

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

March 9, 2009

The Board of County Commissioners, three members and the County Clerk present, met in regular session at 8:30 AM.

CALL TO ORDER: Commissioner Fowler.

INVOCATION: Commissioner Fowler

PLEDGE OF ALLEGIANCE: Commissioner Brown.

AGENDA APPROVAL:

ACTION: *A motion was made by Commissioner Fowler 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*

APPROVAL OF PAYMENT OF INVOICES:

ACTION: *A motion was made by Commissioner McManus to approve invoices in the amount of \$201,011.89 and \$13,447.00 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*

EXECUTIVE SESSION:

ACTION: *A motion was made by Commissioner Fowler to recess to Executive Session at 8:40 AM to return at 8:50 AM to discuss non-elected personnel with the Board present. Motion was seconded by Commissioner Brown.*

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

Returned to session at 8:50 AM with no action taken and no decisions made with a motion by Commissioner Fowler to extend the session for non-elected personnel with the Board present until 9:51 AM. Motion was seconded by Commissioner McManus.

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

Returned to session at 9:51 AM with no action taken and no decisions made.

CANVASS OF VOTES – COFFEYVILLE CITY PRIMARY ELECTION:

The Canvass of Votes for the Coffeyville City Primary Election held March 3rd was conducted by the Board of County Commissioners sitting as the County Board of Canvassers. There were no changes in the tallying of the votes as presented by the County Election Officer with the exception of one Provisional Ballot counted by the Board.

The Canvass concluded at 9:30 AM.

EXECUTIVE SESSION – NON-ELECTED PERSONEL:

ACTION: A motion was made by Commissioner Brown to recess to Executive Session at 9:55 AM to return at 10:05 AM to discuss non-elected personnel with Kathy Sutton Interim HR Director present for the first five (5) minutes and the Board present. Motion was seconded by Commissioner Fowler.

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

Returned to session at 10:05 AM with no action taken and no decisions made.

PUBLIC WORKS:

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

1. Carpet bid opening for the Sheriff's Department. Bids were as follows:

Woods Lumber Co., Independence, KS	\$1,292.00
Derailed Commodities, Independence, KS	\$1,201.23
Brown's Furniture, Coffeyville, KS	No Bid
Kansas Lumber Company, Coffeyville, KS	No Bid

Mr. Bever will return with a recommendation.

(Mr. Bever returned to the Board with the recommendation to purchase the carpet at the low bid from Derailed Commodities, Independence, KS at a cost of \$1,201.23.) The following action was taken:

ACTION: A motion was made by Commissioner Fowler to accept the low bid from Derailed Commodities, Independence, KS for carpeting for the Squad Room in the Sheriff's Department at a cost of \$1,201.23. Debit County Building Fund. Motion was seconded by Commissioner Brown.

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

RES. NO. 09-43

2. Request permission to seek bids for copier for Public Works office – Approval given to receive bids.
3. Request permission to seek bids for various sized corrugated metal pipes (CMP) and bands – Approval given to receive bids.
4. Signatures were required by all three Commissioners on Construction Project using Recovery Funds 2009 (Stimulus Package). Forms completed and returned to Robert Bever. This includes the submitting of two (2) projects.
5. Major Bridge Replacement Status report –
6. Update on Sewer District No. 2 rates –
7. Requested consideration on re-calculating sewer rate on four (4) customers –

ACTION: A motion was made by Commissioner Fowler to approve the recommendation of Public Works Coordinator to adjust the Sewer District No. 2 bills for the following: Frances Artherton, Steve Vestal, Linda Augustine, Gerald Allen and Marlyn Hills due to a one-time high water consumption during the four (4) month period in which the normal use would be used in formulating customers average for the upcoming year. Motion was seconded by Commissioner Brown.

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

RES. NO. 09-44

PUBLIC WORKS (Continued):

8. Requested resolutions for Sewer District #2 CDBG required for grant funds for the following:
 - a. Civil Rights/Fair Housing Policy
 - b. Code of Ethics
 - c. Procurement Plan for the CDBG
 - d. Agreement for Administrative Consulting Services for a 2009 Kansas Small Cities Community Development Block Grant Project.

The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to approve the adoption of the Civil Rights/Fair Housing Policy for Montgomery County, Code of Ethics, Procurement Plan for the CDBG grant funds for Montgomery County and the Agreement for Administrative Consulting Services for a 2009 Kansas Small Cities Community Development Block Grant Project. Motion was seconded by Commissioner Brown.*

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

RES. NO. 09-45

9. Department of Corrections – Jimmy Holt, Assistant Jail Administrator and Bill Warren, Maintenance Department met with Mr. Bever and the Commission to discuss the converting of the present steamer, which is not in service at this time, from electric to gas and purchasing a new gas steamer as recommended by Mr. Holt. He stated the gas would have a “longer life” than the electric due to the hard water .

Mr. Warren said the damage is done when the water is not drained each day and regularly “de-limed” and addressed how long the previous steamer had lasted compared to the one we now have. The previous steamer was purchased in 1990 and this one in 2005. An estimated cost for one to be repaired was discussed at about \$5,000 and Mr. Vestal said it could be repaired. No action was taken at this time.

10. Mr. Bever presented a request for placing asphalt in front of Mr. Cesar Martinez home, County Road 3600 (State Lake Road) just east of County Road 4100. He has been paying for dust control on 300 feet of the road in front of his home and is looking for an alternative way to control the dust.

Mr. Martinez is requesting that since we have asphalt thru the intersection, would the county pave 378’ east from the intersection and split the cost of the material with him. The cost will be approximately \$8,154.00 with him having \$4,077.00.

Public Works will get a traffic count and return within one or two weeks to discuss the request further. No action was taken at this time.

Recessed at 10:40 AM
Returned at 10:45 AM

CLASS LTD UPDATE:

Jan Bolin, CLASS LTD Director and Phillip Chappuie presented information on their organization and an update on their facilities and expenditures. The Board was invited to tour the facilities and a time will be scheduled with Mr. Chappuie.

DEPARTMENT OF CORRECTIONS – ADVANCED CORRECTIONAL HEALTH CARE:

Sheriff Robert Dierks, Jail Administrator Jerry Gilbert, Assistant Jail Administrator Jimmy Holt and Jim Thompson representing Advanced Correctional Health Care met with the Board. Ruth Bardwell, Montgomery County Health Coordinator was present for the presentation and discussion.

The Plan presented by Mr. Thompson is for Medical Management Services for Montgomery County Department of Corrections. The plan would cover a doctor being at the facility once per week and on call 24-7. Nursing services are not included in this plan but pharmaceuticals, hospitalizations and off-site services up to a stated financial limit, medical supplies, management services including risk management is also included.

Mr. Doug Buckles and Mr. Dave Dennis representing Newkirk, Dennis and Buckles were asked by the Board for their input on the liability portion of this plan. They both agreed it would be a benefit to the county as we do have and have had in the past, law suits I the past regarding medication for the inmates.

No action was taken at this time.

BLUE CROSS/BLUE SHIELD- EMPLOYEE INSURANCE HEALTH PLAN FOR 2009-2010:

Mr. Dave Dillion with Blue Cross/Blue Shield presented information on the county's exiting health plan and the next plan lower that would have a deductible of \$750 per person instead of \$500. It would also have a higher cost for prescriptions but would save the county about 11% on the total coverage costs for the employees. No action was taken at this time.

Recessed for lunch at 12:15 PM.

Returned at 1:15 PM.

INTERVIEWS WITH DEPARTMENT HEADS:

ACTION: *A motion was made by Commissioner Fowler to recess to Executive Session at 1:15 PM to return at 3:15 PM to conduct interviews with the following present at 20- minute intervals each:*

<i>Jim Miller</i>	<i>Emergency Preparedness</i>
<i>Ruth Bardwell</i>	<i>County Health</i>
<i>Wilbur Schwatken</i>	<i>Rural Fire</i>
<i>Scott Barnhart</i>	<i>Environmental Health/Zoning</i>
<i>Ken Collins</i>	<i>Computer Department</i>
<i>Robert Bever</i>	<i>Public Works</i>

Motion was seconded by Commissioner Brown.

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

Returned to session at 3:15 PM with no action taken and no decisions made.

EXECUTIVE SESSION:

ACTION: *A motion was made by Commissioner Fowler to recess to Executive Session at 3:25 PM to return at 3:35 PM 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 3:25 PM with no action taken and no decisions made.

OTHER COUNTY BUSINESS:

1. Acknowledged letter to HR Department from Jerry Gilbert.
2. Discussed SEK County Officials Meeting

ADJOURNMENT: 3:40 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