

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

June 2, 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 Tucker.

**PLEDGE OF ALLEGIANCE:** Commissioner Fowler.

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**AGENDA APPROVAL:**

**ACTION:** *A motion was made by Commissioner Tuckerr 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 Tucker to approve invoices in the amount of - \$14,187.50 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*

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**APPROVAL OF MINUTES:**

**ACTION:** *A motion was made by Commissioner Lewark-Wood to approve the minutes of May 12, 2008 as presented by the County Clerk. The motion was seconded by Commissioner Tucker.*

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

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**EXECUTIVE SESSION:**

**ACTION:** *A motion was made by Commissioner Lewark-Wood to recess to Executive Session at 9:10 AM to return at 9:15 AM with 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 9:15 AM with no action taken and no decisions made.

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**DEPARTMENT HEAD MEETING WITH BOARD:**

County department supervisors, elected and appointed, met with the Board to discuss a possible increase and the need for an increase in salary for the employees. The Board is aware the County has lost several key employees due to salaries. After some discussion by the Board, the following action was taken:

**ACTION:** *A motion was made by Commissioner Tucker to authorize an increase of \$75.00 per month, effective July 1, 2008, for every full-time employee with part-time employees being prorated based on the number of hours worked per week. This increase will be for every county employee working in a department for the County operating under a county mill levy. Motion was seconded by Commissioner Lewark-Wood.*

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

*RES. NO. 08-95*

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**MONTGOMERY COUNTY HEALTH – FUNERAL POLICY:**

Ruth Bardwell, Montgomery County Health Director presented a request to the Board to approve a one (1) day funeral leave for a County Health Employee. The relationship of the employee is not covered in the Employee's Handbook. The following action was taken:

**ACTION:** *A motion was made by Commissioner Tucker to approve a one (1) day paid funeral leave for a Montgomery County Health employee to accompany her minor child to the funeral of the child's father. Motion was seconded by Commissioner Lewark-Wood.*

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

*RES. NO. 08-96*

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

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**PUBLIC WORKS:**

Robert Bever, Public Works Coordinator presented the written report to the Board and the following items were discussed: Road & Bridge Balance sheet for May 2008; Publication in local paper to solicit public involvement in the 5-year plan; Memo regarding work beginning on State Street, Caney; Purchased 2000 gallon water truck from Muller's Construction at a cost of \$17,500; TranSystems estimate for work to build low water bridge at CR 6000 mile 12 (\$9,800); Memo on CR 53500 south of CR 5400 for culvert replacement; Major Bridge Replacement Status; Noxious Weed and Sewer District #2 balance sheets for May 2008; Household Hazardous Waste pickup report; discussed oil and gas well traffic damage to roads; and advised the Board the sign for the jail will be finished in the next 3 to 4 weeks.

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**SHERIFF:**

Discussed the following:

1. Resolution for barricades on county roads;
2. Advised Board the Sheriff's Reserves would like to trade old suburban for an old patrol car and the suburban would be sold at sale. There was no objection by the Board.
3. Needs a computer and would be purchased from the State bid list. Jason Clubine will pursue the best price and place the order for the computer.

**SHERIFF (Continued):**

4. Requested Executive Session.

**ACTION:** A motion was made by Commissioner Lewark-Wood to recess to Executive Session at 10:49 AM to return at 10:59 AM with Sheriff Veach 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 10:59 AM with no action taken and no decisions made.

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**GARY STEDDUM – COUNTY CONCERNS:**

Mr. Gary Steddum met with the Board to discuss “County Concerns”. His main concerns were the Board of County Commissioners role in county decisions and the operation of the County Appraiser’s office. He stated he would return to talk to Mr. Robert Bever, the Board and the County Clerk when he had more information.

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**COUNTY APPRAISER’S OFFICE – PERSONNEL ISSUES:**

Jim Shontz and Kathy Craig met with the Board with a request to close their office on June 25<sup>th</sup> at 3:00 PM for the retirement of Cheryl Carter. The Board approved the closing and stated the County will pay for the plaque for Ms. Carter.

A request was made to the Board to hire two (2) employees; an employee for mapping and a field person. The following action was taken:

**ACTION:** A motion was made by Commissioner Lewark-Wood to approve the hiring of two employees for the County Appraiser’s Office; one employee for mapping and a field person. Motion was seconded by Commissioner Tucker.

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

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**COUNTY COUNSELOR – SPECIAL SALE RESOLUTION:**

Paul Kritz, County Counselor, presented a resolution to institute an action for the foreclosure and sale of real estate at 119 W. 8<sup>th</sup> St., Coffeyville.

Commissioner Tucker had visited with the city officials and they want to clean up the neighborhood and sell the property. The following action was taken:

**ACTION:** A motion was made by Commissioner Lewark-Wood to authorize the sale of real estate for delinquent ad valorem property taxes at 119 W. 8<sup>th</sup> Street, Coffeyville, Kansas. Motion was seconded by Commissioner Tucker.

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

RES. NO. 08-93

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**COMPUTER DEPARTMENT:**

Ken Collins, Computer Department Director, met with the Board to present a Proclamation request to the Board proclaiming the days of June 28<sup>th</sup> and 29<sup>th</sup>, 2008 as Amateur Radio Operation Recognition Days. The following action was taken:

**ACTION:** A motion was made by Commissioner Tucker proclaiming June 28<sup>th</sup> and June 29<sup>th</sup> as Amateur Radio Operation Recognition Days. Motion was seconded by Commissioner Fowler.

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

RES. NO. 08-97

Executive Session:

**ACTION:** A motion was made by Commissioner Tucker to recess to Executive Session at 11:45 to return at 11:54 AM with Ken Collins 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 11:54 AM with no action taken and no decisions made.

Discussion: Mr. Collins discussed the hiring of an employee for the Computer Department at the salary of \$12.00 per hour. He has conducted interviews and has selected an applicant but does not want the name release until the individual has time to notify his present employer. The following action was taken:

**ACTION:** A motion was made by Commissioner Lewark-Wood to approve the hiring upon the recommendation of the Computer Department Director, an employee for the Computer Department at the salary of \$12.00 per hour. Motion was seconded by Commissioner Fowler.

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

RES. NO. 08-98

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**EXECUTIVE SESSION:**

**ACTION:** A motion was made by Commissioner Tucker to recess to Executive Session at 12:06 PM to return at 12:11 PM 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 12:11 PM with no action taken and no decisions made.

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**OTHER COUNTY BUSINESS:**

1. Chairman read letter from Buzzi Unicem USA Inc. notifying the Board of the plans to permanently shut down cement production at the Independence facility.
2. Disaster Proclamation -

**ACTION:** A motion was made by Commissioner Lewark-Wood to issue the Proclamation of a State of Local Disaster Emergency for Montgomery County, Kansas due to certain conditions that have caused, or eminently threaten to cause, wide-spread or severe damage, injury or loss of life or property in disaster proportion in Montgomery County. Motion was seconded by Commissioner Fowler.

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

RES. NO. 08-86

3. Montgomery County Rural Fire – Wilbur Schwatken presented information to the Board on the purchase of two used pumpers at a cost of \$27,000 to be located at the Cherryvale Station and either the Independence Station or the Dearing Station with Independence having the first option. The following action was taken:

**ACTION:** *A motion was made by Commissioner Lewark-Wood to approve the purchase of two used pumpers for Montgomery County Rural Fire Department at a total cost of \$27,000. Debit Montgomery County Rural Fire Fund. Motion was seconded by Commissioner Fowler.*

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

**RES. NO. 08-99**

A bed is needed for the truck at Havana and a 250 gallon tank. Mr. Schwatken was instructed to obtain quotes on the tank. The truck bed can be bought from Jensen Mfg in Coffeyville at a cost of \$2,600 and Commissioner Tucker was asked to be consulted on the design. The following action was taken:

**ACTION:** *A motion was made by Commissioner Tucker to purchase a fire bed for the truck at Havana at a cost of \$2,600. Debit Montgomery County Rural Fire Fund. Motion was seconded by Commissioner Fowler.*

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

**RES. NO. 08-100**

Discussed a County Fire Master Plan to be prepared at no cost to the County by Troy Krenzler, NRCS Coordination. The Board approved the preparing of the plan and the Chairman to sign on behalf of Montgomery County.

4. Acknowledged receipt of the Treasurer's Statement.  
5. Resolution for prohibiting the destruction or removal of road warning signs and driving on closed county roads. The following action was taken:

**ACTION:** *A motion was made by Commissioner Tucker to adopt a resolution prohibiting the destruction or removal of road warning signs or driving on closed county roads as approved for wording by the County Counselor. Motion was seconded by Commissioner Lewark-Wood.*

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

**RES. NO. 08-94**

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**ADJOURNMENT: 12:25 PM**

**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**

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**TONY FOWLER, Member**

**ATTEST:**

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**County Clerk**