

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

August 23, 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 Steve Butler, Community Christian Church, Independence

**PLEDGE OF ALLEGIANCE:** Commissioner Brown.

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**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*

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**APPROVAL OF PAYMENT OF INVOICES:**

**ACTION:** *A motion was made by Commissioner Fowler to approve invoices in the amount of - \$23,311.12 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 Fowler to approve the minutes of August 16,, 2010 as amended and presented by the County Clerk. The motion was seconded by Commissioner Brown.*

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

**FOUR COUNTY MENTAL HEALTH – 2011 BUDGET:**

Mr. Greg Hennen, Four County Mental Health Director was present to discuss the letter previously presented to the Board requesting Four County Mental Health be given the additional 10% cut from the 2011 budget and when the settlement is made with the nitrogen plant, Four County will pay the difference between the "special funds" held by the county and the amount owed if the "special funds" are short by this amount requested.

The Board has discussed this with Larry Wright and there are some questions regarding the repayment, agreement between the county and Four County and how this would affect the other outside entity budgets lowered by 10%.

Commissioner Fowler will contact Larry Wright regarding the impact on the county and Paul Kritz on the legality of an agreement between the county and Four County. No action was taken at this time.

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**JJA – ADVERTISE FOR REPLACEMENT IN A POSITION:**

Family and Children Services Director Duane Powell met with the Board to request approval to advertise for the replacement of the position presently held by Mr. Bill Knight as Program Specialist funded through JJA Core Program. Mr. Knight has submitted his resignation to the department.

The Board approved Mr. Powell's request.

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**EMERGENCY PREPAREDNESS – PICTOMETRY:**

Emergency Preparedness Director Jim Miller and Public Works Representative Cris Bilby met with the Board to discuss the user conference on Pictometry to be held in Lake Buena Vista, Florida October 24<sup>th</sup> through October 27<sup>th</sup>. The conference will be paid for through grant funds with all expenses paid including air fare and mileage for two (2) employees to attend. The Board approved Ms. Bilby to attend and asked her for her recommendation for the second employee.

Jim Miller told the Board he would like to see the GIS Director position reestablished again. Commissioner McManus is Chairman of the GIS Committee and the request will be discussed at the next GIS meeting.

Mr. Miller presented the Board a memo on Floodplain Management addressed to the Mapping Coordinator, Division of Water Resources in Topeka. The memo is a Memorandum of Understanding between Montgomery County and the Kansas Division of Water Resources regarding the receipt for and distribution of the LIDAR data provided by Montgomery County. The memo required no action.

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Recessed at 9:56 AM  
Returned at 10:00 AM

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**PUBLIC WORKS:**

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

1. Signature required on agreement for project #63X-0037-01 Crossing of the Union Pacific Railroad Company's tracts and County Road 3900. 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 agreement between Montgomery County and Union Pacific Railroad Company for Project #63X-0037-01 Crossing. Motion was seconded by Commissioner McManus.*

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

2. Memo regarding 3-way stop at Peter Pan and Taylor Roads. Mr. Bever reported a study for the project would be approximately \$4,600.00 and recommends no action be taken at this time on this request based on the information he has obtained regarding the number of accidents and the time frame. Commissioner Fowler said the corner needs more visibility but not a 3-way stop.

The Board accepted the recommendation of the Public Works Coordinator not to install a three-way stop sign at Peter Pan and Taylor Roads. Mr. Bever will check the visibility at the site.

3. Sewer District # 2 Balance Sheet for Sewer District #2 for July 2010.
4. Fire Marshall Review memo and report on the inspection and requirements to bring the system up to compliance. The estimated cost for this project is approximately \$11,000 for engineering services plus the cost of K-Techs equipment and labor. There was discussion on the funds to be used to pay the cost of the project. When completed, Mr. Bever will advise the Board on the funds available in the Building Maintenance fund.

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**COMMUNITY CORRECTIONS – KURTIS SIMMONS CARRYOVER REIMBURSEMENT BUDGET:**

Community Corrections Director Kurtis Simmons presented a report on the FY 2011 Carryover Reimbursement Budget previously approved by the Montgomery County Community Corrections Advisory Board. The carryover required the approval of the Board of County Commissioners and the signature of the Chairman of the Board. 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 Community Corrections FY 2011 Carryover Reimbursement Budget Summary and Narrative. Motion was seconded by Commissioner Brown.*

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

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**ADOLPH WILDGRUBE – LETTER REQUESTING AUDITS FROM EMS DIVISIONS:**

Mr. Adolph Wildgrube met with the Board to discuss the letter he had written to the Board regarding an audit request for the county to provide, pursue and complete a comprehensive study of the financial arrangement being implemented and administered on the county EMS.

Mr. Dave Cowen, Independence EMS was present for the discussion and advised the Board the entities have met and will provide the information for the Board of County Commissioners prior to budgeting for the year 2012. No action was taken regarding Mr. Wildgrube's request.

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Recessed at 12:06 PM  
Returned at 12:11 PM

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**OTHER COUNTY BUSINESS:**

1. Occupational License for Fraternal Order of Eagles, Coffeyville -  
**ACTION:** *A motion was made by Commissioner Brown to approve the Occupational License for the Fraternal Order of Eagles, Coffeyville, Kansas. Motion was seconded by Commissioner McManus.*

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

*RES. NO. 10-144*

2. County Newsletter discussion – Commissioner Brown discussed a county newsletter possibly once a month or quarterly with county information, employee highlights, etc. The County Clerk advised the Board that in 1999 a county newsletter was placed in each payroll envelope and the commissioners contributed to the newsletter with articles or items of information, birthdays of employees, new hires and other items of interest along with safety articles and health articles were in the newsletter. The process ceased due to lack of interest in submitting articles and information. The newsletter was prepared by Human Resources. The County Clerk will provide HR with copies of the previous publication. There will be further discussion at a later meeting.
3. Letter prepared by the County Clerk for the County Commissioners to Alliance for Tech. Commercialization was presented to the Board. The letter advised the CEO the Board would not be funding the requested \$3,600 during the budget year 2011. The Board approved the letter.
4. Signature of the Chairman required on Judicial Budget for the State of Kansas –  
**ACTION:** *A motion was made by Commissioner Brown to authorize the Chairman to sign on behalf of Montgomery County the 2011 Montgomery County Judicial Budget required documents for the State of Kansas. Motion was seconded by Commissioner McManus*

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

**OTHER COUNTY BUSINESS (Continued):**

5. EXECUTIVE SESSION requested by Commissioner Fowler -

**ACTION:** *A motion was made by Commissioner Fowler to recess to Executive Session at 11:38 AM to return at 11:48 AM with the Board present to discuss non-elected personnel. Motion was seconded by Commissioner McManus.*

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

Returned to session at 11:48 AM with a motion by Commissioner Fowler to extend the session until 11:53 AM with the Board present. Motion was seconded by Commissioner Brown.

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

Returned to session at 11:53 AM stating no action taken and no decisions made.

6. The Board approved the request of the County Clerk to place the 2011 County Budget on the County web-site.
7. Redistricting of the Extension County – This item was tabled at this time and Commissioner Fowler will visit with County Counselor Paul Kritz before a decision is made by the Board to approve or disapprove entering into redistricting with Labette and Crawford counties.
8. Mr. Curtis King met with the Board with a request to lease a parcel of land the county owns through the flood buyout. The property is in Whispering Hills Addition and adjoins Mr. King's property. The County Clerk will contact County Counselor for criteria and/or guidelines for the county to lease the flood buyout parcels now owned by the county before entering into any agreements. This will ensure all agreements will be uniform on these properties.
9. Discussed informational monthly financial reporting forms to be prepared by the County Clerk for the Board of County Commissioners. Examples of the forms were presented to the Board.

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**ADJOURNMENT: 12:27 PM**

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

*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**