

BUTLER COUNTY BOARD OF COMMISSIONERS
Tuesday, October 5, 2021

CALL TO ORDER

Commission Chair Jeff Masterson called the Butler County Board of Commissioners meeting to order at 9:04 a.m. Present were Commissioner Marc Murphy, Commissioner Dan Woydziak, Commissioner Kelly Herzet, County Administrator Will Johnson, and Executive Assistant Anna Wealand. Commissioner Mike Wheeler was not in attendance.

(00:00:05)

INVOCATION

Dan Ingalls, Facilities Management Director, presented the invocation.

(00:00:52)

APPROVAL OF MINUTES

Commissioner Murphy motioned to approve the minutes from the September 28, 2021, Butler County Commission meeting as presented. Commissioner Herzet seconded the motion. Motion carried 4-0.

(00:01:22)

PUBLIC COMMENTS

There were no public comments.

(0:01:31)

ITEM #1 – HVAC REPLACEMENT PROCESS

Dan Ingalls, Facilities Management Director, came before the Board for the consideration of approving Facilities Management staff to begin the State Bidding process for the replacement of the East Annex Chiller and the two RTU's at the Judicial Building. The chiller which supplies the cooling for the East Annex Building and the Historic Courthouse has had multiple issues over the years and a lack of technical support and parts availability has caused staff to investigate replacing the chiller with a new Daikin or Trane Chiller. The two RTU's at the Judicial Building have given staff the same type of issues over the years and are in need of replacement as well. Chris Sele with Innovative Groups was present at the last Commission Meeting and explained to the Board the process of using State Contracts to perform this work. Utilizing State Contracts should be a faster process than going out for bid and should be more cost effective. Five Star Mechanical can perform all the work on controls in the East Annex, the chiller replacement and the RTU replacement. Innovative Groups will oversee the project. Only estimates have been received at this time. The estimates are as follows: Controls for the East Annex \$70,000; Chiller replacement East Annex \$180,000; RTU replacement Judicial Building \$340,000; Gas Piping Judicial Building \$15,000; for a total estimate of \$605,000.

Mr. Ingalls expressed his desire to pursue the State Contract option for the chiller and controls purchases in order to help ensure the process to procure the necessary parts can commence. The Board and Mr. Ingalls discussed various options for price shopping for the best pricing for the various components, as well as how the current market's status may be a detriment to the

County's expenditures as costs are generally high right now. Commissioner Woydziak stated he believes the State Contract route is the best option.

Commissioner Herzet motioned to approve Facilities Management staff to start the State Bidding process for the replacement of the East Annex Chiller and the two RTU's at the Judicial Building. Commissioner Woydziak seconded. Motion carried 4-0.

Mr. Ingalls provided the Board with updates regarding the plumbing work occurring in the Historic Courthouse.

The Western Office work is complete except for the completion of a ramp into the storm shelter; the storm shelter is currently accessible.

(00:14:58)

ITEM #2 – KDOT LOCAL BRIDGE IMPROVEMENT PROGRAM

Darryl Lutz, Public Works Director, approached the Board for the consideration of the authorization of the Director of Public Works to submit an application to the Kansas Department of Transportation (KDOT) for bridge replacement funding under the Kansas Local Bridge Improvement Program (KLBIP) - 2022. In 2019, KDOT announced the reinstatement of KLBIP, which was originally introduced as a one (1) year program in 2014. Under the current program, KDOT is providing \$5 million in funds each year to replace deficient off-system bridges on local low volume roads. The program is targeted to fund replacement of bridges that are 20' to 50' in length on roads with a traffic volume of less than 100 vehicles per day. KDOT will award up to \$150,000 per project based upon 90% state funding and 10% local funding. KDOT will allow up to an additional \$50,000 for a project if the County permanently removes another eligible bridge from the bridge inventory. Butler County was successful at receiving approval for funding a project in the 2019 call for projects. KDOT will accept project funding requests for SFY 2022 until October 8, 2021. Butler County currently has several bridges that would be eligible for the program. Mr. Lutz provided the Board with a map reflecting many of the bridge projects programmed in the current CIP and reviewed the bridges in question with the Board. Demarcations on the maps designated bridges specifically listed in the CIP and others as additional potential candidates for the KLBIP funding. Mr. Lutz discussed Staff's shortlist of the candidate bridges for review with bridge number 277 being the preferred choice for submittal and bridges 107 and 211 coming along behind as secondary choices to submit to KDOT for funding consideration. Matching funds for this program have been included in the adopted CIP for Butler County in the current adopted CIP.

Commission Chair Masterson inquired as to the possibility of converting certain bridges into Public Works' culvert letting program; Mr. Lutz stated some bridges will be included in the program and provided some backup information regarding the reason why a bridge can, or cannot be, converted. Commissioner Murphy asked about the legalities and responsibilities of the County for care of bridges the County closes; Mr. Lutz provided the necessary clarifications.

Commissioner Herzet motioned to approve bridge replacement project priorities for possible funding under the KDOT Local Bridge Improvement Program 2022 and authorized the

Director of Public Works to submit applications on behalf of Butler County. Commissioner Murphy seconded. Motion carried 4-0.

(00:25:44)

ITEM #3 – CULTVERT LETTING NO. 76 – NOTICE TO CONTRACTORS

Darryl Lutz, Public Works Director, came before the Board for the consideration of approving a Notice to Contractors for Culvert Letting No. 76 for the construction of five (5) reinforced concrete box structures throughout Butler County. Each year with the assistance and participation of the Townships, Butler County replaces several county-sized drainage structures on Township and County roads. Each year approximately thirty (30) structures are requested for replacement by Townships and by County staff with most of the structures being eligible. Only five (5) structures have been selected for 2021 based upon available budget. Staff has completed plans for the construction of each project and has notified each of the Townships of the selection for their respective Township. Project plans are ready to be put out for bid. A copy of the Notice to Box Bridge Contractors along with a map of the project locations was provided to the Board for review. Letting No. 76 includes the construction of five (5) box structures including three (3) structures that are bridge sized. The letting date for the project is proposed for Tuesday, November 2, 2021, at 9:30 a.m. The prospective bidders will have an option to tie their bids for each project or to bid each project alone. This work is budgeted for in the 2021 Bridge Building Budget and is included in the adopted 2021 – 2025 CIP. Staff is following statutory bidding procedures for bridge construction projects.

The Board asked questions regarding cost splitting with Sedgwick County for projects which occur on County Line Rd (159th St.) Mr. Lutz provided the answers to their questions. The Board confirmed November 2 is a date the Board will be in session.

Commissioner Woydziak motioned to approve the Notice to Contractors for Culvert Letting No. 76 for the construction of five (5) reinforced concrete box structures throughout Butler County and to set the letting date for 9:30 a.m., Tuesday, November 2, 2021, and authorized the Chair to sign. Commissioner Herzet seconded. Motion carried 4-0.

(00:31:02)

ITEM #4 – PRE-CAST CONCRETE BOX CULVERT SECTIONS – ROSE HILL RD AT PRIMROSE

Darryl Lutz, Public Works Director, came before the Board for the consideration of authorizing the Department of Public Works to solicit bids for the fabrication and delivery of a precast box culvert for Rose Hill Rd approximately 0.4 miles south of Rosewood St. near the entrance to Primrose Addition. In conjunction with this year's culvert letting program, staff is proposing to replace a cross road drainage structure with a larger precast concrete box structure on Rose Hill Rd located 0.4 mile south of Rosewood Street just south of the entrance to Fire District No. 3 station. The existing drainage structure is a large pipe culvert installed in the early 1970's prior to the current development that have considerably less capacity than the proposed concrete box. The structure is being requested to be replaced to minimize or prevent flooding in a home immediately upstream which has occurred during heavy rainfall events. Sealed bids are being solicited from several vendors that manufacture pre-cast concrete box sections for use in Kansas. The bids are proposed to be turned in to the County Engineer by 5:00 p.m., Monday, October 11,

2021. The bids will be presented to the County Commission on October 12, 2021. The bids will be for the manufacture and delivery of the precast box sections. Butler County will plan to install the new structure with County forces in cooperation with the City of Rose Hill in early 2022. This work is planned and budgeted for in the current adopted and proposed updated CIP. Funding allowance was made in the culvert letting program for 2021. Staff is following adopted purchasing procedures.

Commissioner Woydziak asked if the request originated with the City of Rose Hill; Mr. Lutz confirmed the request did come to the County from the City but originated from a complaint from the neighborhood. The work will not be performed until 2022 as the City needs time to complete some street work to accommodate the necessary detour. The Board and Mr. Lutz discussed flooding events involving certain houses along that stretch of roadway and the contributing factors in those events. The Board agreed they are comfortable with staff opening the sealed bids and bringing a recommendation to the Board.

Commissioner Woydziak motioned to authorize the Department of Public Works to solicit sealed bids for pre-cast reinforced concrete box culvert sections for a planned culvert replacement project on Rose Hill Rd approximately 0.4 mile south of Rosewood Street with the bid opening date to be conducted by staff and to be presented to the Board Tuesday, October 12, 2021. Commission Chair Masterson seconded. Motion carried 4-0.

Mr. Lutz notified the Board the Public Works Department will hold their annual end of summer picnic, Friday, October 22nd, to which the Board is invited. Administrator Johnson notified the Board of a senior center visit for the Board to visit the Towanda Senior Center is scheduled for Friday, October 22nd; Administrator Johnson will verify the schedule is correct. Mr. Lutz reminded the Board a hearing for the gating of Walnut Valley Rd will occur next week.

(00:41:38)

VOUCHERS

Commissioner Woydziak motioned to approve vouchers dated October 5, 2021, in the amount of \$990,694.07. Commissioner Herzet seconded the motion. Motion carried 4-0.

(00:42:00)

ADDS & ABATES

There were no Adds and Abates.

(00:42:06)

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

Commission Chair Masterson inquired about a fragrance-free policy email received by all County employees. Commission Chair Masterson expressed his concern that the policy is only for the Historic Courthouse and personal fragrances such as cologne and perfume were mentioned. Administrator Johnson provided some background information regarding the issue and discussed the issue, and the reasoning behind the measures enacted, to the Board.

Administrator Johnson requested five to seven minutes in Executive Session with the Board regarding a personnel issue with a non-elected individual.

Administrator Johnson announced four firms are being brought in next week to be interviewed for the County's audit.

Administrator Johnson stated the big task staff is facing this month is the completion of employee evaluations.

(00:49:00)

EXECUTIVE SESSION

Commissioner Woydziak motioned for the Butler County Board of County Commissioners and Administrator Johnson to go into Executive Session starting at 9:55 a.m. with the public session resuming at 10 a.m. on October 5th, 2021, in the Commission Meeting Room to deal with personnel matters of non-elected personnel to protect the privacy of an individual or employee who is non-elected. Commissioner Murphy seconded the motion. Motion carried 4-0.

Commission Chair Masterson reconvened the meeting at 10:01 a.m.

No action was taken as a result of the Executive Session.

(00:50:14)

ADJOURNMENT

Commissioner Woydziak motioned to adjourn the meeting of the Board at 10:02 a.m. Commissioner Herzet seconded the motion. Motion carried 4-0.