

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

August 2, 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: Commissioner Brown.

PLEDGE OF ALLEGIANCE: Commissioner McManus.

AGENDA APPROVAL:

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

*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 \$740,405.47 and \$43,593.17 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 July 19, 2010 as presented by the County Clerk. The motion was seconded by Commissioner Fowler.*

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

FOUR COUNTY MENTAL HEALTH – 2011 BUDGET:

Mr. Greg Hennen, Executive Director, Four County Mental Health presented a letter to the Board referring to the 2011 budget reduction of 10% they will receive for next year.

He expressed concerns on how the budgeting for the “special funds” for pending tax appeals affects the budget for his agency. State funds are allocated to each agency based on local funding through budgets approved by the Board of County Commissioners. He requested the funding to Four County remain at the \$302,000 level for 2011 under the following condition. “In the event there is an adverse tax appeal finding that requires dollars in excess of those set aside by the county, Four County would then be at risk for repayment of the \$30,200 in question. This will allow services to flow as needed during this critical time, allow time for economic recovery in the area which will hopefully result in a lower service demand by the uninsured; all of which puts us in a better position to absorb this risk than at the present time.”

After discussion it was decided by the Board this would be discussed with Larry Wright, CPA and County Counselor Paul Kritz before any action would be considered by the Board. Both Commissioner McManus and Commissioner Brown stated they would need more information on how this will affect the county and all other outside agencies.

FOUR COUNTY MENTAL HEALTH (Continued):

The Board approved a letter presented by the County Clerk to Four County Mental Health explaining the difference between the amount of funds budgeted for their organization and the amount actually appropriated. This letter was requested by Mr. Hennen to the Clerk as an explanation to the State on the funding by the County. The letter has been reviewed by the County Counselor and approved. The Board approved the letter and contents and authorized the Clerk to prepare on official County letterhead.

PUBLIC WORKS:

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

1. Recommendation on Used Multi-Terrain Loader Bid – Mr. Bever recommended the 2008 287C at a cost of \$35,000 to be purchased from Foley Equipment, Wichita, Kansas. The loader has 1450 hours and meets specifications. The local bid from Mr. Fink did not meet specifications. The following action was taken:

ACTION: A motion was made by Commissioner Fowler to approve the purchase of the used Multi-Terrain Loader Model 287C from Foley Equipment, Wichita, KS in the amount of \$35,000. Debit _____ Fund. Motion was seconded by Commissioner Brown.

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

RES. NO. 10-136

2. Memo regarding County Road 5600 mile 16 – Request by Public Works to officially make this road a minimum maintenance road by resolution. The following action was taken:

ACTION: A motion was made by Commissioner Fowler to declare a segment of CR 5600 mile 16 beginning at 4300 Road and running westerly therefrom for one-half mile as the road lies, being used only occasionally and by few people, as a Minimum Maintenance Road as provided by K.S.A. 68-5,102.

Therefore a hearing on this matter will be held at 10:00 AM, September 27, 2010 for the purpose of receiving the recommendation of the Planning Commission and for any person to give testimony or evidence in this matter.

Motion was seconded by Commissioner Brown.

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

RES. NO. 10-137

3. Presented memo regarding ADA update. Reported on complying with the first phase of the ADA audit and the work being done.

MONTGOMERY COUNTY HEALTH – H1N1 GRANT EXTENSION:

Montgomery County Health Coordinator Ruth Bardwell met with the Board for the signature of the Chairman on the H1N1 Grant Extension. The following action was taken:

ACTION: A motion was made by Commissioner McManus to authorize the Chairman to sign on behalf of Montgomery County, the H1N1 Grant Extension for the Montgomery County Health Department. Motion was seconded by Commissioner Brown.

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

EMS – 2001 BUDGET (AMBULANCE FUND):

Representatives of the following cities were present for the meeting:

- Caney – Don Whitman
Rick Pell
- Cherryvale – Greg McDanel
Ron Davis
- Coffeyville – Jerry Marquette
Jim Wilhelm
- Independence – Mickey Webb
Dave Cowan
Ken Parker (as an individual resident)

Mr. Webb and Mr. Marquette approached the Board as spokespersons for the EMS group.

Mr. Webb presented a four (4) page letter to the Board in which it stated the County is cutting 22% from the funding of the EMS (ambulance) service in the county. He also went on to say the county is “hoarding” over 17 million dollars. He stated he knew the county had the money and wants the Board to “dip” into the unencumbered cash and restore the funding to the ambulance service.

Mr. Ken Parker spoke as an individual resident asking the funding not be cut and Mr. Jim Wilhelm spoke stating the ambulance fund had been promised by the Board in 2009 they would receive 2.00 mills each year. The last resolution was made in 2008 setting the levy for 2009 budget year “not to exceed 1.500 mills”. No change to funding was made at this time.

CORRESPONDENCE:

1. Letter on Notice of Housing Needs and Fair Housing Barriers Public Hearing for the 2011 Kansas Consolidated Plan – Tuesday, August 24, 2010 in Topeka.
2. Request to the County Clerk for copies of all County Commission Agenda for an indefinite period of time.

OTHER COUNTY BUSINESS:

1. Final payment to Mickey Davis on Flood Buy-out. Board authorized the Clerk to pay invoice when paperwork is final that is required to finalize the buy-out project.
2. Meeting on County Extension redistricting tonight at Parsons at 6:30 PM at Kitchen Pass Restaurant.
3. Budget hearing date amended to August 16th due to republishing of the 2011 budget. Approved by the Board.
4. A list of State Assessed appeals pending was presented to the Board in the amount \$3,416,212. The taxing units affected are 60 and 64 in Louisburg Township on underground gas storage.
5. Copy of the letter from Jim Miller, Emergency Manager to Terry Marlin, Kansas Department of Commerce requesting an extension for completion of the CDBG grant.

ADJOURNMENT: 11:45 AM

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