

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

April 21, 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 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 Lewark-Wood 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 April 14, 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*

COUNTY ATTORNEY – BID OPENING – SERVER:

County Attorney Larry Markle was present for the bid opening on a server for his department. Bids were as follows:

Computer Generations, Independence, KS	\$4,920.04
Dell Computer	\$5,038.44
Advantage Computer, Iola, KS	\$7,696.00
Kontemporary Keyboards, Coffeyville, KS	No Bid

Bids will be reviewed by the County Attorney and Computer Department before a recommendation is made to the Board.

PUBLIC HEARING – KANSAS AVIATION:

The Public Hearing for the purpose of hearing the application of Kansas Aviation for a property tax exemption on equipment to be used by the applicant for manufacturing article of commerce. Mr. Dennis Pruitt, representing Montgomery County Action Council and Toby Lavine, representing Kansas Aviation were present for the hearing. Mr. Lavine presented employment figures for the Company of a total of 48 employees. The property for exemption is valued at \$188,536.

There being no public input or objections, the following action was taken:

ACTION: *A motion was made by Commissioner Lewark-Wood that the findings of this hearing have determined the property will be used exclusively for exempt purposes and the county will approve the application. Motion was seconded by Commissioner Tucker.*

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

RES. NO. 08-62

JJA – FAMILY AND CHILDREN SERVICES – NEW JOB DESCRIPTION AND SALARY FOR DAYLENE WALLS AND TERRY VOTH:

Duane Powell, Family and Children Services Director, presented a job description to the Board as approved by the Juvenile Justice Authority Advisory Board. The salary range will be \$32,000 to \$34,000 per year. This position will be possible due to a \$124,000 increase in budget approved by the State. The following action was taken on the new position:

ACTION: *A motion was made by Commissioner Lewark-Wood to accept the recommendation of the Juvenile Justice Authority Advisory Board for a new position in Family and Children Services (JJA) at an annual salary of \$32,000.00 to \$34,000.00. Motion was seconded by Commissioner Tucker.*

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

RES. NO. 08-63

Mr. Powell presented a request for compensation to be paid to Daylene Walls and Terry Voth for the extra duties assumed during the Director Position vacancy as approved by the Juvenile Justice Advisory Board . The amount to be paid to Daylene Walls is \$14,400.00 and to Terry Voth is \$1,039.59. The following action was taken:

ACTION: *A motion was made by Commissioner Lewark-Wood to approve compensation to Daylene Walls in the amount of \$14,400.00 and to Terry Voth in the amount of \$1,039.59 as approved by the Juvenile Justice Authority Advisory Board, for duties assumed during the Director Position vacancy. Motion was seconded by Commissioner Fowler.*

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

RES. NO. 08-64

Recessed at 10:00.
Returned at 10:05.

PUBLIC WORKS:

Executive Session:

ACTION: A motion was made by Commissioner Tucker to recess to Executive Session at 10:05 AM to return at 10:35 AM with Robert Bever 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 10:35 AM with no action taken and no decisions made.

Mr. Bever presented the weekly written report. The following items were discussed: Invitation to bid for the 2nd round of Flood Debris Pickup; Recommendation on Traffic Paint Bid and Traffic Beads Bid; Major Bridge Replacement Status; Replacement for terminated employee; and Dust Control. As a result of this report, the following action was taken:

1. Bid Recommendations:

ACTION: A motion was made by Commissioner Lewark-Wood to accept the bid for Traffic Paint from Conmat, Gardner, Kansas in the amount of \$21,532.55 and Traffic Beads from PMSI, Wichita, Kansas in the amount of \$3,380.00. Debit Road and Bridge Fund. Motion was seconded by Commissioner Fowler.

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

RES. NO. 08-65

2. Reported to the Board that dust control will be \$417.00 for 300 feet.
3. Discussed County Auction – There will be no county auction this year, the vehicles can be sold later. Computer department will check the computer equipment and salvage parts then dispose of the remainder.
4. Change the 2008 work program and not purchase the proposed one-ton truck. It will be placed on the 2009 work program.
5. Discussed replacing the one-ton truck on the 2008 work program with the purchase of a truck from the no fund warrants to spread water on repairs on roads.
6. Requested to purchase 240 gallon of roundup. Approved by the Board.
7. Advised Board he is replacing an employee on Road and Bridge. The employee did not report to work for three (3) days.

SHERIFF – PURCHASE OF VAN – EXECUTIVE SESSION – NON –ELECTED PERSONNEL:

Sheriff Stan Veach met with the Board and presented information on a 12-passenger van found at 5-Star Motors in Coffeyville for \$14,000. The invoice was presented for payment with current bills and the following action was taken:

ACTION: A motion was made by Commissioner Tucker to approve the purchase of a 12-passenger van from 5-Star Motors, Coffeyville, Kansas in the amount of \$14,000 for the Sheriff's Department. Debit General Operating Capital Outlay Fund. Motion was seconded by Commissioner Fowler.

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

RES. NO. 08-66

Executive Session:

ACTION: A motion was made by Commissioner Tucker to recess to Executive Session at 10:57 AM to return at 11:07 AM with Sheriff Stan Veach 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 11:07 AM with no action taken and no decisions made.

Minutes – April 21, 2008

Page 4

COUNTY TREASURER – EXECUTIVE SESSION – NON-ELECTED PERSONNEL:

ACTION: A motion was made by Commissioner Tucker to recess to Executive Session at 11:15 AM to return at 11:45 AM with the first 15 minutes to discuss non-elected personnel with County Treasurer Nancy Clubine present and the remaining 15 minutes with only the Board 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 11:45 AM with no action taken and no decisions made.

OTHER COUNTY BUSINESS:

- 1. Acknowledged letter from Environmental Health on transformer spill.**
- 2. Transfer of funds from Unified Court to Computer Department discussion and resolution.**
A resolution will be presented at the next meeting as reviewed and agreed upon by Judge Canaday.
- 3. Request for Co. Clerk to close at 11:30 AM to 1:00 PM on Wednesday, April 23rd and the Co. Treasurer to close at 11:30 AM to 1:00 PM on Thursday, April 24th to observe Secretaries Day.**

ACTION: A motion was made by Commissioner Lewark-Wood to approve the closing of the County Clerk's office from 11:30 AM until 1:00 PM on April 23rd and closing of the County Treasurer's office from 11:30 AM until 1:00 PM on April 24th to observe Secretaries Day. Motion was seconded by Commissioner Fowler.

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

- 4. Appointment of Department Supervisors –**

ACTION: A motion was made by Commissioner Tucker to re-appoint the department supervisors for the remainder of the year 2008.

Discussion: Commissioner Fowler stated it was not on the agenda to take this action at this meeting and Commissioner Lewark-Wood agreed and stated "the media is not here".

Motion died for lack of a second.

The appointments will be placed on the agenda for the April 28th meeting.

ADJOURNMENT: 11:50 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