

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

October 13, 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 Lewark-Wood.

AGENDA APPROVAL:

ACTION: *A motion was made by Commissioner Lewark-Wood 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 - \$234,239.73 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*

APPROVAL OF MINUTES:

ACTION: *A motion was made by Commissioner Fowler to approve the minutes of September 22, September 29 and October 6, 2008 as presented by the County Clerk with October 6th being amended on the purchase of a vehicle for the County Appraiser's Office. The motion was seconded by Commissioner Lewark-Wood.*

*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 9:25 AM to return at 9:30 AM with the Board and the County Clerk 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 9:30 AM with no action taken and no decisions made.

COUNTY APPRAISER:

LeRoy Burk, County Appraiser, introduced Mr. Bob McElroy recently employed in the County Appraiser's Office. Following the introduction of Mr. McElroy, Mr. Burk proceeded with an update on the work in the County Appraiser's Office and work for the GIS mapping.

He advised the Board the new vehicle for the department is in service and asked about transferring the 1990 Jeep to another department but was not sure which department was interested and had inquired about it. No action was taken at this time.

PUBLIC WORKS:

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

1. Memo from KDOT regarding the implementation of the revised local bridge inspection report –
2. Major Bridge Replacement Status -
3. Discussed CarbonSeal letter from Donelson Construction Company, quoting a price of \$30,406.00 for 3.05 miles and \$46,356.00 for 4.65 miles each being 22 feet in width.

Mr. Bever requested using the CarbonSeal on the above as it is cheaper than the present chip and seal work the county is presently doing and he would like to determine the "life" of this product over our regular chip and seal. The Board agreed they would like to know the durability of this product over the chip and seal.

4. Discussed work being done by a rural water district, the cutting of a road, without notifying the County located north and east of Coffeyville.

SHERIFF:

Requested shared leave within the department in the amount of 100 hours. The Board approved the request.

Executive Session:

ACTION: *A motion was made by Commissioner Tucker to recess to Executive Session at 10:30 AM to return at 10:45 AM to discuss non-elected personnel with the Board, Sheriff Veach and Jimmy Holt 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 10:45AM with no action taken and no decisions made.

JUDGE CANADAY AND COUNTY COUNSELOR PAUL KRITZ – EXECUTIVE SESSION – ATTORNEY/CLIENT PRIVILEGE:

ACTION: *A motion was made by Commissioner Tucker to recess to Executive Session at 10:50 AM to return at 11:20 AM with the Board, Judge Canaday and Paul Kritz present for Attorney/Client Privilege. Motion was seconded by Commissioner Lewark-Wood.*

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

Returned to Session at 11:20 AM with no action taken and no decisions made.

COUNTY COUNSELOR PAUL KRITZ - COUNTY APPRAISER LEROY BURK – EXECUTIVE SESSION – ATTORNEY/CLIENT PRIVILEGE:

ACTION: *A motion was made by Commissioner Tucker to recess to Executive Session at 11:20 AM to return at 11:50 AM with the Board, County Appraiser LeRoy Burk and Paul Kritz present for Attorney/Client Privilege. 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.

OTHER COUNTY BUSINESS:

1. Funding to Downtown Coffeyville, Incorporated –

ACTION: *A motion was made by Commissioner Tucker to approve \$500.00 be funded to Downtown Coffeyville, Incorporated from the County and to be designated to be used for the Midland/Alamo Building Renovation. Motion was seconded by Commissioner Lewark-Wood.*

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

RES. NO. 08- 157

2. Acknowledge Spill Report by Environmental Health on a Crude Oil Spill released from a private lease tank battery.
3. Juvenile Justice Authority – Required signature by the Chairman of the Board for Unexpended Core Funding Carryover Request for State Fiscal Year 2009. Information was presented at a previous meeting by the Director.

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