

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

June 8, 2009

The Board of County Commissioners, two members and the County Clerk present, met in regular session at 8:30 AM. Commissioner Fowler was absent.

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**Commissioner McManus was appointed to serve as Chairman in the absence of Commissioner Fowler.**

**CALL TO ORDER:** Commissioner McManus..

**INVOCATION:** Commissioner Brown.

**PLEDGE OF ALLEGIANCE:** Commissioner McManus.

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**AGENDA APPROVAL:**

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

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

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**APPROVAL OF PAYMENT OF INVOICES:**

**ACTION:** *A motion was made by Commissioner Brown to approve invoices in the amount of \$226,550.59 and \$13,447.00 as presented by the County Clerk's office. The motion was seconded by Commissioner McManus.*

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

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**APPROVAL OF MINUTES:**

**ACTION:** *A motion was made by Commissioner Brown to approve the minutes of March 5 and June 1, 2009 as presented by the County Clerk. The motion was seconded by Commissioner McManus.*

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

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**COMPUTER DEPARTMENT – REQUEST FOR BIDS FOR SIX (6) COMPUTERS:**

Jason Clubine representing the Computer Department, met with the Board to request approval to obtain bids for six (6) computers for various county departments. Originally the computers replace in the Unified Court was to be used by these departments but are being returned to Unified Court at their request.

The Board gave approval for bids to be received as requested.

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**SHERIFF:**

Sheriff Robert Dierks, Administrative Assistant Liz Schwatken and Jail Administrator Jimmy Holt met with the Board. The following was discussed:

1. Mr. Holt requested the Board consider amending the 2009 budget to include the salaries of the four (4) employees hired in 2008 at former Sheriff Veach's request and after the 2009 budget was approved. The total amount requested for these salaries is \$59,282.00. The following action was taken:

**ACTION:** *A motion was made by Commissioner Brown to amend the 2009 budget salary line item for the Department of Corrections in the amount of \$59,282.00 for the salaries of four (4) new hires in 2008 not included in the 2009 budget. The County Clerk was authorized to transfer the sum of \$59,282.00 from County General Operating Fund to the Department of Corrections. Motion was seconded by Commissioner McManus.*

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

*RES. NO. 09-103*

2. Information was provided for discussion for a change to 12 hour shifts at the Department of Corrections. This had been discussed at a previous meeting. Commissioner Brown asked about the savings approximately how long it would be before this savings is realized by the county. Mr. Holt said it would save considerably on overtime and presented figures on overtime since the first of January 2009. The Board asked if he had spoken to the employees concerning the change. Mr. Holt said he had taken a vote and the majority was in favor of the change. After the discussion the following action was taken:

**ACTION:** *A motion was made by Commissioner McManus to approve the change to 12-hour shifts for the employees effective June 20<sup>th</sup> in the Department of Corrections. Motion was seconded by Commissioner Brown.*

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

*RES. NO. 09-104*

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**PUBLIC WORKS:**

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

1. Recommended awarding bridge design bids – TranSystems Corporation in the amount of \$29,456.70 and Cook, Flatt and Strobel in the amounts of \$22,800.00 and \$24,800.00. The following action was taken:

**ACTION:** *A motion was made by Commissioner McManus to approve the recommendation of the Public Works Coordinator and award the Bridge Design for Bridges 932, 1002, and 1003 as follows: Bridge #1003 to TranSystems Corporation, Independence, Kansas in the amount of \$24,697.51; Bridge #932 and Bridge #10023 to Cook, Flatt and Strobel, Topeka, Kansas in the amounts of \$22,800.00 and \$24,800.00. Motion was seconded by Commissioner Brown.*

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

*RES. NO. 09-105*

2. Requested replacing a tractor and rotary boom mower – Request was approved by the Board.
3. Road and Bridge balance sheet for May 2008.
4. Presented paperwork for the Chairman to sign for a plaque for bridge on County Road 3200 mile 16. The form will be completed when Commissioner Fowler is present.
5. Noxious Weed balance sheet for May, 2009.
6. Sewer District #2 balance sheet for May, 2009.

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**FAMILY AND CHILDREN SERVICES – RECOMMENDATION ON BID FOR VEHICLE:**

Family and Children Services Director Duane Powell and Bill Knight were present to make a recommendation from the bids received at the June 1<sup>st</sup> meeting. Mr. Powell recommended the purchase of a 2008 Jeep Cherokee from Quality Motors, Independence, Kansas in the amount of \$14,905.00 . The following action was taken:

**ACTION:** *A motion was made by Commissioner McManus to approve the purchase of a 2008 Jeep Cherokee, mileage 18,437, in the amount of \$14,905.00 for the Family and Children Services Department of JJA. Debit JJA Fund. Motion was seconded by Commissioner Brown.*

*ROLL CALL VOTE – Commissioner Fowler - Absent*

*Commissioner Brown – Yes*

*Commissioner McManus - Yes*

*RES. NO. 09-106*

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**ADOLPH WILDGRUBE:**

Mr. Adolph Wildgrube addressed the Board with a letter read for him by Richard Catron. The letter addressed the issue of the dismissal of Wilbur Schwatken and once again asked he be reinstated by the Board. The letter stated the Board's action was unjustified, precarious, unethical and unprecedented. No action was taken.

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**HUMAN RESOURCES – EXECUTIVE SESSION:**

**ACTION:** *A motion was made by Commissioner Brown to recess to Executive Session at 10:30 AM to return at 10:45 AM with the Board and Human Resources Director Shawn Wallis present to discuss non-elected personnel. Motion was seconded by Commissioner McManus.*

*ROLL CALL VOTE – Commissioner Fowler - Absent*

*Commissioner Brown – Yes*

*Commissioner McManus - Yes*

Returned to session at 10:45 AM stating no action taken and no decisions made.

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**COUNTY ATTORNEY – OFFICE SPACE AND WITNESS FEES:**

County Attorney Larry Markle met with the Board with a request for office space in the Judicial Building basement for the County Attorney's employees working in the JJA offices in the Independence Corporate office building. The rent and utilities average approximately \$700.00 per month. The cost to JJA for their office space was also discussed. No decision was made at this time.

Mr. Markle advised the Board he will be over budget on witness fees due to the volume of jury trials. He said there is no way to really estimate what the cost will be from year to year but they will steadily increase.

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**ENVIRONMENTAL HEALTH/ZONING – E-WASTE DISPOSAL:**

Environmental Health/Zoning Administrator Scott Barnhart met with the Board. Mr. Barnhart told the Board he only wanted to make them aware of a company called Recycling Works that is working on collecting e-waste. When the details are worked out he will return to the Board with the information and Recycling Works to discuss their services.

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**CORRESPONDENCE:**

1. Letter from Terry Smith, Cherryvale on the road viewing for CR 6000.
2. Letter from Emergency Medical Services in Montgomery County asking for a work session to discuss the mill levy for 2010.
3. Memorandum from Kansas Juvenile Justice Authority regarding the 2009 Governor's Conference on Juvenile Justice.

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**OTHER COUNTY BUSINESS:**

1. County Treasurer Budget Information for the 2010 Budget – Local Alcohol Liquor Fund in the amount of \$59,939.67.
2. Department of Corrections balance sheet ending May 31, 2009.
3. Labette Community College Agreement –

**ACTION:** *A motion was made by Commissioner Brown to enter into the agreement between Labette Community College and Montgomery County for Purchase of Services (C.T.E. contract) covering the period from June 2009 through May 2010. Motion was seconded by Commissioner McManus.*

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

*RES. NO. 09-107*

**ADJOURNMENT: 11:07 AM**

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

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

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

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**TONY FOWLER, Chairman**

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**FRED BROWN, Member**

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**LARRY McMANUS, Member**

**ATTEST:**

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**County Clerk**