

**BUTLER COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, November 8, 2022**

(00:00:10)

**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 Mike Wheeler, Commissioner Marc Murphy, Commissioner Jeff Masterson, County Administrator Will Johnson and Executive Assistant Anna Wealand. Commissioner Dan Woydziak was not present.

(00:00:13)

**INVOCATION**

David Crook, First Southern Baptist Church, presented the invocation.

(00:02:38)

**APPROVAL OF MINUTES**

*Commissioner Wheeler motioned to approve the minutes from the November 1, 2022, Butler County Commission meeting as presented. Commissioner Murphy seconded the motion. Motion carried 4-0.*

(00:02:59)

**PUBLIC COMMENTS**

There were no public comments

(00:03:11)

**ITEM #1 – ELECTRONIC MONITORING SERVICE AGREEMENT WITH BI INCORPORATED**

Monty Herbert, Community Corrections Director, came before the Board for approval to adopt an Electronic Monitoring Service Agreement with BI Incorporated. The current contract with BI Incorporated is not competitive with other contracted providers for GPS services. Staff has negotiated a total daily rate of \$3.25 from the previous rate of \$4.74, which is comparable with other providers. Approval of the agreement will allow for budgeted dollars to be spent in a more efficient manner.

Commission Chair Herzet asked if BI Incorporated has been utilized by Butler County in the past; Mr. Herbert responded that BI Incorporated has been used by the County before. Commissioner Masterson asked how many clients are currently enrolled in the electronic monitoring program; Mr. Herbert responded about thirty-five (35) are enrolled at present.

*Commissioner Masterson motioned to approve the Electronic Monitoring Service Agreement with BI Incorporated and authorized the chair to sign. Commissioner Murphy seconded. Motion carried 4-0.*

(00:05:17)

**ITEM #8 – RECLASSIFY COMMUNITY CORRECTIONS JUVENILE INTAKE AND ASSESSMENT WORKER TO INTENSIVE SUPERVISION OFFICER I**

Monty Herbert, Community Corrections Director, approached the Board with a request to reclassify the Juvenile Intake and Assessment Worker position to an Intensive Supervision Officer I (ISO I) position. The total number of juvenile offenders assigned and currently under supervision has doubled from November 2021 to October 2022. There are currently two (2) Intensive Supervision Officers serving juvenile caseloads, one of which is in a supervisory role (ISO II) with a reduced caseload. Intensive Supervision Officers also supervise participants in the Intermediate Intervention Program and perform intake and assessment duties when other staff are out of the office. Reclassifying the ISO I position will allow for better service for juvenile offenders and their families within the 13<sup>th</sup> Judicial District, as well as allow the Community Corrections Department to become more efficient. The staff member currently in the Juvenile Intake and Assessment position has the education, skills and training required to move into an Intensive Supervision Officer position. Current intake and assessment duties will be absorbed into the ISO position. As this agency evolves into the future Mr. Herbert foresees the Intensive Supervision Officer position becoming a "hybrid" position involving intensive supervision, intake and assessment and intermediate intervention duties. Reclassification would move the position to a range 643 from 641 on the Community Corrections Pay Plan. This change would have no impact on the Butler County General Budget as funds are available and will be utilized from the Kansas Department of Corrections (KDOC) Comprehensive Grant.

Commissioner Masterson asked what would be the impact to Community Corrections' budget as a result of a reclassification; Mr. Herbert responded the impact would be minimal. Commissioner Masterson inquired as to what Mr. Herbert believes the Community Corrections Juvenile budget will look like; Mr. Herbert stated he has no good idea but can speak to Ryan Adkison, Finance Manager, but agreed the Juvenile budget is a concern.

***Commission Chair Herzet motioned to approve the reclassification of Community Corrections Juvenile Intake and Assessment Worker to Intensive Supervision Officer I. Commissioner Wheeler seconded. Motion carried 4-0.***

Administrator Johnsons stated that as open positions become available within the Community Corrections Department shifting of staff will occur. The Board and Mr. Herbert discussed the development and enhancement of a hybrid position.

(00:10:24)

**ITEM #2 – DOA TITLE VI PLAN**

Crystal Noles, Butler County Department on Aging (BCDOA) Director, came before the Board for approval of the Title VI Plan. BCDOA receives federal funding for many of its programs. A new requirement from the Kansas Department of Transportation (KDOT) is that any agency that receives federal money for transportation must now have an approved Title VI plan. Title VI is part of the Civil Rights Act of 1964. BCDOA has received guidance from KDOT regarding the language that must be included in the plan. The format and content have also been approved by KDOT, that this plan meets their requirements. A Title VI plan must include:

- A Title VI Notice to the Public, Complaint Procedure, and Complaint Form
- A Limited English Proficiency Plan and a Public Participation Plan
- A list of investigations, lawsuits and complaints
- A table depicting racial composition of membership of non-elected bodies,

- Membership is selected by the recipient
- Information regarding the Siting of Fixed Facilities (as opposed to a list of construction projects)
- A Title VI Program must be approved by the recipient's Board of Directors or appropriate governing entity.

This plan provides a complaint form and outlines the complaint procedures, which will go through the County Administrator. It establishes an avenue to file grievances that can be used universally by other County Departments that receive federal funding, should they also be required to do so. In addition to the Title VI plan, BCDOA has a non-discriminatory clause printed on all brochures for all programs. Failure to adopt a Title VI plan can result in the loss of federal funding. The County is required to comply with the Civil Rights Act. This updated plan only contains new census information and Board make up.

Commissioner Wheeler asked where the Title VI is published; Ms. Noles replied the Title VI plan is not required to be published in a newspaper but it and a complaint form is published on the County's website. Commissioner Wheeler asked if the County has received any complaints regarding Title VI situations; Ms. Noles replied no complaints have been received.

***Commissioner Wheeler motioned to approve the Title VI plan as presented. Commissioner Masterson seconded. Motion carried 4-0.***

(00:12:58)

**ITEM #3 – SENIOR CENTER 2023 CONTRACTS**

Crystal Noles, Butler County Department on Aging (BCDOA) Director, came before the Board for approval for the ten (10) Senior Center Contracts for 2023. The County funds each of the ten (10) County Senior Centers through the mill levy each year. The contracts have been revised to include changes that reflect each Center's funding for 2023 according to the approved 2023 budget. Contracts outline due dates for 2024 budget requests and quarterly report deadlines for 2023 Contracts include the 2023 Senior Center standards and each centers' current level and obligations within the standards. The senior centers have been very vigilant about turning in the new paperwork requirements included starting in the 2012 contracts. Each center submits monthly board meeting minutes and financial statements to the BCDOA, along with other requirements. The funds are approved as stated in the approved 2023 budget.

Commissioner Masterson asked if all of the County's senior centers currently have directors; Ms. Noles stated that all centers currently have directors. Commissioner Wheeler inquired if the centers are fully funded this year or if there will be decreases in funding; Ms. Noles replied there will be no decreases in funding but those centers that cook their own meals will receive an increase of \$5,000 to assist in offsetting the rising cost of food.

***Commission Chair Herzet motioned to approve the ten (10) Senior Center Contracts for 2023 and to allow the Chair to sign. Commissioner Murphy seconded. Motion carried 4-0.***

(00:15:56)

**ITEM #9 – GREEN LIGHT WEEK PROCLAMATION**

Administrator Johnson approached the Board for the consideration of proclaiming the week of November 6<sup>th</sup> through November 12<sup>th</sup> as Green Light Week. Operation Green Light is a new national collaborative initiative of the Kansas Association of Counties' (KAC) national partner, the National Association of Counties (NACo,) to support military veterans as well as raise awareness about the unique challenges faced by many veterans and the resources that are available at the county, state, and federal level to assist veterans and their families. The new national collaborative is spearheaded by NACo and the National Association of County Veteran Service Officers, building upon the successful efforts of the New York State (NYS) Association of Counties and the NYS County Veteran Service Officers' Association in 2021. In addition to lighting county buildings, residents and businesses are encouraged to participate by simply changing one light bulb in their house to a green bulb. This can be an exterior light that neighbors and passersby see, or an interior light that sparks a conversation with friends. While this event is focused around the week of Veterans Day (November 7-13), the KAC and NACo encourage participants to continue shining the light year-round.

Many citizens of Butler County have been, are, or will be, involved in our nation's defense in the military, whether it be within the United States or abroad. Many of Butler County's employees are either current or former members of the various branches of the United States' military. While all citizens of our nation are not directly involved with the military the military's efforts benefit all citizens. Lighting the Historic Courthouse green for the week of Veteran's Day, 2022, is a small way to express Butler County's respect and gratitude to those who serve our nation.

***Commission Chair Herzet motioned to proclaim November 6<sup>th</sup> through November 12<sup>th</sup>, 2022, as Green Light Week in Butler County and authorized the chairman to sign the Green Light Week proclamation. Commissioner Masterson seconded. Motion carried 4-0.***

(00:18:47)

**ITEM #5 – 2023 LANDFILL FEES**

Darryl Lutz, Public Works Director, came before the Board for approval for the implementation of a planned increase in landfill fees for 2023. It is proposed to increase MSW and C&D tipping fees by \$1 per ton each for a total tipping fee including the state tipping fee of \$34 per ton and \$28 per ton respectively. By policy, the fee for special waste is double the MSW fee, so special waste would increase by \$2 per ton to \$68 per ton. In addition, a \$0.50 per tire increase is proposed for small tires to a total of \$2.50 per tire and for implement tires by \$5.00 per tire to a total of \$20 per tire. The fee increases will go into effect in 2023 to help offset the increases in fuel costs and other operating costs. Administrator Johnson notified the cities by email of the proposed fee increase to allow them to incorporate the appropriate increases into their respective operating budgets. The proposed fee increase will generate about \$100,000 in additional revenue and is expected to generate enough revenue to cover the 2023 budgeted operating expenditures of \$3,300,000. The last fee increase implemented at the landfill was in January 2020.

Commissioner Masterson asked if the Cities of Augusta or El Dorado have expressed any hesitation; Mr. Lutz stated no concerns have yet been heard. Commissioner Wheeler asked if the email notification was sent in time for city budgets to be adjusted; Administrator Johnson replied the notification was provided in June which was in time for adjustments.

*Commission Chair Herzet motioned to approve the proposed fee increases for the landfill for 2023 to increase MSW and C&D disposal fees by \$1 per ton each and Special Waste disposal fees by \$2 per ton and small tires by \$0.50 each and implement tires by \$5 each to be effective January 1, 2023, with the minimum charge to remain at \$10 per load. Commissioner Murphy seconded. Motion carried 4-0.*

(00:23:43)

#### **VOUCHERS**

Commissioner Masterson asked as to when the County's Purchase Card expenses will appear on the Vouchers report as he liked the format. Commissioner Masterson asked Ryan Adkison, Finance Manager, to look into when the Purchase Card expenditures last appeared before the Board; Mr. Adkison stated he would so do.

*Commissioner Masterson motioned to approve vouchers dated November 8, 2022, in the amount of \$751,351.01. Commissioner Wheeler seconded the motion. Motion carried 4-0.*

(00:25:23)

#### **ADDS AND ABATES**

There were no Adds and Abates.

(00:25:43)

#### **ITEM #7 – 2022-Q3 FINANCIAL/MANAGEMENT REPORT**

Ryan Adkison, Finance Manager, came before the Board to ask the Board to receive and file the 2022-Q3 Financial/Management Report. The Commission receives quarterly financial/management reports as part of the County's overall transparency and management process. Information presented in this report should be considered by the Commission during the formulation and implementation of the CIP and operating budget and with other important decisions affecting the County's operations.

Mr. Adkison guided the Board through the report and provided a topical overview of each section. The Commissioners asked questions regarding the report and Mr. Adkison provided the pertinent information.

*Commission Chair Herzet motioned to receive and file the 2022-Q3 Financial/Management Report. Commissioner Masterson seconded. Motion carried 4-0.*

(00:38:50)

#### **ITEM #4 – CULVERT LETTING NO. 77 – BID OPENING**

Darryl Lutz, Public Works Director, came before the Board for receiving and opening sealed bids for Culvert Letting No. 77 for the construction of six reinforced concrete box structures throughout the 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 six structures have been selected for 2022 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. The County

Commission on October 11, 2022, approved the Notice to Contractors setting the bid opening date of November 8, 2022, at 9:30 a.m. This work is budgeted for in the 2022 Bridge Building Budget and is included in the adopted 2022– 2026 CIP. Staff is following statutory bidding procedures for bridge construction projects.

The Board received, opened and read four sealed bids submitted for the project. The name and location of the Contractor, the total bid for each project site on the Schedule of Prices pages and the inclusion of a bid guarantee were read aloud. Mr. Lutz proposed to tabulate the bids, evaluate the bid documents for completeness and accuracy and to return at a later time with a recommendation for action. The bids received were as follows:

<b>TABULATION OF BIDS</b>										
<b>BUTLER COUNTY DEPARTMENT OF PUBLIC WORKS</b>										
DATE: November 8, 2022 9:30 a.m.			KIND OF WORK: RFB Culvert Construction					Page 1 of 2		
CONTRACT NO.: Letting No. 77										
BID ITEM	QUANTITY	UNIT PRICE	Klaver Construction Company, Inc. Wichita, KS	UNIT PRICE	Hutton Construction McPherson, KS	UNIT PRICE	Snodgrass & Sons Construction Wichita, KS	UNIT PRICE	Mies Construction Wichita, KS	Engineer's Estimate
<b>RCB No. 1 – 5C6-27-4</b>										
(2) - 8' x 4' x 26' RCB										
Class III Excavation	129	CUYD	\$ 25.00	\$ 3,225.00	\$ 77.00	\$ 9,933.00	\$ 162.27	\$ 20,932.83	\$ 105.00	\$ 13,545.00
Concrete (Grade 4.0)	44	CUYD	\$ 1,150.00	\$ 50,715.00	\$ 1,430.50	\$ 63,085.05	\$ 1,240.43	\$ 54,702.96	\$ 1,695.00	\$ 74,749.50
Reinforcing Steel (Grade 60)	7420.0	LBS	\$ 1.20	\$ 8,904.00	\$ 1.85	\$ 13,727.00	\$ 3.71	\$ 27,528.20	\$ 3.00	\$ 22,260.00
Large Trees (Set Price)	1	EACH	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00
Foundation Stabilization (Set Price)	1	CUYD	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00
<b>SUB-TOTAL</b>	<b>1</b>	<b>CUYD</b>	<b>\$</b>	<b>\$ 63,034.00</b>	<b>\$</b>	<b>\$ 86,935.05</b>	<b>\$</b>	<b>\$ 103,353.99</b>	<b>\$</b>	<b>\$ 110,744.50</b>
<b>RCB No. 2 – 16N9-25-5</b>										
(7) x 5' x 26' RCB										
Class III Excavation	91	CUYD	\$ 25.00	\$ 2,275.00	\$ 251.30	\$ 22,868.30	\$ 247.76	\$ 22,546.16	\$ 105.00	\$ 9,555.00
Concrete (Grade 4.0)	30.2	CUYD	\$ 1,300.00	\$ 39,260.00	\$ 1,371.55	\$ 41,420.81	\$ 1,498.13	\$ 45,243.53	\$ 2,020.00	\$ 61,004.00
Reinforcing Steel (Grade 60)	3030	LBS	\$ 1.20	\$ 3,636.00	\$ 1.90	\$ 5,757.00	\$ 4.74	\$ 14,362.20	\$ 3.00	\$ 9,090.00
Large Trees (Set Price)	1	EACH	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00
Foundation Stabilization (Set Price)	1	CUYD	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00
<b>SUB-TOTAL</b>	<b>1</b>	<b>CUYD</b>	<b>\$</b>	<b>\$ 45,361.00</b>	<b>\$</b>	<b>\$ 70,236.11</b>	<b>\$</b>	<b>\$ 82,341.89</b>	<b>\$</b>	<b>\$ 79,839.00</b>
<b>RFB No. 3 – 36N9-25-3</b>										
(14' x 8' x 26' RFB										
Class III Excavation	221	CUYD	\$ 25.00	\$ 5,525.00	\$ 117.00	\$ 25,857.00	\$ 141.10	\$ 31,183.10	\$ 105.00	\$ 23,205.00
Concrete (Grade 4.0)	82.1	CUYD	\$ 805.00	\$ 66,090.50	\$ 1,332.40	\$ 109,390.04	\$ 901.78	\$ 74,036.14	\$ 1,460.00	\$ 119,866.00
Reinforcing Steel (Grade 60)	13460	LBS	\$ 1.20	\$ 16,152.00	\$ 1.75	\$ 23,555.00	\$ 2.97	\$ 39,976.20	\$ 3.00	\$ 40,380.00
Granular Backfill (Wingwalls)	104	CUYD	\$ 50.00	\$ 5,200.00	\$ 106.67	\$ 11,093.68	\$ 91.12	\$ 9,476.48	\$ 100.00	\$ 10,400.00
Large Trees (Set Price)	1	EACH	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00
Foundation Stabilization (Set Price)	1	CUYD	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00
<b>SUB-TOTAL</b>	<b>1</b>	<b>CUYD</b>	<b>\$</b>	<b>\$ 93,157.50</b>	<b>\$</b>	<b>\$ 170,085.72</b>	<b>\$</b>	<b>\$ 154,861.92</b>	<b>\$</b>	<b>\$ 194,041.00</b>
<b>RCB No. 4 – 17C1-28-3</b>										
(9' x 5' x 30' RCB										
Class III Excavation	120	CUYD	\$ 25.00	\$ 3,000.00	\$ 123.00	\$ 14,760.00	\$ 203.51	\$ 24,421.20	\$ 105.00	\$ 12,600.00
Concrete (Grade 4.0)	38.4	CUYD	\$ 1,055.00	\$ 40,512.00	\$ 1,397.60	\$ 53,667.84	\$ 1,235.27	\$ 47,434.37	\$ 1,630.00	\$ 62,592.00
Reinforcing Steel (Grade 60)	4450	LBS	\$ 1.20	\$ 5,340.00	\$ 1.84	\$ 8,188.00	\$ 3.83	\$ 17,043.50	\$ 3.00	\$ 13,350.00
Large Trees (Set Price)	1	EACH	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00
Foundation Stabilization (Set Price)	1	CUYD	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00
<b>SUB-TOTAL</b>	<b>1</b>	<b>CUYD</b>	<b>\$</b>	<b>\$ 49,042.00</b>	<b>\$</b>	<b>\$ 76,805.84</b>	<b>\$</b>	<b>\$ 89,089.07</b>	<b>\$</b>	<b>\$ 88,732.00</b>

**TABULATION OF BIDS  
BUTLER COUNTY DEPARTMENT OF PUBLIC WORKS**

DATE: November 8, 2022 9:30 a.m.

KIND OF WORK: RFB Culvert Construction  
CONTRACT NO.: Letting No. 77

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BID ITEM	QUANTITY	UNIT PRICE	Klaver Construction Company, Inc. Wichita, KS	UNIT PRICE	Hutton Construction McPherson, KS	UNIT PRICE	Snodgrass & Sons Construction Wichita, KS	UNIT PRICE	Mies Construction Wichita, KS	Engineer's Estimate
<b>RFB No. 5 – 17N8-26-7</b> (3) - 14' x 5' x 26' RFB										
Class III Excavation	349	CUYD	\$ 25.00	\$ 8,725.00	\$ 63.00	\$ 21,987.00	\$ 103.08	\$ 35,974.92	\$ 105.00	\$ 36,645.00
Concrete (Grade 4.0)	120.2	CUYD	\$ 700.00	\$ 84,140.00	\$ 1,317.60	\$ 158,375.52	\$ 812.63	\$ 97,678.13	\$ 875.00	\$ 105,175.00
Reinforcing Steel (Grade 60)	29090	LBS	\$ 1.20	\$ 34,908.00	\$ 1.71	\$ 49,743.90	\$ 2.41	\$ 70,106.90	\$ 3.00	\$ 87,270.00
Large Trees (Set Price)	1	EACH	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00
Foundation Stabilization (Set Price)	1	CUYD	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00
<b>SUB-TOTAL</b>				<b>\$ 127,963.00</b>		<b>\$ 230,296.42</b>		<b>\$ 203,949.95</b>		<b>\$ 229,280.00</b>
<b>RCB No. 6 - 11E9-26-7</b> (2) - 8' x 4' x 30' RCB										
Class III Excavation	146	CUYD	\$ 25.00	\$ 3,650.00	\$ 136.50	\$ 19,929.00	\$ 277.72	\$ 40,547.12	\$ 105.00	\$ 15,330.00
Concrete (Grade 4.0)	33.6	CUYD	\$ 1,000.00	\$ 33,600.00	\$ 1,652.75	\$ 55,532.40	\$ 1,122.77	\$ 37,725.07	\$ 1,400.00	\$ 47,040.00
Concrete (Grade 4.0)(AE)	15.3	CUYD	\$ 1,000.00	\$ 15,300.00	\$ 1,651.60	\$ 25,269.48	\$ 846.85	\$ 12,956.81	\$ 1,875.00	\$ 28,687.50
Reinforcing Steel (Grade 60)	800	LBS	\$ 1.20	\$ 960.00	\$ 1.92	\$ 1,536.00	\$ 6.19	\$ 4,952.00	\$ 3.00	\$ 2,400.00
Reinforcing Steel (Grade 60)(Epoxy)	7570	LBS	\$ 1.70	\$ 12,869.00	\$ 3.23	\$ 24,451.10	\$ 4.17	\$ 31,566.90	\$ 4.50	\$ 34,065.00
Large Trees (Set Price)	1	EACH	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00
Foundation Stabilization (Set Price)	1	CUYD	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00
<b>SUB-TOTAL</b>				<b>\$ 66,569.00</b>		<b>\$ 126,907.98</b>		<b>\$ 127,937.90</b>		<b>\$ 127,712.50</b>
<b>TOTAL</b>				<b>\$ 445,126.50</b>		<b>\$ 761,267.12</b>		<b>\$ 761,534.71</b>		<b>\$ 830,349.00</b>
Comments:			Tied all or none Bid Bond included Addendum 1 & 2 signed		Tied all or none Bid Bond included Addendum 1 & 2 signed		Bid Bond included Addendum 1 & 2 signed		Tied all or none Bid Bond included Addendum 1 & 2 signed	

*Commissioner Masterson motioned to accept the bids received, opened and read for Culvert Letting No. 77 for the construction of six reinforced concrete box structures throughout Butler County and to direct the Public Works to tabulate the bids and to return at a later time with a recommendation for action. Commissioner Murphy seconded. Motion carried 4-0.*

Administrator Johnson asked what the Engineer's Estimate was for this project; Mr. Lutz stated the estimate was \$521,399.00.

(00:46:41)

**ITEM #6 – WORK SESSION - COUNTY ATTORNEY POSITIONS**

Darrin Devinney, County Attorney, approached the Board to ask them to receive input from himself on possible programs to help with the recruitment of open attorney positions within the Butler County Attorney's Office. Mr. Devinney presented the Board with a letter three weeks ago and has come before the Board to discuss options moving forward to help recruit and retain attorneys in the office. The County Attorney's Office has had several vacant attorney positions for some time that they have been unable to fill. Mr. Devinney has reached out to several schools and advertised regionally but is not having any success even receiving applicants. There is currently a shortage of attorneys in Kansas, especially prosecuting attorneys.

Commission Chair Herzet asked why attorneys are leaving Butler County; Mr. Devinney responded the last two left because of opportunities within the same field closer to their homes of origin. The Board asked questions of Mr. Devinney and Mr. Devinney provided the requested information. Mr. Devinney referred to a proposal he provided the Board and requested assistance with the vacant positions as the current staffing situation is not sustainable. Commissioner Masterson asked if Mr. Devinney would be open to considering eliminating a position in order to increase the benefits to those currently employed; Mr. Devinney stated he is open to ideas. Mr. Devinney provided an overview of his office's current and forecasted staffing levels. The Board and Mr. Devinney discussed the Attorney's Office's salaries for various positions. The Board expressed their desire to assist the Attorney's Office and discussed various possible scenarios and inquired of Mr. Adkison in regards to the financial impacts of the scenarios. The Board

requested Mr. Devinney present a scenario of the budget with enhanced pay due to the elimination of an attorney position before the Board in two weeks.

*No action was taken.*

Commission Chair Herzet asked Mr. Devinney of his familiarity with “flock” cameras that read vehicle license plates. Some Kansas counties utilize them and have had success catching criminals. Mr. Devinney stated he is familiar with those cameras and stated it is a way in which stolen property can be located. The Board and Mr. Devinney discussed the different ways in which technology has affected the judicial system.

(02:00:04)

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

Commissioner Wheeler asked if any of the Commissioners will be attending the County’s Christmas Dinner on December 2<sup>nd</sup>. Commission Chair Herzet stated he will be in attendance.

Commissioner Masterson asked Mr. Adkison if he had found the date on which the County’s Purchase Cards last appeared in the vouchers. Mr. Adkison stated the report appeared in the October 18, 2022, vouchers which were presented before the Board on October 25<sup>th</sup>.

November 15<sup>th</sup> is canvassing.

Administrator Johnson reported the Employee Appreciation Breakfast went very well.

Longevity checks will be direct deposited into employees’ accounts on Thursday.

County Offices will be closed Friday in observance of Veteran’s Day this Friday.

The District Court requested increasing pay for contract attorneys; the increase was in the District Court’s budget. The District Court also requested raising the Juror Fee from \$10 per day to \$20 per day. Raising the Juror Fee is under the Board’s jurisdiction.

The District Court is experiencing issues with audio visual issues so is beginning to work with a new company.

Commissioner Masterson inquired about a lawsuit which has been placed against the County. Administrator Johnson stated the Clerk’s Office has provided the requested information but the initiators are hoping to recover attorney fees.

(02:07:11)

**ADJOURNMENT**

*Commissioner Masterson motioned to adjourn the meeting of the Board at 11:07 a.m. Commissioner Wheeler seconded the motion. Motion carried 4-0.*