

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

March 12, 2007

The Board of County Commissioners, three members and the County Clerk present, met in regular session at 9:00 AM.

CALL TO ORDER: Commissioner Lewark-Wood.

INVOCATION: Commissioner Tucker.

PLEDGE OF ALLEGIANCE: Commissioner Fowler.

AGENDA APPROVAL:

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

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

APPROVAL OF MINUTES:

ACTION: *A motion was made by Commissioner Tucker to approve the minutes of February 26, 2007 and March 1, 2007 as presented by the County Clerk. The motion was seconded by Commissioner Fowler.*

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

APPROVAL OF PAYMENT OF INVOICES:

ACTION: *A motion was made by Commissioner Tucker to approve invoices in the amount of \$191,287.50 as presented by the County Clerk's office. The motion was seconded by Commissioner Fowler.*

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

MONTGOMERY COUNTY RURAL FIRE – TRUCK PURCHASE:

Wilbur Schwatken, Montgomery County Rural Fire Director, presented pictures and information on a used 1-Ton Truck for the Independence Rural Fire Station. The truck is a 2000 GMC, single wheel, straight cab for \$9,550.00 from Jim's Used Truck, Dewey, Oklahoma. The following action was taken:

ACTION: *A motion was made by Commissioner Tucker to approve the purchase of a 2000 1-Ton GMC 4x4 Truck for Montgomery County Rural Fire Department in the amount of \$9,550.00 to be debited from Montgomery County Rural Fire Fund with the truck to be taken to Richard Wells to build for the fire department. Motion was seconded by Commissioner Lewark-Wood.*

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

RES. NO. 07-46

EVALUATION – HUMAN RESOURCES:

EXECUTIVE SESSION:

ACTION: *A motion was made by Commissioner Lewark-Wood to recess to Executive Session at 9:30 AM to return at 9:45 AM with Liz Schwatken present to discuss non-elected personnel. Motion was seconded by Commissioner Fowler.*

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

Returned to session at 9:30 AM with no action taken and no decisions made.

EVALUATION – COUNTY HEALTH:

EXECUTIVE SESSION:

ACTION: *A motion was made by Commissioner Lewark-Wood to recess to Executive Session at 9:50 AM to return at 10:00 AM with Ruth Bardwell present to discuss non-elected personnel. Motion was seconded by Commissioner Fowler.*

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

Returned to session at 10:00 AM with no action taken and no decisions made.

PUBLIC WORKS:

Robert Bever, Public Works Coordinator, presented proposed Guide Line for Right-of-Way Road Cutting and Boreing. The Board approved the guide lines if Mr. Bever is comfortable with them.

Mr. Bever advised the Board Ms. Friesberg's road work has been done.

The fire alarm is 95% completed in the Judicial Building.

Discussed the County auction which will be held on May 5th at 10:00 AM. Commissioner Fowler will be the auctioneer and the County Clerk will clerk the sale both at no charge to the county. The departments will be sent a memo by Human Resources for a list of items for the sale to be submitted to Public Works by March 23rd.

SHERIFF:

Sheriff Veach met with the Board and provided information from Kansas Fish and Game on exotic animals which referred to KSA 13-3201. He discussed ordinances from other counties but no action was taken at this time.

EXECUTIVE SESSION:

ACTION: *A motion was made by Commissioner Tucker to recess to Executive Session at 10:40 AM to return at 10:45 AM to discuss non-elected personnel with Sheriff Veach present. Motion was seconded by Commissioner Lewark-Wood.*

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

Returned to session at 10:45 AM with no action taken and no decisions made.

COMPUTER DEPARTMENT – ANNUAL RENEWAL AGREEMENT WITH REAL VISION:

Ken Collins, Computer Department Director, presented the annual renewal agreement between Real Vision, Alexandria, LA and Montgomery County with an annual charge of \$4,500.00. The following action was taken:

ACTION: *A motion was made by Commissioner Tucker to authorize the Chairman to sign, on behalf of Montgomery County, the Real Vision Annual Agreement in the amount of \$4,500.00 to be debited from General Operating Fund. Motion was seconded by Commissioner Fowler.*

ROLL CALL VOTE – Commissioner Lewark-Wood - Yes

Commissioner Tucker - Yes

Commissioner Fowler – Yes

RES. NO. 07-47

Mr. Collins discussed the upcoming expenses in the Computer Department on the Version 6 on the system being upgraded at approximately \$1,500.00, upgrade to Hubler at \$1,500.00 and the optical driver 20 platter will soon be full and will need to be replaced at a cost of \$18,000 to \$25,000. No action was taken at this time on these items.

REGISTER OF DEEDS – MERIT INCREASES:

Marilyn Calhoun, Register of Deeds, presented a request to the Board for Merit Increases for each of her staff members. She was told the request could not be honored at this time due to financial obligations facing the county.

COUNTY ATTORNEY – SOFTWARE INVOICE:

County Attorney Larry Markle met with the Board at their request to discuss an invoice for software for approximately \$13,000.00. The Board asked that Mr. Markle make the Board aware of purchases exceeding \$1,000.00 in the future.

Mr. Markle stated the court will pay some of the cost, the County Attorney paid this invoice as their part of the software, some will be paid by Grant Funds. He also stated it was budgeted in the County Attorney's 2007 budget and by next year a server will be required at approximately \$4,000.00. He also said he would keep the Board informed before the expenditures exceeding \$1,000.00.

OTHER COUNTY BUSINESS:

1. Cereal Malt Beverage License for Caney Golf Club –

ACTION: *A motion was made by Commissioner Fowler to approve a Cereal Malt Beverage License for Caney Golf Club. Motion was seconded by Commissioner Lewark-Wood.*

ROLL CALL VOTE – Commissioner Lewark-Wood - Yes

Commissioner Tucker - Yes

Commissioner Fowler – Yes

RES. NO. 07-48

2. Voice Products Invoice was approved to be paid from E-911 funds in the amount of \$1,300.00 for work on the Sheriff's Console.
3. Housing Authority Letters on Main Street Meeting at Condon Bank on March 23rd was recognized. Commissioner Tucker and Commissioner Lewark-Wood will be attending. Janie Huston at the bank will be notified by the County Clerk.
4. Commissioner Fowler discussed a program offered to be provided to the Board by Independence Community College. He had been contacted by a college trustee and the program is on what the college is doing and what would happen if consolidated.

There was discussion on a meeting jointly with the colleges and the Board of County Commissioners. They also discussed the County Counselor writing letters to the college boards explaining the meeting. After further discussion the meeting will not be held at this time.

5. County Counselor will be asked for opinion on "decisions made by one Commission Board being binding on another Board."

ADJOURNMENT: 11:40 AM.

ACTION: *Motion by Commissioner Fowler, seconded by Commissioner Lewark-Wood.*
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