

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

March 31, 2008

The Board of County Commissioners, three members and the County Clerk present, met in regular session at 9:00 AM.

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**CALL TO ORDER:** Commissioner Lewark-Wood.

**INVOCATION:** Commissioner Fowler.

**PLEDGE OF ALLEGIANCE:** Commissioner Tucker.

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**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*

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**APPROVAL OF PAYMENT OF INVOICES:**

**ACTION:** *A motion was made by Commissioner Lewark-Wood to approve invoices in the amount of \$191,873.71 and \$27,145.00 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*

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**APPROVAL OF MINUTES:**

**ACTION:** *A motion was made by Commissioner Tucker to approve the minutes of March 31, 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*

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**JUVENILE JUSTICE AUTHORITY – HIRING OF NEW DIRECTOR:**

Randy Wagoner, Juvenile Justice Advisory Board Member, met with the Board of County Commissioners to recommend the hiring of Duane Powell to replace Mark Charest as Family and Children Services Director and approved by the Juvenile Justice Advisory Board, at an annual salary of \$49,500. The Advisory Board also recommends Mr. Powell be paid \$455.00 per week as a temporary position for the two weeks preceding his actual employment. The following action was taken:

**ACTION:** *A motion was made by Commissioner Tucker to approve recommendation of the Juvenile Justice Advisory Board on the hiring of Duane Powell to the position of Director of Family and Children Services for the Juvenile Justice Authority at an annual salary of \$49,500.00. Also, to approve a temporary salary of \$455.00 per week to be paid to Mr. Powell for work to be done for a two (2) week period prior to officially being appointed to the position. Motion was seconded by Commissioner Lewark-Wood.*

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

RES. NO. 08-43

**COMPUTER DEPARTMENT – UPDATE:**

Ken Collins and Jason Clubine met with the Board to discuss and update information on the Computer Department. Due to the workload and the increasing need for the services of the department, they are finding it difficult to meet all the demands of the county facilities. They do computer work for the Coffeyville offices, Judicial Building, Court System and any other problems that arise for county equipment.

There was discussion on the Court system using the computer employees for work previously done with Advantage Computers in Iola. Commissioner Lewark-Wood stated Judge Canaday had agreed previously to help with the salaries of the Computer Department employees since they were saving money without using outside vendors. Judge Canaday was contacted but no action was taken at this time as to the amount to be transferred from the Court Services budget to the Computer Department budget.

The Board agreed a third employee should be considered for the department and Mr. Collins was instructed to contact Human Resources with the job description and advertise the position.

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**COUNTY ATTORNEY – LARRY MARKLE – COMPUTER EQUIPMENT & ADDITIONAL STAFF:**

Larry Markle, County Attorney, and Preston Peine of Advantage Computers, Iola, Kansas met with the Board to discuss new computer equipment needed. Commissioner Lewark-Wood stated it will be necessary to “go through the bidding process” and Commissioner Tucker agreed. Mr. Markle was instructed to contact the County Clerk’s Office and provide specifications for the equipment and a bid date will be set.

Mr. Markle presented statistics on cases filed in Montgomery County with a very large increase in the number of cases over last year. He requested the Board consider an assistant attorney and one (1) clerical staff. No decision was made at this time.

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**EXECUTIVE SESSION – COMMISSIONER LEWARK-WOOD:**

**ACTION:** *A motion was made by Commissioner Lewark-Wood to recess to Executive Session at 9:40 AM to return at 9:55 AM to discuss non-elected personnel with the Board present. Motion was seconded by Commissioner Tucker.*

*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.

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**PUBLIC WORKS:**

Robert Bever, Public Works Coordinator, presented the weekly written report. The following items were discussed: Recommendation on two (2) Tandem Dump Trucks Bid; Recommendation for Monitoring Wells sampling bid; Black & Veatch Corp to install a gate south of the SKO Railroad crossing on County Road 4100 mile 17; Major Bridge Replacement Status; Dust Control; and discussion on replacement of guardrails on road over dam at the Elk City Reservoir. As a result of the report, the following action was taken:

**Tandem Dump Truck Bid –**

**ACTION:** *A motion was made by Commissioner Tucker to accept the recommendation of the Public Works Coordinator and approve the purchase of two (2) Sterling Lt 9500 Tandem Dump Trucks with 2 year extended transmission warranty and 2 tarps at \$910.00 from Merle Kelly Ford, Chanute, Kansas in the amount of \$226,430.00. To be paid from No Fund Warrants Machinery & Equipment. Motion was seconded by Commissioner Fowler.*

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

*RES. NO. 08-44*

**PUBLIC WORKS (Continued):**

**Monitoring Well Sampling Bid –**

**ACTION:** A motion was made by Commissioner Fowler to accept the recommendation of the Public Works Coordinator and approve the bid for Monitoring Well Sampling Bid from Terracon, Wichita, KS in the amount of \$4,950.00. Debit Waste Disposal Contractual Services. Motion was seconded by Commissioner Lewark-Wood.

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

RES. NO. 08-45

**Guardrail on Elk City Dam –**

**ACTION:** A motion was made by Commissioner Lewark-Wood to approve the purchase of guardrail and hardware from Highway Safety Solutions, Springfield, MO, for the work on the guardrail across the dam at the Elk City Reservoir. Motion was seconded by Commissioner Fowler.

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

RES. NO. 08-46

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**SHERIFF STAN VEACH:**

Sheriff Veach met with the Board to discuss the following:

1. **Sign for the jail –**

Sheriff Veach advised the Board the sign from Strimple Sign Company will be a 4' x 8' at a cost of \$850.00. The post the sign will be placed on will be purchased by the county and installed by the county. The following action was taken:

**ACTION:** A motion was made by Commissioner Tucker to approve the purchase of a 4 foot by 8 foot sign for the jail information to be displayed on from Strimple Sign Company, Coffeyville, KS and the post and installation of the post for the sign to be provided by the County. Debit County General Operating Fund. Motion was seconded by Commissioner Fowler.

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

RES. NO. 08-47

2. **Computer for the Department of Corrections –**

Approval was given for bids to be taken for a computer for the Department of Corrections. Bid specifications will be submitted to the County Clerk's office for the bid process.

3. Advised the Board the patrol does not have cars available as of this time

4. **Reject bids for copier from previous meeting –**

**ACTION:** A motion was made by Commissioner Fowler to reject all bids for a copier for the Department of Corrections and to present the specifications to the County Clerk's office to be resent for request for bids. Motion was seconded by Commissioner Tucker.

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

RES. NO. 08-48

5. **Requested Executive Session -**

**ACTION:** A motion was made by Commissioner Lewark-Wood to recess to Executive Session at 11:00 AM to return at 11:10 AM with the Board and Sheriff Veach present. Motion was seconded by Commissioner Tucker.

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.

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**JAIL COMMITTEE LETTER – ANITA ATHERTON:**

Ms. Anita Atherton presented a letter to the Board with the scheduled meetings for the Jail Committee. The Board is invited to attend the meetings which are scheduled for April 7, April 15, April 24 and May 2, 2008 at 6:30 PM in the Commission Meeting Room.

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**OTHER COUNTY BUSINESS:**

**1. GAAP WAIVER – 2007:**

**ACTION:** A motion was made by Commissioner Lewark-Wood to approve the waiver of GAAP (Governmental Accounting Procedures) for Montgomery County for the year 2007. Motion was seconded by Commissioner Fowler.

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

RES. NO. 08-49

**2. Cereal Malt Beverage Licences:**

**ACTION:** A motion was made by Commissioner Fowler to approve Cereal Malt Beverage Licenses for Stinky's Bait Shop, Independence, KS and Caney Golf Club, Caney, KS. Motion was seconded by Commissioner Lewark-Wood.

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

RES. NO. 08-50

**3. Acknowledged letter to Department of Justice from County Clerk –**

**4. Acknowledged letter to Doctor Moore, Caney, KS from Ruth Bardwell, Health Dept.**

**5. Jim Miller, Emergency Preparedness Director, advised of severe weather alert for Montgomery County.**

**6. Thank you note from Caney After Prom.**

**7. Resolution to transfer \$2,500.00 quarterly from the Unified Court to the Computer Department for work provided by Computer Department on equipment – Tabled until undecided date.**

**8. Transfer of Funds to GIS Department –**

**ACTION:** A motion was made by Commissioner Fowler to approve the transfer of \$10,000.00 from the General Operating Fund to the GIS Technical Fund by Journal Entry to be made by the County Clerk. Motion was seconded by Commissioner Lewark-Wood.

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

RES. NO. 08-51

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**ADJOURNMENT: 11:40 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**

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**BILLIE LEWARK-WOOD, Chairman**

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**GENE TUCKER, Member**

**ATTEST:**

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**TONY FOWLER, Member**

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**County Clerk**