

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

January 26, 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 Fowler.

INVOCATION: Commissioner Brown.

PLEDGE OF ALLEGIANCE: Commissioner McManus.

AGENDA APPROVAL:

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

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

APPROVAL OF MINUTES:

ACTION: *A motion was made by Commissioner Fowler to approve the minutes of January 22, 2009 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*

EXECUTIVE SESSION:

ACTION: *A motion was made by Commissioner Fowler to recess to Executive Session at 9:07 AM to return at 9:12 AM with the Board 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 9:12 AM with no action taken and no decisions made.

COUNTY APPRAISER:

County Appraiser LeRoy Burk met with the Board to discuss hiring a Hearing Officer to begin hearings on March 1st. He explained the taxpayer then would have a choice between going to State or to have a local hearing with the Hearing Officer. He will provide hourly rate as soon as possible. No action was taken at this time.

Mr. Burk provided an update on the work in the office and Commissioner McManus inquired on the damage to an Appraiser vehicle involved in an accident.

SHERIFF:

Sheriff Robert Dierks and Undersheriff Troy Mackie met with the Board. Mr. Mackie reported on communications and on the KIND radio tower which is available to the county at a cost of \$75.00 per month if the county will keep the property mowed around the tower.

Two quotes were presented to the Board on communication equipment for the tower; Hall Communications at \$5,170.00 and Action Communications at \$4,124.75. There was discussion on 911 funds paying for the equipment and installation. The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to approve and award the bid for communication equipment and the installation to Hall Communications, Fredonia, Kansas in the amount of \$5,170.00 and debit 911 Fund. Motion was seconded by Commissioner McManus.*

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

RES. NO. 09-15

**Recessed at 10:00 am
Returned at 10:05 am**

PUBLIC WORKS:

Public Works Coordinator Robert Bever met with the Board and presented the weekly written report and Pest Control bids were opened by the Board and the following items were discussed:

1. Lease agreement for the Skeet Club;

ACTION: *A motion was made by Commissioner Brown to authorize the Chairman to sign the lease agreement between Montgomery County and Skeet Club on behalf of Montgomery County. Motion was seconded by Commissioner McManus.*

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

2. Reported on erecting a building for storage at the landfill;
3. Major Bridge Replacement Projects;
4. Commissioner Fowler questioned the possibility of leasing to a company for oil and gas production at the landfill area;

Bids for pest control were as follows:

CPR Pest Management, Inc., Independence, KS	\$1,850.00
Statewide Termite Control, Inc., Dearing, KS	\$2,450.00
Orkin Pest Control, Bartlesville, OK	\$2,398.44

ACTION: *A motion was made by Commissioner Fowler to approve the low bid of \$1,850.00 from CPR Pest Management, Inc., Independence, Kansas for pest control for county buildings. Motion was seconded by Commissioner Brown.*

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

RES. NO. 09-16

COUNTY TREASURER:

County Treasurer Nancy Clubine met with the Board to request approval for a resolution for a tax sale to be conducted. She explained a tax sale is held every other year with three (3) years delinquent taxes. There are 374 parcels this year on the sale list. The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to authorize the county counselor to institute action in district court for the foreclosure and sale of all eligible real estate sold and bid in by the county for delinquent ad valorem property taxes, all as provided by law. Motion was seconded by Commissioner Brown.*

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

RES. NO. 09-17

Ms. Clubine explained the investment process for county funds. Provided the Board with the statute regarding county newspaper rates to be furnished to the County Clerk in July of each year.

MONTGOMERY COUNTY RURAL FIRE – TRUCK PURCHASE:

Montgomery County Rural Fire Coordinator Wilbur Schwatken met with the Board to request approval for the purchase of a truck in the amount of \$16,988. The truck presently used by the Coordinator would be placed into service at Tyro for a “grass rig”. After some discussion the following was decided:

ACTION: *A motion was made by Commissioner Fowler to table the request for the purchase of a truck. Motion was seconded by Commissioner McManus*

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

**Recessed at 11:05 AM
Returned at 11:10 AM**

COUNTY COUNSELOR – EXECUTIVE SESSION – ATTORNEY/CLIENT:

ACTION: *A motion was made by Commissioner Fowler to recess to Executive Session at 11:10 AM to return at 11:30 AM with County Counselor Paul Kritz present for Attorney/client privilege. Motion was seconded by Commissioner Brown.*

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

Returned to session at 11:30 AM with no action taken and no decisions made.

ACTION: *A motion was made by Commissioner Fowler to recess to Executive Session at 11:32 AM to return at 11:42 AM to discuss non-elected personnel with County Counselor Paul Kritz present. Motion was seconded by Commissioner Browns.*

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

Returned to session at 11:42 AM with no action taken and no decisions made.

COUNTY HEALTH – 10TH STREET DUMPSTER BEAUTIFICATION PROJECT:

County Health Coordinator Ruth Bardwell met with the Board to request approval to donate \$1,000.00 to the 10th Street Dumpster Beautification Project in Coffeyville. The County Clerk was instructed to consult the auditor if this is permissible in county government. No action was taken at this time.

OTHER COUNTY BUSINESS:

1. Discussed the rates by county newspapers.
2. Commissioner Fowler reported on Rotary meeting attended by the Board. The topic was County Manager form of government. The discussion included a letter which was in the local newspaper several years ago from Jeff Chubb supporting the county manager form of government; what counties have this form of government; three (3) procedures to put it in place and obtaining the figures from Butler County on the position based on a statement at the meeting by the speaker that he has paid his salary in new revenues obtained.

3. Public Works Coordinator and Sheriff – Bad Weather Procedure –
ACTION: *A bad weather procedure for closing the county facilities was approved by the Board as follows:*

Road conditions will be assessed by Public Works Coordinator and the Sheriff. Commissioner McManus will be notified of their assessment and if the Courthouse is to be closed the County Clerk will be notified to place the closure on the radio stations and to notify department administrators.

The motion was made by Commissioner Fowler and seconded by Commissioner McManus.

ROLL CALL VOTE – Commissioner Fowler - Yes

Commissioner Brown - Yes

Commissioner McManus – Yes

RES. NO. 09-18

4. Discussed a recorder for the meetings and was tabled at this time.
5. Jim Miller explained the Shared User Agreement on radios to be received and accepted to be distributed to county agencies.
6. Acknowledged a thank you note to the Board by the family of an employee.

ADJOURNMENT: 12:17 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