

Franklin County Agenda Cover Sheet



To: Franklin County Board of County Commissioners
From: James M. Haag, Jr.
Department: Public Works
Date: Wednesday, April 26, 2017

AGENDA ITEM NARRATIVE

Consider authorizing the Chairman to execute the KDOT County Agreement to Treat Noxious Weeds

BACKGROUND

KDOT has contracted with Noxious Weed to spray the state right of ways within Franklin County for several years. KDOT desires to contract again this year.

SPECIFIC ACTION REQUESTED

Motion authorizing the Chairman to execute the KDOT County Agreement to Treat Noxious Weeds

ATTACHMENTS

Proposed contract and KDOT letter



411 West 14th Street
Chanute, KS 66720-2894

Richard Carlson, Secretary
Wayne R. Gudmonson, P.E., District Engineer

Phone: 620-431-1000
Fax: 620-431-4406
Hearing Impaired - 711
kdot#publicinfo@ks.gov
<http://www.ksdot.org>
Sam Brownback, Governor

March 15, 2017

Rick Sawin
Franklin County Weed Supervisor
2017 South Elm
Ottawa, Kansas 66067

Dear Mr. Sawin:

We would like to renew your 2016 Noxious Weed contract for Franklin County for the year of 2017. Please complete the enclosed form and return it to us for further handling. Please remember to send your list of chemicals, their pricing and in what unit they are priced (Attention: Kristy Kelley).

If you have any questions or concerns, feel free to contact me. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Wayne R. Gudmonson". The signature is written in a cursive style.

FOR WAYNE R. GUDMONSON, P. E.
DISTRICT ENGINEER

By: Doug Vogel
District Maintenance Superintendent

WRG:DV:kk

Enc.

cc: File

Garnett- Area 2

KANSAS DEPARTMENT OF TRANSPORTATION BUREAU OF CONSTRUCTION AND MAINTENANCE

COUNTY AGREEMENT TO TREAT NOXIOUS WEEDS

This agreement made and entered into this _____ day of _____, 20 17, by and between the

Board of County Commissioners of Franklin County, hereinafter referred to as County, and the Kansas Secretary of Transportation, hereinafter referred to as Secretary. The Kansas Department of Transportation hereinafter is referred to as KDOT.

WHEREAS, The Kansas Legislature has declared certain weeds to be Noxious Weeds (see Kansas Noxious Weed Law), and

WHEREAS, The County desires to treat noxious weed infested areas on State Highway Rights-of-Way within said County and the KDOT desires to retain the County to spray and treat such areas, and

WHEREAS, The Secretary and County agree to enter into a performance agreement, where in the County shall treat all noxious weeds on State Highway rights-of-way in the County. A condition of the fulfillment of the agreement requires that treatment by the County will provide a satisfactory control of the noxious weeds. Satisfactory performance is defined as preventing the production of viable seed and/or destroying the plant's ability to reproduce by vegetative means.

NOW, THEREFORE, in consideration of the premises, the parties hereto agree as follows:

1. The county will notify the KDOT District Engineer or the authorized representative, prior to each treatment on highway right-of-way, of the scheduled time and location of such treatment.
2. The County spraying operation may include a dye in the chemical mixture to allow easy identification of areas treated.
3. A representative of the KDOT shall make periodic field inspections to check treated areas. A field log and record will be maintained by the KDOT indicating dates treated and inspected, location and size of areas, type of noxious weeds, apparent affect of treatment and other pertinent comments. Approval by the KDOT representative shall be required before the County will be paid for treatment.
4. Schedule of Cost: The County shall provide all chemicals (includes herbicides, surfactants and drift control materials as required), dye, labor and equipment to treat noxious weeds. Chemicals and dye are to be provided at the County's cost. Labor and equipment costs are as follows:

LABOR COST	COST	*EQUIPMENT RENTAL TYPE AND SIZE
<u>19.50</u> /hr. operator	<u>65.00</u> /hr.	<u>2-550 4x4 w/400gal</u>
<u>22.00</u> /hr. operator	_____ /hr.	<u>Tank raven Controller, Boom</u>
		<u>Buster Sprayjets, Handgear</u>
		<u>w/100' hose</u>

*Spraying equipment will have cab mounted flashing (or rotating) safety lights

5. Billing and Payment: The County shall submit to the KDOT District Engineer an itemized bill for wholesale cost of chemicals and dye furnished, plus actual cost of treating noxious weeds based on equipment rental and labor costs for areas of satisfactory performance. Upon receipt of proper billing and final approval, payment for treating noxious weeds will be made to the County by the KDOT.
6. Record of Work: The County representative doing the work shall:
 - Record size, location and type of noxious weed areas treated.
 - Record amount and kind of chemicals applied on each area.
 - Record dates chemicals were applied.
 - Maintain Report of Noxious Weed Treatment DOT FORM NO. 322-A, which shall be submitted to the KDOT within 1 to 2 weeks after treatment.
 - Maintain records until all claims are paid, but in no case less than the three year statutory time.
 - Make all records available for KDOT audit, when so requested by KDOT.

7. Chemicals, approved for use on highway right-of-way are listed below.

<u>CHEMICAL</u>	<u>TRADE NAME</u>	<u>RATE OF APPLICATION (metric)</u>
2, 4-D (amine or ester) (a)	numerous	1 to 2 lb. Equiv./acre (1.1 to 2.2 kg/ha)
Glyphosate (b)	numerous	1 1/2 lb. Equiv./acre (1.7 kg/ha)
MSMA	numerous	3 to 5 lb. Equiv./acre (3.8 to 5.6 kg/ha)
Sulfometuron (c)	Oust	3 to 6 ounces/acre (.21 to .42 kg/ha)
Picloram	Tordon	rate depends upon weed species
Chlorsulfuron	Telar	1/2 to 1 oz./acre (0.035 to 0.070 kg/ha)
Imazapyr	Arsenal/Habitat	1/4 lb. Active/acre (0.28 kg/ha)
Metsulfuron Methyl	Escort	rate depends upon weed species
Triclopyr (d)	Garlon	1/4 to 1/2 lb./acre (0.28 to 0.56 kg/ha)
Fluizafop P butyl + Fenoxiprop	Fusion	7 to 9 fl. oz. per acre (83.8 to 107.75 ml/ha)
Imazapic (e)	Plateau	rate depends upon weed species
Quinclorac (f)	Paramount/Drive	rate depends upon weed species and desirable grass species
Sulfosulfuron (g)	Outrider	rate depends upon desirable grass species
Aminopyralid (h)	Milestone	rate depends upon weed species

- (a) May be used alone or in combination with other herbicides
- (b) (Round-up)
- (c) Spot treatment only
- (d) *Sericea lespedeza*
- (e) Do not use where cool season grasses are the desired species
- (f) Fall bindweed control
- (g) Do not use for more than 3 consecutive seasons
- (h) Musk, bull and Canada thistle

There may be other trade names for the herbicides listed.

- 8. Chemicals shall be mixed and applied as recommended by the manufacturer and in accordance with approved methods contained in the "Official Regulations" issued by the Kansas Department of Agriculture.
- 9. The County agrees to provide this service in a workmanlike manner, to be in strict conformance with the instructions for handling and applying noxious weed chemicals and to be responsible for any negligent acts or omissions that may occur in the performance thereof.
- 10. This agreement shall terminate December 31st of this year, except records shall be maintained in accordance with Section Six above. Termination may be sooner by a ten day written notice from either party to the other. It is agreed further that this contract can be renewed for three consecutive years at the option of the Secretary upon a 30-day written notice to the contractor prior to December 31st of the current year. The contractor and the Secretary agree that all terms of the renewal will remain the same unless either party determines that the price of the chemicals should be re-negotiated.

This agreement is officially adopted by the Board of County Commissioners and recorded in the official records of the proceedings of said Board.

In witness whereof the parties have caused this Agreement to be executed by their duly authorized officers or representatives.

SECRETARY OF TRANSPORTATION

THE BOARD OF COUNTY COMMISSIONERS

BY _____

District Engineer

BY _____

Title: Chairman

**FRANKLIN COUNTY NOXIOUS WEED
2017 S ELM
OTTAWA, KS. 66067
(785) 229-3170**

March 24, 2017

2017 KDOT CHEMICAL PRICES

CHEMICALS

PRICES 2017

2,4D Amine	\$ 9.29 gal
2,4D Lo Vol	\$ 14.25 gal
Tordon 22K	\$ 45.14 gal
Out Rider	\$ 14.50 oz
Pasturegard HL	\$ 86.49 gal
Glyphosate Plus	\$ 8.94 gal
Surfactant Brewer 90	\$ 8.49 gal
Milestone	\$ 70.75 qt
Escort XP	\$ 2.11 oz
Plateau	\$ 102.00 gal
Perspective	\$ 87.04 gal

We do not charge the State for the use of dyes in the tank mixes.

LABOR COST

Chemical Applicator I	\$ 19.50 hour
Chemical Applicator II	\$ 22.00 hour

EQUIPMENT

2- 4x4 spray trucks w\400 gal. spray tanks. Raven controller, w\boom buster spray jets, & Handguns w\100' hose and JD-9c spray gun.	\$65.00 hour
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