

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

June 7, 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 McManus to approve invoices in the amount of \$339,454.33, \$29,656.00 and \$18,900.00 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 May 24 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*

EMERGENCY PREPAREDNESS – BID OPENING FOR ASBESTOS REMOVAL & DISPOSAL FOR COUNTY FLOOD BUYOUT PROPERTIES:

Emergency Preparedness Director Jim Miller, Flood Buyout Project Manager Mickey Davis and Environmental Health/Zoning Administrator Scott Barnhart were present for the bid opening for the asbestos removal and disposal for the County Flood Buyout properties. Bids were as follows:

Enviro Remediation, Wichita, KS	\$17,530.00
ACM Removal, LLC, Wichita, KS	\$18,860.00
ISI Environmental Services, Wichita, KS	\$24,130.00

The bids were presented to Mr. Miller, Mr. Davis and Mr. Barnhart for their recommendation. After reviewing the bids, the group returned to the Board with the recommendation to accept the bid of ACM Removal, LLC., Wichita, Kansas. This bid is the seconded lowest bid but the low bidder, being Enviro Remediation, Wichita, Kansas, did not meet the specifications requiring completion of this project no later than June 30, 2010. The following action was taken:

ENVIRONMENTAL HEALTH (Continued):

ACTION: A motion was made by Commissioner Fowler to accept the bid and enter into a contract with ACM Removal, LLC, Wichita, KS, being the low bid meeting the specifications for completion date of June 30, 2010 for the Asbestos Removal and Disposal from five (5) structures located in Montgomery County. Motion was seconded by Commissioner Brown.

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

RES. NO. 10-109

COMPUTER DEPARTMENT:

Computer Department Director Ken Collins and Jason Clubine met with the Board to discuss Anti-Virus Licenses for the offices. There are 30 prorated licenses to be renewed at this time and will be prorated in order for all licenses to have the same due date in the future. There are 115 licenses total for the County. The cost for the 30 prorated licenses to be paid at this time is \$218.96. Renewing all licenses on the same date will be a savings of about 50% of the license fees each time they are renewed. The following action was taken:

ACTION: A motion was made by Commissioner McManus to approve the renewal of 30 prorated Anti-Virus Licenses in the amount of \$218.96 for county offices with Maple Tronics Computers, Goshen, IN. Debit County General Operating. Motion was seconded by Commissioner Brown.

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

RES. NO. 10-110

CHERRYVALE CITY ADMINISTRATOR – PLAT FOR PARKWEST SUBDIVISION:

Cherryvale City Administrator Greg McDanel presented a plat to the Board of County Commissioners for their signature for Parkwest Subdivision. Mr. McDanel advised the Board of the location of the subdivision and there are 23 lots. This is being done through a Housing Development Grant to the City of Cherryvale. The following action was taken:

ACTION: A motion was made by Commissioner McManus to approve the Parkwest Subdivision to the City of Cherryvale plat for the signatures of the Board of County Commissioners for the recording of the Plat with the Montgomery County Register of Deeds. Motion was seconded by Commissioner Brown.

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

RES. NO. 10-111

Recessed at 9:35 AM.

Returned at 9:40 AM.

ENVIRONMENTAL HEALTH/ZONING - LOCAL ENVIRONMENTAL PROTECTION GRANT:

Environmental Health/Zoning Administrator Scott Barnhart met with the Board to present the Local Environmental Protection Grant application for the amount of \$13,064.00 with a ten per-cent match from the County. The amount of the funding has been decreasing each year. The application for the grant requires the signature of the Chairman of the Board. 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 Local Environmental Protection Grant application through Kansas Department of Health and Environment in the amount of \$13,064 with matching funds by the county of ten per-cent. Motion was seconded by Commissioner McManus.

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

RES. NO. 10-112

DEPARTMENT OF CORRECTIONS – EMPLOYEE STATUS CHANGES:

Under Sheriff Troy Mackie met with the Board and requested Executive Sessions to discuss non-elected personnel. The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to recess to Executive Session at 10:05 AM to return at 10:10 AM with the Board and Under Sheriff 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 10:08 AM stating no action taken and no decisions made.

ACTION: *A motion was made by Commissioner Fowler to recess to Executive Session at 10:08 AM to return at 10:13 AM with the Board and Under Sheriff 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 10:10 AM stating no action taken and no decisions made.

ACTION: *A motion was made by Commissioner Fowler to recess to Executive Session at 10:10 AM to return at 10:15 AM with the Board and Under Sheriff 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 10:13 AM stating no action taken and no decisions made.

The Chairman asked if Mr. Mackie had anything further for discussion. Mr. Mackie presented three Employee Status Changes with a new hire and promotions in the Department of Corrections: (1) new hire as guard; (2) promotions - a Sergeant to Lieutenant and a promotion for Corporal to Sergeant. The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to approve the Employee Status Changes for the Department of Corrections as follows: (1) new hire as guard; (2) promotions - a Sergeant to Lieutenant and a promotion for Corporal to Sergeant. Motion was seconded by Commissioner McManus.*

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

RES. NO. 10-113

Mr. Mackie presented an Employee Status Change for a new hire as dispatcher in the Sheriff's Department to replace an employee that resigned. The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to approve the Employee Status Change for the Sheriff's Department for a new hire to replace a vacancy by the resignation of one (1) employee. Motion was seconded by Commissioner McManus.*

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

RES. NO. 10-114

MONTGOMERY COUNTY EXTENSION COUNCIL – 2011 BUDGET AND REDISTRICTING:

Representatives of Montgomery County Extension Council Jerry Hall, Scott Gordon, Craig Newby, Gary Cotterill, Brian Swisher and Michael Springer met with the Board to discuss the 2011 Budget. Spokespersons for the budget discussion were Jerry Hall, Craig Newby and Michael Springer. Mr. Hall said the 2011 budget request is 4.96% higher than 2010. The requested funds for 2011 will be taken into consideration by the Board of County Commissioners in the County budget work sessions. No decision on the budget were made at this time.

Jerry Hall introduced Mr. Jim Lindquist of Kansas State Research and Extension Office to discuss the issue of redistricting and answer questions presented by the Board.

MONTGOMERY COUNTY EXTENSION COUNCIL – (Continued):

Mr. Hall said the Extension Council Board does not see redistricting at the present time but is proactive in going to redistricting. The counties to be considered in the district would be Labette, Montgomery, Cherokee and Crawford. Cherokee County is not interested in the redistricting.

The positive side of redistricting according to Mr. Lindquist is increases in specialized services at a lower cost to each county, at the present 33 counties make up 13 districts in the state. Each county regardless of size has four (4) board members and members will be elected the same as school district board members.

If the Board of County Commissioners in any county passes as resolution to redistrict, the resolution is subject to a 60-day protest petition with 5% of the registered voters.

Mr. Hall provided pamphlets of information on Redistricting to the Board. The Board thanked them for the information and the Extension Council will keep the county informed as redistricting discussions progress.

KANSAS DEPARTMENT OF TRANSPORTATION – WAYNE GUDMONSON:

Mr. Gudmonson discussed a few projects and programs and the Highway 169 project. He told the Board he is looking forward to working with the County in the future.

LARRY WRIGHT – BUDGET WORK SESSION BEGINNING AT 11:15 AM:

OTHER COUNTY BUSINESS:

1. Occupational License – Sassy’s, Sycamore:

ACTION: *A motion was made by Commissioner McManus to issue an Occupational License to Sassy’s Bar and Grill, Sycamore, Kansas. Motion was seconded by Commissioner Brown.*

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

RES. NO. 10-115

2. City of Caney – Request for annexation not adjoining the city limits of Caney – This request has been tabled until the County Counselor can be consulted. Environmental Health, Public Works and County Election Office will be affected by this annexation.
3. Review of Kansas Emergency Certified Emergency Manager has been reviewed and approved by the Kansas Emergency Management Association.
4. Register of Deeds Monthly Report for May, 2010.
5. Letter from Paul Kritz regarding Special County Mineral Production Tax Fund Claim requiring no action.
6. Juvenile Corrections Advisory Board recommendation for reappointment of Marlene Sheets to the Board for the term June 30, 2010 through June 30, 2013. The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to accept the recommendation of the Juvenile Corrections Advisory Board for the reappointment of Marlene Sheets to the Board for the term June 30, 2010 through June 30, 2013. Motion was seconded by Commissioner Brown.*

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

RES. NO. 10-116

ADJOURNMENT: 1:10 PM

ACTION: *Motion by Commissioner Fowler seconded by Commissioner McManus.*
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