

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

January 14, 2008

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 Lewark-Wood to approve the agenda as amended. 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 - \$183,750.69, \$1,295.94 and \$10,000.00 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 Fowler to approve the minutes of December 31, 2007 and January 7, 2008 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*

REORGANIZATION (CHAIRMAN, NEWSPAPER AND HOLIDAYS):

ACTION: *A motion was made by Commissioner Tucker to appoint Commissioner Lewark-Wood to serve as Chairman of the Board for the year 2008. Motion was seconded by Commissioner Fowler.*

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

RES. NO. 08-03

REORGANIZATION (Continued):

ACTION: A motion was made by Commissioner Tucker to appoint the Montgomery County Chronicle as the official County newspaper for 2008.

Motion was seconded by Commissioner Lewark-Wood.

ROLL CALL VOTE – Commissioner Lewark-Wood - Yes

Commissioner Tucker - Yes

Commissioner Fowler – Yes

RES. NO. 08-04

ACTION: A motion was made by Commissioner Fowler to approve the 2008 Holiday Schedule as presented for the Montgomery County Employees. (See Resolution for list and dates)

Motion was seconded by Commissioner Tucker.

ROLL CALL VOTE – Commissioner Lewark-Wood – Yes

Commissioner Tucker – Yes

Commissioner Fowler – Yes

RES. NO. 08-05

JJA ADVISORY BOARD – RANDY WAGONER – EXECUTIVE SESSION:

EXECUTIVE SESSION:

ACTION: A motion was made by Commissioner Lewark-Wood to recess to Executive Session at 9:09 AM to return at 9:15 AM with Human Resources Director Liz Schwatken and JJA Advisory Board Member Randy Wagoner 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 to session at 9:15 AM with no action taken and no decisions made.

Discussion: Mr. Wagoner recommended to the Board of County Commissioners the termination of Mark Charest, Family and Children Services Director. The Juvenile Justice Advisory Board voted unanimously with one member abstaining to recommend the termination of Mr. Charest. The following action was taken:

ACTION: A motion was made by Commissioner Fowler to accept the recommendation of the Juvenile Justice Authority Advisory Board to terminate the employment of Mr. Mark Charest, Family and Children Services Director immediately.

Motion was seconded by Commissioner Lewark-Wood.

ROLL CALL VOTE – Commissioner Lewark-Wood – Yes

Commissioner Tucker – Yes

Commissioner Fowler – Yes

RES. NO. 08-06

Mr. Wagoner told the Board Daylene Walls will serve as interim Director. The letter of termination signed by the Board of County Commissioners will be presented to Mr. Charest by the Advisory Board.

PUBLIC WORKS:

Mr. Robert Bever, Public Works Coordinator, presented the weekly written report. The following items were discussed: Rock Map for December, 2007; completed Work program for 2007; Layne Energy memo wanting to lay a line in county right-of-way; updated 5-year bridge plan; Major Bridge Replacement Status; Beachner Bros., Inc. request to acquire vacant land around the junction of CR 5700 and CR 6000 (**Commissioner Fowler stated that Beachner needs to make an offer to the County**); Household Hazardous Waste schedule for 2008; and a request for an Executive Session on non-elected personnel.

ACTION: A motion was made by Commissioner Tucker to recess to Executive Session at 9:25 AM to return at 9:30 AM with Robert Bever, Public Works Coordinator 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 9:30 AM with no action taken and no decisions made.

COUNTY APPRAISER’S OFFICE – EXECUTIVE SESSION:

ACTION: *A motion was made by Commissioner Fowler to recess to Executive Session at 9:45 AM to return at 9:55 AM with Jim Shontz and Kathy Craig 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 9:55 AM with no action taken and no decisions made.

The Human Resources Director was asked to be present and the County Appraiser’s position was discussed. The position will be posted on the web site of the Kansas County Appraisers Association and the County web site. The residency requirements will be eliminated.

The Board discussed the new system in the Appraiser’s office and if it is mandatory by the State and if so why are not all counties on it. The system is being questioned by County Commissioners and County Appraisers throughout the state.

OTHER COUNTY BUSINESS:

1. **Bid request from County Attorney – County Attorney was instructed to order due to emergency per telephone conversation between Commissioner Lewark-Wood and County Attorney Larry Markle today (1-14-08).**
2. **Recognized Jim Miller for making presentation at Leadership Independence.**
3. **Local Emergency Planning Commission (LEPC) Board appointment –**

***ACTION:** A motion was made by Commissioner Tucker to appoint Commissioner Fowler as the representative to the Local Emergency Planning Commission (LEPC). Motion was seconded by Commissioner Lewark-Wood.*

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

RES. NO. 08-07

4. **After Prom –**

***ACTION:** A motion was made by Commissioner Fowler to approve funds for the After Prom for Unified School Districts 436, 446, 445, 447, 283, 461, and 464 with the same amounts distributed as distributed in 2007 from the Special Alcohol Fund. Motion was seconded by Commissioner Lewark-Wood.*

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

RES. NO. 08-08

ADJOURNMENT: 10:15 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