

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

December 29, 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 Tucker 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 Tucker to approve invoices in the amount of - \$225,181.59 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*

EXECUTIVE SESSION – COMMISSIONER LEWARK-WOOD – NON-ELECTED PERSONNEL:

ACTION: *A motion was made by Commissioner Tucker to recess to Executive Session at 9:05 AM to return at 9:10 AM to discuss non-elected personnel with the Board 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 9:10 AM with no action taken and no decisions made.

COUNTY APPRAISER:

County Appraiser LeRoy Burk reported on the progress in the office and also reported they have the new vehicle purchased last week.

ROBERT DIERKS – SHERIFF ELECT – GENERAL DISCUSSION:

Robert Dierks, Sheriff Elect, presented a letter to the Board addressed to Sheriff Veach requesting a complete inventory to be conducted of the evidence room before the change in administration on January 12, 2009 with representatives being present for Sheriff Veach and himself. The Board agreed there should be a complete inventory before the change and appointed Commissioner Fowler and Jim Miller to be present to represent the county.

Mr. Dierks also presented a request to the Board to be allowed to review the new rank structure and pay scale that was approved on August 18, 2008 but does not take affect until January 1, 2009 and to ask the Board to increase the salary line in the 2009 budget to include this increase of approximately \$15,000.00 which was cut from the Department of Corrections budget when budgets were presented prior to the approval of the increase. The Board did not realize this increase was not allowed for in the 2009 budget. No action was taken at this time.

(The County Clerk left the Commission Meeting to attend a meeting with County Counselor and was replaced by the Deputy County Clerk during the session.)

Recessed at 9:55 AM
Returned at 10:00 AM

PUBLIC WORKS:

Robert Bever, Public Works Coordinator, presented the weekly written report. The following items were discussed: Memo regarding metal post for sign shop; Major Bridge Replacement Status; and authorization for new payroll range and salary level effective January 1, 2009 for Road and Bridge, Special Bridge, Noxious Weed/Household Hazardous Waste and Building Maintenance. As a result of this report, the following actions were taken:

1. Metal posts for sign shop –

ACTION: *A motion was made by Commissioner Fowler to approve the purchase of metal posts for sign shops in the amount of \$2,772.00 from JA Traffic Products 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. 08-208

2. New Payroll Range System & Merit Increase –

ACTION: *A motion was made by Commissioner Tucker to approve the new Payroll Range System and merit increase as requested by Public Works Coordinator effective January 1, 2009. Motion was seconded by Commissioner Fowler.*

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

RES. NO. 08-209

DUANE POWELL – JJA – JANITOR POSITION:

Mr. Duane Powell, Family and Children Services Director, presented the request for a janitor position. He was advised to proceed with the position as it was already approved previously.

Recessed at 10:40 AM
Returned at 11:00 AM

Minutes – December 29, 2008
Page 3

(The County Clerk returned to the session at 11:00 AM)

EXECUTIVE SESSION – COUNTY COUNSELOR – ATTORNEY/CLIENT PRIVILEGE:

ACTION: *A motion was made by Commissioner Fowler to recess to Executive Session at 11:05 AM to return at 11:25 AM with County Counselor Paul Kritz 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 11:25 AM with no action taken and no decisions made.

County Counselor Paul Kritz advised the Board he would have the agreement ready for signature and it will require the signature of the Chairman. The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to authorize the County Counselor to prepare the necessary documents for the agreement on refinery property tax valuation and refunds (subject to change) and to authorize the Chairman of the Board to sign 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. 08-210

OTHER COUNTY BUSINESS:

1. *Alcohol Tax Distribution Resolution –*

ACTION: *A motion was made by Commissioner Tucker to authorize the distribution of the Local Alcoholic Liquor Tax Funds as presented by the County Clerk. Motion was seconded by Commissioner Lewark-Wood.*

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

RES. NO. 08-211

2. *Cereal Malt Beverage Licenses for Keli-Mart and Sycamore Golf Course –*

ACTION: *A motion was made by Commissioner Fowler to approve the issuance of Cereal Malt Beverage Licenses for Keli-Mart and Sycamore Golf Course. Motion was seconded by Commissioner Lewark-Wood.*

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

RES. NO. 08-212

3. *Revitalization Plan for Independence City with the City public hearing on January 8, 2009 –*

4. *Policy and Procedures for Grants by Federal Compliance Officer for adoption –*

ACTION: *A motion was made by Commissioner Fowler to adopt the Policy of Grant Procedures as presented by the Montgomery County Federal Compliance Officer effective January 1, 2009. Motion was seconded by Commissioner Lewark-Wood.*

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

RES. NO. 08-213

ADJOURNMENT: 10:15 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