

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

April 5, 2010

The Board of County Commissioners, three members and the County Clerk present, met in regular session at 9:00 AM.

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**CALL TO ORDER:** Commissioner Fowler.

**INVOCATION:** Commissioner Fowler.

**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 - Yes  
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 \$590.50, \$223,853.94 and \$43,104.48 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*

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**APPROVAL OF MINUTES:**

**ACTION:** *A motion was made by Commissioner McManus to approve the minutes of March 29, 2010 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*

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**CORRESPONDENCE:**

1. Kansas Department of Commerce – Sewer District No. 2 Grant. The letter was referred to Public Works. Documents will be ready to sign on Wednesday according to SEKRPC and the Chairman will be required to sign on behalf of Montgomery County. The following action was taken:

**ACTION:** *A motion was made by Commissioner Brown to authorize the Chairman to sign on behalf of Montgomery County the documents for Sewer District No. 2 Grant as presented by Southeast Kansas Regional Planning. Motion was seconded by Commissioner McManus.*

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

2. Letter from Kansas Health Institute – Chairman requested the County Clerk to send a letter and the information to the County Health Coordinator and Superintendents of the four (4) Montgomery County school districts.
3. Kansas Incorporated Research Report to be placed as an agenda item.

**EXECUTIVE SESSION – NON-ELECTED PERSONNEL:**

**ACTION:** A motion was made by Commissioner Fowler to recess to Executive Session at 9:20 AM to return at 9:25 AM with the Board, County Clerk and Larry Wright present to discuss non-elected personnel. Motion was seconded by Commissioner Brown.

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

Returned to session at 9:25 AM stating no action taken and no decisions made.

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**BUDGET MEETING – LARRY WRIGHT:**

Larry Wright, CPA met with the Board for a work session before beginning the 2011 County Budget. Mr. Wright outline statute requirements on budgeting concerning the “cash basis law” and how it will affect the budget procedure. Questions by the Board on budgeting were answered by Mr. Wright in preparing for future work session in preparing the budget. The meeting lasted from 9:25 AM until 11:15 AM.

He told the Board when interest is due on refunds due to the appeals to the Court of Tax Appeals, the county is responsible for all interests incurred for every entity the appeal affects.

A recess was taken during the budget meeting at 10:15 AM and returned at 10:22 AM.

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**PUBLIC WORKS:**

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

1. Road and Bridge Balance Sheet for March 2010 –
2. April 24, 2010 will begin 10 hour days –
3. Memo regarding acquiring right-of-way for Bridge 932 (located on County Road 1600 between County Roads 5500 and 5700). The following action was taken:

**ACTION:** A motion was made by Commissioner Fowler to authorize the Public Works Coordinator to offer \$300.00 for right-of-way- from Paul and Dorothy Decker along CR 1600 mile 23 for replacement of Bridge #932. Motion was seconded by Commissioner Brown.

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

RES. NO. 10-74

4. Memo regarding a request for a deck on a small bridge - The following action was taken:  
**ACTION:** A motion was made by Commissioner Fowler to deny the request to put a concrete deck on a small bridge located at County Road 1900-5 at an approximate cost of \$5,000 to \$6,000. Motion was seconded by Commissioner McManus.

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

RES. NO. 10-75

5. Report from Latimer Sommers and Associates P.A. regarding findings from the State Fire Marshall’s office on areas to be addressed to be in compliance. Mr. Bever will return with more information when available.
6. Noxious Weed Balance Sheet for March 2010 –
7. Sewer District No. 2 Balance Sheet for March 2010 –
8. Mr. Bever reported a county 287C Cat Track Skid Loader was stolen from a job site located at CR1200 Mile 7.
9. Executive Session requested by Mr. Bever –

**ACTION:** A motion was made by Commissioner Fowler to recess to Executive Session at 11:25 AM with the Board and Public Works Coordinator present to discuss non-elected personnel to return at 11:35AM. Motion was seconded by Commissioner McManus.

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

Returned to session at 11:35 AM stating no action taken and no decisions made.

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**OTHER COUNTY BUSINESS:**

1. Juvenile Corrections Advisory Board Appointment – Upon the recommendation in writing from Family and Children Service Director Duane Powell for the replacement of Ron Denney by Greg Hennen to the JCA Board, the following action was taken:

**ACTION:** *A motion was made by Commissioner Fowler to approve the recommendation of Family and Children Services Director Duane Powell and appoint Greg Hennen to replace Ron Denney on the Juvenile Corrections Advisory Board. This appointment will expire June 30, 2013. Motion was seconded by Commissioner McManus.*

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

*RES. NO. 10-73*

2. Executive Session requested by Commissioner Fowler –

**ACTION:** *A motion was made by Commissioner Fowler to recess to Executive Session at 11:45 AM to return at 11:50 AM to discuss non-elected personnel with the Board and County Clerk present. Motion was seconded by Commissioner McManus.*

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

Returned to session at 11:50 AM stating no action taken and no decisions made.

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**ADJOURNMENT: 11:55 AM**

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

*ROLL CALL VOTE – Commissioner Fowler - Yes  
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**