

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

January 12, 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 Tucker.

PLEDGE OF ALLEGIANCE: Commissioner Fowler.

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 - \$199,505.35 and \$50.00 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*

APPROVAL OF MINUTES:

ACTION: *A motion was made by Commissioner Tucker to approve the minutes of December 22, 2008 as amended, December 29, 2008 and January 5, 2009 as presented by the County Clerk. The motion was seconded by Commissioner Lewark-Wood.*

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

COUNTY APPRAISER:

County Appraiser LeRoy Burk met with the Board and presented an update on the office work progress.

Mr. Burk thanked the outgoing commissioners for their service and work and extended best wishes.

ENVIRONMENTAL HEALTH/ZONING:

Scott Barnhart, Environmental Health Director was present for the bid opening for a copier for his department. Bids were as follows:

Digital Connections, Coffeyville	\$1,500.00
Service Office, Coffeyville	\$2,800.00
Hugos, Independence	No Bid
McCartey's, Coffeyville	\$2,595.00 plus \$400

ACTION: *A motion was made by Commissioner Tucker to approve the purchase of a copier from Digital Connections, Coffeyville, Kansas for the Environmental Health Department in the amount of \$1,500.00 to be debited from Capital Outlay. Motion was seconded by Commissioner Lewark-Wood.*

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

RES. NO. 09-05

Mr. Barnhart presented the request to the State of Kansas to review the updated Sanitary code for the county. The request was signed by the Chairman for submission to the State.

Recessed at 9:37 AM.
Returned at 9:42 AM.

Recessed to the Judicial Building at 9:45 AM for the swearing-in of elected officials at 10:00 AM.

SWEARING-IN OF ELECTED OFFICIALS:

County Commissioner Tony Fowler presented plaques to outgoing Commissioner Billie Lewark-Wood and Commissioner Tucker in appreciation for their service to Montgomery County.

Chairman Billie Lewark-Wood gave the oath of office to Charlotte Scott Schmidt to begin the new term as County Clerk.

The following elected officials received the oath of office given by County Clerk Charlotte Scott Schmidt:

Commissioner Fred Brown
Commissioner Larry McManus
Register of Deeds Marilyn Calhoun
Sheriff Robert Dierks
County Attorney Larry Markle and Sheriff's Department deputies will be sworn in after 1:00 PM today.

Following the ceremony, a short reception was held for the officials and guests.

Returned to session at the Commission Meeting Room for the Reorganization of the Board at 10:45 AM.

REORGANIZATION:

1. ELECTION OF CHAIRMAN OF THE BOARD:

ACTION: *A motion was made by Commissioner Brown to elect Commissioner Fowler to serve as Chairman of the Board for the year 2009. Motion was seconded by Commissioner McManus.*

*ROLL CALL VOTE – Commissioner Fowler – Yes
Commissioner Brown – Yes
Commissioner McManus - Yes*

RES. NO. 09-06

REORGANIZATION – CONTINUED:

2. COUNTY NEWSPAPER – Commissioner McManus suggested this be tabled at this time and bids be received before an appointment is made. The Board agreed and the County Clerk will submit for bids.

3. Holiday Schedule –

ACTION: *A motion was made by Commissioner Brown to approve the 2009 Holiday Schedule as follows:*

<i>Martin Luther King Day</i>	<i>(Monday)</i>	<i>January 19, 2009</i>
<i>President's Day</i>	<i>(Monday)</i>	<i>February 16, 2009</i>
<i>Good Friday</i>		<i>April 10, 2009</i>
<i>(Employees will be excused to attend Good Friday Services only. County offices will remain open.)</i>		
<i>Memorial Day</i>	<i>(Monday)</i>	<i>May 25, 2009</i>
<i>Independence Day</i>	<i>(Observed Friday)</i>	<i>July 3, 2009</i>
<i>Labor Day</i>	<i>(Monday)</i>	<i>September 7, 2009</i>
<i>Veteran's Day</i>	<i>(Wednesday)</i>	<i>November 11, 2009</i>
<i>Thanksgiving Day</i>	<i>(Thursday)</i>	<i>November 26, 2009</i>
<i>Day after Thanksgiving</i>	<i>(Friday)</i>	<i>November 27, 2009</i>
<i>Christmas Eve Day</i>	<i>(Thursday)</i>	<i>December 24, 2009</i>
<i>Christmas Day</i>	<i>(Friday)</i>	<i>December 25, 2009</i>
<i>New Years Day</i>	<i>(Friday)</i>	<i>January 1, 2010</i>

Motion was seconded by Commissioner Fowler.

*ROLL CALL VOTE – Commissioner Fowler – Yes
Commissioner Brown – Yes
Commissioner McManus - Yes*

RES. NO. 09-07

4. Appointment of Department Supervisors –

ACTION: *A motion was made by Commissioner Fowler to schedule the appointment of Department Supervisors the first scheduled meeting in April to allow the new Board to review and evaluate the positions. Motion was seconded by Commissioner McManus.*

*ROLL CALL VOTE – Commissioner Fowler – Yes
Commissioner Brown – Yes
Commissioner McManus - Yes*

RES. NO. 09-08

5. *Appointment to Boards-*
Southeast Kansas Planning Board – Commissioner Brown
Girard Juvenile Facility – Commissioner McManus

HUMAN RESOURCES – EXECUTIVE SESSION:

ACTION: *A motion was made by Commissioner Brown to recess to Executive Session at 11:12 AM to return at 11:22 AM with Human Resources Director Liz Schwatken present to discuss non-elected personnel. Motion was seconded by Commissioner Fowler.*

*ROLL CALL VOTE – Commissioner Fowler – Yes
Commissioner Brown – Yes
Commissioner McManus - Yes*

Returned to session at 11:22 AM with no action taken and no decisions made.

ACTION: *A motion was made by Commissioner Fowler to recess to Executive Session at 11:25 AM to return at 11:45 AM with the County Clerk and Human Resources Director present to discuss non-elected personnel. Motion was seconded by Commissioner Brown.*

*ROLL CALL VOTE – Commissioner Fowler – Yes
Commissioner Brown – Yes
Commissioner McManus - Yes*

Returned to session at 11:45 AM with no action taken and no decisions made.

Discussion: A letter was presented to the Board by Ms. Schwatken rendering her resignation as Human Resources Director for Montgomery County and advising the Board she will be transferring to the Sheriff's Department as Administrative Assistant to the Sheriff effective today.

After some discussion the following action was taken:

ACTION: *A motion was made by Commissioner Fowler to accept the resignation as submitted by Ms. Schwatken and appoint Kathy Sutton as Interim Human Resources Director. Motion was seconded by Commissioner Brown.*

*ROLL CALL VOTE – Commissioner Fowler – Yes
Commissioner Brown – Yes
Commissioner McManus - Yes*

RES. NO. 09-09

PUBLIC WORKS:

Robert Bever, Public Works Coordinator presented the weekly report and discussed the following: Rock report; December Balance Sheet; Memo regarding use of county vehicles; Letter to Sportsman's Club renewing lease agreement; Major Bridge replacement status; Copy of Pest Control bid for Building Maintenance; December Balance Sheet for Noxious Weed; and December Balance sheet for Sewer District No. 2. No action was taken as a result of this report.

EXECUTIVE SESSION:

ACTION: *A motion was made by Commissioner Fowler to recess to Executive Session at 11:55 AM to return at 12:00 Noon with Public Works Coordinator Robert Bever present to discuss non-elected personnel. Motion was seconded by Commissioner Brown.*

*ROLL CALL VOTE – Commissioner Fowler – Yes
Commissioner Brown – Yes
Commissioner McManus - Yes*

Returned to session at 12:00 Noon with no action and no decisions made.

Recessed at 12:00 Noon.
Returned at 12:05 PM.

EXECUTIVE SESSION – COUNTY COMMISSIONERS:

ACTION: *A motion was made by Commissioner Fowler to recess to Executive Session at 12:12 PM to return at 12:22 PM to discuss non-elected personnel. Motion was seconded by Commissioner McManus.*

*ROLL CALL VOTE – Commissioner Fowler – Yes
Commissioner Brown – Yes
Commissioner McManus - Yes*

Returned to session at 12:22 PM with no action and no decisions made with a motion by Commissioner Fowler and seconded by Commissioner Brown to extend the session until 12:33 PM.

*ROLL CALL VOTE – Commissioner Fowler – Yes
Commissioner Brown – Yes
Commissioner McManus - Yes*

Returned to session at 12:33 PM with no action taken and no decisions made.

OTHER COUNTY BUSINESS:

1. Requested the County Clerk to schedule a representative from Kansas Association of Counties to attend the meeting before a decision is made to join the association.
2. Keys to the courthouse and commission room were given to Commissioner Brown and Commissioner McManus.
3. Acknowledged Register of Deeds monthly report.
4. Acknowledged a letter on grant approval for Sewer District No. 2 in the amount of \$215,000.

ADJOURNMENT: 12:30 PM

ACTION: *Motion by Commissioner Fowler, seconded by Commissioner McManus*

*ROLL CALL VOTE – Commissioner Fowler – Yes
Commissioner Brown – Yes
Commissioner McManus - Yes*

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

TONY FOWLER, Chairman

FRED BROWN, Member

LARRY McMANUS, Member

ATTEST:

County Clerk