

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

January 25, 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: Reverend Phil Adams, Church of the Brethren, Independence

PLEDGE OF ALLEGIANCE: Commissioner McManus.

AGENDA APPROVAL:

ACTION: *A motion was made by Commissioner McManus 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 - \$131,739.33, \$203,157.27, \$41,007.76, \$511,182.53, \$400.00, \$2,597.42, \$360.00 and \$312,382.57 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 Brown to approve the minutes of January 11, 2010 as presented by the County Clerk. The motion was seconded by Commissioner McManus.*

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

HUMAN RESOURCES – SNOW DAYS FOR SHERIFF'S DEPT. AND D0C:

Human Resources Director Shawn Wallis met with the Board to request amending Resolution No. 09-234 with regard to the snow days for the Sheriff's Department and Department of Corrections Employees. The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to **amend Montgomery County Resolution No. 09-234** to read: All Sheriff's Office and Department of Corrections employees who are unable to take "snow days" when the courthouse is closed will have these days added to their sick leave accrual. Employees working 12 hour shifts will receive sick leave hours to equal their shift or 12 hours per "snow day; eight (8) hour shifts will receive hours to equal their shift or eight (8) hours per "snow day". This policy will be in effect only if "snow days" have been utilized by the courthouse within the year. Motion was seconded by Commissioner Brown.*

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

RES. NO. 10-13

PUBLIC HEARING FOR SOLID WASTE 5-YEAR PLAN UPDATE:

Environmental Health/Zoning Administrator Scott Barnhart presented the Montgomery County Solid Waste 5-Year Plan which has been updated for Kansas Department of Health/Solid Waste Management Division. Mr. Barnhart addressed the changes required to update the Plan and advised the Board a Public Hearing was required to be held by the Planning and Zoning Commission. The Planning and Zoning Commission approved the updated plan with recommendation to add new industries within the county to the demographics section. This has been completed as requested. The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to approve the updated Montgomery County Solid Waste 5-Year Plan as presented by the Montgomery County Solid Waste Committee representative. The Plan will be submitted to Kansas Department of Health/Solid Waste Management for their approval. Motion was seconded by Commissioner McManus.*

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

RES. NO. 10-14

SHERIFF - AMMUNITION PURCHASE REQUEST AND CLOTHING FOR INMATES:

Sheriff Robert Dierks and Under Sheriff Troy Mackie met with the Board to present requests for the following:

- | | |
|--|------------|
| (1) 32 cases of ammunition with quotes from two (2) companies –
Fiocchi Ammunition, Ozark, MO | \$9,670.24 |
| (2) BVAC Inc. Kansas Contract Price
Florence, MT | \$8,608.00 |

The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to approve the purchase of 32 cases of ammunition for the Sheriff's Department at the lowest quote of \$8,608.00 from BVAC Inc. Kansas Contract Price, Florence, MT and to be debited from the Sheriff's Department Budget. Motion was seconded by Commissioner McManus.*

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

RES. NO. 10-15

Clothing for the inmates –

Itemized quote was presented for clothing and blankets for inmates from Robinson Textile in the amount of \$4,393.18 and to be paid from VIN/Sheriff's Special Fees. The following action was taken:

ACTION: *A motion was made by Commissioner McManus to approve the purchase of clothing articles and blankets as itemized for the Department of Corrections and to be purchased from Robinson Textile, Gardena, CA in the amount of \$4,393.18 (includes shipping and stenciling). Debit VIN/Sheriff's Special Fund. Motion was seconded by Commissioner Brown.*

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

RES. NO. 10-16

Recessed at 9:58 AM
Returned at 10:02 AM

PUBLIC WORKS:

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

1. December 2009 Rock Report –
2. Culvert Pipe Bid Opening – Bids are as follows:

J & J Drainage Products Co., Hutchinson, KS	\$24,308.58
Kahn Culvert Inc., Paola, KS	\$24,217.90
Welborn Sales, Inc., Salina, KS	\$20,845.36
Metal Culverts Inc., Jefferson City, MO	\$23,862.18

The following action was taken:

ACTION: A motion was made by Commissioner Fowler to approve the purchase of culvert pipe from the low bidder, Welborn Sales, Inc., Salina, Kansas in the amount of \$20,845.36. Debit Road and Bridge Fund. Motion was seconded by Commissioner Brown.

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

RES. NO. 10-17

3. Signature required on Sportsman’s Club Lease Agreement.

ACTION: A motion was made by Commissioner McManus to authorize the Chairman to sign on behalf of Montgomery County, the lease agreement between Montgomery County and the Skeet Club (Sportsman’s Club). Motion was seconded by Commissioner Brown.

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

4. Discussed the procurement policy presently used by Montgomery County and a copy of Allen County’s policy. The Board asked Public Works Coordinator and the County Clerk to review and combine the two policies and the Board will review.

5. TransSystems engineering services –

ACTION: A motion was made by Commissioner Fowler to retain the engineering services of TransSystems for the year 2010 and continue the hourly rates as set for 2009. Motion was seconded by Commissioner Brown.

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

RES. NO. 10-18

6. Memo regarding the 2009 year end results for Public Works –
7. Petition from Brian Denny requesting a road viewing for a road vacation on County Road 4075 West of County Road 3575. **The Board approved and set the road viewing for February 22nd at 9:00 AM.**
8. Sewer District No. 2 January 2010 Past Due Report –
9. Copy of notice to bid on the Sanitary Sewer Rehabilitation on Sewer District No. 2 –
10. Pest Control Bid opening at 10:00 AM – Bids were as follows:

CPR Pest Management, Inc., Independence, KS	\$2,050.00
Orkin Pest Control, Bartlesville, OK	\$2,520.00

ACTION: A motion was made by Commissioner Fowler to approve the recommendation of the Public Works Coordinator and award the low bidder Pest Control Bid to CPR Pest Management, Inc., Independence, Kansas at a cost of \$2,050.00. Motion was seconded by Commissioner Brown.

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

RES. NO. 10-19

11. Household Hazardous Waste schedule for 2010 -

APPOINTMENT OF DEPARTMENT HEADS:

The appointment of department heads was tabled and interviews are to be scheduled by Human Resources for February 8th beginning at 10:00 AM and appointments will be made February 22nd.

INCREASE IN TAXES – JEANETT AND SAM WITWER:

Mr. and Mrs. Witwer met with the Board to discuss the increase in taxes for their residence and storage units. The County Appraiser was also present for a portion of the meeting. Mr. Burk will check the appraisal on this property. No action was taken at this meeting.

COUNTY APPRAISER AND COUNTY COUNSELOR – EXECUTIVE SESSION:

EXECUTIVE SESSION:

ACTION: A motion was made by Commissioner Fowler to recess to Executive Session at 10:40 AM to return at 11:00 AM for Attorney/Client Purposes with County Counselor Paul Krtiz, County Appraiser LeRoy Burk and the Board present. Motion was seconded by Commissioner Brown.

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

Returned to session stating no action taken and no decisions made.

Mr. Burk presented an update on review and work being completed by the County Appraiser's Department.

A Hearing Officer was recommended by Mr. Burk for the 2010 hearings. The following action was taken:

ACTION: A motion was made by Commissioner Fowler to appoint Mr. Ben Day, SEK Appraisal, Independence, Kansas to conduct the hearings for the taxpayers for 2010. Motion was seconded by Commissioner McManus.

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

RES. NO. 10-20

CORRESPONDENCE:

1. Industrial Inducement Agreement letter from Cessna for the period of July 1, 2009 through December 31, 2009.
2. Statement of Idle Funds Investment from County Treasurer –
3. Independence Junior High School listing in the National Register of Historic Places –
4. MCRF#1 Board Meeting Minutes from meeting held December 1, 2009 -
5. JJA letter to Office of Inspector General, Juvenile Justice Authority regarding audit records for October through December 2009 –
6. Damage Assessment Meeting on Christmas 2009 Storm from Emergency Management Director Jim Miller –
7. Guidebook for County Geographic Information Systems Implementation provided by Jim Miller –
8. Barton County Commission letter regarding loss of Mineral Production Tax to the counties –
9. System Review Report on auditing practice of Schlotterbeck & Burns, LLC for year ending June 30, 2009 –
10. Letter from County Clerk to Montgomery County Action Council on information that has been provided as requested –

OTHER COUNTY BUSINESS:

1. Letter to four (4) department heads regarding relief work in the mailroom –

ACTION: A motion was made by Commissioner Brown to approve a letter notifying the Computer Department, Human Resources Department, Rural Fire Coordinator and Emergency Preparedness Department to contact the mailroom for training to provide services to fill in for the absence of the mailroom personnel. Each department will provide these services for three (3) months of the year. Motion was seconded by Commissioner Fowler.

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

RES. NO. 10-21

2. After Prom –

ACTION: A motion was made by Commissioner McManus to approve the After Prom Distribution of \$250.00 each to USD 436, USD 445, USD 446 and USD 447; \$50.00 each to USD 462 and USD 486; and \$100.00 to USD 283 from the Special Alcohol Fund. Motion was seconded by Commissioner McManus.

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

RES. NO. 10-22

3. Mileage Adjustment –

ACTION: A motion was made by Commissioner McManus to reduce the mileage paid by Montgomery County from 50.5 cents per mile to 50 cents per mile according to KSA 75-3203a and put in place for the State of Kansas. This change is effective February 1, 2010 for employees of Montgomery County. Motion was seconded by

Commissioner Fowler.

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

RES. NO. 10-24

4. Montgomery County Action Council request for resolution confirming that a regional economic development organization has been established as required for the purpose of qualifying the County of Montgomery as a designated non-metropolitan business region and the Southeast Kansas Regional Planning Commission has been established. The following action was taken:

ACTION: A motion was made by Commissioner Fowler confirming that a regional economic development organization has been established as required for the purpose of qualifying the County of Montgomery as a designated non-metropolitan business region and the Southeast Kansas Regional Planning Commission has been established. Motion was seconded by Commissioner McManus.

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

RES. NO. 10-23

ADJOURNMENT: 12:24 PM

ACTION: Motion by Commissioner Fowler seconded by Commissioner Brown.

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