

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

December 31, 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 Tucker to approve invoices in the amount of - \$34,870.30 and \$260,601.23 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*

APPROVAL OF MINUTES:

ACTION: *A motion was made by Commissioner Lewark-Wood to approve the minutes of December 10 and December 17, 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*

COUNTY APPRAISER'S DEPARTMENT – RECOMMENDATION ON FOLDING MACHINE & DISCUSSED NEIGHBORHOOD REVITALIZATION PROBLEM:

Kathy Craig, County Appraiser's Office, met with the Board to recommend the Pitney Bowes Folding Machine in the amount of \$1,950.00. The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to approve the purchase of the Pitney Bowes folding machine, Pitney Bowes Company, Wichita, Kansas, in the amount of \$1,950.00 for the County Appraiser's Office. Debit County Appraiser's Department Budget. Motion was seconded by Commissioner Lewark-Wood.*

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

RES. NO. 07-220

COUNTY APPRAISER (Continued):

Ms. Craig addressed a problem with the Neighborhood Revitalization Programs. Individuals are not filing the necessary documents with the County Appraiser’s Office in the time frame specified in each of the programs submitted by the cities. They are wanting to go back and be able to file even though the time limit has run out. The Board agreed the regulations should be followed and Ms. Craig will do further research and return to the Board with more information.

AMENDED 2007 COUNTY BUDGET HEARING:

The Chairman opened the Public Hearing at 9:15 AM for the purpose of amending the 2007 County Budget. There being no public input at the hearing, the following action was taken:

ACTION: *A motion was made by Commissioner Lewark-Wood to adopt the amended 2007 County Budget as follows:*

| | |
|---------------------------------|------------------|
| <i>General Fund</i> | <i>7,300,000</i> |
| <i>Road and Bridge</i> | <i>3,800,000</i> |
| <i>County Health</i> | <i>630,000</i> |
| <i>Tourism</i> | <i>132,000</i> |
| <i>Noxious Weed Cap. Outlay</i> | <i>79,569</i> |

Motion was seconded by Commissioner Fowler.

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

RES. NO. 07-221

The hearing was closed at 9:25 AM by the Chairman.

JUDGE CANADAY – UPDATE:

Judge Canaday met with the Board to give an update on the remodeling at Coffeyville court offices. A meeting was held with Coffeyville and others involved in the planning for the remodeling. Judge Canaday stated the prices came down considerably. He will have the figures for the Board later. The Jury Room will be addressed first.

He stated he will be encumbering \$25,000 from 2007 budget for the project.

The roof has been fixed and windows will be done.

ENVIRONMENTAL HEALTH/ZONING:

Scott Barnhart, Environmental Health/Zoning Director, met with the Board to discuss the following:

1. Wilson County has request assistance through a mutual agreement with Montgomery County on inspections of their waste water systems. The Board asked if Mr. Barnhart has time to take on the additional work and if so, it will be his decision. He will check on how much time it would require and report back to the Board with his decision.
2. Increase in Laboratory Fees –
He stated with the cost of laboratory fees rising he feels it is time to increase the fees for water testing and suggested a fee of \$30.00 plus mileage. The following action was taken:

ACTION: *A motion was made by Commissioner Tucker to approve the increase of laboratory fees for water testing by the Environmental Health Department to \$30.00 fee plus mileage. Fees to be deposited to the County General Fund.*

Motion was seconded by Commissioner Lewark-Wood.

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

RES. NO. 07-222

3. Requested permission to upgrade the office at no expense to the County. The Board approved.

PUBLIC WORKS:

Robert Bever, Public Works Coordinator, presented the weekly written report. The following items were discussed: Noxious Weed Balance Sheet; Shale Pit Memo and map; KDOT Local Projects Schedule; Motor Grader Purchasing quotes; and Major Bridge Replacement Status. As a result of this report, the following action was taken:

Purchase of Motor Grader –

ACTION: A motion was made by Commissioner Tucker to approve the purchase of a 140 H Caterpillar Motor Grader with Rear Ripper from Martin Tractor, Chanute, Kansas in the amount of \$176,522.00 plus trade in. Funds will be paid from no fund warrants for 2007. Motion was seconded by Commissioner Lewark-Wood.

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

RES. NO. 07-223

SHERIFF STAN VEACH:

Sheriff Veach and Sid Howell met with the Board to discuss a problem with peeling paint on patrol cars. There are five (5) vehicles the paint is peeling on and Ford Motor Company has been contacted. Ford Motor Company will pay one-half of the cost of \$8,523.00 and the remainder will be the county's responsibility. Mr. Howell will get this agreement in writing from Ford before anything is done on the vehicles.

Sheriff Veach advised the Board he needs Jason Clubine to do some work at the Sheriff's Office. The Board approved.

Executive Session:

ACTION: A motion was made by Commissioner Fowler to recess to Executive Session at 10:45 AM to return at 10:55 AM with the Sheriff 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 to session at 10:55 AM with no action taken and no decisions made.

END OF YEAR BUSINESS:

TRANSFER TO EQUIPMENT RESERVE FUND – MCRF#1:

ACTION: A motion was made by Commissioner Fowler to approve the transfer of all available funds from Montgomery County Rural Fire District No. 1 Fund as of December 31, 2007 into a Reserve Fund. The amount of \$_____ to be credited to the Montgomery County Rural Fire District No. 1 Reserve Fund. This transfer is subject to the 2007 audit. The Commission authorizes the County Treasurer to make this transfer of funds. Motion was seconded by Commissioner –Lewark-Wood.

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

RES. NO. 07-224

Minutes – December 31, 2007

Page 4

OTHER COUNTY BUSINESS:

1. Reappoint Jim Miller to SEK Regional Homeland Council –

ACTION: A motion was made by Commissioner Lewark-Wood to reappoint Emergency Preparedness Director Jim Miller to the SEK Regional Homeland Council. Motion was seconded by Commissioner Fowler.

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

RES. NO. 07-225

2. Cereal Malt Beverage Licenses –

ACTION: A motion was made by Commissioner Fowler to approve issuance of Cereal Malt Beverage Licenses to Bailey’s Corner #8; Keli-Mart; Sassy’s Bar and Grill and Stinkey’s Bait Shop. Motion was seconded by Commissioner Lewark-Wood.

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

RES. NO. 07-226

3. Certificate from Kansas Emergency Management Association to Jim Miller –

A certificate from the Kansas Emergency Management Association to Jim Miller was presented by Chairman Billie Lewark-Wood.

4. Sonrise Software purchase request by County Clerk –

ACTION: A motion was made by Commissioner Lewark-Wood to approve the purchase of the Sonrise Software System for the Minutes Management System for the County Clerk in the amount of \$2,995.00. Motion was seconded by Commissioner Fowler.

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

RES. NO. 07-227

5. Executive Session requested by Commissioner Tucker –

ACTION: A motion was made by Commissioner Fowler to recess to Executive Session at 11:00 AM to return at 11:10 AM to discuss non-elected personnel with the Board 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 11:10 AM with no action taken and no decisions made.

ADJOURNMENT: 11:15 AM

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

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