

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, September 14, 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, County Administrator Will Johnson, and Clerk Recorder Koleen Laney. Commissioner Mike Wheeler was not in attendance.

(00:01:54)

INVOCATION

Commission Chair Jeff Masterson presented the invocation.

(00:02:20)

APPROVAL OF MINUTES

Commissioner Woydziak motioned to approve the minutes from the August 31, 2021, Butler County Commission meeting as written. Commissioner Murphy seconded the motion. Motion carried 4-0.

(00:03:29)

PUBLIC COMMENTS

There were no public comments.

(00:03:40)

ITEM #1 – Constitution Week Proclamation

Mary Jo Jurey, a member of the Daughters of the American Revolution (DAR), came before the Board for approval to proclaim September 17, 2021, through September 23, 2021, as Constitution Week in Butler County. Ms. Jurey is the Constitution Week Chairman of the Flores Del Sol DAR chapter. In 1955 DAR President General Gertrude Carraway desired to promote the observance of the US Constitution; thus Constitution Week was born. Constitution Week was first declared in August of 1956 by President Eisenhower. Ms. Carraway encouraged teachers and DAR members to teach, discuss, and study the American Constitution during Constitution Week. The date of September 17th was chosen to begin Constitution Week to commemorate the creation of the United States' Constitution on September 17, 1787. It is recommended the Board approve Ms. Jurey's request and declare September 17, 2021, through September 23, 2021, as Constitution Week in Butler County. Commission Chair Jeff Masterson read the proclamation, proclaiming September 17th through September 23rd 2021, as Constitution Week in Butler County, KS.

Commissioner Woydziak motioned to declare September 17, 2021, through September 23, 2021, Constitution Week in Butler County. Commissioner Herzet seconded the motion. Motion carried 4-0.

(00:10:00)

ITEM #3- FFY2022 Women, Infants, and Children (WIC) and WIC Breastfeeding Peer Counselor (BFPC) Local Agency Grant Contract between the Kansas Department of Health and Environment and Butler County Health Department

Jamie Downs, Butler County Health Department Director, came before the Board to review the FFY2022 WIC & BFPC Grant Contract in the amount of \$223,630.00 from the Kansas Department of Health & Environment (KDHE) to the Butler County Health Department. The United States Department of Agriculture through the KDHE 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 \$223,630.00. WIC Administrative funds \$202,883.00 and BFPC fund \$20,747.00 for FFY2022, which is October 1, 2021 - September 30, 2022. The continuation of this program will allow the Health Department to provide federal nutrition services and breastfeeding education and guidance to Butler County citizens who qualify and need the assistance. The WIC and BFPC Grant is totally federally funded.

Commissioner Murphy motioned to approve the FFY2022 WIC/Breastfeeding Peer Counselor Contract between KDHE and the Butler County Health Department in the amount of \$223,630.00 and allow the Chair to sign. Commissioner Herzet seconded the motion. Motion carried 4-0.

(00:22:30)

ITEM #2- Butler County Farm Bureau 100 Year Anniversary Proclamation

Tiya Tonn, Director Butler County Farm Bureau, came before the Board for approval to proclaim Tuesday, September 14, 2021, as Butler County Farm Bureau Day in celebration of their 100th Year Anniversary. Commission Chair Jeff Masterson read the proclamation, proclaiming September 14, 2021, as Butler County Farm Bureau Day.

Commissioner Herzet motioned to proclaim Tuesday, September 14, 2021, as Butler County Farm Bureau Day in celebration of their 100th Year Anniversary. Commissioner Woydziak seconded the motion. Motion carried 4-0.

(00:30:00)

ITEM #4 – Award bid for the Health/Extension Building Parking Lot Improvements

Dan Ingalls, Facilities Management Director, came before the Board for approval to award the bid for parking lot improvements at the Health/Extension Building to Asphalt Paving and Maintenance. Over the past several years Public Works has patched and crack sealed this parking lot and now a total seal is needed. The following bids were received from contractors:

Asphalt Paving & Maintenance	P.O. Box 298 Towanda, KS 67144	\$12,137.88
Apac	3551 S West St. Wichita, KS 67217	\$16,898.00
Encore Pavement	3515 N Topeka Wichita, Ks 67219	\$17,898.53

Commissioner Woydziak motioned to accept the bids as presented and award the bid from Asphalt Paving and Maintenance in the amount of \$12,137.88 for the parking lot improvements at the Health/Extension Building. Commissioner Murphy seconded the motion. Motion carried 4-0.

(00:37:20)

ITEM #5- Butler County Landfill - Management of Blowing Litter

Darryl Lutz, Director of Public Works, came before the Board for approval of requested staffing enhancements at the Landfill related to litter control and current operations coverage. A key operating requirement for solid waste landfills in Kansas is to control and manage blowing litter. Inmate labor from the Kansas Department of Corrections has been utilized for several years for picking up blowing litter, mowing and weed eating, and assisting with various recycling programs. The inmate program is no longer available to Butler County, however, the County is still required to manage blowing litter. The County Commission considered this item during a work session on Tuesday, August 31, 2021. By consensus, the County Commission requested the matter be brought back for consideration and approval as an action item. Staff has proposed department management to add four (4) part-time staff positions and one (1) full-time staff position to work Monday through Friday at the Landfill.

Commissioner Woydziak motioned to approve the addition of four part-time positions and one full-time position at the Landfill effective immediately for the purpose of providing manual litter control and supporting current operations that have increased over the last two years. Commissioner Murphy seconded the motion. Motion carried 4-0.

(00:40:10)

ITEM #6- Public Works Department Material Handler - Purchase Recommendation

Darryl Lutz, Director of Public Works, came before the Board for approval to consider rejecting the bids received and opened for the purchase of one (1) new telescopic boom material handler for the Landfill Division of the Department of Public Works and authorize staff to go back out for bids with a modified bid specification. Bids were received from three (3) vendors for the requested equipment. Two (2) of the equipment bids received only partially met the requested specifications and one (1) of the bids met all of the requested specifications, but, is considerably more expensive than can be justified. Staff is proposing that the bids received on August 31, 2021, be rejected and the Department of Public Works be authorized to modify the specifications for a telescopic boom material handler and go back out for new bids.

Commissioner Herzet motioned to reject the bids received and opened for one (1) telescopic boom material handler for the Landfill Division of the Public Works Department and to authorize staff to modify the bid specifications and to go back out for new bids. Commissioner Woydziak seconded the motion. Motion carried 4-0.

(00:43:50)

ITEM #7- Mowing Tractors - Authority to go out for bid

Darryl Lutz, Director of Public Works, came before the Board for approval to authorize the Department of Public Works to go out for bids to replace two (2) mowing tractors. The Public Works Department operates a total of six (6) mowing tractors to maintain highway right-of-

ways. Four (4) tractors run the entire season and two (2) other tractors run when staff is available during the summer. The tractors are typically purchased in pairs every four (4) years; the oldest tractors would be about twelve (12) years old when replaced. The 2009 New Holland tractors were pushed out for replacement in 2024 even though the twelve (12) year cycle would be 2022. Staff is requesting authorization to move the next two (2) tractor replacements up to 2022 and to go out for bids this summer.

Commissioner Woydziak motioned to authorize the Department of Public Works to go out for bids for the purchase of two (2) new tractors used for mowing right-of-way to replace the two (2) oldest tractors in the fleet and to sell the two (2) oldest tractors via internet auction. Commission Chair Masterson seconded the motion. Motion carried 4-0.

(00:51:22)

ITEM #8- Work Session - American Rescue Plan (ARP) Utilization

Will Johnson, Butler County Administrator, came before the Board to discuss utilizing approximately \$13,000,000 in ARP funds that were allocated to Butler County. Discussion on the issue has been delayed until the 2022 budget was completed; now Staff would like to utilize the funds in compliance with federal law. The funds are extremely restricted and staff recommended utilizing the funds for larger projects, if possible, and refunding the County budget for revenue loss over the time period allotted. The work session focused on a simple overview of the program and some proposed projects for funding.

No action was taken.

(01:04:57)

RECESS

Commission Chair Masterson recessed the meeting at 10:04 a.m. for five minutes. Commission Chair Masterson reconvened the meeting at 10:12 a.m.

(01:12:53)

ITEM #9- Emergency Services Radio Replacement

Jeremy Seglem, Emergency Communications “E911” Director, came before the Board to discuss the portable radios currently in use by Butler County Emergency Services that were purchased as part of a sales tax project in 2009. Motorola announced the radios’ end of life a couple of years ago and no longer supports or manufactures parts for these radios. In November 2020 the Butler County Emergency Services Association members met to discuss radio replacement and formed a sub-committee to research options. After consideration of different manufacturers (Kenwood, Harris, Motorola) and radio functionality, Motorola became the preferred vendor. Motorola’s quote for 380 portable radios is \$1,835,122.60 and qualifies for the American Rescue Plan (ARP) funding. Based on the bulk purchase, an additional 5%-10% discount may be applied once the ordering decision is made.

Commissioner Woydziak motioned to approve the purchase of 380 radios at the cost of \$1,835,122.60 to be paid for with ARP funds. Commissioner Herzet seconded the motion. Motion carried 4-0.

(01:30:00)

ITEM #10- KDOT K-254 Corridor Management Plan Letter of Support

Will Johnson, Butler County Administrator, came before the Board for approval of a letter of support pledging the County's financial support up to \$77,700 for development of a K-254 Management Plan by KDOT. As with most KDOT projects, a letter requesting the plan as well as a financial match of 30% is required. Based on the estimated cost of the study (\$500,000), the total local cost share comes to around \$170,000. The K-254 executive officers worked to create a fair assessment for the municipal members. K-254 covers twenty-three (23) miles from the north junction in Wichita to El Dorado. That equates to \$7,400 per mile; thirteen (13) miles in Butler County and ten (10) miles in Sedgwick County. Therefore, Butler County's total is \$96,200 while Sedgwick County's total is \$74,000. There are six cities that have access to K254: Wichita, Kechi, Bel Aire, Benton, Towanda and El Dorado. It seems appropriate for each city to pay half the cost (\$3,700) per mile for the miles they access, with each county covering the remainder. The breakdown is as follows:

- Kechi: \$7,400 (2 miles)
- Bel Aire: \$11,100 (3 miles)
- Benton: \$3,700 (1 mile)
- Towanda: \$3,700 (1 mile)
- El Dorado: \$11,100 (3 miles)
- Wichita: \$11,100 (3 miles)
- Butler County: \$77,700 (13 miles less Benton, El Dorado and Towanda)
- Sedgwick County: \$44,400 (10 miles less Bel Aire, Kechi and Wichita).

Commissioner Murphy motioned to approve the letter of support pledging the County's financial support up to \$77,700 for development of a K-254 Management Plan by KDOT and allow the chair to sign. Commission Chair Masterson seconded the motion. Motion carried 4-0.

(01:42:20)

ITEM #11- Work Session - Spousal Incentive Plan

Will Johnson, Butler County Administrator, came before the Board to receive a draft policy on the proposed spousal incentive plan and discuss modifications to the proposed policy. Aaron Wells with USI presented an update to the County's self-insurance program in August and proposed a program to help diversify and lower the overall cost to the County's program. This program would be a spousal incentive program and the County Commission asked staff to develop a proposed policy and present it to the Commission at the September 14th meeting. The Spousal Incentive program would provide an incentive for employees to take their spouses insurance and move them and/or their families off the County plan, thus reducing the overall cost of our program to the County. At this point it would be strictly an optional program and employees would not be forced to cooperate. Employees who choose to utilize this incentive would receive reimbursement to co-pays and out of pocket costs up to a specific threshold defined by the policy. The proposed policy is also currently being vetted by USI and staff will provide their feedback upon consideration for adoption.

No action was taken.

(01:55:10)

VOUCHERS

Commissioner Murphy motioned to approve vouchers dated September 7, 2021, in the amount of \$198,950.83. Commissioner Masterson seconded the motion. Motion carried 4-0.

Commissioner Murphy motioned to approve vouchers dated September 14, 2021, in the amount of \$431,725.25. Commissioner Herzet seconded the motion. Motion carried 4-0.

(01:58:00)

ADDS & ABATES

Commissioner Murphy motioned to approve Adds in the amount of \$1,371.04 and Abates in the amount of \$31,970.54. Commissioner Woydziak seconded the motion. Motion carried 4-0.

(01:58:30)

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

Commissioner Murphy stated he received a resignation from Kay Hall, Clay Township Treasurer.

Commissioner Murphy motioned to appoint Walter Wakefield as Clay Township Treasurer. Commissioner Woydziak seconded the motion. Motion carried 4-0.

Commissioner Murphy also noted the Trustee for Clay Township is being recalled.

Commissioner Masterson stated he received a resolution to levy a 1% retailers' sales tax from the City of Andover. He noted that County Clerk Tatum Stafford has put that on the ballot. Commissioner Masterson received an amended Tax Increment Financing (TIF) redevelopment project plan as well, from the City of Andover.

Commissioner Woydziak noted the Board needed to appoint two people to the Work Force Alliance Executive Board. They have to be elected officials; Commissioner Woydziak is currently on the Board, but is resigning. Commissioners Masterson and Murphy agreed to join the board.

Administrator Johnson informed the Board that Commissioner Masterson signed an engagement letter with Benton Township for one (1) mile of double chip seal on SW 50th St. Administrator Johnson will deliver the letter to the Township Trustee. Briarcliff Home Owners' Association gathered \$20,000 in contributions to help with the \$30,000 project; the township will have until January 31, 2022 to make the payment.

Administrator Johnson commented that the County sponsored cookies for the City of El Dorado's 150th Celebration.

Administrator Johnson reminded the Board of the Senior Center visit to Cassoday at 6:30 p.m. on Monday, September 20th.

(02:12:38)

ADJOURNMENT

*Commissioner Woydziak motioned to adjourn the meeting of the Board at 11:12 a.m.
Commissioner Herzet seconded the motion. Motion carried 4-0.*