

**BOARD OF COUNTY COMMISSIONERS
MONTGOMERY COUNTY, KANSAS
OFFICIAL MINUTES**

January 8, 2007

The Board of County Commissioners, three members and the County Clerk present, met in regular session at 9:30 AM at the road viewing site of CR 5600 and 5100. Commissioner Mattix called the meeting to order.

ROAD VIEWING – CR 5600 AND CR 5100:

The Chairman called the meeting to order for the purpose of vacation of a County Road described as follows: “A portion of Road 10 (5600-20), as described in Road Record Book 1, Page 59 and 60 having a 49.5 foot Right-of-Way in the Montgomery County Public Works Office located in Township 31 South, Range 16 East of the 6th Principal Meridian in Montgomery County, Kansas, and the centerline being more particularly described as follows: Beginning at the southwest corner of Section 25, Township 31 South, Range 16 East; thence east on section line between Section 25 and 36 approximately 5280 feet.”

David Bernd, landowner, was present at the viewing and has no objection to the closing. The following action was taken.

ACTION: *A motion was made by Commissioner Lewark-Wood to vacate the County Road described as follows: “A portion of Road 10 (5600-20), as described in Road Record Book 1, Page 59 and 60 having a 49.5 foot Right-of-Way in the Montgomery County Public Works Office located in Township 31 South, Range 16 East of the 6th Principal Meridian in Montgomery County, Kansas, and the centerline being more particularly described as follows: Beginning at the southwest corner of Section 25, Township 31 South, Range 16 East; thence east on section line between Section 25 and 36 approximately 5280 feet.” Motion was seconded by Commissioner Mattix.*

*ROLL CALL VOTE – Commissioner Mattix - Yes
Commissioner Tucker - Yes
Commissioner Lewark-Wood – Yes*

RES. NO. 07-01

Commissioner Mattix recessed the meeting to return to the Courthouse at 9:35 AM.

Returned to session at 10:00 AM.

CALL TO RETURN TO ORDER: Commissioner Mattix.

INVOCATION: Commissioner Mattix.

PLEDGE OF ALLEGIANCE: Commissioner Lewark-Wood.

AGENDA APPROVAL:

ACTION: *A motion was made by Commissioner Mattix to approve the agenda as amended. The motion was seconded by Commissioner Lewark-Wood.*

*ROLL CALL VOTE – Commissioner Mattix - Yes
Commissioner Tucker - Yes
Commissioner Lewark-Wood – Yes*

APPROVAL OF MINUTES:

ACTION: A motion was made by Commissioner Mattix to approve the minutes of December 18th and December 28, 2006 as presented by the County Clerk. The motion was seconded by Commissioner Lewark-Wood.

ROLL CALL VOTE – Commissioner Mattix - Yes
Commissioner Tucker - Yes
Commissioner Lewark-Wood – Yes

APPROVAL OF PAYMENT OF INVOICES:

ACTION: A motion was made by Commissioner Lewark-Wood to approve invoices in the amount of \$6,568.46 and \$186,868.33 as presented by the County Clerk's office. The motion was seconded by Commissioner Lewark-Wood.

ROLL CALL VOTE – Commissioner Mattix - Yes
Commissioner Tucker - Yes
Commissioner Lewark-Wood – Yes

OTHER COUNTY BUSINESS (Old):

1. Occupational License – Independence Country Club & Four Cereal Malt Beverage Licenses:

ACTION: A motion was made by Commissioner Mattix to approve an Occupational License for Independence Country Club and Cereal Malt Beverage Licenses for the following: Sassy's, Sycamore, Kansas; Southgate, Independence, Kansas; Sycamore Valley Golf Course, Sycamore, Kansas and Lakeview Country Club LLP, Cherryvale, Kansas. Motion was seconded by Commissioner Lewark-Wood.

ROLL CALL VOTE – Commissioner Mattix - Yes
Commissioner Tucker - Yes
Commissioner Lewark-Wood – Yes

RES. NO. 07-02

2. County Attorney Larry Markle – Closing of County Attorney's Office on January 2nd -

The Board discussed the County Attorney's Office being closed on January 2nd with Larry Markle, County Attorney. He stated it was his fault the office closed as he understood it was the Judicial Building being closed and did not understand the "county offices" were to remain open.

The issue of smoking outside the Judicial Building by employee or employees of the County Attorney's office was discussed with Mr. Markle. He advised the Board he would take care of the problem.

3. Retiring Address by Commissioner Mattix –

Commissioner Mattix read a "retiring address" relating to his experience as County Commissioner. A copy is attached and entered into a part of the minutes of this meeting.

4. Presentation of Plaque to Commissioner Mattix –

Commissioner Lewark-Wood presented a plaque to Commissioner Mattix in appreciation of his years of service as County Commissioner.

5. Shared Leave request for 15 hours for the Public Works Department was approved.

MONTGOMERY COUNTY RURAL FIRE – BID OPENING BUNKER GEAR:

Wilbur Schwatken, Montgomery County Rural Fire Coordinator, was present for bid opening for 132 sets of bunker gear to be distributed to all fire stations. Bids were as follows: The only bid received was CASCO Industries, Bartlett, Kansas in the amount of \$228,621.56. Mr. Schwatken's recommendation was to accept the bid. The following action was taken:

ACTION: *A motion was made by Commissioner Mattix to accept the bid from CASCO Industries, Bartlett, Kansas in the amount of \$228,621.56 for 132 sets of bunker gear for Montgomery County Rural Fire #1 and will be purchased from grant money awarded to the fire district to be paid from Montgomery County Rural Fire Fund. Motion was seconded by Commissioner Lewark-Wood.*

*ROLL CALL VOTE – Commissioner Mattix - Yes
Commissioner Tucker - Yes
Commissioner Lewark-Wood – Yes*

RES NO. 07-03

Mr. Schwatken discussed the storage problem with the Board. He was asked to talk to Robert Bever in Public Works about using the Dearing facility or if there was another solution.

He also discussed the fact rural firefighters are being paged out to assist with EMS runs. He stated the "Rural Fire Budget does not have the funding to handle the frequency of the calls they are now handling, and over 50 percent are EMS responses. The Board asked if this is a problem in the south part of the county and he responded "it is in the north part of the county". The Board suggested a meeting be set up with the EMS and discuss the problem.

Mr. Schwatken requested pagers be purchased for the fire department from 911 money. No action was taken at this time.

SWEARING IN OF COUNTY COMMISSIONER 1ST DISTRICT:

Tony Fowler, County Commissioner elect, was sworn in as County Commissioner 1st District by County Clerk Charlotte Scott Schmidt.

Lee Mattix presented Commissioner Fowler with a vest labeled "County Commissioner" in large letters.

REORGANIZATION OF BOARD:

Chairman of the Board –

ACTION: *A motion was made by Commissioner Tucker to appoint Commissioner Lewark-Wood as Chairman of the Board for 2007. Motion was seconded by Commissioner Fowler.*

*ROLL CALL VOTE – Commissioner Lewark-Wood Yes
Commissioner Tucker - Yes
Commissioner Fowler – Yes*

RES. NO. 07-04

Official County Paper –

ACTION: *A motion was made by Commissioner Fowler the Independence Reporter be appointed the Official County Newspaper for 2006 and all other newspapers within the county be designated to be used as necessary. Motion was seconded by Commissioner Tucker.*

*ROLL CALL VOTE – Commissioner Lewark-Wood - Yes
Commissioner Tucker - Yes
Commissioner Fowler – Yes*

RES. NO. 07-05

County Holiday Schedule -

ACTION: A motion was made by Commissioner Tucker the following holidays be adopted for 2007. Motion was seconded by Commissioner Lewark-Wood.

ROLL CALL VOTE – Commissioner Lewark-Wood - Yes
Commissioner Tucker - Yes
Commissioner Fowler – Yes

RES. NO. 07-06

Martin Luther King's Birthday	January 15, 2007
President's Day	February 19, 2007
Good Friday	April 6, 2007
(Employees will be excused to attend Good Friday Services only. County Offices will remain open.)	
Memorial Day	May 28, 2007
Independence Day	July 4, 2007
Labor Day	September 3, 2007
Veteran's Day	November 12, 2007
Thanksgiving Day	November 22, 2007
Day after Thanksgiving	November 23, 2007
Christmas Eve Day	December 24, 2007
Christmas Day	December 25, 2007
New Years Eve Day	January 1, 2008

*The County offices will close at noon on December 31, 2006 for auditing cash purposes.

Appointment of County Coroner & County Auditor –

ACTION: A motion was made by Commissioner Lewark-Wood to appoint Dr. Gregory Mears as County Coroner and Laverne Strecker as County Auditor. Motion was seconded by Commissioner Fowler.

ROLL CALL VOTE – Commissioner Lewark-Wood - Yes
Commissioner Tucker - No
Commissioner Fowler – Yes

RES. NO. 07-07

Amend Resolution No. 07-07 –

ACTION: A motion was made by Commissioner Lewark-Wood to amend Resolution No. 07-07 to adopt a separate resolution for each appointment of County Coroner and County Auditor. Motion was seconded by Commissioner Tucker.

ROLL CALL VOTE – Commissioner Lewark-Wood - Yes
Commissioner Tucker - Yes
Commissioner Fowler – Yes

RES. NO. 07-08

Appointment of County Coroner –

ACTION: A motion was made by Commissioner Fowler to appoint Dr. Gregory Mears as County Coroner for the year 2007. Motion was seconded by Commissioner Lewark-Wood.

ROLL CALL VOTE – Commissioner Lewark-Wood - Yes
Commissioner Tucker - No
Commissioner Fowler – Yes

RES. NO. 07-09

Appointment of County Auditor –

ACTION: A motion was made by Commissioner Fowler to appoint Laverne Strecker as County Auditor for the year 2007. Motion was seconded by Commissioner Lewark-Wood.

ROLL CALL VOTE – Commissioner Lewark-Wood - Yes
Commissioner Tucker - Yes
Commissioner Fowler – Yes

RES. NO. 07-10

Commissioner Lewark-Wood requested the appointments of all other department supervisors be set for March 1 (90 days) in order for Commissioner Fowler to familiarize himself and evaluate. It was agreed to delay the appointments.

PUBLIC WORKS:

Mr. Robert Bever, Public Works Coordinator, met with the Board and presented the weekly written report. The following items were discussed: Reported on work by crews; letters will be sent to small cities requesting improvements that will be needed in 2007; Major Bridge Replacement Status (County Bridge No. 1001); Building Maintenance – hot water tanks are scheduled to be delivered no later than January 8th and Hawkins is scheduled to install units as soon as received; Register of Deeds and Court Services offices scheduled to relocate the week of January 22nd; Waste Disposal – Lease Agreement for the Sportsman’s Club mailed to club president on December 4th and have not received as of today. Will contact if not received by January 31st.

Mr. Bever advised the Board the hot water tanks are here and started installing today. Requested bids be taken for pest control. The following action was taken:

ACTION: *A motion was made by Commissioner Lewark-Wood to authorize the Public Works Coordinator to receive bids on pest control for county offices. Motion was seconded by Commissioner Fowler.*

*ROLL CALL VOTE – Commissioner Lewark-Wood - Yes
Commissioner Tucker - Yes
Commissioner Fowler – Yes*

MONTGOMERY COUNTY ACTION COUNCIL – REQUEST TO SET PUBLIC HEARING:

Dennis Pruitt, Montgomery County Action Council Director, requested approval to set a public hearing for tax abatements for American Insulated Wire and Amazon.com. The hearing date was set for January 22nd, 2007 at 11:00 AM in the Commission Meeting Room.

OTHER COUNTY BUSINESS:

1. KAC Membership –

ACTION: *A motion was made by Commissioner Tucker to not join Kansas Association of County for 2007. The amount of the dues would be \$5,692.00 for the year. Motion was seconded by Commissioner Fowler.*

*ROLL CALL VOTE – Commissioner Lewark-Wood - Yes
Commissioner Tucker - Yes
Commissioner Fowler – Yes*

2. Lee Mattix would like to purchase the county laptop computer and a 2 drawer file cabinet he has been using as County Commissioner. The County Clerk will talk to Ken Collins and return to the Board with a report on the computer. No action was taken at this time.

3. Report on Southeast Kansas Regional Homeland Security Council from Jim Miller, Emergency Preparedness Director.

ADJOURNMENT: 12:15 PM

ACTION: *Motion by Commissioner Lewark-Wood seconded by Commissioner Tucker.*
ROLL CALL VOTE – Commissioner Lewark-Wood - Yes
Commissioner Tucker - Yes
Commissioner Fowler – Yes

**BOARD OF COUNTY COMMISSIONERS
MONTGOMERY COUNTY, KANSAS**

BILLIE LEWARK-WOOD, Chairman

GENE TUCKER, Member

TONY FOWLER, Member

ATTEST:

County Clerk