

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

April 12, 2010

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

CALL TO ORDER: Commissioner Fowler.

INVOCATION: Reverend Lee Passwater, Trinity United Methodist Church, Coffeyville

PLEDGE OF ALLEGIANCE: Commissioner McManus.

AGENDA APPROVAL:

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

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

APPROVAL OF PAYMENT OF INVOICES:

ACTION: *A motion was made by Commissioner McManus to approve invoices in the amount of - \$228,483.72 as presented by the County Clerk's office. The motion was seconded by Commissioner Fowler.*

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

APPROVAL OF MINUTES:

ACTION: *A motion was made by Commissioner Fowler to approve the minutes of April 5, 2010 as presented by the County Clerk. The motion was seconded by Commissioner McManus.*

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

CANVASS OF VOTES – CANEY CITY ELECTION:

The Board of County Commissioners acting as the Board of Canvassers met at 9:15 AM to conduct the canvass for the Caney City General Election held April 6, 2010.

There being no changes to the results of the election, the Board closed the Canvass of Votes for the Caney City General Election at 9:30 AM.

UNDER SHERIFF TROY MACKIE – EXECUTIVE SESSION – NON-ELECTED PERSONNEL:

ACTION: *A motion was made by Commissioner Fowler to recess to Executive Session at 9:22 AM to return at 9:32 AM with the Board, Under Sheriff Troy Mackie and Sheriff's Administrative Assistant Liz Schwatken present to discuss non-elected personnel. Motion was seconded by Commissioner McManus.*

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

Returned to session at 9:32 AM stating no action taken and no decisions made.

UNDER SHERIFF (Continued):

Under Sheriff Mackie presented three (3) Employee Change of Status requests from Guard 1 and Guard 2 to Corporals in the Department of Corrections due to promotions to fill vacancies within the department. The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to approve three (3) Employee Change of Status requests for the Department of Corrections from Guards 1 and 2 to Corporals effect April 12, 2010. Motion was seconded by Commissioner McManus.*

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

RES. NO. 10-76

COFFEYVILLE REGIONAL MEDICAL CENTER FOUNDATION – COMMUNITY SERVICE TAX CREDITS:

Roger Profitt and Tamara Carnahan with Coffeyville Regional Medical Center Foundation met with the Board to request the endorsement of the Board for a fundraising campaign to raise funds for equipment for the new oncology treatment center at Coffeyville Regional Medical Center.

Due to the absence of Commissioner Brown the Board tabled the decision on the endorsement letter until the next meeting.

PUBLIC WORKS:

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

1. Asphalt bid opening at 10:00 AM – Bids are as follows:

Heckert Construction, Pittsburg, KS	\$1,431,233.93
Bellco (APAC) Materials, Inc., Nowata, OK	\$1,453,779.25
SE-Kan Asphalt Services, Inc., Gas, KS	\$1,802,421.70
Donelson Construction LLC, Clever, MO	\$1,134,657.72
	\$ 917,531.86
Swift Construction Co.	Letter – No Bid

The bids were referred to Mr. Bever for his recommendation.

2. Memo on letter from City of Caney Administrator Don Whitman requesting the County to clean ditches and do paving in Caney. **Mr. Bever will calculate the cost to Caney and report back to the Board.**
3. Special Bridge – As previously reported last Monday a compact loader was stolen from a job site on County Road 1200 mile 7. This has been turned over to the insurance company and is currently being processed.
4. Building Maintenance – Memo regarding Heating and Cooling at Coffeyville City Hall, 3rd Floor in Court Services. The heat and air unit on the roof at the city building that heat/cool Judge Cullins office and the jury room is in need of repair or replacement. The present unit was installed in the late 1950's and repairing the evaporator coils and heat sequence is estimated at \$1,614 versus putting in a new unit at a cost of \$3,390. **Mr. Bever will talk to Judge Gossard on sharing the expenses to replace the unit.**
5. Sewer District #2 Past Due Notice report –

Commissioner Fowler discussed the following with Mr. Bever –

1. He has been told Wilson County is purchasing rock from Midwest Minerals at a cheaper price than Montgomery County is paying. Mr. Bever will check this information.
2. Milton Lowmaster visited with Commissioner Fowler about a “line to follow” for visually impaired individuals. The line is a marker up stairs, etc. The county recently had the ADA work done through Leonard Calfish and this did not appear on the report as being required.
3. Inquired about the FEMA disaster declaration for the snow storm. It is still pending with the State.

MONTGOMERY COUNTY HEALTH – VEHICLE BID OPENING:

Montgomery County Health Coordinator Ruth Bardwell met with the Board for the bid opening for a vehicle for the Montgomery County Health Department. The bids were as follows:

Quality Motors, Independence	2010 Chev. HHR LT	\$14,500.00
	2010 Dodge Journey SXT	\$19,500.00
	2009 Dodge Grand Caravan SXT	\$19,900.00
	2009 Ford Escape	\$18,800.00
	2009 Dodge Durango SLT	\$22,500.00
	2008 Dodge Grand Caravan SXT	\$18,900.00
Joe Watt Auto Sale, Inc., Vinita, OK	2008 Ford Explorer XLT	\$14,500.00
Green Country, Vinita, OK	2020 Ford Escape XLS	\$17,689.00
	4x4	\$19,289.00
	2010 Ford Explorer XLT	\$26,862.00
	2008 Ford Edge LES	\$19,314.00
	2009 Ford Escape 4x4	\$22,092.00
	2009 Ford Explorer XLT 4x4	\$27,182.00
Perl Chevrolet, Coffeyville, KS	2008 Toyota Highlander AWD	\$22,500.00
	2009 Chev. Trailblazer 4x4	\$20,200.00
	2009 Chry Town & Country	\$19,500.00
	2010 Chry Town & Country	\$19,100.00
	2010 Ford Explorer XLT 4x4	\$24,600.00
	2007 Chry Town & Country	\$14,989.00

The County Health Coordinator will submit a recommendation to the Board for the next meeting.

JUVENILE JUSTICE AUTHORITY – EQUIPMENT PURCHASE REQUEST:

Family and Children’s Service Director Duane Powell and Bill Knight met with the Board to request permission to bid a copier not to exceed \$7,000.00. The Board approved the request and Mr. Powell will provide specifications to the County Clerk’s Office.

CORRESPONDENCE:

1. Letter from the Kansas Department of Agriculture addressed to Jim Miller regarding the floodplain mapping notification meeting held on March 30, 2010 –
2. Proclamation for “Celebrating 42 Years of Air Housing” -

ACTION: A motion was made by Commissioner McManus to authorize the Proclamation celebrating 42 years of Fair Housing for Montgomery County. Motion was seconded by Commissioner Fowler.

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

RES. NO. 10-77

SEASONAL EMPLOYEES:

The Board and the County Clerk discussed the seasonal employees hired by several departments. The Payroll Department is responsible for all payrolls to meet the requirements of the Board of County Commissioners and to be approved by the Board. The following action was taken:

ACTION: A motion was made by Commissioner Fowler that all departments must present a request to the Board of County Commissioners for approval prior to hiring or rehiring (the calling back of previous employees) part-time seasonal employees. All payroll changes will be by resolution of the Board of County Commissioner stating the position, hourly wage and anticipated length of employment . Motion was seconded by Commissioner McManus.

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

RES. NO. 10-78

OTHER COUNTY BUSINESS:

1. County Treasurer Quarterly statement of Idle Funds Investment –
2. Walter Hudiburg with questions on the article in the paper and the comment by Commissioner Fowler on the passing of the bill signed by the Governing to help lower taxes in Montgomery County –
3. Letter from County Attorney Larry Markle recommending the purchase of the copier from Copy Products, Pittsburg, KS in the amount of \$3,853.00. The following action was taken:
ACTION: *A motion was made by Commissioner Fowler to approve the purchase of a copier for the County Attorney's Office from Copy Products, Pittsburg, KS in the amount of \$3,853.00 to be debited from Montgomery County Capital Outlay Fund. Motion was seconded by Commissioner McManus.*
ROLL CALL VOTE – Commissioner Fowler - Yes
Commissioner Brown - Absent
Commissioner McManus – Yes

RES. NO. 10-79

4. Mr. Larry Hoover addressed the Board and on budgets and increased valuations –
5. Executive Session:
ACTION: *A motion was made by Commissioner Fowler to recess to Executive Session at 10:55 AM to return at 11:05 AM with the Board and County Clerk present to discuss non-elected personnel. Motion was seconded by Commissioner McManus.*
ROLL CALL VOTE – Commissioner Fowler - Yes
Commissioner Brown - Absent
Commissioner McManus – Yes

Returned from Executive Session at 11:05 AM stating no action taken and no decisions made.

6. Letter of congratulations to Mr. and Mrs. Lyle Colean from the Board on their 70th wedding anniversary was presented to the Board by the County Clerk upon action taken by the previous commission. The following action was taken:
ACTION: *A motion was made by Commissioner Fowler to authorize the County Clerk to proceed with the letter to Mr. and Mrs. Lyle Colean congratulating the couple on their 70th wedding anniversary. The letter will be sent with completion of the signatures of the Board. Motion was seconded by Commissioner McManus.*
ROLL CALL VOTE – Commissioner Fowler - Yes
Commissioner Brown - Absent
Commissioner McManus – Yes

7. Register of Deeds Monthly Report for March, 2010 -

ADJOURNMENT: 11:48 AM

ACTION: *Motion by Commissioner Fowler seconded by Commissioner McManus.*
ROLL CALL VOTE – Commissioner Fowler - Yes
Commissioner Brown - Absent
Commissioner McManus – Yes

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

TONY FOWLER, Chairman

FRED BROWN, Member

ATTEST:

LARRY MCMANUS, Member

County Clerk