

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

April 2, 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 Lewark-Wood to approve the minutes of March 19, 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 \$201,800.31 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*

EXECUTIVE SESSION:

ACTION: *A motion was made by Commissioner Lewark-Wood to recess to Executive Session at 9:07 AM to return at 9:17 AM 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 9:17 AM with no action taken and no decisions made.

MONTGOMERY COUNTY RURAL FIRE – BIDS FOR INDUCTORS & PUMPS:

Montgomery County Rural Fire Director Wilbur Schwatken met with the Board and presented minutes of the Montgomery County Rural Fire Board Meeting. Marty Smith and Richard Catron, members of the MCRFD#1 Board were also present for the meeting.

Bids for seven (7) inductors and two (2) portable pumps were as follows:

	Inductors:	Pumps:
Kenco Fire Equipment, Springfield, MO	\$2,149.00	\$7,190.00
Weis Fire & Safety Equipment, Salina, KS	\$2,619.40	\$6,772.00
Emergency Fire Equipment, Mayfield, KS	\$2,912.00	\$6,690.00
Municipal Emergency Services, Snyder, NE	No Bid	No Bid
Jerry Ingram/Fire & Rescue, Shawnee Mission, KS	\$1,974.00	No Bid
Hays Fire Equipment, Hays, KS	\$3,010.00	\$7,555.30
1 st Emergency Response Solutions, Bartlett, KS	\$3,199.00	\$5,964.00

ACTION: A motion was made by Commissioner Fowler to approve the purchase of seven (7) inductors and two (2) pumps for Montgomery County Rural Fire as follows: 7 inductors to Jerry Ingram/Fire & Rescue, Shawnee Mission, Kansas in the amount of \$1,974.00; 2 pumps to 1st Emergency Response Solutions, Bartlett, KS in the amount of \$5,964.00 to be debited from Montgomery County Rural Fire District No. 1 Fund.

Motion was seconded by Commissioner Lewark-Wood.

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

RES. NO. 07-60

GIS COMMITTEE:

Jim Miller, Bob Kline, Robert Bever representing the GIS Committee met with the Board to recommend accepting the proposal of Villa GIS, Branson, MO in the amount of \$157,000.00 for the services specified in the Scope of Work as well as additional services as may be mutually agreed upon by the County and VillaGIS. The following action was taken:

ACTION: A motion was made by Commissioner Tucker to accept the agreement, upon the approval of the County Counselor, for the services of VillaGIS, Branson, Missouri in establishing the GIS System for Montgomery County in the amount of \$157,000.00. Motion was seconded by Commissioner Lewark-Wood.

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

RES. NO. 07-61

PUBLIC WORKS:

Mr. Robert Bever, Public Works Coordinator, presented the weekly written report. The following items were discussed: Awarding the Lease/Purchase for Motor graders; Discussion of the Brooks Vacation in Stone’s Addition at Caney; Viewing date of April 23rd for Dale’s Vacation, Coffeyville; State Street in Caney (suggested meeting with TranSystems. Public Works will set time); Major Bridge Replacement Status (County Bridge No. 1001); Household Hazardous Waste collection day; Noxious Weed bid opening for 1-Ton Chassis; and Affirmative Action Plan. As a result of this report, the following action was taken:

Lease/Purchase for motor graders:

ACTION: A motion was made by Commissioner Fowler to accept the recommendation of the Public Works Director based on bids received for the financing on the lease/purchase of motor graders and accept the bid of Commerce Bank, Independence, Kansas for an interest rate of 4.338% for a period of seven (7) years with semi-annual payments of \$25,480.85. Debit Road and Bridge Fund. Motion was seconded by Commissioner Tucker.

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

RES. NO. 07-62

PUBLIC WORKS (Continued):

Discussed the Brooks Vacation in Stone's Addition at Caney and the Board decided to "leave as is".

Affirmative Action Plan for Montgomery County:

ACTION: A motion was made by Commissioner Lewark-Wood to reconfirm and reiterate the Affirmative Action Plan adopted March 27, 1989 the policy of providing equal opportunity to all qualified individuals. Motion was seconded by Commissioner Fowler.

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

RES. NO. 07-63

Noxious Weed 1 Ton 4WD Truck Bids:

Shields Motor Co., Chanute, Kansas	\$28,900.00
Columbus Ford-Mercury, Columbus, Kansas	\$28,240.00

Bids were referred to Robert Bever for a recommendation.

Executive Session:

ACTION: A motion was made by Commissioner Fowler to recess to Executive Session at 10:05 AM to return at 10:10 AM with Robert Bever present to discuss non-elected personnel. Motion was seconded by Commissioner Lewark-Wood.

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

Returned at to session at 10:10 AM with a motion by Commissioner Tucker and seconded by Commissioner Fowler to extend the Executive Session to 10:20 AM. All voted yes.

Returned at 10:20 AM with a motion by Commissioner Tucker and seconded by Commissioner Fowler to extend the Executive Session to 10:25 AM. All voted yes.

Returned to regular session at 10:25 AM with no action taken and no decisions made.

SHERIFF:

Sheriff Stan Veach met with the Board. Mr. Veach presented an Employee Change of Status for the replacement of a dispatcher with a new hire. Mr. Veach discussed the jail problems and provided the Board with the number of meals and the cost per meal for the inmates.

A resolution was made to clarify the \$10.00 new hire rate in Department of Corrections and the effect on the present staff as follows:

ACTION: A motion was made by Commissioner Lewark-Wood to clarify Resolution 07-58 to apply the \$10.00 new hire rate to any employee in the Department of Corrections presently receiving less than \$10.00 to be increased to the \$10.00 rate per hour (17 employees). Motion was seconded by Commissioner Fowler.

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

RES. NO. 07-64

MONTGOMERY COUNTY HEALTH DEPARTMENT – COMPUTERS – EXECUTIVE SESSION:

Ruth Bardwell, Montgomery County Health Director, requested replacing computers in the County Health Office. Approval was given by the Board.

Executive Session:

ACTION: *A motion was made by Commissioner Lewark-Wood to recess to Executive Session at 10:55 AM to return at 11:05 AM with Ruth Bardwell and Sheriff Stan Veach 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 at to session at 11:05 AM with a motion by Commissioner Tucker and seconded by Commissioner Fowler to extend the Executive Session to 11:12 AM. All voted yes.

Returned to regular session at 11:12 AM with no action taken and no decisions made.

Discussed the Nurse Practitioner position in the Department of Corrections needing additional hours due to the workload. The following action was taken:

ACTION: *A motion was made by Commissioner Tucker to approve additional hours to be worked by the Nurse Practitioner in the Department of Corrections and the additional salary will be paid from the Department of Corrections Budget. Motion was seconded by Commissioner Lewark-Wood.*

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

RES. NO. 07-66

COUNTY APPRAISER – PERSONNEL REQUEST:

County Appraiser Bob Kline presented the request for Lois Spradling's temporary employment to be extended 90 days. Request was approved by the Board.

COUNTY COUNSELOR PAUL KRITZ AND COUNTY APPRAISER ROBERT KLINE:

EXECUTIVE SESSION:

ACTION: *A motion was made by Commissioner Lewark-Wood to recess to Executive Session at 11:17 AM to return at 11:37 AM with Paul Kritz and Bob Kline present for Attorney/Client Privilege. Motion was seconded by Commissioner Fowler.*

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

Returned to regular session at 11:37 AM with no action taken and no decisions made.

OTHER COUNTY BUSINESS:

1. Fair Housing Proclamation -

ACTION: A motion was made by Commissioner Tucker to proclaim April as Fair Housing Month in Montgomery County. Motion was seconded by Commissioner Lewark-Wood.

ROLL CALL VOTE – Commissioner Lewark-Wood - Yes

Commissioner Tucker - Yes

Commissioner Fowler – Yes

RES. NO. 07-67

2. Home Rule Resolution – Sheriff's Fees:

WHEREAS: The Board of County Commissioners of Montgomery County, Kansas is ultimately responsible for the finances of Montgomery County; and

WHEREAS: The Board has determined, at the request of the Montgomery County Sheriff, to establish separate funds outside the General Fund for the transfer of monies from the fees collected by the Sheriff's Department for the following: Concealed Weapon Fees, Registered Offender Fees and VIN Fees.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY, KANSAS AS FOLLOWS:

1. That there shall be created the following funds: Fund No. 90 Concealed Weapon Fees; Fund No. 91 Registered Offender Fees and Fund No. 92 VIN Fees.
2. That all fees, as stated above shall be collected by the Sheriff's Department and will be deposited with the County Treasurer to the Montgomery County General Fund and then transferred to Fund No. 90, No. 91 and No. 92 as established by the County Clerk specifically for this purpose.
3. That the funds shall be non-budgeted funds and shall receive funds only from as follows: Concealed Weapon Fees; Registered Offender Fees and VIN Fees.
4. That expenditures shall be made from these funds by the Sheriff's Department upon the approval of the Department Head and the Board of County Commissioners.
5. That when these funds are no longer deemed necessary by the Board of County Commissioners, they may be dissolved and any monies remaining therein shall be transferred to the General Fund of the County.

This Resolution shall be effective from and after the approval by the Board of County Commissioner and its publication one (1) time in the official County newspaper.

ROLL CALL VOTE – Commissioner Lewark-Wood - Yes

Commissioner Tucker - Yes

Commissioner Fowler – Yes

RES. NO. 07-65

3. Memo and Agreements between Farmland and Montgomery County were signed as previously approved.

4. Reappointment of Department Heads -

ACTION: A motion was made by Commissioner Tucker to postpone the appointment of department supervisors for 30 days. Motion was seconded by Commissioner Fowler.

ROLL CALL VOTE – Commissioner Lewark-Wood - No

Commissioner Tucker - Yes

Commissioner Fowler – Yes

Commissioner Lewark-Wood stated she is ready to make the appointments at this meeting and does not feel this should be delayed for 30 days. She said each department head has been evaluated and she is ready to make appointments.

5. KAC Dues –

ACTION: A motion was made by Commissioner Lewark-Wood to not join Kansas Association of Counties for 2007. Motion was seconded by Commissioner Tucker.

ROLL CALL VOTE – Commissioner Lewark-Wood - No

Commissioner Tucker - Yes

Commissioner Fowler – No

OTHER COUNTY BUSINESS (Continued):

6. Jail Committee –

Jack Lively attended the Commission Meeting and a meeting has been scheduled for April 16th at 10:45 AM and will be held in the basement of the Judicial Center.

ADJOURNMENT: 12:15 PM

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