

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

December 10, 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 - \$196,275.96 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 Lewark-Wood to approve the minutes of November 26, 2007 as presented by the County Clerk. The motion was seconded by Commissioner Tucker.*

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

JUDGE CANADAY:

Judge Canaday met with the Board with a bid request for computers. Jason Clubine of the Computer Department was also present. The request is for 19 Dell desktop computers and two (2) laptops. Chautauqua County will receive four (4) desktops and one (1) laptop and will reimburse Montgomery County. The remainder will be purchased after January 1, 2008 from the 2008 Capital Outlay Fund for Montgomery County offices.

There was discussion on the third flood remodeling at the Coffeyville City Hall. The estimated cost for remodeling with the Judges chambers is \$65,800. The Board is not in favor of including the Judges chambers. No action was taken at this time.

EXECUTIVE SESSION:

ACTION: A motion was made by Commissioner Tucker to recess to Executive Session at 9:25 AM to return at 9:35 AM with the Public Works Coordinator and County Clerk 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 9:35 AM.

ACTION: A motion was made by Commissioner Tucker to extend the Executive Session until 9:45 AM. Motion was seconded by Commissioner Fowler.

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

Returned to session at 9:45 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: Rock Report for November; presented balance sheet for November; Memo on current C.D.L. License reimbursement; Requested permission to solicit bids for corrugated metal pipe by fax; Major Bridge Replacement Status (County Bridge No. 608); balance sheet for Sewer District #2 for November; and recommendation for carpeting. As a result of this report, the following action was taken:

1. The Board will continue with the present resolution (#95-221) on current C.D.L. License Reimbursement.
2. Carpet bids:

ACTION: A motion was made by Commissioner Lewark-Wood to approve the recommendation of the Public Works Coordinator and purchase the carpet for the Court Services Office, Zoning Office and Emergency Preparedness Office from Deraled Commodities, Independence, Kansas in the amount of \$5,053.40. Debit County Building Fund. Motion was seconded by Commissioner Tucker.

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

RES. NO. 07-209

Mr. Bever reported on the intersection lighting and advised he had been in contact with Westar.

Requested approval to obtain bids on a motor grader (140) to replace the present 120. He would like to ask what the trade-in value is also on our present grader. The Board approved the request.

FLOOD “BUY OUT PROGRAM:

Jim Miller, Emergency Preparedness Director, Mickey Davis, Kansas Department of Emergency Managers (Shawnee County’s Emergency Manager) Herman Price, FEMA, Jeff Rawbotlam, FEMA, and Kathy Craig, Appraiser’s Department, met with the Board to discuss the Buy Out Program for the County.

Mr. Davis explained the program and the cost to the county after the FEMA share and also the state CDBG Grant available. It is estimated the county share would be approximately \$102,369 for the acquisition of 28 parcels. The buy out would be strictly voluntary on the part of the landowner; it is not mandated. Property owners would be paid the county appraised value plus ten percent. A list of landowners eligible was presented by Ms. Craig. After discussion the following action was taken:

ACTION: A motion was made by Commissioner Fowler to participate in the Kansas Emergency Management Hazard Mitigation Grant Program. Motion was seconded by Commissioner Tucker.

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

RES. NO. 07-210

COUNTY APPRAISER – CONTRACT WITH PROPERTY VALUATION DEPARTMENT:

Ms. Craig presented a contract between Property Valuation Department and Montgomery County for the services of Larry Reynolds in the County Appraiser's Office. The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to approve the contract between Montgomery County and Property Valuation Department, State of Kansas, for services of Larry Reynolds to assist the County in compliance with the laws and directives pertaining to property taxation and to organize and manage the office of county appraiser of the County. Cost shall be for the actual costs to the State for the salary, employment benefits, subsistence and lodging, if any, and mileage at the prevailing private vehicle reimbursement rate published by the Kansas Department of Administration. Motion was seconded by Commissioner Tucker.*

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

RES. NO. 07-211

**Recessed at 10:20.
Returned at 10:25.**

SHERIFF STAN VEACH:

Sheriff Veach reported to the Board that he had investigated the vandalism in Elk City and no one in Elk City wants to make charges. There was no further discussion.

EXECUTIVE SESSION:

ACTION: *A motion was made by Commissioner Lewark-Wood to recess to Executive Session at 11:17 AM to return at 11:30 AM with Sheriff Veach present. Motion was seconded by Commissioner Fowler.*

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

Returned to session at 11:30 AM with no action taken and no decisions made.

EXECUTIVE SESSION:

ACTION: *A motion was made by Commissioner Tucker to recess to Executive Session at 11:32 AM to discuss non-elected personnel with the Board present to return at 11:37 AM. Motion was seconded by Commissioner Lewark-Wood.*

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

Returned at 11:37 AM.

ACTION: *A motion was made by Commissioner Tucker to extend the Executive Session until 11:45 AM. Motion was seconded by Commissioner Fowler.*

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

Returned to session at 11:43 AM with no action taken and no decisions made.

OTHER COUNTY BUSINESS:

1. **Occupational Licenses – Coffeyville Country Club and Independence Country Club:**
ACTION: A motion was made by Commissioner Fowler to approve the Occupational Licenses for Coffeyville Country Club and Independence Country Club. Motion was seconded by Commissioner Lewark-Wood.
ROLL CALL VOTE – Commissioner Lewark-Wood - Yes
Commissioner Tucker - Yes
Commissioner Fowler – Yes

RES. NO. 07-212
2. **Acknowledged: Community Corrections Letter on SB 14 – Risk Reduction Initiative; Dale Hotel Letter from Kansas State Historical Society; Southeast Kansas Regional Juvenile Detention Center regarding medical cards through SRS office; Letter from WIC discontinuing use of Judicial Basement.**
3. **Letter of Support for grant application for Coordinated Transit District #10 – Approved by the Board.**

ADJOURNMENT: 11:45 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