

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

September 22, 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 Fowler to approve invoices in the amount of - \$74,305.57 as presented by the County Clerk's office. The motion was seconded by Commissioner Lewark-Wood..*

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

COUNTY APPRAISER:

County Appraiser LeRoy Burk met with the Board and requested hiring a Data Analyst and Commercial/Residential Appraiser III at a rate of \$13.00 to \$16.00 per hour. The following action was taken:

ACTION: *A motion was made by Commissioner Tucker to authorize the County Appraiser to hire a Data Analyst and Commercial/Residential Appraiser III at a rate of \$13.00 to \$16.00 per hour following County procedures. Motion was seconded by Commissioner Lewark-Wood.*

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

Mr. Burk requested purchasing a vehicle for his department and placing the 1990 Jeep in the next County Auction. The Board authorized Mr. Burk to receive bids on a vehicle with the specifications to be given to the County Clerk's Office.

Mr. Miller discussed the GIS land use with the Appraiser and stated it as being a six month to eight month project.

PUBLIC WORKS:

Robert Bever, Public Works Coordinator, presented:

1. Information on the program for chip and seal with new products and contracting companies that are available. He stated the cost would be \$6,000 to \$8,000 per mile for contracting and the County doing the work and supplies costs is approximately \$10,000 to \$12,000. Mr. Bever will do further research on these programs
2. Advised the Board the ClearSpan Salt Storage Building has been completed at Dearing and the salt is being delivered at this location next week.
3. Requested purchasing a Tree Saw and Line Kit for the vegetative management program that was started this year using employees from the Federal funded Kansas Works Program. The cost would be \$26,451.24 and funds will come from the Road and Bridge Fund. The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to approve the purchase of a Case Line Kit from Victor Phillips Company at a cost of \$11,282.24 and a Tree Saw from Harlemen Manufacturing at a cost of \$15,169.00 for a total cost of \$26,451.24 to be debited from Road and Bridge Fund.*

Motion was seconded by Commissioner Lewark-Wood.

ROLL CALL VOTE – Commissioner Lewark-Wood - Yes

Commissioner Tucker - Yes

Commissioner Fowler – Yes

RES. NO. 08-146

4. Hub Manager Pro 6 Security System – Public Works requests to move the system to the Sheriff’s Department from their department. The system is used for managing the outside doors of the Judicial Center. The Board approved the moving of the program to the Sheriff’s Department computer at a cost of \$300.00 to \$450.00 for training and moving of the system to be paid from the Sheriff’s budget.
5. Wildlife and Parks – Tree trimming along Corp Property – Wildlife and Parks have contacted the county to see if the County could use the brush cutter and trim trees along and over the top of roads that are located on Corp property. They have approximately three (3) miles of tree work that will be trimming only and the County’s charge for labor, equipment and fuel will be \$75.00 per hour. It was decided there should be an agreement made between the County and the Corp for the work. Mr. Bever will consult with the County Counselor on the wording of the agreement.
6. Presented a copy of a letter from Public Works to Mr. Eric B. Banks, State Conservation on the utilization of the Emergency Watershed Protection (EWP) Program to repair a destabilized stream bank along the Verdigris River that was damaged due to the June/July 2007 flood.
7. Chemicals for Noxious Weed in the amount of \$44,000.00 approved by the Board.

WAYNE GUDMONSON- KDOT:

Mr. Gudmonson met with the Board to provide information on a meeting in Pittsburg at the Lamplighter on Friday, September 26th to discuss the TLINKS Program. 2009 will end the Comprehensive Transportation Program The Governor is working on a new program. At the meeting KDOT will be reporting on projects for the next program to be considered.

A.D.A. CONTRACT – SCOTT BARNHART AND LEONARD CAFLISH:

Mr. Barnhart and Mr. Caflish of Architectural Collaboration met with the Board and presented information on a site survey in progress for the ADA study for the County. The field work is almost complete then the drawings will begin and completion will be by the last of October or first week in November. The finalization survey and meeting will be by the end of December. Payment for the services will be made in three (3) phases for a total of \$25,100.00.

EXECUTIVE SESSION:

ACTION: *A motion was made by Commissioner Tucker to recess to Executive Session at 11:02 AM to return at 11:12 AM with Scott Barnhart 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 from Executive Session with a motion by Commissioner Tucker to extend the session with Mr. Barnhart present until 11:23 AM. Motion was seconded by Commissioner Fowler.

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

Returned from Executive Session at 11:23 AM with no action taken and no decisions made.

COUNTY COUNSELOR PAUL KRITZ – EXECUTIVE SESSION – ATTORNEY/CLIENT:

ACTION: *A motion was made by Commissioner Lewark-Wood to recess to Executive Session at 11:30 AM to return at 12:00 Noon with the Board, County Counselor Paul Kritz and County Appraiser LeRoy Burk present for Attorney/Client Privilege. Motion was seconded by Commissioner Fowler.*

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

Returned from Executive Session at 12:00 Noon with no action taken and no decisions made.

OTHER COUNTY BUSINESS:

1. Abatements – Approved in the amount of \$122,319.08
2. Executive Session –

ACTION: *A motion was made by Commissioner Lewark-Wood to recess to Executive Session at 9:07 AM to return at 9:17 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 from Executive Session at 9:17 AM with no action taken and no decisions made.

3. Grant Documents for Montgomery County Sewer District #2 – Authorize Chairman to sign –
ACTION: *A motion was made by Commissioner Fowler to authorize the Chairman to sign on behalf of Montgomery County, all necessary documents for the Montgomery County Sewer District #2 CDBG Grant. Motion was seconded by Commissioner Tucker.*

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

4. Acknowledged Letter from Legislative Division of Post Audit.

5. Letter from Family & Children Services – Appointment to JCAB –

ACTION: *A motion was made by Commissioner Fowler to approve the recommendation of the Juvenile Corrections Advisory Board for Mark Hayward to continue in the position of General Appointment to the JCAB Board effective June 30, 2008 for a three (3) year term. Motion was seconded by Commissioner Lewark-Wood.*

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

RES. NO. 08-147

ADJOURNMENT: 12:10 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