

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

August 27, 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 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 Fowler to approve invoices in the amount of - \$74,285.54 as presented by the County Clerk's office. 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 Fowler to approve the minutes of July 26, July 30, and August 6, 2007 as presented by the County Clerk. The motion was seconded by Commissioner Lewark-Wood.*

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

ROAD VIEWING – CR5100 & CR1400:

A road viewing was held at CR 5100 and CR 1400. Those present for the viewing were: Board of County Commissioners, County Clerk and Assistant Public Works Coordinator. There being no public input, the following action was taken:

ACTION: *A motion was made by Commissioner Tucker to vacate the following:
All that portion of Road 517 (5100-01), as described in Road Record Book 3, Page 40 in the Montgomery County Public Works Office located in between Section 13 and 18, Township 35 South, Range 16 and 17 East of the 6th Principal Meridian in Montgomery County, Kansas, approximately 2100 feet in length and having a right-of-way of 50 feet.
Motion was seconded by Commissioner Fowler.*

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

RES. NO. 07-158

PUBLIC WORKS:

Jim Wright, Assistant Public Works Coordinator, presented the weekly written report. The following items were discussed: Rock Report for July; Letter from EMC Insurance on 1999 New Holland Tractor; and Major Bridge Replacement Status. As a result, the following action was taken:

1. Insurance on New Holland Tractor –

ACTION: A motion was made by Commissioner Lewark-Wood to accept the insurance payment of \$21,657.00 for the “totaled” 1999 New Holland Tractor in the Public Works Department. The motion was seconded by Commissioner Tucker on the recommendation of the Public Works Coordinator.

ROLL CALL VOTE – Commissioner Lewark-Wood - Yes

Commissioner Tucker - Yes

Commissioner Fowler – No

RES. NO. 07-159

SHERIFF:

Sheriff Stan Veach presented an Employee Status Change for a new hire in the dispatch for the Sheriff’s Department. Employee Status Change was approved.

Sheriff Veach requested a ten minute Executive Session. The following action was taken:

ACTION: A motion was made by Commissioner Tucker to recess to Executive Session at 10:45 AM to return at 10:55 AM to discuss non-elected personnel with the Sheriff present. Motion was seconded by Commissioner Lewark-Wood.

ROLL CALL VOTE – Commissioner Lewark-Wood - Yes

Commissioner Tucker - Yes

Commissioner Fowler – No

OTHER COUNTY BUSINESS:

1. **Grievance Report – Vasco Brown –**

The Grievance Committee consisting of Marcie Long, Jim Miller and Charlotte Schmidt presented their report to the Board. The detailed report is on file in the Human Resources Department. The following action was taken:

ACTION: A motion was made by Commissioner Lewark-Wood to accept the Grievance Committee recommendation as presented by the Grievance Committee to the Board of County Commissioners regarding the grievance filed by Mr. Vasco Brown, an employee of the Public Works Department. Mr. Brown is to remain employed as an Equipment Operator III at the highest pay level for that position. Mr. Brown should also be paid for all previously-earned vacation and sick leave at this former wage level. All vacation and sick leave earned after the demotion should be paid at his current wage level. Motion was seconded by Commissioner Tucker.

ROLL CALL VOTE – Commissioner Lewark-Wood - Yes

Commissioner Tucker - Yes

Commissioner Fowler – Yes

RES. NO. 07-160

2. **Jail Task Force meeting set for Thursday, August 30th at 7:00 pm in the Commission Meeting Room.**

3. **Job Description for Emergency Preparedness clerical position –**

ACTION: A motion was made by Commissioner Lewark-Wood to approve the secretarial job description and to approve the position for the Emergency Preparedness Department effective upon posting of position as required. Starting salary will be a maximum of \$9.25 per hour based on experience. Motion was seconded by Commissioner Tucker.

ROLL CALL VOTE – Commissioner Lewark-Wood - Yes

Commissioner Tucker - Yes

Commissioner Fowler – No

RES. NO. 07-161

OTHER BUSINESS (Continued):

4. Occupational License – FOE 2459, Coffeyville –

ACTION: A motion was made by Commissioner Fowler to approve an Occupational License for Fraternal Order of Eagles 2459, Coffeyville, Kansas. Motion was seconded by Commissioner Lewark-Wood.

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

RES. NO. 07-162

5. Secure the Call Foundation –

The County Clerk presented a fax from Secure the Call Foundation regarding a coalition of Law Enforcement Agencies and non-profit organizations across the United States obtaining old cell phones to redistribute to any community member who needs a 911 phone in the event of an emergency. Postage will be paid by the Foundation. The following action was taken:

ACTION: A motion was made by Commissioner Tucker to send all used cell phones that are no longer of service to Montgomery County or can be used by the Count, to Secure the Call Foundation with the postage paid by the Foundation. Motion was seconded by Commissioner Lewark-Wood.

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

RES. NO. 07-163

6. County Health – Amend Contract Between KDHE and Montgomery County –

ACTION: A motion was made by Commissioner Tucker to approve the amendment for signature on the contract between Kansas Department of Health and Environment and Montgomery County as presented by the County Health Department. Motion was seconded by Commissioner Lewark-Wood.

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

RES. NO. 07-164

7. Amend Resolution No. 07-16 (American Insulated Wire for Exempt Purposes) –

ACTION: A motion was made by Commissioner Lewark-Wood to amend Montgomery County Resolution No. 07-16 dated January 22, 2007 to include:

The governing body of Montgomery County, State of Kansas, has found that the applicant is in compliance with Article 11, Section 3, and that the property belonging to American Insulated Wire will be used exclusively for exempt purposes, i.e., for the construction and operation of a now manufacturing company for purposes of manufacturing articles of commerce.

Motion was seconded by Commissioner Tucker.

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

RES. NO. 07-153

ADJOURNMENT: 11:58 AM

ACTION: *Motion by Commissioner Tucker, 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