

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

March 8, 2010

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 Renita Butler, Friends Evangelical Church, Independence

PLEDGE OF ALLEGIANCE: Commissioner Brown.

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 - 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 \$1,122.04 and \$221,929.78 as presented by the County Clerk's office. The motion was seconded by Commissioner McManus.*

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

APPROVAL OF MINUTES:

ACTION: *A motion was made by Commissioner McManus to approve the minutes of March 1, 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*

JUVENILE JUSTICE AUTHORITY – GRANT WITH COUNTY MATCHING FUNDS:

Duane Powell, Family and Children Services Director and Harry Knight of Family and Children Services met with the Board to discuss the grant previously discussed at an earlier meeting. The county required matching funds was \$14,301.00 and has been changed to \$14,300.00. After discussion on the possibility of Juvenile Justice Authority absorbing a larger percentage of Attorney Daylene Walls salary, which Mr. Powell advised the Board he does not have the funds to increase their share of the salary, the following action was taken:

ACTION: *A motion was made by Commissioner Brown to approve the County's matching funds in the amount of \$14,300.00 for the Family and Children Services (Juvenile Justice Authority) Grant as requested by Family and Children Services Director. These funds are to be debited from the County General Operating Fund. Motion was seconded by Commissioner McManus.*

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

RES. NO. 10-55

COMPUTER DEPARTMENT – REAL VISION RENEWAL:

Computer Director Ken Collins met with the Board to request approval to renew the agreement between Real Vision and Montgomery County in the amount of \$4,500.00. The cost of the agreement renewal will be split between the Register of Deeds Budget and the County Clerk’s Direct Election Budget with the Register of Deeds assuming \$3,000.00 and the County Clerk will assume \$1,500.00 from the Direct Election Budget. This split is based on the usage of the two departments. The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to approve the renewal of the agreement between Real Vision and Montgomery County in the amount of \$4,500.00 with \$3,000.00 to be paid from the Register of Deeds Budget and \$1,500.00 to be paid by the County Clerk from the Direct Election Budget. Motion was seconded by Commissioner McManus.*

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

RES. NO. 10-56

PUBLIC WORKS:

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

1. Road and Bridge Balance Sheet for February 2010.
2. Noxious Weed Balance Sheet for February 2010.
3. Employee change of status. Two employees have completed probation with probationary completion hourly increase. The following action was taken:

ACTION: *A motion was made by Commissioner Brown to approve Employee Change of Status for two (2) Public Works employees due to completion of probation with an increase in hourly salary. Motion was seconded by Commissioner McManus.*

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

RES. NO. 10-57

4. Sewer District #2 Balance Sheet for February 2010.
5. Memo regarding Sewer Customer request – (The Public Works Coordinator was instructed by the Board to use his judgment to respond to the customer’s request regarding the past due sewer account.
6. Past Due listing for February 2010 for Sewer District No. 2.
7. Memo regarding Fire Alarm System Judicial Center referencing the State Fire Marshal. This memo outlined necessary action to be taken on the alarm system at the Judicial Center. The Engineers are to take the present plans and bring the alarm system up to today’s code. As of March 5, 2010 they are looking at the whole system and will make recommendation as to what needs to be done to be in compliance. K-Tech will make the changes then test the system so the engineers can sign off on it and then the State will accept it.
8. Discussion on Sewer District No. 2 evaluation from TranSystems. Mr. Shawn Turner and Mr. Terry Emert met with the Board with their findings in evaluating the possibility of the County constructing their own lagoon disposal for the District. Their evaluation concluded the total cost for an extended aeration facility would be \$2,882,000.00 with operation costs annually \$140,000.00.

The recommendation from TranSystems would be not to construct the extended aeration facility but continue with the present disposal and conduct smoke testing the system to identify the I/I problem areas. They also recommended a rate increase of \$1.00 per thousand gallons of water metered per connection. This with the reduction expected from the current construction project will bring the income more in line with the actual operation cost.

No action was taken at this time.

PUBLIC WORKS (Continued):

Mr. Bever and Scott Barnhart, Environmental Health/Zoning Administrator presented a letter to the Board for their approval to Mr. Mike Stock, Kansas Department of Transportation, Bureau of Right of Way regarding proposed revisions to State of Kansas Salvage Statutes.

This letter related to the statutes governing the regulating of junkyard and salvage storage facilities within 1000 feet of any public road. The Board approved the letter to be signed by Mr. Barnhart and Mr. Bever.

ACTION: *A motion was made by Commissioner Brown to approve the letter directed Mr. Mike Stock, Kansas Department of Transportation, Bureau of Right of Way regarding proposed revisions to State of Kansas Salvage Statutes. Motion was seconded by Commissioner Brown.*

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

SHERIFF – REQUEST TO HIRE PART-TIME EMPLOYEE FOR WEEK OF SPRING BREAK:

Under Sheriff Troy Mackie met with the Board and requested the Sheriff's Department be allowed to hire a part-time employee to check the inventory records. This individual is a student and has been working under the school program in the department. The rate of pay will be \$8.00 per hour for the week of spring break (40 hours). The Sheriff's Department will come back at a later date if this part-time is satisfactory to address part-time help during the summer months. The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to approve the request of the Sheriff's Department for a part-time employee who is a student, to work the week of spring break at \$8.00 per hour for a total of 40 hours. Salary will be paid from the Sheriff's Budget. Motion was seconded by Commissioner McManus.*

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

RES. NO. 10-58

EMERGENCY PREPAREDNESS – DEMOLITION BIDS:

Emergency Preparedness Director Jim Miller and Mickey Davis met with the Board with information on advertising and publishing the request for bids for the demolition of 14 properties out of 17 acquired by the county due to the 2007 flood. These properties will require inspections for asbestos. They will proceed for receiving bids.

COFFEYVILLE CITY ANNEXATION OF PROPERTY FOR BIG CHIEF RV PARK:

Mr. Fred Wigley, landowner and Mr. Jeff Morris, City Manager for the City of Coffeyville, met with the Board on the annexation of property west of Highway 169 near the Coffeyville Industrial Park which had previously been before the Board. Mr. Wigley advised the Board all corrections have been made to the survey and legal description and have been given to the Public Works Coordinator as requested. There being no further questions, the following action was taken:

ACTION: *A motion was made by Commissioner Brown to approve the annexation of the following Legal Description to the City of Coffeyville. The description is as follows:*

A tract of land situated in Lot 7 of the Southwest Quarter of Section 7, Township 34 South, Range 17 East of the 6th Principal Meridian, Montgomery County, Kansas, being more particularly described as follows: Commencing at a point on the West Right of Way for U. S. Highway 169 on the South Line of said Lot 7; thence North 01 degrees, 21 minutes, 14 seconds West (with the North Line of said Southwest Quarter on an assumed bearing of North 88 degrees, 34 minutes, 04 seconds West) along said West Right of Way, a distance of 234.00 feet to the Point of Beginning of the herein described tract; thence South 88 degrees, 32 minutes, 05 seconds West, perpendicular to the East Line of said Southwest Quarter, a distance of 441.00 feet to a point; thence South 01 degrees, 27 minutes, 55 seconds East, parallel to the East Line of said Southwest Quarter, a distance of 211.15 feet more or less to a point on the South Line of said Lot 7; thence

CITY OF COFFEYVILLE ANNEXATION (Continued):

North 88 degrees, 29 minutes, 48 seconds West, along the South Line of said Lot 7, a distance of 339.44 feet, more or less, to a point on the East Line of a tract recorded in Book 573, Page 228 at the Montgomery County Register of Deeds; thence North 01 degrees, 19 minutes, 28 seconds West, along the East Line of said recorded tract, a distance of 572.07 feet to a point; thence North 01 degrees, 53 minutes, 27 seconds East, along the East Line of said recorded tract, a distance of 585.26 feet to a point; thence North 07 degrees, 37 minutes, 14 seconds East, along the East Line of said recorded tract, a distance of 168.44 feet to a point on the North Line of said Southwest Quarter, thence South 88 degrees, 34 minutes, 04 seconds East, along the North Line of said Southwest Quarter, a distance of 720.7 feet, more or less, to a point on the West Right of Way for U. S. Highway 169; thence Southerly, along said West Right-of-Way, a distance of 1092.65 feet, more or less, to the Point of Beginning, containing 21.07 acre(s), more or less.

Motion was seconded by Commissioner Fowler.

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

RES. NO. 10-59

CORRESPONDENCE:

1. Report from KAC on demographics and taxes –
2. US Census Letter given to County Clerk by Chairman –
3. Monthly Report for February from Register of Deeds –
4. Monthly Report for February from Co. Clerk –
5. Urgent Need Grant Draw down #2 information –

OTHER COUNTY BUSINESS:

1. Commissioner’s Inventory – **Board Requested the Deputy County Clerk or County Clerk conduct their inventory again this year.**
2. Letter to KDHE requiring the Chairman’s signature approved by the Board.
3. Thank you from Public Works Employees.
4. Monthly payroll forms to be present for employee’s payroll. The County Clerk requested all payroll forms submitted by uniform with a memo to be sent providing them with enough time to comply which would be approximately 30 to 45 days depending on date payroll is due. The following action was taken:

ACTION: A motion was made by Commissioner Fowler to require all departments on the monthly payroll to submit the uniform payroll form as provided by the Payroll Department. Only the approved form is to be accepted by the Payroll Department and a memo will be issued to each of these departments with the date the new forms will go into effect with the April Payroll. Motion was seconded by Commissioner McManus.

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

RES. NO. 10-60

5. Completion of Probationary Period – County Resolution No. 09-117 was requested to be amended by the County Clerk (from) The reimbursement will taken effect upon completion of probation period set forth by the department. (to) The reimbursement will take effect six (6) months from the date of employment with the County. This will insure all employees to receive the same effective date regardless of probation set forth by the department. The following action was taken:

ACTION: A motion was made by Commissioner Fowler to amend Montgomery County Resolution No. 09-117 establishing the policy to reimburse county employee’s hired July 1, 2009 or later at 4% of the 6% employee’s mandatory contribution to KPERS withheld to take effect six (6) months from the date of employment with the County insuring all employees to receive the same effective date regardless of probation set forth by the department. Motion was seconded by Commissioner Brown.

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

RES. NO. 10-61

ADJOURNMENT: 11:05 AM

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