

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

September 8, 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 Lewark-Wood 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 Tucker to approve invoices in the amount of - \$25,431.49, \$401,752.16 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*

APPROVAL OF MINUTES:

ACTION: *A motion was made by Commissioner Tucker to approve the minutes of August 4, 11, 18 and 25, 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*

PUBLIC HEARING – CDBG GRANT – SEWER DISTRICT #2:

Sandy Erbe representing Southeast Kansas Regional Planning, was present for the Public Hearing for the CDBG Grant for Sewer District #2 in the amount of \$215,300.00 for improvements to the district. The grant is a 50/50 matching grant.

There being no public input regarding the Grant, the following action was taken:

ACTION: *A motion was made by Commissioner Fowler to approve the proposed grant in the amount of \$215,300 with matching funds by the Sewer District and authorize the Chairman and County Clerk to sign all documents required on behalf of Montgomery County. Motion was seconded by Commissioner Tucker.*

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

RES. NO. 08-138

PUBLIC WORKS:

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

1. Rock report for August
2. Balance Sheet for Road and Bridge for August
3. Memo regarding State Street in Caney (Spears Road)
4. Memo regarding closed bridge (103) on County Road 5400 mile 21
5. Memo regarding BP Pipeline Oil spill on County road 4200 mile 10 (See Environmental Health report)
6. Letter from Natural Resources Conservation Service (NRCS) regarding the county sponsoring the repair of a destabilized stream bank along Verdigris River and will the County sponsor this. The following action was taken:

ACTION: *A motion was made by Commissioner Tucker to proposal from the Natural Resources Conservation Service for the county to sponsor the repair of a destabilized stream bank along the Verdigris River in the amount of \$50,000.00 if the cash sum can be expended from the No Fund Warrants. Motion was seconded by Commissioner Lewark-Wood.*

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

RES. NO. 08-137

7. Major Bridge Replacement Status –
Permits for County Bridge replacement to be placed on 5 year plan on Bridge 1211 CR 1300 Mile 3 at Caney –

ACTION: *A motion was made by Commissioner Tucker to authorize the Chairman to sign, on behalf of Montgomery County, the required documents to place County Bridge 1211 on the 5 year bridge plan. Motion was seconded by Commissioner Fowler.*

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

8. Noxious Weed balance sheet for August
9. Sewer District #2 balance sheet for August

**Recessed at 10:10 AM.
Returned at 10:15 AM.**

DEPARTMENT OF CORRECTIONS:

Jimmy Holt, Department of Corrections Administrator, met with the Board to discuss Smart Software for the new fingerprint machine Swanson Service Corporation. He explained the software would allow fingerprints to be cross-checked against other law enforcements records if they have the software also. It would be a tracker on fingerprints. The Board asked if other counties have the necessary equipment for this system to work and he advised the Board there are some and several others working on getting the capability. No action at this time.

Overnight Commissary Service Proposal was discussed and explained by Mr. Holt. This service would track expenditures and monies from the Commissary with no charge for the software and no maintenance fee. They asked for a five (5) year contract but Mr. Holt asked for a three (3) year contract. The following action was taken:

ACTION: *A motion was made by Commissioner Tucker to approve the contract for three (3) years between Montgomery County Department of Corrections and Overnight Commissary Services for commissary needs in the DOC. Motion was seconded by Commissioner Lewark-Wood.*

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

RES. NO. 08-139

DEPARTMENT OF CORRECTIONS (Continued):

Mr. Holt requested permission to replace the scanning devices at the jail that log in and document time logs on officers and is a “guard tour system”. The Guard Plus timekeeping system allows 30 points of contact to be recorded. At the present time the scanning devices are not working. The cost to replace the system is \$5,000 and to designate a computer system to the system is \$900.00. The system can be expanded at a later time if needed. The following action was taken

ACTION: *A motion was made by Commissioner Fowler to approve the purchase of a system from Guard Plus for logging in and documenting time on tour by officers and a computer to be designated to the system at a total cost of \$5,900.00 to be debited from County General Capital Outlay. Motion was seconded by Commissioner Lewark-Wood.*

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

RES. NO. 08-140

Mr. Holt will research the tracker system for fingerprinting and return to the Board at a later date.

EXECUTIVE SESSION:

ACTION: *A motion was made by Commissioner Tucker to recess to Executive Session at 11:13 AM to return at 11:18 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 11:18 AM with no action taken and no decisions made.

COUNTY APPRAISER POSITION:

ACTION: *A motion was made by Commissioner Tucker to recess to Executive Session at 11:20 AM to return at 11:40 AM with LeRoy Burk and the Board 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 11:40 AM with no action taken and no decisions made.

ACTION: *A motion was made by Commissioner Tucker to hire Mr. LeRoy Burk as Montgomery County Appraiser based on a salary of \$65,000.00 until June 30, 2009 and effective at 12:00 Noon, September 8, 2008. Motion was seconded by Commissioner Fowler. Discussion: Commissioner Lewark-Wood stated she had received some calls opposing the hiring of Mr. Burk due to previous hearing decisions in the past. (End of discussion and call for vote).*

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

RES. NO. 08-141

OTHER COUNTY BUSINESS:

1. Acknowledged spill report from Environmental Health –
2. Acknowledged booklet from Heartland Institute on Energy Keepers and Energy Killers–
3. American Planning Association
4. Letter from DOT to Robert Bever
5. Invitation to dedication ceremony at Pittsburg for armory -
6. Letter from Senior Services regarding Board of Directors vacancy –

ACTION: *A motion was made by Commissioner Tucker to appoint Jim Miller to the Senior Services of Southeast Kansas Board of Directors, term was not stated. Motion was seconded by Commissioner Lewark-Wood.*

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

RES. NO. 08-142

7. Montgomery County Action Council meeting with Secretary of Revenue –
8. Register of Deeds Report –
9. Risk Management Assessment –
10. County Animal Control Officer –

ACTION: *A motion was made by Commissioner Lewark-Wood to appoint Scott Barnhart as Montgomery County Animal Control Officer effective October 1, 2008. Motion was seconded by Commissioner Tucker.*

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

RES. NO. 08-143

11. Commissioner Tucker told the Board he has a real nice picture of the State Capitol Building and would like to give it to the County for the Commission Meeting Room.

ADJOURNMENT: 12:04 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**

BILLIE LEWARK-WOOD, Chairman

GENE TUCKER, Member

TONY FOWLER, Member

ATTEST:

County Clerk