

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

March 30, 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 Fowler.

PLEDGE OF ALLEGIANCE: Commissioner McManus.

AGENDA APPROVAL:

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

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

APPROVAL OF PAYMENT OF INVOICES:

ACTION: *A motion was made by Commissioner Fowler to approve invoices in the amount of \$15,267.80 (2007 No Fund Warrant payoff) 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*

APPROVAL OF MINUTES:

ACTION: *A motion was made by Commissioner Fowler to approve the minutes of March 23, 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*

ROBERT PIERCE – SPENDING MONEY – JAIL – JUVENILE DETENTION:

Mr. Robert Pierce met with the Board to ask the Board to “save and to spend money. Taxpayers cannot afford an increase in taxes”. He asked the Board to appoint a committee for the Washington School project to utilize the school for the jail and he would like to head the committee.

He discussed self-insured with the Board, not on all phases of the county insurance but on vehicle, buildings but not on health insurance, only on portions of our county policies.

Commissioner Fowler stated there is need of a work session on the school acquisition and schedule this session for 1:30 PM, Monday, April 13th.

SHERIFF:

Sheriff Robert Dierks, Under Sheriff Troy Mackie and Jail Administrator Jimmy Holt met with the Board to discuss the Advanced Healthcare Program. Before beginning the discussion on this program, Sheriff Dierks requested an Executive Session to discuss non-elected personnel.

ACTION: *A motion was made by Commissioner Brown to recess to Executive Session at 9:32 AM to Return at 9:37 AM with Sheriff Dierks and the Board present 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 9:37 AM with no action taken and no decisions made.

Sheriff Dierks presented an employee status change for Jimmy Holt from Assistant Jail Administrator to Jail Administrator and Jerry Gilbert from Jail Administrator to Assistant Jail Administrator. Commissioner McManus asked if this had been addressed with both parties and Sheriff Dierks replied “yes”. The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to approve employee status changes for the Department of Corrections for the Jail Administrator and Assistant Jail Administrator as presented by the Sheriff. Motion was seconded by Commissioner Brown.*

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

Bid Opening on Utility Vehicle for Sheriff’s Department – Bids were as follows:

Perl Chevrolet, Coffeyville	2007	Trailblazer	\$16,000.00 w/trade-in
Quality Motors, Independence	2005	Durango	\$ 8,441.50 w/trade-in
Romans Motor, Independence	2005	Trailblazer	\$11,688.00 w/trade-in
		or 2006	
Quality Toyota, Independence			No Bid
Five Star Motor, Coffeyville	2006	Explorer	\$11,488.00 w/trade-in
Quality Motors, Independence	2006	Jeep	\$11,491.50 w/trade-in

The bids were referred to the Sheriff and Under Sheriff and will return to the Board with their recommendation.

Advanced Healthcare Medical Management Services for Montgomery County Department of Corrections plan contract between Montgomery County and the company was presented. County Counselor Paul Kritz had reviewed the plan and changes had been made upon his recommendation. The cost to the county will be \$80,000 per year and \$1,000 for additional liability insurance. The cost cannot increase more than 3.0% if the contract is for a period of five (5) years. The following action was taken:

ACTION: *A motion was made by Commissioner Brown to enter into a contract between Montgomery County and Advanced Correctional Healthcare, Inc. for professional and responsive healthcare services to the inmates of Montgomery County Department of Corrections at a yearly cost of \$81,332.00 to be paid in monthly payments of \$6,777.67 prior to the first of each month. Debit Department of Corrections Budget.*

Motion was seconded by Commissioner McManus.

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

RES. NO. 09-54

DISTRICT COURT COPIER BIDS:

Bids were received for a copier for District Court for the Coffeyville office as follows:

Digital Connections, Coffeyville, Kansas	\$3,362.00
Service Office, Independence, Kansas	\$3,945.00
Copy Products, Pittsburg, Kansas	\$3,650.00
McCarty's Office Supply, Parsons, Kansas	\$3,960.00

Upon the recommendation of Court Administrator Mary Kadel, the following action was taken:

ACTION: *A motion was made by Commissioner Fowler to approve the purchase of a digital copier from Copy Products, Pittsburg, Kansas for the Court Service Office in Coffeyville in the amount of \$3,650.00. Debit County General Capital Outlay Fund. Motion was seconded by Commissioner McManus.*

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

RES. NO. 09-55

PUBLIC WORKS:

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

1. Road complaint on County Road 2000 between County Road 3100 and 3300 on low water crossing being washed out.
2. Discussed a request previously presented 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 have being \$4,077.00. An average daily traffic count for 2006 and 2009 was provided by Mr. Bever.

The question was asked by the Board if we would be setting a precedent. Mr. Bever replied that each individual request would be reviewed by the Board and a decision made at that time.

The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to approve the request by Mr. Cesar Martinez and authorize the Public Works Coordinator to make the arrangements with Mr. Martinez for the payment of one-half of the cost of the asphalt in front of the Martinez home, County Road 3600 (State Lake Road) east of County Road 4100, a distance of 378 feet. Motion was seconded by Commissioner Brown.*

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

RES. NO. 09-56

3. Listing of Local Projects in SE Kansas that were selected to receive American Recovery and Reinvestment Act Funds (Stimulus Package from KDOT).
4. Memo regarding the Dearing Shop – Shop will be shared with the Sheriff's Department and Montgomery County Rural Fire with the utilities, insurance and supplies divided between three (3) departments: Sheriff's Department, MCRF and Road and Bridge. A line item for the 2010 budget was discussed and will be added for this project.
5. Memo regarding Santee complaint on County Road 1200 Mile 17 between County road 4300 and 4500. Mr. Bever stated a survey is needed at a cost of approximately \$2,800.00. He recommends a road viewing and the viewing was set for May 4, 2009 at 8:30 AM.

PUBLIC WORKS (Continued):

6. Reviewed e-mail from Norm Bowers, Local road Engineer with State of Kansas regarding SemMaterials.
7. Major Bridge Replacement Status.

ENVIRONMENTAL HEALTH/ZONING – ADA SURVEY PHASE ONE:

Environmental Health/Zoning Director Scott Barnhart serving as Montgomery County ADA Coordinator, Leonard Caflish and Burle Gross representing Architectural Collaboration conducting the ADA survey for the county, was present.

Mr. Caflish presented an overview of Phase One of the project to the Board to update them on some of the findings, what is priority and to answer any question they may have at this time before beginning the next phase. The survey will be “broken into the most critical areas” and presented to the Board at the completion. At that time a work session will be needed. No action was required at this time.

Recessed at 10:50 AM

Returned at 10:55 AM

MONTGOMERY COUNTY EXTENSION – INFORMATIONAL UPDATE:

Montgomery County Extension Director Scott Gordon and Mr. Jerry Hall, Chairman of the Extension Council Board presented informational literature to the Board explaining their functions and services to the residents of the county. The information packet contained 10 pages of information on Crop Production and Management, Livestock and Forage Management and other activities.

OTHER COUNTY BUSINESS:

1. Letter from Ken Morgan, Department of Commerce with a reply from the Commission.
2. Executive Session – County Clerk – Non-elected personnel –
ACTION: *A motion was made by Commissioner Fowler to recess to Executive Session at 11:40 AM to return at 11:50 AM with the County Clerk and 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 11:50 AM with no action taken and no decisions made.

3. Report of Spill Incident & Response as reported by Scott Barnhart, Environmental Health Director
4. Report on Montgomery County Correctional Facility Complaint Investigation & Response by Scott Barnhart, Environmental Health Dept. Director.
5. Executive Session – Non-elected personnel –
ACTION: *A motion was made by Commissioner Fowler to recess to Executive Session at 11:51 AM to return at 12:15 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 12:15 AM with a motion by Commissioner Fowler seconded by Commissioner Brown to extend the session until 12:30 PM.

OTHER COUNTY BUSINESS (Continued):

Executive Session – (Continued):

Returned to session at 12:30 AM with a motion by Commissioner Fowler seconded by Commissioner Brown to extend the session until 12:40 PM.

Returned to session at 12:40 AM with no action taken and no decisions made.

ADJOURNMENT: 12:41 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