

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, October 3, 2023**

(00:00:15)

**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, County Counselor Terry Huelskamp and Clerk Recorder Jennifer Currier.

(00:00:18)

**INVOCATION**

Allen Potter presented the invocation.

(00:01:32)

**APPROVAL OF MINUTES**

*Commissioner Murphy motioned to approve the minutes from the September 26, 2023, Butler County Commission meeting as presented. Commissioner Masterson seconded the motion. Motion carried 5-0.*

(00:01:50)

**PUBLIC COMMENTS**

Jim Weaver, 11627 SW Indianola Rd, came before the Board to discuss his concerns with the possible changes to the Augusta Municipal Airport runway involving the closure of Indianola Rd by the airport and how those unlikely changes would affect his property.

(00:07:08)

**ITEM #1 - INTERLOCAL AGREEMENT FOR FEDERAL TRANSIT ADMINISTRATION (FTA) PASS THROUGH FUNDS, UNDER SECTION 5307**

Crystal Noles, Department on Aging Director, came before the Board for approval of the 2023 Interlocal Agreement for Federal Transit Administration (FTA) pass through funds. The FTA made a determination in 2003 that the City of Andover is part of the Wichita Metropolitan Area. Wichita Transit Authority (WTA) provides rides generated in the City of Andover instead of the rural transportation project funded by Kansas Department of Transportation (KDOT). WTA is not able to provide service to the City of Andover, and, therefore has been sub-contracting with Butler County Transit Service to provide service to the City of Andover since 2004. WTA receives Federal dollars to sub-contract this service to Butler County using Section 5307 Federal Funds. A nearly identical interlocal agreement has been in place since August 2004. Since 2014, the average spending is \$20,000 a year. The Federal portion of that is \$10,000 and the local match is \$10,000.

*Commissioner Woydziak motioned to approve the Interlocal Agreement between the City of Wichita and Butler County for fiscal year 2023 and authorize the Commission Chair to sign. Commissioner Jackson seconded the motion. Motion carried 5-0.*

Ms. Noles stated the Department on Aging is waiting on four vehicles that have been ordered but are not yet in production.

(00:09:50)

**ITEM #2 - CONTRACT AGREEMENT FOR REAL PROPERTY TAX FORECLOSURE AND AUTHORIZING RESOLUTION**

Donna Farthing, Butler County Treasurer, came before the Board for approval of a contract agreement for Real Property Tax Foreclosure sales with Kelly Law Offices, L.L.P. and Resolution No. 23-44 authorizing implementation of tax foreclosure procedures for 2019 delinquent taxes. Kelly Law Offices L.L.P. currently conducts the County's tax foreclosure sales and personal property delinquency collection, and performs tax foreclosure sales services with other counties in Kansas as well. Kelly Law Offices, L.L.P. entered into a contract with Butler County in 2014 and the County is happy with the services provided. Most counties utilize the County Counselor to perform the sales but Butler County has elected to separate this service from the County Counselor. The cost for Kelly Law Offices, L.L.P. is an all-inclusive flat fee of \$275 per parcel for sale. This is a \$25 per parcel increase and not based on billable hours. The County Treasurer is supportive of the agreement and Staff's recommendation is to contract with Kelly Law Offices, L.L.P.

*Commissioner Masterson motioned to approve the contract agreement for Real Property Tax Foreclosure sales with Kelly Law Offices, L.L.P., adopt Resolution No. 23-44 initiating tax foreclosure sale proceedings, and allow the Chair to sign. Commissioner Murphy seconded the motion. Motion carried 5-0.*

(00:15:14)

**ITEM #3 - REQUEST TO SOLICIT BIDS FOR REPLACING THE CONCRETE BLOCKS AT THE EL DORADO EMERGENCY MEDICAL SERVICE (EMS) BUILDING**

Travis Cornell, Facilities Management Director, came before the Board for approval to solicit bids for repairing the concrete blocks on the El Dorado EMS Building. Before the roof was replaced, roof damage allowed water to run behind the concrete blocks and caused some of the concrete blocks to crumble and crack.

The Board was shown photographs of the damaged concrete blocks.

*Commissioner Woydziak motioned to approve Facilities Management to solicit bids for repairs to the El Dorado EMS Building. Commissioner Jackson seconded the motion. Motion carried 5-0.*

(00:19:10)

**ITEM #4 - REQUEST TO SOLICIT BIDS FOR CAMERAS AND CARD READERS AT THE EMERGENCY OPERATIONS CENTER (EOC) BUILDING**

Travis Cornell, Facilities Management Director, came before the Board for approval to solicit bids for cameras and card readers at the EOC Building. Emergency Management Agency (EMA) and the Health Department spoke with Mr. Cornell about having card readers and cameras

installed at the EOC building. With the installation of cameras and card readers, the building could be monitored and Staff would be able to know who was going in and out of the building. Mr. Cornell was informed there have been times the doors were left unlocked or open and there is currently no way to know who was in and out of the building. The Health Department reserve fund is the proposed funding source for the project.

***Commissioner Jackson motioned to approve Facilities Management to solicit bids for card readers and cameras at the Emergency Operations Center building. Commissioner Masterson seconded the motion. Motion carried 5-0.***

(00:21:44)

**ITEM #5 - REQUEST TO OPEN SEALED BIDS FOR PAINTING BUILDINGS**

Travis Cornell, Facilities Management Director, came before the Board to receive and open sealed bids to paint the outside of the Health Department Building and the inside of the Community Building. The Community Building is used for many different events. The south room, bathrooms and kitchen walls of the Community Building are in need of new paint due to having peeling paint and scuff marks. The Health Department Building has green tile on the outside that is faded and needs to be repainted as well. The Board was presented the sealed bids to open and read aloud. The bids are as follows:

Company:	<b>Kerry Unrein Painting</b>	<b>Koehn Painting Co.</b>
Location:	<b>Augusta, Ks</b>	<b>Newton, Ks</b>
Material:	Sherwin-Williams	Sherwin-Williams
Comments:	Scrape and paint walls, remove ceiling tiles and paint the ceiling grid. Prep the outside tiles and paint.	Scrape and paint walls, remove ceiling tiles and paint the ceiling grid. Prep the outside tiles and paint.
Timeline:	We will have to schedule with both contactor and Extension Office.	We will have to schedule with both contactor and Extension Office
Price:	<b>\$8,050.00</b>	<b>\$15,780.00</b>

Staff will return at a later time with a detailed tabulation of the bids received for painting the outside of the Health Department building and the inside of the Community Building.

***Commissioner Woydziak motioned to approve the sealed bids for the painting of the Health Building and the Community Building and to authorize the Department of Facilities Management to tabulate the bids and return at a later time with recommendations. Commissioner Jackson seconded the motion. Motion carried 5-0.***

(00:23:51)

**ITEM #6 – KANSAS DEPARTMENT OF HEALTH AND ENVIROMENT (KDHE) FUNDED WASTE CHARACTERIZATION STUDY**

Darryl Lutz, Public Works Director, came before the Board for approval to submit a statement of interest to KDHE for the Butler County Landfill to take part in a KDHE funded waste characterization study. For the past several years, the Butler County Solid Waste Management Plan has included a goal to conduct a waste characterization study for the waste coming into the County Landfill. The Board had considered a formal proposal but at the time did not believe the

cost of the study could be justified. The KDHE recently received a grant from the EPA for KDHE to conduct a comprehensive waste characterization study for the state of Kansas. KDHE contacted Butler County due to the County's ownership of a permitted municipal solid waste landfill to determine the County's interest in being one of the host sites for the State to conduct the study. KDHE will pay the cost of the consultant and the workers to perform the study and to prepare the report. KDHE is requesting host sites provide a covered area for trash to be sorted and characterized and to assist by providing some staff for sorting and coordination of work. In return, Butler County would receive a copy of the detailed waste characterization information for the facility. KDHE has invited several landfills to submit their interest but only a few landfills will be selected to participate.

*Commissioner Murphy motioned to approve Staff to express Butler County's interest in participating in a KDHE funded waste characterization study at the Butler County Landfill. Commission Chair Herzet seconded the motion. Motion carried 5-0.*

Mr. Lutz and the Board discussed several of the current projects taking place in the County.

The Board and Mr. Lutz discussed the City of Cassoday and the sewer system for Fox Lake residents.

(00:38:25)

**ITEM #7 – EMERGENCY MEDICAL SERVICES (EMS) AND HUTCHINSON COMMUNITY COLLEGE (HCC) AGREEMENT**

Frank Williams, EMS Director, came before the Board for approval of the Field Internship Agreement with Hutchinson Community College. EMS has provided support of the Hutchinson Community College EMS program by providing EMT, AEMT and Paramedic Field Internship for several years. This agreement establishes parameters for liability, risk, and administration of the hands-on education and training for EMS students. EMS has reestablished this relationship and it continues to grow. The agreement is a revision from previous education agreements and supports future EMS workforce in the region. EMS has had great success in the past and has a good working relationship with HCC.

*Commissioner Woydziak motioned to approve the Memorandum of Understanding with Hutchinson Community College as presented and allow the Chairman to sign. Commissioner Murphy seconded the motion. Motion carried 5-0.*

(00:41:49)

**VOUCHERS**

*Commissioner Masterson motioned to approve vouchers dated October 3, 2023, in the amount of \$965,159.88. Commissioner Murphy seconded the motion. Motion carried 5-0.*

(00:42:08)

**ADDS AND ABATES**

*Commissioner Woydziak motioned to approve Adds in the amount of \$752.68 and Abates in the amount of \$00.00. Commissioner Jackson seconded the motion. Motion carried 5-0.*

(00:42:24)

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

Commissioner Woydziak is attending the League of Municipalities meeting in Wichita, Kansas, on Monday, October 9, 2023.

Commission Chair Herzet will not be in attendance for next week's Commission Meeting.

Counselor Huelskamp updated the Board on the IPS property.

(00:46:02)

**ADJOURNMENT**

*Commissioner Woydziak motioned to adjourn the meeting of the Board at 9:46 a.m.*

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