

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

August 6, 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 Fowler.

PLEDGE OF ALLEGIANCE: Commissioner Tucker.

AGENDA APPROVAL:

ACTION: *A motion was made by Commissioner Fowler 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 PAYMENT OF INVOICES:

ACTION: *A motion was made by Commissioner Lewark-Wood to approve invoices in the amount of \$33,540.53, \$28,392.00, \$2,098.46 and \$326,960.17 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*

RURAL WATER DISTRICT NO. 6 – ANNEXATION OF LAND – PUBLIC HEARING:

A Public Hearing was held at 9:15 AM on the attachment of land to Montgomery County Rural Water District No. 6. The attached area is described as follows:

The SW ¼ of S 16-33 S-16 E and the South ½ of S 17-33 S-16 E (and) that part of the east ½ of (S 21-33 S-16E) lying east of the Verdigris River.

There being no public input at this hearing, the following action was taken:

ACTION: *A motion was made by Commissioner Tucker following the Public Hearing for attachment of land to Montgomery County Rural Water District No. 6, to approve the request by the Rural Water District for the attachment of the following described land:*

The SW ¼ of S 16-33 S-16 E and the South ½ of S 17-33 S-16 E (and) that part of the east ½ of (S 21-33 S-16E) lying east of the Verdigris River.

Motion was seconded by Commissioner Lewark-Wood.

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

RES. NO. 07-146

MIDLAND THEATER FOUNDATION GRANT REQUEST:

Kenneth Burchinal representing the Midland Theater Foundation, presented a request to the Board for support on a Community Block Grant with a maximum of \$400,000. The grant will be used for the Midland/Alamo Project in Coffeyville. The following action was taken:

ACTION: *A motion was made by Commissioner Tucker to approve the request for support for a Community Block Grant with a maximum of \$400,000 for the Midland/Alamo Project in Coffeyville.. Motion was seconded by Commissioner Lewark-Wood.*

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

RES. NO. 07-147

EXECUTIVE SESSION:

ACTION: *A motion was made by Commissioner Lewark-Wood to recess to Executive Session at 9:45 AM to return at 10:00 AM with the Board present to discuss non-elected personnel. Motion was seconded by Commissioner Tucker.*

*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 the weekly written report. The following items were discussed: Request from David McMillin for road closing CR 5100 from CR 1400 across Onion Creek and south to the Oklahoma State line. (Road viewing date set for August 27th at 9:30 AM); Dart Cherokee Oil Company request for right-of-way access; Major Bridge Replacement Status; Lease agreement with Martin Tractor; Debris removal report; and air conditioning at County offices in City Hall Building, Coffeyville (Needs a contract with the city for rent for the third floor). As a result of this report, the following action was taken:

1. Right-of-way access request –

ACTION: *A motion was made by Commissioner Lewark-Wood to approve the request by Dart Cherokee Oil Company for access to right-of-way on County Road 2300-24. Motion was seconded by Commissioner Tucker.*

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

RES. NO. 07-148

2. Lease Agreement with Martin Tractor –

ACTION: *A motion was made by Commissioner Tucker to authorize the Public Works Coordinator to enter into a lease with Martin Tractor in the amount of \$311,452.00 at 4.46% interest for seven (7) years with payments to be made semi-annual for three (3) Caterpillar Motor Graders for the Public Works Department. Motion was seconded by Commissioner Lewark-Wood.*

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

RES. NO. 07-149

SHERIFF:

Sheriff Stan Veach met with the Board and reported on the following:

1. A ruined motor on a patrol car by floodwater. The cost will be \$4,674.97 and will the work will be done by Quality Repair.
2. Hiring a dispatcher at \$8.94 per hour which was approved by the Board.

OTHER COUNTY BUSINESS:

1. Transient Tax Resolution –

ACTION: A motion was made by Commissioner Tucker to approve the voiding of Resolution No. 07-79 and to implement Resolution No. 07-150 to authorize the increase of the Transient Tax from 2% to 5% effective with publication of this resolution. The Board of County Commissioners will serve on the Committee for tourism with a quarterly report being filed with the Commission by the Convention and Visitors Bureau. Motion was seconded by Commissioner Lewark-Wood.

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

RES. NO. 07-150

2. Shared Leave Request –

A Shared Leave Request was presented to the Board transferring 40 hours from a Computer Department employee to a Sheriff's Department employee. The request was approved by the Board.

3. County Clerk's Office Closing for Funeral approved by the Board.

4. Payroll approved for bi-weekly payroll by the Board.

5. Update on 911 by Jim Miller. A grant will be applied for in the amount of approximately \$200,000 to \$250,000.

6. Juvenile Corrections Advisory Board City of Coffeyville Appointees –

ACTION: A motion was made by Commissioner Lewark-Wood to approve the appointments of Melinda Miller, Frances Welsh and Winifred Flowers to the Juvenile Corrections Advisory Board to serve for three-year terms, from June 30, 2007 to June 30, 2010. Motion was seconded by Commissioner Fowler.

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

RES. NO. 07-151

ADJOURNMENT: 11:00 AM

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

ATTEST:

TONY FOWLER, Member

County Clerk