

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

January 28, 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 Tucker.

PLEDGE OF ALLEGIANCE: Commissioner Fowler.

AGENDA APPROVAL:

ACTION: *A motion was made by Commissioner Tucker 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 Fowler to approve invoices in the amount of - \$21,266.28, \$2,789.44, \$8,601.96, \$133,459.13 and \$578.31 as presented by the County Clerk's office. The motion was seconded by Commissioner Tucker.*

*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 January 14, 2008 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 OFFICE – KATHY CRAIG – EMPLOYEE EXTENSION AND NEIGHBORHOOD REVITALIZATION:

Kathy Craig, County Appraiser's Office, met with the Board to discuss the following:

1. Neighborhood Revitalization – Coffeyville and Independence -
Ms. Craig explained that two applications have been received but did not comply with the Revitalization Plans for Coffeyville and Independence in meeting the time limit set forth in the plans. Mr. Pete Bertain of Coffeyville did not file in the time prescribed and Cornerstone Surveying also did not file. The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to accept the applications of Cornerstone Surveying and Mr. Pete Bertain and waive the time limit on behalf of the County for these applications for Neighborhood Revitalization. Motion was seconded by Commissioner Tucker.*

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

RES. NO. 08-09

COUNTY APPRAISER (Continued):

2. Employee extension –
Ms. Craig requested Lois Spradling be employed by the County Appraiser’s Office beginning February 4, 2008 for five to six weeks. The request was approved by the Board.

PLANNING AND ZONING – COMMITTEE MEMBERS APPOINTMENTS AND VACANCIES:

Scott Barnhart, Environmental Health/Zoning Administrator, met with the Board on the vacancies on the Montgomery County Planning Commission. The following action was taken:

ACTION: *A motion was made by Commissioner Lewark-Wood to authorize the Environmental Health/Zoning Administrator to extend the invitation to Mr. Les Dodds, Mr. Robert Miller and Mr. Ron Goins to serve on the Montgomery County Planning Commission to fill the vacancies created on the Board. Motion was seconded by Commissioner Fowler.*

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

Mr. Barnhart advised the Board there have been 37 cisterns and wells filled in Coffeyville in the flooded area. Drilled wells must be filled licensed companies and cannot be treated as hand dug wells.

JUDGE CANADAY – CONTRACTS FOR LEGAL SERVICES; STATUS OF COURT REMODELING FACILITIES IN COFFEYVILLE AND REQUEST TO PURCHASE RECORDING UNIT:

Judge Canaday met with the Board to discuss the following:

1. Contracts for legal services in 2008 for Tiana McElroy and Jeff Gettler for Indigent Legal Services

ACTION: *A motion was made by Commissioner Lewark-Wood to approve the contracts for Indigent Legal Services for Tiana McElroy in the amount of \$7,666.16 per month and \$80.00 per hour, not to exceed \$800.00 per case, for representation in appeals beyond the District Court level; and for Jeffrey Gettler to be paid the sum of \$1,600.00 per month and \$80.00 per hour, not to exceed \$800.00 per case, for representation in appeals beyond the District Court level. Debit Unified Court Budget. Motion was seconded by Commissioner Fowler.*

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

RES. 08-10

2. Coffeyville Court Remodeling Project –
Judge Canaday discussed the status of the remodeling of court facilities in Coffeyville. The Board authorized Judge Canaday to proceed with the project as previously discussed. The county will be responsible for the cost of remodeling the judges chambers.

3. Recording unit for court system –
ACTION: *A motion was made by Commissioner Lewark-Wood to purchase from REC Enterprises one (1) recording unit for the court system at a cost of \$4,745.00. Debit General Capital Outlay Fund. Motion was seconded by Commissioner Fowler.*

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

RES. 08-11

PUBLIC WORKS:

Robert Bever, Public Works Coordinator, presented the weekly written report. The following items were discussed:

1. Pest Control Bid –

ACTION: A motion was made by Commissioner Tucker to accept the bid from CPR Pest Management, Inc. for services for the Courthouse and Judicial Center in the amount of \$1,850.00. Motion was seconded by Commissioner Fowler. Debit Building Maintenance.

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

RES. 08-12

2. Chip and seal letter –
3. Lease agreement for Skeet Club for signature of the Board as previously approved. There were no changes to the lease and it will be mailed to the proper individual at the Skeet Club.
4. Letter from Beachner Bros, Inc. regarding tract of land at the corner of County Road 6000 and 5700. The following action was taken:

ACTION: A motion was made by Commissioner Fowler to accept the offer of \$750.00 from Beachner Bros., Inc for the tract of land at the corner of County Road 6000 and 5700. Motion was seconded by Commissioner Lewark-Wood.

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

RES. 08-13

5. Intergovernmental Agreement between Montgomery County and Elk County to collect and transport their Household Hazardous Waste –
ACTION: A motion was made by Commissioner Lewark-Wood to approve the Intergovernmental Agreement between Montgomery County and Elk County for the collection and transporting of Household Hazardous Waste from their county to Montgomery County. Motion was seconded by Commissioner Tucker.

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

RES. 08-14

Discussed low water crossing letter; enlarging culverts which will be at the expense of the landowner and this was agreed by the Board; and advised the Board that Public Works does not have the capability of making a sign for the Sheriff's Department. It was agreed the sign should look professional.

Mr. Paul Benson was at the meeting issuing complaints about the roads.

SHERIFF STAN VEACH:

Executive Session:

ACTION: A motion was made by Commissioner Tucker to recess to Executive Session at 10:35 AM to return at 10:45 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 10:45 AM with no action taken and no decisions made.

Sheriff Veach advised the Board he was asked by Ruth Bardwell to speak to them on the job position in the jail for a nurse. The Board agreed the job posting could be changed to RN or LPN.

He presented information on the repainting of the vehicles discussed previously. The e-mail from Michael Harp, Service Manager at Quality Motors, Inc. with their commitment on the amount that will be allowed for repainting five (5) Sheriff's vehicles was presented to the Board.

HUMAN RESOURCES – EMPLOYEE HANDBOOK REVISION:

Liz Schwatken, Human Resources Director, presented the revisions to the current employee handbook. Revisions were made by Sue Willman, Labor Law Attorney for the firm of Spencer Fane. After some discussion, Commissioner Lewark-Wood and Commissioner Fowler stated they were ready to adopt the revisions which had been reviewed and approved by the County Counselor. Commissioner Tucker said he had questions and was not ready to adopt the revisions at this time. A decision was tabled until the next regular meeting.

COUNTY CLERK – EXECUTIVE SESSION – NON-ELECTED PERSONNEL:

ACTION: *A motion was made by Commissioner Lewark-Wood to recess to Executive Session at 11:10 AM to return at 11:35 AM with the 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 to session at 11:35 AM with no action taken and no decisions made.

OTHER COUNTY BUSINESS:

1. Update on GIS program and request for internet wireless access for Emergency Preparedness –

Jim Miller presented an update and report on the progress on the GIS Program and the committee meeting held the past week.

Requested the installation of access to the internet (wireless) be installed at approximately \$200.00. Approval was given by the Board.

2. Executive Session – Commissioner Fowler

ACTION: *A motion was made by Commissioner Lewark-Wood to recess to Executive Session at 11:45 AM to return at 11:55 AM 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 11:55 AM with no action taken and no decisions made.

3. Approval for Monthly Payroll –

The Board gave verbal approval for the monthly payroll to be paid by the Payroll Department.

ADJOURNMENT: 12:07 PM

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