

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

December 1, 2008

The Board of County Commissioners, three members and the County Clerk present, met in regular session at 9:00 AM.

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**CALL TO ORDER:** Commissioner Lewark-Wood.

**INVOCATION:** Commissioner Fowler.

**PLEDGE OF ALLEGIANCE:** Commissioner Lewark-Wood.

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**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*

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**APPROVAL OF PAYMENT OF INVOICES:**

**ACTION:** *A motion was made by Commissioner Tucker to approve invoices in the amount of \$490,282.48, \$6,750.00 and \$25,000.00 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*

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**APPROVAL OF MINUTES:**

**ACTION:** *A motion was made by Commissioner Fowler to approve the minutes of November 3, 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*

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**MONTGOMERY COUNTY SENIOR CITIZENS SERVICES ADVISORY BUDGET:**

Norma Foster, Chairman of Montgomery County Senior Citizens presented the recommended budget as approved by the Advisory Board for the year 2009. The following action was taken:

**ACTION:** *A motion was made by Commissioner Lewark-Wood to adopt the 2009 budget for the Montgomery County Senior Citizens Services one-half mill levy as approved by their Advisory Board. Motion was seconded by Commissioner Fowler.*

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

RES. NO. 08-185

**NEWKIRK, DENNIS & BUCKLES INSURANCE – COUNTY INSURANCE RENEWAL:**

Dave Dennis, Doug Buckles and Jim Gill presented information on renewals for the County. Employer's Mutual Insurance had notified the County they would not renew the coverage on December 1<sup>st</sup>, 2008. EMC would not agree to provide renewal option on the Public Officials Errors and Omissions and Law Enforcement Liability or Workers' Compensation. All agencies approached on coverage for the county declined except Berkshire Hathaway Homestate Companies. This quote is for all lines of coverage except Workers' Compensation which the agency proposed be renewed with the Kansas Workers' Compensation Insurance Plan. Berkshire is willing to write the Workers' Compensation, but it would result in a higher premium overall.

A quote for the premium was as follows:

Business Auto Fleet	\$70,045
Inland Marine	\$21,158
Property	\$40,330
General Liability	\$50,433
Public Officials Liability	\$171,512
Workers' Compensation	\$176,222
<b>TOTAL</b>	<b>\$529,698</b>

The liability limit has decreased and the deductible increased.

Mr. Buckles told the Board they would suggest extending the coverage for a 12 month period offered by EMC to cover existing claims. The cost will be \$16,000.

The following action was taken:

**ACTION:** *A motion was made by Commissioner Lewark-Wood to approve the county's insurance coverage for the year beginning December 1, 2008 through November 30, 2009 with Berkshire Hathaway Homestate Companies and Workers' Compensation with Kansas Workers' Compensation Insurance Plan with a premium of \$529,698 through Newkirk, Dennis and Buckles Agency, Independence, Kansas. Motion was seconded by Commissioner Tucker.*

*(There was some discussion before a call for the vote. Commissioner Fowler inquired about being "self-insured" with the possibility of looking into this plan in the future.)*

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

*RES. NO. 08-186*

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**COUNTY APPRAISER – REQUEST TO PURCHASE VEHICLE – SALARY INCREASES:**

County Appraiser LeRoy Burk met with the Board. The following was discussed:

1. Topeka meeting on natural gas storage will be this Thursday in Topeka. Commissioner Fowler will attend the meeting with Mr. Burk. A memo will be sent to Senator Umbarger from the County Appraiser on the meeting.
2. A request was made to allow an increase of 55 cents per hour for the County Appraiser's Department. The following action was taken:

**ACTION:** *A motion was made by Commissioner Lewark-Wood to approve an increase of 55 cents per hour for the employees of the County Appraiser's Office and the Computer Department not to include department heads effective December 25, 2008. Motion was seconded by Commissioner Tucker.*

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

*RES. NO. 08-187*

**COUNTY APPRAISER (Continued):**

3. Gave update on the progress of the work in the Appraiser's Office and requested approval to purchase another vehicle. Mr. Burk said they need one more vehicle and asked for permission to accept bids on a used vehicle with under 30,000 miles and less than \$15,000. The following action was taken:

**ACTION:** *A motion was made by Commissioner Lewark-Wood to authorize the County Appraiser to accept bids on a used vehicle with a purchase price of less than \$15,000.00. Motion was seconded by Commissioner Tucker.*

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

4. Requested permission to close on December 11<sup>th</sup> from 12:00 Noon until 1:00 PM for a Christmas dinner which will be provided at no expense to the county. The request was approved.

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**Recessed at 9:45 AM.**

**Returned at 9:50 AM.**

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**PUBLIC WORKS – 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 Public Works Coordinator Robert Bever 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 at 10:10 AM with no action taken and no decisions made.

*A motion was made by Commissioner Tucker and seconded by Commissioner Fowler to extend the session until 10:25 AM with Mr. Bever present.*

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

Returned from Executive Session at 10:25 AM with no action taken and no decisions made.

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**OTHER COUNTY BUSINESS:**

1. Acknowledged e-mail regarding Underground Natural Gas Field and discussed with the County Appraiser.
2. Acknowledged Register of Deeds Report for the month of November, 2008.
3. Acknowledged letter from County Treasurer to Human Resources on supervisory training session and will not be able to attend due to taxes being collected until the 20<sup>th</sup>.
4. County Clerk presented bill previously submitted to the Sheriff's Department for newly elected sheriff's training at the Kansas Law Enforcement Training Center. The Sheriff refused to sign the invoice for the required training. The Board asked the County Counselor be contacted and if the charges can be debited from the Sheriff's Budget, a Journal Entry will be made crediting the County General Operating Fund. The following action was taken:

**ACTION:** *A motion was made by Commissioner Lewark-Wood to authorize the invoice for the newly elected Sheriff and Under Sheriff to attend training at Kansas Law Enforcement Training Center in the amount of \$1,990.00 to be debited from County General Operating Fund. Motion was seconded by Commissioner Fowler.*

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

*RES. NO. 08-188*

5. A letter from the County Clerk to the U.S. Department of Justice, Office of Audit, Assessment, and Management letter was presented to the Board regarding the audit on the 2004 CK-WX-0360 C.O.P.S grant audit review.

**ADJOURNMENT: 10:37 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**

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**BILLIE LEWARK-WOOD, Chairman**

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**GENE TUCKER, Member**

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**TONY FOWLER, Member**

**ATTEST:**

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**County Clerk**