

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

June 9, 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 Tucker.*

*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 - \$226,227.18 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 May 19, 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*

JUVENILE JUSTICE AUTHORITY – NEW HIRES:

Duane Powell, Juvenile Justice Authority Director, presented a request to the Board to hire Abby Walls as a temporary receptionist part time. Commissioner Fowler was against the hiring of Ms. Walls due to her relationship to Daylene Walls. Mr. Powell will search applications and if cannot find a suitable applicant, then present it again to the Board.

Mr. Powell requested approval to hire Amy Myers to replace Melinda Henisey for Juvenile Intake at a salary of \$28,000 per year. The following action was taken:

ACTION: *A motion was made by Commissioner Lewark-Wood to approve the hiring of Amy Myers at a salary of \$28,000 per year for Juvenile Intake for Family and Children Services to replace Melinda Henisey. Motion was seconded by Commissioner Fowler.*

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

Recessed at 9:26 AM

Returned at 9:30 AM

SEK REGIONAL PLANNING COMMISSION – FLOOD BUYOUT:

Becky Vorhees, representing Southeast Kansas Regional Planning Commission, presented information on the flood buyout for Montgomery County. She stated there are applications for urgent need for 28 structures in the flooded area in the county. The total cost for buyout will be \$1,987,526 with FEMA funding of \$1,475,945. The application for the grant is \$413,185.00 with a county match of \$91,396.

ACTION: *A motion was made by Commissioner Tucker to approve the application for the CDBG grant in the amount of \$413,185.00 for funding for the flood buyout for Montgomery County. Motion was seconded by Commissioner Fowler.*

ROLL CALL VOTE – Commissioner Lewark-Wood - Yes

Commissioner Tucker - Yes

Commissioner Fowler – Yes

RES. NO 08-101

FOUR COUNTY MENTAL HEALTH – 2009 BUDGET REQUEST:

Mr. Ron Denney, Four County Mental Health Director, presented the 2009 budget request to the Board. The request includes an increase of approximately \$62,000 above the current allocation. The budget will be taken under consideration at the budget work sessions.

PUBLIC WORKS:

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

1. Land auction at 10:00 AM on front steps of Courthouse. *No public input at the auction and no public except Beachner's Construction representative. There was no bidding.*
2. Right-of-way for Bridge #608. *Public Works Coordinator directed to proceed with a written offer.*
3. Request to lay water line in county right-of-way for Rural Water District #4. *Public Works is to mark where lines must be located.*
4. Major Bridge Replacement Status.

Discussed high water signs and the responsibility to the county when they are not obeyed or destroyed.

SHERIFF:

Discussion on Public Works not responding to calls to remove downed trees blocking roads. One tree was blocking road at Elk City Reservoir and had to be removed by Under sheriff Sid Howell. Robert Bever was present for the discussion and advised Sheriff Veach and the Board Public Works did not receive the call from the dispatcher. A list of contact numbers had been given to the Sheriff's dispatch and they apparently called one number and could not reach anyone in Public Works and did not continue to call the remaining contact numbers.

NELSON OLINGER – COUNTY CONCERNS:

Nelson Olinger, Montgomery County rural resident, expressed concerns to the Board on the road conditions throughout the county. Mr. Olinger also discussed the jobs we are loosing in the county and what affect it will have on the tax base.

EXECUTIVE SESSION – NON-ELECTED PERSONNEL:

ACTION: A motion was made by Commissioner Lewark-Wood to recess to Executive Session at 11:00 AM to return at 11:15 AM to discuss non-elected personnel with Jim Miller and Wilbur Schwatken present. Motion was seconded by Commissioner Fowler.

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

Returned to session at 11:15 AM with no action taken and no decisions made.

Mr. Schwatken requested the purchase of tank from KBK, Rush Center, Kansas in the amount of \$1,730.00. The following action was taken:

ACTION: A motion was made by Commissioner Tucker to approve the purchase of a tank for Montgomery County Rural Fire District #1 to be purchased from KBK, Rush Center, Kansas in the amount of \$1,730.00 to be debited from MCRF#1 Fund. Motion was seconded by Commissioner Fowler.

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

RES. NO. 08-102

A Forestry Grant request was presented by Mr. Schwatken to the Board. The grant will be for \$9,125.00 with a county match of \$4,562.50 to be paid from the MCRF#1 Fund and will be used to purchase pagers and radios. The following action was taken:

ACTION: A motion was made by Commissioner Tucker to approve the application for a Forestry Grant in the amount of \$9,125.00 with a county match of \$4,562.50 to be paid from MCRF#1 Fund. The grant will be used to purchase pagers and radios. Motion was seconded by Commissioner Lewark-Wood.

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

RES. NO. 08-103

OTHER COUNTY BUSINESS:

1. Report on Jail Task Force.
2. County Treasurer's report.
3. Large Car Logistics – Mr. Trey Cocking, Cherryvale City Administrator inquired about receiving the financing for the road project discussed in December, 2005 and if the funds in the amount of \$458,017 were available for the same road at the present time. The Board referred to the minutes of December 15, 2005 and asked Mr. Cocking be notified the funds were only for the project specified at that time and not the present project the city is referring to at this time.
4. Acknowledged “thank you” for flowers note to the Board.
5. Jeff Davis, Tyro, Kansas spoke with the Board concerning a call he had received from Paul Ray Benson . Mr. Bever, Public Works Coordinator was asked to return to the meeting for the conversation with Mr. Davis.

Material from the Progressive Farmer magazine on roads and their maintenance was presented to the Board by Mr. Davis.

ADJOURNMENT: 11:37 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