

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

April 6, 2009

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

CALL TO ORDER: Commissioner Fowler.

INVOCATION: Reverend Phil Adams – Church of the Brethren, Independence, Kansas

PLEDGE OF ALLEGIANCE: Commissioner Fowler.

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 – Absent*

APPROVAL OF PAYMENT OF INVOICES:

ACTION: *A motion was made by Commissioner Fowler to approve invoices in the amount of \$202,636.70 and \$42,869.63 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 – Absent*

APPROVAL OF MINUTES:

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

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

CORRESPONDENCE:

1. letter from Midland Theater establishing an advisory council and inviting Chairman Fowler to serve on the committee. (Response from Commissioner Fowler was prepared and sent today.)
2. Letter on forum at Salina, Kansas on Emergency Management Director and Adjutant General. Forum is for disaster operations.
3. Letter from Four County Mental Health thanking county for support in obtaining grant from Kansas Department of Transportation.
4. KPERS letter with statement of benefits to employees.

APPOINTMENT OF DEPARTMENT HEADS:

Due to Commissioner McManus being absent, the appointment of department heads was postponed until April 13th or later if Mr. McManus is not able to attend the meeting.

COUNTY APPRAISER:

LeRoy Burk, County Appraiser, met with the Board and discussed the following:

1. Natural Gas Storage update regarding legislation to amend state statute;
2. Discussed hearings to be set with the hearing officer and updated on work being done in the office;
3. Requested an Executive Session.

ACTION: *A motion was made by Commissioner Fowler to recess to Executive Session at 9:40 AM to return at 9:50 AM with the Board and County Appraiser LeRoy Burk present. Motion was seconded by Commissioner Brown.*

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

Returned to session at 9:50 AM with a motion by Commissioner Fowler and seconded by Commissioner Brown to extend the Executive Session with the County Appraiser present from 9:51 AM to 9:56 AM.

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

Returned to session at 9:56 AM with no action taken and no decisions made.

SHERIFF:

Sheriff Robert Dierks and Under Sheriff Troy Mackie met with the Board to discuss the following:

1. Bid Opening for a scanner - Bids were as follows:

Digital Connections, Coffeyville, KS	No Bid
Service Office, Independence, KS	\$3,750.00
Copy Products, Pittsburg, KS	\$1,825.00
McCarty's Office Supply, Parsons, KS	\$2,400.00
	\$2,950.00
Corporate Business Systems, Joplin, MO	\$4,500.00
Modern Copy Systems, Iola, KS	No Bid
Century Midwest Office Systems, Chanute, KS	No Bid
Tiger Direct.Com, Miami, FL	\$1,942.33
Tri State Info Tech, (Computer Generation, Indep., KS	\$2,095 plus \$717

The following action was taken upon the recommendation of the Sheriff's representative:

ACTION: *A motion was made by Commissioner Fowler to approve the purchase of a scanner from Tiger Direct.Com, Miami, Florida at a cost of \$1,942.33 to be debited from County General Capital Outlay Fund. Motion was seconded by Commissioner Brown.*

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

RES. NO. 09-57

2. Vehicle Bid recommendation from previous meeting –
Under Sheriff Troy Mackie recommended purchasing a 2006 Ford Explorer from Five-Star Motors, Coffeyville, Kansas in the amount of \$11,688.00. Reimbursements will be made to the Capital Outlay Fund from the Sheriff's Department. The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to approve the purchase of a 2006 Ford Explorer from Five-Star Motors, Coffeyville, Kansas in the amount of \$11,688.00. Debit General Capital Outlay Fund. Motion was seconded by Commissioner Brown.*

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

RES. NO. 09-58

Jimmy Holt, Jail Administrator, reported to the Board the steamer in the Department of Corrections kitchen has been repaired at a cost of \$1,400.00 by Vestal Refrigeration, Independence. He also reported on uncollected accounts and pursuing the collection.

PUBLIC WORKS:

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

1. Bid Opening on one ton truck –

Quality Motors, Independence, KS	\$31,743.11 (with bed transfer)
Romans Motor Co., Independence, KS	No Bid
Perl Chevrolet-Buick, Coffeyville, KS	\$39,650.00 (Chassis Only)
Merle Kelly Ford, Inc., Chanute, KS	\$36,346.00 (with bed transfer)
Mike Carpino Ford Mercury, Columbus, KS	No Bid

No decision at this time.

2. Bid Opening on Auto Lift Crane –

Kansas Truck Equipment Co., Inc., Wichita	\$2,708.00 FOB
Truck Parts & Equipment, Inc., Wichita	\$2,344.75 and \$2,442.25
Midwest Truck Equipment Inc., Wichita	\$2,150.00

No decision at this time.

3. Discussion on 2009 asphalt program –

4. Discussion on 2009 Dust Control –

5. March Balance Sheet for road and Bridge –

6. Major Bridge Replacement Status –

7. Noxious Weed March Balance Sheet –

8. Sewer District No. 2 March Balance Sheet –

9. Discussion on Mida McMullen sewer customer and informed the Board that Small Claims Court is the next step for collection. There has been no response to letter to McMullen from County Counselor. Mr. Bever is to get bids from collection agencies for unpaid sewer bills.

JUVENILE JUSTICE – REQUEST TO PURCHASE VEHICLE:

Family and Children Services Coordinator Duane Powell met with the Board to request purchasing a vehicle which has been approved by his Advisory Board. The funds would be paid from the JJA budget and fund. The Board approved obtaining bids for a vehicle for JJA.

Mr. Powell told the Board the Incentive Fund grants require a matching fund and the county share will be \$5,000 if they approve applying for the grant. The department will be applying for this grant again for the year 2009-2010 but no decision is required at this time on the matching funds.

EXECUTIVE SESSION – NON-ELECTED PERSONNEL:

ACTION: *A motion was made by Commissioner Fowler to recess to Executive Session with the Board present to discuss non-elected personnel at 11:19 AM to return at 11:30 AM. Motion was seconded by Commissioner Brown.*

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

Returned to session at 11:30 AM with a motion by Commissioner Fowler and seconded by Commissioner Brown to extend the session until 11:42 AM.

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

Returned to session at 11:42 AM with a motion by Commissioner Fowler and seconded by Commissioner Brown to extend the session until 11:53 AM.

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

Returned to session at 11:53 AM with no action taken and no decisions made.

OTHER COUNTY BUSINESS:

1. Declaration of month of April as Fair Housing Month in the form of a Proclamation -

ACTION: *A motion was made by Commissioner Fowler to declare the month of April as Fair Housing Month in Montgomery County. Motion was seconded by Commissioner Brown.*

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

RES. NO. 09-59

2. Discussed the designated Smoking Area and employees smoking too close to the building and at an entrance to the building. Departments will be reminded the smoking is at the north side of the county property between the Courthouse and the Judicial Building.
3. A letter was signed by the Chairman to Mr. Ken Morgan on the Neighborhood Stabilization Project designating the County Clerk to attend the meeting in Chanute on April 8th.
4. Agreement between Schlotterbeck and Burns, LLC for the 2008 audit for the county was presented and the following action was taken:

ACTION: *A motion was made by Commissioner Fowler to enter into the agreement with Schlotterbeck and Burns, LLC, Chanute, Kansas for the 2008 county audit with the terms and stipulations outlined in the agreement. Motion was seconded by Commissioner Brown.*

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

RES. NO. 09-60

ADJOURNMENT: 12:00 Noon.

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

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

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

TONY FOWLER, Chairman

FRED BROWN, Member

LARRY MCMANUS, Member

ATTEST:

County Clerk