

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

January 22, 2009

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 Fowler.

**INVOCATION:** Commissioner McManus.

**PLEDGE OF ALLEGIANCE:** Commissioner Brown.

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**AGENDA APPROVAL:**

**ACTION:** *A motion was made by Commissioner McManus to approve the agenda as amended. The motion was seconded by Commissioner Brown.*

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

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**APPROVAL OF PAYMENT OF INVOICES:**

**ACTION:** *A motion was made by Commissioner McManus 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 Brown.*

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

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**APPROVAL OF MINUTES:**

**ACTION:** *A motion was made by Commissioner Fowler to approve the minutes of April 28, 2008 as presented by the County Clerk. The motion was seconded by Commissioner Brown.*

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

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**DELMAR JONES – CONDUCT OF JUDGES:**

Mr. Delmar Jones was added to the agenda at 9:25 AM. He presented clippings from the media regarding decisions and sentencing by Judges in Montgomery County. He wanted the Commission to intervene on the conduct and decisions of our elected District Court Judges. He did not want to approach the Judges himself. The Board, having no jurisdiction over these positions, also can only express concerns of the citizens.

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**SHERIFF DIERKS:**

Sheriff Dierks met with the Board and presented, in writing, concerns he wished to address with the Board regarding the condition of patrol vehicles; officer safety issues with the repeater system and the

**SHERIFF DIERKS (Continued):**

ability to communicate with law enforcement and emergency needs; and provided information on the proposal to use the KIND Radio tower by leasing at a cost of \$75.00 per month with the mowing of the area to be maintained by the County. A meeting will be arranged between Sheriff's Department, Rural Fire, Emergency Management and Public Works to establish better communication throughout the county on the tower issue.

A list of repairs to the patrol vehicles was provided by Sheriff Dierks with costs to the department. All these repairs were needed prior to 2009. The question arose regarding budget funds for excessive repairs and Sheriff Dierks will return to the Board with a request to amend the 2009 budget if needed. There was discussion on the possible need for a central repair shop to be cost effective for the county since we now own such a large number of vehicles. Since the

No decisions were made at this time.

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

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**PUBLIC WORKS:**

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

1. Memo regarding County Road 2400 mile 24 - Don DeTar wheat damaged at a cost of \$300.00 to the County.
2. Memo regarding Employee Training for January 2008.
3. Memo regarding the Work Grant under Kansas Works paid by Department of Commerce.
4. Letter from KDOT regarding Traffic Engineering Assistance Program (TEAP) request intersection study (Signal Warrants).
5. Memo regarding red cedar trees – Chris Beurskens (destroyed by mower at a cost to the county of \$3,600).
6. Major Bridge Replacement Status – Signature of the Chairman of the Board required for the Agreement with TranSystems on County Bridge No. 415A east of Elk City and County Bridge No. 509 east and north of Havana. The following action was taken:

**ACTION:** *A motion was made by Commissioner Brown to authorize the Chairman to sign the Engineering Agreement for County Bridge No. 415A and County Bridge No. 509 between Montgomery County and TranSystems. Motion was seconded by Commissioner McManus.*

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

*RES. NO. 09-10*

7. Building Maintenance report on 3<sup>rd</sup> Floor of the Judicial Center building and the final phase for the Building Controls System.
8. January Past Due list for Sewer District #2.

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**KANSAS ASSOCIATION OF COUNTIES – RANDALL ALLEN, DIRECTOR:**

Randall Allen, Executive Director of Kansas Association of Counties explained the function of the Association and discussed the services provided to the county officials. The following action was taken:

**ACTION:** *A motion was made by Commissioner Brown to join Kansas Association of Counties at a fee of \$7,304.43 to be payable from the County General Operating Fund. Motion was seconded by Commissioner Fowler.*

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

*RES. NO. 09-11*

**KAC (Continued):**

Mr. Allen advised the Board there will be a seminar for new Commissioners at Topeka on February 5<sup>th</sup> and 6<sup>th</sup> and the workshop fee will be \$160.00 each. The Board thanked him for coming to the meeting and the information they received.

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**OTHER COUNTY BUSINESS:**

1. Bid Request – County Newspaper –  
The County Clerk provided information to the Board regarding bidding on the county newspaper for 2009. Some of the newspapers were not in favor of bidding but wanted to remain on the rotation schedule. The following action was taken:

**ACTION:** *A motion was made by Commissioner Fowler to appoint the Coffeyville Journal as the official county newspaper for the year 2009 with all other county papers to be used when needed. Motion was seconded by Commissioner McManus.*

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

*RES. NO. 09-12*

2. Received Spill report from Environmental Health/Zoning.
3. Juvenile Corrections Advisory Board Appointee –  
**ACTION:** *A motion was made by Commissioner Fowler to appoint Chad Newby to the Juvenile Corrections Advisory Board as Law Enforcement Representative upon the recommendation of Chief Joe Humble, Coffeyville Police Department. Motion was seconded by Commissioner Brown.*

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

*RES. NO. 09-13*

4. Emergency Preparedness report by Jim Miller on the following:
  - a. County Local Emergency Operation Plan approved by the State –
  - b. Montgomery County Multi Jurisdictional Mitigation Plan approved by FEMA –
  - c. Montgomery County Buyout program is progressing.
5. SEKRPC Dues –  
**ACTION:** *A motion was made by Commissioner Fowler to approve the dues for Southeast Kansas Regional Planning for the year 2009 in the amount of \$7,837.80. Motion was seconded by Commissioner McManus.*

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

*RES. NO. 09-14*

6. Acknowledged letter from Kansas Department of Commerce advising the county is to receive a 2009 Small Cities Community Development Block Grant (CDBG) Community Improvement grant in the amount of \$215,300 which will fund a Sewer District #2 project. The total estimated project cost is \$430,600.

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The Board recessed to a work session at 11:45 AM with no action to be taken.

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**ADJOURNMENT: 12:30 PM**

**ACTION:** *Motion by Commissioner Brown, seconded by Commissioner McManus.*

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

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

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**TONY FOWLER, Chairman**

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**FRED BROWN, Member**

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**LARRY McMANUS, Member**

**ATTEST:**

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**County Clerk**