

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

January 5, 2009

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 Tucker to approve invoices in the amount of - \$209,587.67 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*

COUNTY APPRAISER:

LeRoy Burk, County Appraiser met with the Board to update what is being accomplished in his department.

The Board discussed a letter from Underground Natural Gas with Mr. Burk and the agreement as previously approved was signed by the Chairman for the Coalition of Kansas Underground Natural Gas Storage Counties. No action was required.

SCOTT BARNHART, ENVIRONMENTAL HEALTH & DON WHITMAN, CANEY CITY ADMINISTRATOR – ANNEXATION:

A request was made by the City of Caney for annexation of the property at 801 South State Street at a previous meeting. Mr. Barnhart presented a comprehensive study to a petition for consensual annexation to the city of Caney, Kansas dated January 5, 2009. The following action was taken:

ACTION: *A motion was made by Commissioner Tucker to approve the request by the City of Caney for annexation of the property located at 801 South State Street. Motion was seconded by Commissioner Lewark-Wood.*

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

RES. NO. 09-01

ENVIRONMENTAL HEALTH (Continued):

Mr. Barnhart advised the Board his office is in need of a copier. The Board approved receiving bids or faxed quotes on a copier for this department to be presented at the next meeting.

Recessed at 9:40 AM.

Returned at 9:50 AM.

PUBLIC WORKS:

Robert Bever, Public Works Coordinator, appeared before the Board with the request to amend the minutes of December 29th to include transfers to reserve funds in his department. The following action was taken:

ACTION: *A motion was made by Commissioner Tucker to amend the Board of County Commissioner Minutes of December 29, 2008 to include transfers for the Public Works Department as follows:*

Transfer from Road and Bridge Fund to Special Road, Bridge or Street Building, Machinery Equipment and Bridge Building Fund in the amount of \$150,000.00; from Household Hazardous Waste Fund to the Noxious Weed Fund in the amount of \$3,000.00; and from Noxious Weed Fund to the Noxious Weed Capital Outlay Fund in the amount of \$20,000.00. All transfers are subject to the 2008 audit. Motion was seconded by Commissioner Lewark-Wood.

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

RES. NO. 09-02

COUNTY TREASURER – STATUS APPROVAL FOR TEMPORARY EMPLOYEE:

Nancy Clubine, County Treasurer presented an Employee Status Change for a temporary employee in her office. The Board approved the request.

A motion was made by Commissioner Fowler to adjourn at 10:20 AM but was rescinded.

SHERIFF:

Sheriff Stan Veach advised the Board the inventory of the evidence room and the County inventory is being completed and requested an Executive Session.

ACTION: *A motion was made by Commissioner Tucker to recess to Executive Session at 10:30 AM to return at 10:40 AM with Sheriff Stan Veach 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 10:40 AM with a motion by Commissioner Fowler to extend the Executive Session with Sheriff Stan Veach present until 10:50 AM to continue discussing non-elected personnel. Motion was seconded by Commissioner Tucker.

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

Returned to session at 10:50 AM with no action taken and no decisions made.

OTHER COUNTY BUSINESS:

1. Jim Miller thanked Commissioner Tucker and Commissioner Lewark-Wood for their service to Montgomery County.
2. Approved the Coordinated Transit #10 Letter of Support prepared by the County Clerk.
3. Approved the request from Four County Mental Health for a letter of support on transportation prepared by the County Clerk.
4. Cereal Malt Beverage License for Sassy's Bar and Grill and Baileys Corner #8.

ACTION: *A motion was made by Commissioner Fowler to approve the issuance of Cereal Malt Beverage Licenses for Sassy's Bar and Grill, Sycamore, Kansas and Baileys Corner #8, College Avenue, Independence, Kansas. Motion was seconded by Commissioner Lewark-Wood.*

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

RES. NO. 09-03

5. Transfer of funds for 2009 budget year for Department of Corrections.

ACTION: *A motion was made by Commissioner Tucker to approve the transfer of \$14,750.00 from County General Operating fund to Department of Corrections Fund Salary Line. Motion was seconded by Commissioner Lewark-Wood.*

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

RES. NO. 09-04

ADJOURNMENT: 10:53 AM

ACTION: *Motion by Commissioner Fowler seconded by Commissioner Lewark-Wood.*

*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