revived, transported to the hospital, and made a full recovery. The Lifesaving Award was presented to:

- Corporal Shelby [Mascareno](#)
- Deputy Vincent Triana

(00:15:30)

**ITEM #1 - CONSIDER AMENDMENTS TO BUTLER COUNTY ZONING REGULATIONS FOR THE DEVELOPMENT OF SOLAR FACILITIES**

David Alfaro, Community Development Director, came before the Board to discuss the approval of the proposed Zoning Regulation Amendments as presented. At the July 11<sup>th</sup> Planning and Zoning Commission meeting a request for the possible adoption of the proposed Amendments to the Zoning Regulations was discussed and comments from numerous individuals, for or against the proposed Regulations, were presented in both oral and written form. With the numerous proposed Changes to Draft 4 it was suggested that the Planning Commission table the action until the August 1<sup>st</sup> Planning Commission meeting allowing both Staff and the Members of the Planning Commission adequate time to review and consider possible changes to the draft. Since the meeting, both Legal Counsel and Staff have reviewed the proposed changes and have come up with possible changes as well.

Commission Chair Herzet read the following:

This agenda item pertains to consideration of Amendments to the Butler County Zoning Regulations for the development of Solar Facilities. For the record, there is no current pending application for a solar facility Conditional Use Permit and our discussion and deliberation today pertains only to proposed amendments to the Butler County Zoning Regulations related to solar facilities. The Zoning Regulations require that proposed amendments be in the best interest of the citizens of Butler County, Kansas, to promote their health, safety, comfort and general welfare.

Although not statutorily required the Board will open a public hearing to receive evidence and comments related to the adoption of Solar Facility Regulations.

Commission Chair Herzet read the following list of questions to the Board:

- Commissioners, any objection with acknowledging receipt of the Written Summary of Proceedings from the Planning Commission (1 Volume) and all the records (2 volumes) of the Planning Commission proceedings. If not, then the Written Summary of Proceedings and all the records of the proceedings from the Planning Commission will be received and made a part of the record. *There were no objections from Commission.*
- Are there any Commissioners that have a conflict of interest that will require abstention from voting or recusal (recusal requires leaving the room). *None of the Commissioners had conflicts.*
- Are there any Commissioners that have disclosures of ex parte communications regarding the proposed amendment of the Zoning Regulations? Do any Commissioner have records to identify that are to be included as part of the official record? You should disclose any documentation that is important for your decision-making process. *Commissioner Jackson stated he had two letters and a phone call that needed to be added for the record. Commission Woydziak stated he had received the same phone call as Commissioner Jackson. Commission Chair Herzet has communications also that need to be added to the record.*
- Staff: Identify records received by staff between the August 1, 2023 Planning Commission meeting and today. Adding H. and I. with Items 51-62
- Any comments Commissioners would like to make prior to opening the Public Hearing. *There were none.*

***Commission Chair Herzet opened the Public Hearing for the Amendments to the Butler County Zoning Regulations for the Development of Solar Facilities at 9:22 a.m.***

The following came before the Board to speak:

- Nathan Stottler, One Energy Renewables
- Lou Clennan, 1845 N Country Club Rd, El Dorado, Kansas
- Ray Connell, Attorney for Lincoln Township

***Commission Chair Herzet closed the Public Hearing for the Amendments to the Butler County Zoning Regulations for the Development of Solar Facilities at 9:32 a.m.***

Commissioner Jackson stated several items that need to be considered before making a final decision and discussed them with the Board and the public. One of Commissioner Jackson's suggestions was changing language to read Flinthills Ecoregion, which includes the Tallgrass Heartland.

Commissioner Woydziak agreed with Commissioner Jackson.

Commissioner Masterson expressed his support of Draft 4 of the Solar Facility Regulations with the changes that Commissioner Jackson suggested.

Counselor Huelskamp wanted to insure all the communications the Commissioners received regarding the regulations were added to the record.

*Commission Chair Herzet motioned to adopt Resolution No. 23-38 which adopts the recommendation of the Planning Commission to amend the Zoning Regulations of Butler County Kansas, by adding Section No. (19) Solar Facilities Regulations to Article 7 Section 7-301 Conditional Uses as set forth in "Exhibit A" and add "No. 14 Small-Scale Solar Facilities" to Article 7 Section 7-2 "Permitted Uses" under Section 7-201, which is consistent with the Planning Commission's intent with Section No. (19) and modify language to read Flinthills Ecoregion, which includes the Tallgrass Heartland and to authorize Staff to reformat the Zoning Regulations to incorporate the amendments, as necessary. Commissioner Jackson seconded. Motion carried 4-0.*

(00:42:58)

**RECESS**

*Commission Chair Herzet recessed the meeting at 9:44 a.m. for five minutes.*

(00:43:08)

**RECONVENED**

*Commission Chair Herzet reconvened the meeting at 9:49 a.m.*

(00:43:10)

**ITEM #2 - REQUEST FOR A MORTGAGE LOT SPLIT ON PROPERTY LOCATED AT 0 SE 20<sup>th</sup> ST, ROSALIA, KANSAS, AS SUBMITTED BY DON LARUE**

David Alfaro, Community Development Director, came before the Board for approval of a five+/- acre Mortgage Lot Split with the placement of a 35+/- acre APO on property located at 0 SE 20<sup>th</sup> St, Rosalia, Kansas. Don LaRue owns a tract of land that contains 40+/- acres and zoned AG-40. Mr. LaRue is proposing to split a five+/- acre tract of land with the placement of a 35+/- acre APO on a portion of the remaining property. The property has been used for Ag purposes and Staff feels the request meets the criteria for such a split and it is appropriate to place an APO on the 35+/- acres. State Statute required 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 7-0 and Staff supports the recommendation as well.

*Commissioner Woydziak motioned to approve the request for a Mortgage Lot Split with APO on property located at 0 SE 20<sup>th</sup> St, Rosalia, Kansas and direct the Chairman to sign the APO Agreement. Commission Chair Herzet seconded. Motion carried 4-0.*

(00:45:03)

**ITEM #3 - REQUEST FOR A CHANGE IN ZONING FROM AG-40 TO RURAL RESIDENTIAL (RR) ON PROPERTY LOCATED AT 0 SW 120<sup>TH</sup> ST, AUGUSTA, KANSAS, AS SUBMITTED BY TIM CHAPPELL**

David Alfaro, Community Development Director, came before the Board for approval of a request for a Change in Zoning from AG-40 to RR on property located at 0 SW 120<sup>th</sup> St, Augusta, Kansas. Tim Chappell is requesting a change in zoning which would allow him the opportunity to potentially plat the property at a future date. The property is located approximately one mile east of Highway 77, south of Augusta, and has both AG-40 and RR zoned properties adjacent to and across the road. The area in question is defined by the County

Comprehensive Plan as a Gradient area that is in close proximity to the city limits of a respective community as well as located within the Growth Area of the County. The property is currently being used for Ag related activities and there are no structures on the property. Mr. Alfaro noted the case is about a Change in Zoning and any future use of the property would be addressed at a later date. There are no guarantees that a future plat would be approved. State Statute required all landowners located within a 1,000' radius of the property be notified of the request. Staff did receive a letter from one landowner and an email from another; both were concerned with the passing of the request. Concerns expressed were additional traffic and the change of the view to the west. After some discussion, the Planning Commission approved the request by a vote of 7-0 and Staff supports the recommendation as well.

Tim Chappell was present for questions.

*Commissioner Masterson motioned to approve the requested for a Change in Zoning from AG-40 to RR and direct the Chairman to sign Resolution No. 23-34. Commissioner Jackson seconded. Motion carried 4-0.*

(00:48:00)

**ITEM #4 - REQUEST FOR A CHANGE IN ZONING FROM AG-40 TO RURAL RESIDENTIAL (RR) AS SUBMITTED BY BROCK BERAN ON PROPERTY LOCATED AT 19928 SW BUTLER RD, ROSE HILL, KANSAS**

David Alfaro, Community Development Director, came before the Board for approval of a request for a Change in Zoning from AG-40 to RR on property located at 19928 SW Butler Rd, Rose Hill, Kansas. Brock Beran is requesting to rezone the 20+/- acres, which would allow him to potentially split the property or even consider the platting of the property at a later date. The property is located one mile south of the City of Rose Hill on SW Butler Rd. SW Butler Rd is a paved County arterial road. The change in zoning to possibly allow for the platting of the property would not be considered detrimental to the area. The property is also located within the Growth Area of the County, so possible future development is not detrimental in this location. State Statute required all landowners located within a 1,000' radius of the property be notified of the request. Staff did receive one phone call from Richland Township, which expressed concern for the possible increase in traffic on SW 200<sup>th</sup>. Mr. Alfaro explained that due to the small acreage an additional two tracts would be the most that could be platted and reiterated approval of a plat is not guaranteed. After some discussion, the Planning Commission approved the request by a vote of 7-0 and Staff supports the recommendation as well.

Commissioner Woydziak stated this change would conform to the existing neighborhood.

*Commissioner Woydziak motioned to approve the request for a Change in Zoning from AG-40 to RR and direct the Chairman to sign Resolution No. 23-35. Commissioner Masterson seconded. Motion carried 4-0.*

(00:52:45)

**ITEM #5 - REQUEST FOR A CHANGE IN ZONING FROM AG-40 TO COMMERCIAL (C) ON PROPERTY LOCATED AT 1802 E HIGHWAY 54, ANDOVER, KANSAS, AS SUBMITTED BY JON WALKER/MCCURDY INVESTMENT LLC**

David Alfaro, Community Development Director, came before the Board for approval of a Change in Zoning from AG-40 to Commercial on property located at 1802 E Highway 54 Andover, Kansas. Jon Walker/McCurdy Investment LLC own a tract of land that contains 14+/- acres and at one time housed a small business. Mr. Walker/McCurdy Investment LLC is seeking to change the zoning from AG-40 to Commercial, which would allow the owner to potentially erect a couple of large billboards as well as develop the property commercially. An individual is already interested in constructing and operating a business if the zoning change is approved. The property, as noted is located adjacent to the City of Andover, and numerous commercial operations and Conditional Use Permits exist in that area. In speaking with representatives of the City of Andover there are no problems with the requested change and City Staff support it. Mr. Alfaro noted that the majority of the property is located within the Floodplain so any improvements made to the property will need a State and County Floodplain Permit. State Statute required all landowners located within a 1,000' radius of the site that are located in the unincorporated area of the county, and landowners located within a 200' radius of the site but located within the city limits, be notified; Staff did not receive any comments for or against the request. The Planning Commission approved the request by a vote of 7-0 and Staff supports the request as well.

Jon Walker/McCurdy Investment LLC., and Jason Reed, Attorney, were present for questions.

***Commissioner Jackson motioned to approve the request for a Change in Zoning from AG-40 to Commercial on property located at 1802 E Highway 54, and direct the Chairman to sign Resolution No. 23-36. Commissioner Woydziak seconded. Motion carried 4-0.***

(00:54:54)

**ITEM #6 - DISASTER RELIEF DETERMINATION AND ORDER**

Debra Studebaker, County Appraiser, came before the Board for approval of disaster relief from two applicants for damage that occurred as a result of fires on February 24, 2023, and June 22, 2023. The State of Kansas adopted through statute the ability for County Commissioners to abate taxes on homestead and structures that have been impacted by disasters, which would include fires, tornados, flooding or earthquakes. The Board approved Resolution 22-19 on May 17, 2022, establishing a policy for property tax abatements of properties impacted by disasters. Ms. Studebaker reviewed the two applications and both qualify for disaster relief as outlined in K.S.A. 79-1613. The estimated tax relief abatement of the two qualified properties is \$5,396.

Butler County Commissioners Disaster Relief Determination and Order

Q Ref	Parcel ID	Property Address	Applicant	Structure destroyed by 50% or more of market value	Declared Disaster by Governor	Source of Damage	Date of Destruction	Abatement- After Jan 1 taxes not paid	Refund-After Jan 1 and at least part of taxes paid	Documents Provided by Applicant	No Abate or Credit	Abate/Credit of % of Assessed Value then prorated	Applicable Tax Year
R780	056-23-0-00-003.00-A	6345 NW 150th St	William & Rebecca Mann	Yes	No	Fire	6/22/2023	X		Photos		100% of SFD	2023
R13611	234-18-0-00-007.00-0	7746 SE 30th St	Jay & Rosemary Moore	Yes	No	Fire	2/24/2023	X		Photos		100% of SFD	2023

***Commission Chair Herzet motioned to approve disaster relief from two applicants for damage that occurred as a result of fires on February 24, 2023 and June 22, 2023. Commissioner Masterson seconded. Motion carried 4-0.***

Commissioner Masterson inquired how people were finding out about the disaster relief; Ms. Studebaker stated the Appraisers Office informs property owners about the disaster relief application when they receive calls about homes and structures impacted by disasters.

(00:59:45)

**ITEM #7 - FFY2024 WOMEN, INFANTS, AND CHILDREN (WIC) AND WIC BREASTFEEDING PEER COUNSELOR (BFPC) LOCAL AGENCY GRANT CONTRACT**

Jamie Downs, Health Department Director, came before the Board for approval of the FFY2024 WIC and BFPC Grant Contract in the amount of \$228,303.00 from the Kansas Department of Health and Environment to the Butler County Health Department for Federal Nutrition Services. The United States Department of Agriculture, through the Kansas Department of Health and Environment, offers the Health Department as the Local WIC Agency federal funding to conduct the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) and the WIC Breastfeeding Peer Counselor Program (BFPC). The total Grant Contract approved amount is \$228,303 with WIC Administrative funds receiving \$200,437.00 and BFPC funds receiving \$27,866 for FFY2024, which is for the period October 1, 2023 through September 30, 2024. The continuation of this program allows the Health Department to provide federal nutrition services and breastfeeding education and guidance to the Butler County citizens who qualify and need the services.

*Commission Chair Herzet motioned to approve the WIC/BFPC Contract for FFY2024 for a total of \$228,303.00 between the Butler County Health Department and the Kansas Department of Health and Environment and allow the Chair to sign. Commissioner Jackson seconded. Motion carried 4-0.*

(01:02:41)

**ITEM #8 - COMMUNITY CORRECTIONS FY24 ADULT CARRYOVER REIMBURSEMENT BUDGET AND JUVENILE CARRYOVER REIMBURSEMENT BUDGET**

Monty Herbert, Community Corrections Director, came before the Board to review and approve the FY24 Adult Carryover Reimbursement Budget and Juvenile Carryover Reimbursement Budget. Each year Community Corrections is required to submit a proposed budget to Kansas Department of Corrections (KDOC) for reimbursed funds from the Adult and Juvenile programs. There is no impact on the Butler County budget or block grant budgets. These funds are required to be spent in support of their respective programs.

*Commissioner Masterson motioned to approve the FY24 Adult Carryover Reimbursement Budget in the amount of \$50,877.64 and the FY24 Juvenile Carryover Reimbursement Budget in the amount of \$55,064.59 and authorize the Chair to sign. Commissioner Woydziak seconded. Motion carried 4-0.*

(01:05:49)

**ITEM #9 - FY23 COMMUNITY CORRECTIONS ADULT AND JUVENILE YEAR-END OUTCOME REPORT**

Monty Herbert, Community Corrections Director, came before the Board for approval of the FY23 Community Corrections Adult and Juvenile Year-End Outcome Report. Each year Community Corrections submits a comprehensive grant application to the Kansas Department of Corrections (KDOC) with specific goals approved by the Butler County Commission. Quarterly progress reports are submitted to KDOC as required, as well as a year-end outcome report. FY23

goals were developed after an extensive program review conducted by KDOC. Data collection was performed over a twelve-month period. At the conclusion of the data collection period all stated goals were met to the minimum set standard. Staff will continue to progress to higher measurable goals during FY24.

*Commissioner Jackson motioned to approve the FY23 Community Corrections Adult and Juvenile Year-End Outcome Report and authorize the Chair to sign. Commissioner Masterson seconded. Motion carried 4-0.*

(01:08:12)

**ITEM #10 - RESOLUTION OF SUPPORT - THE STEPPING UP INITIATIVE**

Monty Herbert, Community Corrections Director, came before the Board and requested the approval of Resolution 23-39 to include Butler County as a Stepping Up Partner be tabled until September 12, 2023.

*Commissioner Masterson motioned to table the approval of Resolution 23-39 until September 12, 2023, Commissioner Woydziak seconded. Motion carried 4-0.*

(01:10:03)

**ITEM #11 - FULLTIME LANDFILL ATTENDANT POSITION**

Darryl Lutz, Public Works Director, came before the Board for approval to proceed with converting two part-time Landfill Attendant positions to one full-time Landfill Attendant position. The County requires two Landfill Attendants to be working together in the Landfill scale house at all times to comply with established money handling procedures. The County has historically budgeted for four part-time Landfill Attendants such that each attendant works in tandem with one other attendant for three days each week. The current leadership and management staff in place at the Landfill has recognized some variation in how the attendants interpret and administer ticketing and load handling between the various part time attendants. Staff has attempted to instruct Landfill Attendants on the proper interpretation of the policy, but due to turnover requires considerable retraining. In an effort to create uniformity and consistency in administering ticket and load handling procedures, management staff believes that converting two part-time positions that work three days each week to one full-time position that works six days each week would be the most effective. The full time attendant would work with one part time attendant. Public Works presented this plan as a strategic operations adjustment during the development and approval process for the 2024 Landfill budget. The proposed modification is almost budget neutral with only a slight annual increase in cost due to benefits. The Landfill currently has one existing part-time Landfill attendant position open. Staff is requesting permission to proceed with converting the vacant part-time attendant position to a full-time position and phase out one more part-time attendant position through attrition or through reassignment of current part-time staff to other open positions.

*Commission Chair Herzet motioned to approve the conversion of two part-time Landfill Attendant positions to one full time Landfill Attendant position as proposed in the 2024 adopted landfill budget to be effective immediately. Commissioner Masterson seconded. Motion carried 4-0.*



(1:14:04)

**ITEM #12 - PUBLIC WORKS DEPARTMENT PPE CLOTHING REIMBURSEMENT POLICY UPDATE**

Darryl Lutz, Public Works Director, came before the Board for approval of a revision to the PPE clothing reimbursement policy for Public Works. The County provides reimbursement of a portion of costs to the employees to offset the cost of pants, safety boots and outerwear. The County purchases the required shirts directly for each employee. The last significant adjustment in the policy for reimbursement was in 2020 for jeans and safety boots. During 2024 budget presentations Mr. Lutz proposed to increase the jean reimbursement from \$105 per year per employee to \$150 per year per employee, to increase the safety boot reimbursement for steel toe boots from \$120 per year per employee to \$175 per year per employee and for puncture resistant safety boots from \$150 per year per employee to \$210 per year per employee, and to increase the Cold Weather (Outerwear) Protection from \$55 per year to \$100 per year. The only other changes to the policy is to eliminate the maximum limit on the number of jeans that can be purchased and to remove the specific shirts types that will be purchased since that can change each year with new styles. The point system established in 2020 for logo shirts, sweaters and jackets is working well and is proposed to remain in place unchanged. The point system was developed to give employees flexibility for selecting between annual logo shirts, logo sweatshirts or logo jackets in a manner that is cost-neutral to the County. The policy revisions are proposed to become effective January 1, 2024.

*Commissioner Woydziak motioned to approve the revised Public Works Department PPE Clothing and Safety Footwear Reimbursement Policy to increase the reimbursement for required pants, safety boots and outerwear, which will become effective January 1, 2024, and to authorize the Chair to sign. Commissioner Jackson seconded. Motion carried 4-0.*

(01:30:36)

**ITEM #13- REVISE AR 09-08 POLICY ON HEALTH INSURANCE PREMIUMS FOR PLAN YEAR BEGINNING NOVEMBER 1, 2023**

Sherry Hoelker, Human Resources Director, came before the Board for approval of a revision to Administrative Regulation 09-08 a policy stipulating health insurance premiums associated with the County Wellness program. Over the last decade County Health insurance premiums have risen dramatically. The County Commission approved contracting with Vitality for the County's wellness program in 2008. In 2009, the Commission approved a policy specifically designed to get employees engaged in health awareness. The original policy was a three tier policy which addressed three main components, tobacco usage, health awareness, and wellness planning. The plan was then expanded over the years to five tiers. Employees are required to participate in these five areas or they are penalized by increased premiums for non-participation. At the time of inception the County Administrator met with every employee in the organization and explained the policy and answered questions from employees to address their concerns. The program has worked and has been fairly well received over the years. The current policy requires participation in two main components or employees are penalized by a 5% increase to their health insurance premium for each component goal they did not reach. The first component is tobacco utilization, where as employees are required to be tobacco free or pay an additional premium. The second component is participation in the Vitality Wellness Program. Employees and their spouse are required to participate in the Vitality program and earn a minimum of 2,500 points each for both

the employee and spouse. The numbers are easily obtained and are meant, for the first year, to simply get the employees engaged in the program. The maximum an employee could be penalized is 10% if on a single plan and 20% on a family plan. Employees have until September 15<sup>th</sup> of the plan year to meet the goals before they are penalized. Spouses are also required to participate in biometric screens, which the County does provide at no cost to the spouse if they choose. The County has over 95% compliance in the wellness program and almost 98% compliance on all tiers with the exception of tobacco. Staff is recommending adding a third tier to better encourage employees to utilize their free preventative annual physical with their primary care doctor, which could provide critical medical advice should the physician deem necessary. The program will retain the other two tiers for completing Vitality/Biometric Screening and Vitality Health Review (VHR) by both the employee and spouse (if on a family plan); and producing a negative cotinine test by both the employee and spouse. Employees/spouses will again have three requirements to meet compliance with the policy, and be penalized 5% per member for non-compliance with the wellness goals.

***Commission Chair Herzet motioned to approve the revised Administrative Regulation 09-08, a policy stipulating health insurance premiums associated with the County Wellness Program. Commissioner Masterson seconded. Motion carried 4-0.***

Commissioner Woydziak inquired to whom Rose Hill School should talk to about their Dump Day, as Linda, with whom they use to communicate with is no longer with the County. Mr. Lutz stated Satina Goodwin, is the new Landfill contact and he will email Commissioner Woydziak her contact information.

Mr. Lutz stated WAMPO is reaching out to communities to assist with the development of Safe Roads to School Plans. The Board agrees and is interested in developing a plan for Safe Roads to School.

BNSF is closing US HWY 54/77 south of El Dorado, August 30<sup>th</sup> through September 5<sup>th</sup> for overpass repairs.

A Public Hearing is scheduled on August 31<sup>st</sup> from 4 p.m. to 7 p.m. to discuss the replacement of the bridge on HWY 54 east of El Dorado.

Mr. Lutz will attend the upcoming K254 Corridor Development Association meeting.

On, Thursday, September 7<sup>th</sup>, Commission Chair Herzet is speaking at the South Central Kansas Transport Coalition Tier Projects, which is taking place at the Wichita Chamber of Commerce.

(01:41:10)

#### **ITEM #14 - FAIR BOARD REIMBURSEMENT**

Will Johnson, County Administrator, came before the Board for approval to reimburse \$19,000 to the Butler County Fair Board for expenses acquired with the 2023 Butler County. Butler County budgeted \$19,000 for reimbursement of expenses for the 2023 Butler County Fair. The Fair Board requested \$6,500 for building maintenance and \$12,500 for premiums. K.S.A 2-127 through 2-131 sets forth the requirements for taxing and paying for County Fair expenses, which

is limited to premiums, prizes and judges for the annual County Fair, along with how Fair Associations are required to submit information for reimbursement. The Fair Board submitted a detailed check register of payments and cost associated with the annual fair. Staff went through and reviewed the costs submitted and approved most of the costs submitted, but did disqualify others. If the Fair Board solicited funds or charged for services the reimbursement of those associated cost were disqualified along with other costs that did not qualify for reimbursement. Examples of cost qualifying were premium payments, judges, maintenance costs, and mailing/printing. Some costs that did not qualify were convention costs, any costs associated with fund raising or charges for service such as prizes, fair book, utilities for campers, items returned (sound system) or associated with the livestock sale. Allowed expenses by statute totaled \$14,133.81 and discretionary costs recommended by staff was \$5,292.56 for a total of \$19,426.37. Staff is comfortable with reimbursing the budgeted amount to the Fair Board in the amount of \$19,000.

Administrator Johnson and the Board discussed the number of members on and attendance of, the Fair Board and concluded to have a workshop on the subject at a later date.

***Commissioner Jackson motioned to approve the reimbursement of Butler County Fair Board expenses for the 2023 Butler County Fair in the amount of \$19,000. Commissioner Woydziak seconded. Motion carried 4-0.***

(01:49:00)

#### **VOUCHERS**

***Commissioner Masterson motioned to approve vouchers dated August 29, 2023, in the amount of \$403,113.98. Commissioner Woydziak seconded the motion. Motion carried 4-0.***

(01:49:20)

#### **ADDS AND ABATES**

***Commissioner Woydziak motioned to approve Adds in the amount of \$2,191.70 and Abates in the amount of \$00.00. Commissioner Masterson seconded the motion. Motion carried 4-0.***

(01:49:37)

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

Commission Chair Herzet received an email from Crystal Noles, Department on Aging Director, stating the luncheon at the Rose Hill Senior Center has been rescheduled for September 26, 2023.

Commissioner Woydziak informed the Board that the Kansas Association of Counties is having their Legislative Policy meeting; Commissioner Woydziak will be attending either in person or by zoom.

Commissioner Woydziak expressed what a nice job Commission Chair Herzet did earlier in the meeting with agenda item # 1 - Consider Amendments to the Butler County Zoning Regulations for the Development of Solar Facilities.

Administrator Johnson inquired as to who will be attending the upcoming Quad County Meeting.

Administrator Johnson will be out of the office on September 7<sup>th</sup> and 8<sup>th</sup>.

Counselor Huelskamp informed the Board the Smith family/IPS property did not show up for the last scheduled meeting last week and a court date has been set.

Counselor Huelskamp will be out of the office August 30<sup>th</sup> through September 1<sup>st</sup>.

(01:58:20)

**ADJOURNMENT**

*Commissioner Woydziak motioned to adjourn the meeting of the Board at 11:05 a.m.*

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