

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

October 6, 2008

The Board of County Commissioners, three members and the Deputy 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 Tucker 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 - \$510,918.01 and \$9,833.16 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 September 15, 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*

EXECUTIVE SESSION:

ACTION: *A motion was made by Commissioner Tucker to recess to Executive Session at 9:10 AM to return at 9:20 AM with 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 9:20 AM with no action taken and no decisions made.

COUNTY APPRAISER:

County Appraiser LeRoy Burk met with the Board to present bids on a vehicle for the Appraiser's Office. Bids were as follows:

Romans Chevrolet, Independence, KS	\$15,810	2007 Chev. Impala
Mike Carpino Ford Mercury, Inc., Columbus, KS	\$10,515	2007 Ford Taurus
Quality Toyota, Independence, KS	\$13,275	2006 Ford Fusion SE
	\$16,775	2006 Mercury Milan
	\$16,970	2008 Mercury Gr. Marquis
	\$12,948	2007 Ford Focus SE
Perl Chevrolet, Coffeyville, KS	\$12,995	2007 Chevy Cobalt
	\$13,424	2007 Pontiac Grand Prix
	\$31,600	2007 Pontiac G-6
	\$29,000	2007 Chev. Impala
Joe Watts Auto Sales, Vinita, OK	\$14,125	2007 Ford Taurus
Quality Motors, Inc., Independence, KS	\$14,950	2007 Dodge Magnum
	\$12,450	2007 Ford Taurus

ACTION: *A motion was made by Commissioner Lewark-Wood to accept the low bid for a 2007 Ford Taurus in the amount of \$10,515 from Mike Carpino Ford Mercury, Inc., Columbus, Kansas. Debit County Appraiser's Budget. Motion was seconded by Commissioner Fowler.*

*ROLL CALL VOTE – Commissioner Lewark-Wood - Yes
Commissioner Tucker - No
Commissioner Fowler – Yes*

RES. NO. 08-151

Mr. Burk advised the Board he has talked to County Counselor Paul Kritz and feels some issues regarding the refinery have been resolved; new employee will start work Tuesday, October 7th; and advised the Board he had spoken at the Chamber of Commerce meeting on appraisals.

HAVANA MAYOR DENNIS HODGES AND SCOTT BARNHART:

Mayor Dennis Hodges told the Board there is a structure in Havana City that is a danger and the owners have been notified with no response. Mr. Barnhart is unaware of any city codes for condemning of the property but could enter into a mutual agreement for the county to assist the city of Havana. Mr. Barnhart will prepare a letter for Mr. Hodges to take to the city council and the council can lobby the county to go to the County Counselor for condemning.

EXECUTIVE SESSION:

ACTION: *A motion was made by Commissioner Tucker to recess to Executive Session at 10:00 AM to return at 10:10 AM with the Board and Scott Barnhart 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 10:10 AM with no action taken and no decisions made.

Recess at 10:10 AM

Returned at 10:15 AM

PUBLIC WORKS:

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

1. Bridge Design Proposal bid opening - The only bid received was from Cook, Flat and Strobel, Topeka, Kansas in the amount of \$29,500 –
ACTION: *A motion was made by Commissioner Fowler to reject all bids for Bridge Design Proposals and authorized Public Works to resubmit the bid requests. Motion was seconded by Commissioner Tucker.*
ROLL CALL VOTE – Commissioner Lewark-Wood - Yes
Commissioner Tucker - Yes
Commissioner Fowler – Yes
2. Road and Bridge Monthly Balance sheet for September 2008.
3. Request to set a viewing date of Monday, October 27, 2008 at 9:30 AM for opening County Road 5180 South of County Road 1420 – Request was approved.
4. Memo on county roads that have not been used for a number of years - County Counselor has been contacted and advises that since the County has not maintained this particular road in more than 20 years, the County should consider vacating the road Mr. Springer requested being re-opened in a platted subdivision known as Richardson and Teal Subdivision just off south 17th Street. The following action was taken:

ACTION: *A motion was made by Commissioner Lewark-Wood to not approve the request of Mr. Gary Springer to re-open the road in the platted subdivision known as Richardson and Teal Subdivision just off South 17th Street. Motion was seconded by Commissioner Fowler.*

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

RES. NO. 08-152

The County Counselor also advised that if a road has not been traveled in a number of years, such as 15 to 20 years, the Board should treat each case on its own merit rather than have a resolution covering all roads in this category.

5. Memo on Mrs. Santee’s request to open about 50 feet of road at the end of the Nowata County road on the Montgomery County side. It was the consensus of the Board not to approve this request.
6. Discussed obtaining bids on two (2) 4-wheel drive extended cab pickups. The Board approved the Department of Public Works obtaining these bids.
7. Noxious Weed Chemical bid opening. Bids were as follows:
SEK Grain Inc, Independence, KS \$45,177.00

ACTION: *A motion was made by Commissioner Tucker to approve the purchase of chemicals for the Noxious Weed Department in the amount of \$45,177.00 from SEK Grain, Inc., Independence, KS. Debit Noxious Weed Fund. Motion was seconded by Commissioner Lewark-Wood.*

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

RES. NO. 08-153

8. noxious Weed Monthly Balance Sheet for September, 2008.
9. Sewer District #2 Monthly Balance Sheet for September, 2008.
10. Signature required on Sewer District #2 Grant agreement with TranSystems.

SHERIFF:

EXECUTIVE SESSION:

ACTION: *A motion was made by Commissioner Lewark-Wood to recess to Executive Session at 10:50 AM to return at 11:00 AM with the Board and Sheriff Veach present to discuss non-elected personnel. Motion was seconded by Tucker.*

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

Returned to session at 11:00 AM with no action taken and no decisions made.

CARLA LELACHEUR AND SHELLY PAASCH – DOWNTOWN COFFEYVILLE, INC.:

Ms. LeLacheur and Ms. Paasch told the Board the “mission” is to strengthen downtown Coffeyville and boost the economy. Their purpose in addressing the Board is to request funds to invest in downtown Coffeyville to bring in new businesses and promote activities.

The Board has taken the request under advisement and will discuss at the next scheduled meeting.

OTHER COUNTY BUSINESS:

1. Executive Session – Non-elected Personnel -

ACTION: *A motion was made by Commissioner Tucker to recess to Executive Session at 11:45 AM to return at 11:50 AM with 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 11:50 AM with no action taken and no decisions made.

2. Occupational License – FOE 2459, Coffeyville

ACTION: *A motion was made by Commissioner Fowler to approve the issuance of an Occupational License to Fraternal Order of Eagles #2459, Coffeyville, Kansas. Motion was seconded by Commissioner Lewark-Wood.*

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

RES. NO. 08-154 Commissioner Fowler – Yes

3. Commissioner Lewark-Wood entered into record, the Standard Operating Procedures for the Use of County Weather Spotting Vehicles.
4. Acknowledged Montgomery County Rural Fire Minutes received from the President of the Fire Board. Commissioner Lewark-Wood asked the Rural Fire minutes be more promptly received by the Board. The Secretary of the Rural Fire Board is responsible for the minutes of each meeting.
5. Acknowledged Statement of Idle Funds Investment from the County Treasurer.
6. Animal Control Officer –

ACTION: *A motion was made by Commissioner Lewark-Wood approve an increase in salary for Scott Barnhart for Animal Control Officer at \$150.00 per month and to increase the salaries of Tammy Jackson and Susan Hobbs \$75.00 each per month for extra duties that will be placed upon them for Animal Control. The increases will be at an hourly rate. Motion was seconded by Commissioner Fowler.*

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

RES. NO. 08-155 Commissioner Fowler – Yes

7. Incident Report – Natural Gas Pipeline Leak – Stark Ave and 4900 Road presented by Jim Miller.
8. Jim Miller presented Standard Operating Procedures for the Use of Montgomery County Mobile Emergency Operations Center.
9. Discussed e-mail from Judge Canaday to Dennis Jacobs regarding remodeling at Coffeyville City Hall 3rd Floor.
10. Jim Miller presented a request to purchase GIS equipment in the amount approximately \$7,295.00. The following action was taken:

ACTION: *A motion was made by Commissioner Lewark-Wood to approve the purchase of Arcinfo to update the capabilities of the GIS System in the amount of \$7,295.00 with a maintenance agreement for subsequent years at a cost of \$3,500.00 per year. Debit GIS Fund. Motion was seconded by Commissioner Fowler.*

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

Commissioner Fowler – Yes

RES. NO. 08-156

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