

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

March 29, 2010

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

CALL TO ORDER: Commissioner McManus.

INVOCATION: Reverend Lee Passwater, Trinity Methodist Church, Coffeyville, Kansas.

PLEDGE OF ALLEGIANCE: Commissioner McManus.

ACTING CHAIRMAN:

ACTION: *A motion was made by Commissioner Brown to appoint Commissioner McManus as Acting Chairman for this meeting in the absence of Commissioner Fowler, Chairman. Motion was seconded by Commissioner McManus.*

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

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*

APPROVAL OF PAYMENT OF INVOICES:

ACTION: *A motion was made by Commissioner Brown to approve invoices in the amount of \$14,424.89 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*

APPROVAL OF MINUTES:

ACTION: *A motion was made by Commissioner Brown to approve the minutes of March 5 and March 9, 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*

COUNTY ATTORNEY – COPIER BID OPENING:

Elaine Glines, representing the County Attorney, was present for the copier bid opening for their department. The bids were as follows:

McCarty's Office Supply, Parsons, KS	\$4,186.00
Digital Connections, Coffeyville, Kansas	\$3,767.00 \$4,022.00
Copy Products, Pittsburg, KS	\$3,853.00
Corporate Business Systems, Joplin, MO	\$3,980.00
Modern Copy Systems, Iola, KS	\$3,382.00 \$4,774.00
Century Midwest Office Systems, Chanute, KS	\$3,890.00 \$4,890.00

The bids were referred to the County Attorney for his recommendation. Mr. Markle will present his recommendation to the Board for the next meeting by letter.

ENVIRONMENTAL HEALTH/ZONING – REAPPOINTMENT OF ZONING BOARD MEMBERS AND ANNUAL REPORT OF DEPARTMENTAL ACTIVITIES:

Environmental Health/Zoning Administrator Scott Barnhart presented a list of Planning Commission and Board of Zoning Appeal members whose terms have recently expired for their consideration and either appointments or reappointments to fill these vacancies. The following action was taken:

ACTION: *A motion was made by Commissioner Brown to approve the reappointment of Jim Sheldon, James Templeton and John Doan to the Montgomery County Planning Commission. Motion was seconded by Commissioner McManus.*

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

RES. NO. 10-68

ACTION: *A motion was made by Commissioner Brown to reappoint the member-at-large Kent Keller to the Montgomery County Board of Zoning Appeals. Motion was seconded by Commissioner McManus.*

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

RES. NO. 10-69

Mr. Barnhart provided a 2009 Activities Summary for his department. He also discussed the possible need to increase fees for this department's services. He has checked with other counties and our fees are lower than most counties. He will obtain more information and return to the Board with a recommendation on increasing the fees for services provided by this department.

SHERIFF ROBERT DIERKS – EXECUTIVE SESSION – NON-ELECTED PERSONNEL:

Under Sheriff Troy Mackie met with the Board to request an Executive Session for non-elected personnel. The following action was taken:

ACTION: *A motion was made by Commissioner Brown to recess to Executive Session at 9:50 AM to return at 9:55 AM to discuss non-elected personnel with the Board and Under Sheriff Troy Mackie present. The motion was seconded by Commissioner McManus.*

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

Returned to session at 9:55 AM stating no action taken and no decisions made.

SHERIFF'S DEPARTMENT (Continued):

ACTION: A motion was made by Commissioner Brown to recess to Executive Session at 9:58 AM to return at 10:03 AM to discuss non-elected personnel with the Board and Under Sheriff Troy Mackie present. The motion was seconded by Commissioner McManus.

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

Returned to session at 10:03 AM stating no action taken and no decisions made.

Mr. Mackie presented requests for two (2) employee status changes in the Department of Corrections. These requests are for promotions due to a resignation, promoting one (1) to Sergeant and one (1) to Corporal. The following action was taken:

ACTION: A motion was made by Commissioner Brown to approve the Employee Status Changes as presented by the Sheriff's Department for two (2) employees in the Department of Corrections for promotions due to a resignation in the department. Motion was seconded by Commissioner McManus.

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

RES. NO. 10-70

MONTGOMERY COUNTY RURAL FIRE – BID REQUEST – TRANSFER OF FUNDS:

Montgomery County Rural Fire Coordinator Mark McCleary met with the Board to request bids be taken for the following: Roof Repairs – Havana Station at approximately \$14,000.00 and Six (6) Laptop Computers at approximately \$ 6,000.00. The following action was taken:

ACTION: A motion was made by Commissioner Brown to approve the request for the Montgomery County Rural Fire Coordinator to obtain bids on six (6) Laptop computers costing approximately \$6,000.00 and roof repairs for the Havana Station costing approximately \$14,000.00. Motion was seconded by Commissioner McManus.

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

Mr. McCleary requested transfer \$25,000.00 of the \$52,728.03 ending cash balance for 2009 to the Montgomery County Rural Fire District #1 Special Equipment Reserve Fund. The following action was taken:

ACTION: A motion was made by Commissioner Brown to approve the immediate transfer of \$25,000.00 from the Montgomery County Rural Fire Fund #25 2009 cash funds to the Montgomery County Rural Fire District #1 Special Equipment Reserve Fund. Motion was seconded by Commissioner McManus.

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

RES. NO. 10-71

COUNTY CLERK – EXECUTIVE SESSION – NON-ELECTED PERSONNEL:

ACTION: A motion was made by Commissioner McManus to recess to Executive Session at 10:20 AM to return at 10:45 AM to discuss non-elected personnel with the Board and the County Clerk present. Motion was seconded by Commissioner Brown.

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

Returned to session at 10:40 AM stating no action taken and no decisions made.

EMERGENCY PREPAREDNESS – FLOOD BUYOUT PROPERTY:

Emergency Preparedness Director Jim Miller met with the Board and presented the proposed long-term lease agreement between Montgomery County and First Federal Savings & Loan on Flood Buy-out property. The letter was referred to the County Counselor for his review and opinion.

CORRESPONDENCE:

1. Letter from Kansas Adjutant General's Department on LEPC appointments.

OTHER COUNTY BUSINESS:

1. Barton County – Sweeps Law – The Board recommended having the County Counselor proceed with the Claim for Montgomery County.
2. Shared Leave – Public Works –

ACTION: *A motion was made by Commissioner Brown to approve amending the previously requested for Shared Leave from the Public Works Department for one (1) employee to receive 120.00 hours leave to 124.5 hours leave. Motion was seconded by Commissioner McManus.*

ROLL CALL VOTE – Commissioner Fowler - Absent

Commissioner Brown – Yes

Commissioner McManus - Yes

RES. NO. 10-72

3. Report from Public Works on 2010 Aggregate Resurfacing for January – February.
4. E-mail from Attorney Clint Patty in Topeka on County Natural Gas Coalition to the Board. The County Clerk was asked to obtain more information if possible.

ADJOURNMENT: 11:03 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**

TONY FOWLER, Chairman

FRED BROWN, Member

LARRY McMANUS, Member

ATTEST:

County Clerk