

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

March 23, 2009

The Board of County Commissioners, two members and the County Clerk present, met in regular session at 9:00 AM. Commissioner Brown absent.

CALL TO ORDER: Commissioner Fowler.

INVOCATION: Commissioner Fowler.

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 - Absent
Commissioner McManus – Yes*

APPROVAL OF PAYMENT OF INVOICES:

ACTION: *A motion was made by Commissioner McManus to approve invoices in the amount of \$100.00 and \$29,368.58 as presented by the County Clerk's office. The motion was seconded by Commissioner Fowler.*

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

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 McManus.*

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

COUNTY TREASURER:

County Treasurer Nancy Clubine met with the Board to request approval to close the Treasurer's office on March 25, 2009 from 2:30 pm until 4:00 pm for a retirement party for Kay Naff. The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to approve the request by the County Treasurer to close on March 25, 2009 from 2:30 pm until 4:00 pm for a retirement party for employee Kay Naff. Motion was seconded by Commissioner McManus.*

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

Ms. Clubine gave a report on the Machinery and Equipment distribution. The total distributed to the County levied funds was \$198,504.34 for the first half with the second half to be in June from the State of Kansas.

COUNTY APPRAISER:

County Appraiser LeRoy Burk met with the Board with information on SB 312 and HB 2378 regarding Natural Gas Storage and the taxation on the storages. He also reported on the Southeast Kansas Officials Meeting last week.

The date for mediation on the fertilizer plant was set for the week of May 26th through the 29th.

SHERIFF:

Administrative Assistant to the Sheriff Liz Schwatken and Dispatcher Christina Goad met with the Board to request approval to receive bids for a scanner for the records department of the Sheriff's Department. The estimated cost would be \$1,900 to \$2,500 to be paid from General Operating Capital Outlay. The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to authorize the Sheriff's Department to obtain bids on a scanner for the Sheriff's Department. Motion was seconded by Commissioner McManus.*

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

Sheriff Robert Dierks, Jail Administrator Jerry Gilbert and Assistant Jail Administrator Jimmy Holt met with the Board to discuss a proposed contract for food service for the Department of Corrections. The service will be provided through CBM for inmate food services. A meeting will be scheduled with representatives of the company and the contract has been sent to County Counselor. The estimated savings to the county would be approximately \$30,000 to \$50,000 based on inmate population.

Recessed at 9:45 AM.
Returned at 9:50 AM.

PUBLIC WORKS:

Public Works Coordinator Robert Bever met with the Board with Sheriff Robert Dierks and MCRF Coordinator Wilbur Schwatken for a work session on the proposed vehicle repair for emergency vehicles and/or all county vehicles.

Open discussion began with Mr. Bever stating that one stall is not enough for 168 total units for working space. The Dearing facility was discussed.

Commissioner McManus said for maintenance and small jobs, two bays at least will be required.

Several items were discussed including what types of service could be done, cost savings, number of vehicles, who would be the person in charge of the three departments, and a facility. Commissioner Fowler wants programs through the college to be utilized.

It was decided the project will be with the Sheriff's Department and Rural Fire working together. Mr. Bever will get figures on the cost for a portion of the Dearing building to be used which will include utilities and two bays.

Mr. Bever continued with his written report following the work session. The following items were discussed:

1. Metal Pipe bid opening – Bids are as follows;

ACTION: *A motion was made by Commissioner Fowler to accept the bid for CMP and bands for Public Works Department from Welborn Sales, Inc., Salina, Kansas in the amount of \$20,683.05. Debit Road and Bridge Fund. Motion was seconded by Commissioner McManus.*

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

PUBLIC WORKS (Continued):

2. February Rock Report;
3. Association of County Commissioners and Highway Officials of Southeast Kansas 2009 Annual Meeting;
4. Memo regarding replacement of one ton truck for sign shop;
Commissioner requested bids on new vehicles or used low mileage vehicles.
5. Memo regarding a crane for the one ton truck for changing tires;
Commissioners requested bids be obtained.
6. Memo regarding speed limit signs;

ACTION: *A motion was made by Commissioner Fowler that speed limits be established and posted as follows pursuant to KSA 8-2002 and KSA 8-1560:*

30 MPH - Beginning on Twenty-First Street South of Oak Street South to the railroad tracks.

30 MPH – Beginning on Twenty-First Street North of Oak Street North to Taylor Road.

30 MPH – Beginning on Taylor Road ie Taylor Street at Twenty-First Street and ending on Twenty-Fourth Street.

30 MPH – Beginning on Taylor Road ie Taylor Street at Twenty-Fourth Street and ending at Oak Street.

40 MPH – Beginning on Taylor Road ie Taylor Street at 24th Street and ending at Peter Pan Road.

Motion was seconded by Commissioner McManus.

ROLL CALL VOTE – Commissioner Fowler – Yes

Commissioner Brown – Absent

Commissioner McManus – Yes

RES. NO. 09-52

7. Memo regarding Southern Hill Estates;

ACTION: *A motion was made by Commissioner Fowler to verify the name of the road running through Southern Hill Estates Subdivision as Southern Hills Drive and the name be officially changed from Southern Hill Drive to Southern Hills Drive. Motion was seconded by Commissioner McManus.*

ROLL CALL VOTE – Commissioner Fowler – Yes

Commissioner Brown – Absent

Commissioner McManus – Yes

RES. NO. 09-53

8. Major Bridge Replacement Status;
9. Sewer District past due balance sheet.

Recessed at 11:10 AM

Returned at 11:15 AM

COUNTY COUNSELOR – EXECUTIVE SESSION:

ACTION: *A motion was made by Commissioner Fowler to recess to Executive Session at 11:17 AM until 11:31 AM with the Board, the County Counselor Paul Kritz, and the County Appraiser LeRoy Burk for purposes of discussing matters that would be deemed privileged within the scope of the attorney/client relationship. Motion was seconded by Commissioner McManus.*

ROLL CALL VOTE – Commissioner Fowler – Yes

Commissioner Brown – Absent

Commissioner McManus – Yes

Returned to session at 11:31 AM with no action taken and no decisions made.

ADVANCE HEALTH CARE – SHERIFF AND COUNTY COUNSELOR:

Sheriff Robert Dierks, County Counselor Paul Kritz, Jail Administrator Jerry Gilbert and Assistant Jail Administrator Jimmy Holt met with the Board to present information on the Advance Health Care program for the Department of Corrections. A telephone conference by speaker phone was held with representatives from Advanced Correctional Healthcare on Medical Management Services for Montgomery County Department of Corrections.

Questions were presented to the company on liability, civil rights and medical questions covered if related to medical services. County Counselor Paul Kritz will review these sections of the contract and give a written opinion on any changes he recommends to be made. No action was taken at this time.

Minutes – March 23, 2009

Page 4

ENVIRONMENTAL HEALTH/ZONING – ACTIVITY SUMMARY:

Environmental Health/Zoning Director Scott Barnhart met with the Board and presented a written Activity Summary from 2008 for his department. The summary outlined the departmental scope and purpose, mission statement and goals and objectives for 2008. He asked if the Board had questions or comments for discussion. The Board thanked him for the report and information. Some discussion followed concerning the exotic animal plan for the county. Mr. Barnhart stated there are some issues that must be clarified and finalized. One of the goals for 2009 is to put the plan into effect.

OTHER COUNTY BUSINESS:

1. Cereal Malt Beverage License for Caney Golf Club –

ACTION: *A motion was made by Commissioner McManus to approve the application for a Cereal Malt Beverage License for Caney Golf Club. Motion was seconded by Commissioner Fowler.*

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

2. Addition to bidding policy for purchasing under emergency declared circumstances per wording from County Counselor was approved.

ADJOURNMENT: 12:15 PM

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

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

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

TONY FOWLER, Chairman

FRED BROWN, Member

LARRY MCMANUS, Member

ATTEST:

County Clerk