

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

March 19, 2018

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

CALL TO ORDER: Commissioner McManus.

INVOCATION: Mr. Donnie Collier.

PLEDGE OF ALLEGIANCE: Commissioner McManus.

AGENDA APPROVAL:

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

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

APPROVAL OF PAYMENT OF INVOICES:

ACTION: *A motion was made by Commissioner Brown to approve invoices in the amount of - \$645,727.42 and \$68.75 Mid- Month payments as presented by the County Clerk's office. The motion was seconded by Commissioner York.*

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

APPROVAL OF MINUTES:

ACTION: *A motion was made by Commissioner Brown to approve the minutes of March 12, 2018 as presented by the County Clerk. The motion was seconded by Commissioner York.*

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

MONTGOMERY COUNTY ACTION COUNCIL – UPDATE ON HIGHWAY 169 PROJECT:

Montgomery County Action Council Director Trisha Purdon present an update on the Highway 169 project. She advised the Board she will keep information updated to them as the project progresses.

MONTGOMERY COUNTY ATTORNEY – PHONE SYSTEM PROBLEMS:

Ms. Lisa Goins, representing the Montgomery County Attorney, advised the Board of problems they are having with Kansas Communications and they programming in their phones in their offices. They have contacted Kansas Communications and were told they would be corrected but that has not happened.

Computer Department Jason Clubine is in charge of the telephone service for the county offices. The Board asked him to again contact Kansas Communications to get the problem corrected. Mr. Clubine will contact them again today.

PUBLIC WORKS:

Public Works Coordinator Robert Bever, Assistant Coordinator Jim Wright and Architectural Consultant Leonhard Cafilisch met with the Board to present the bids for the restoration of the offices of the Montgomery County Courthouse. The bids are as follows:

Servpro of South Tulsa, Tulsa, OK	\$113,462.80
Koehn Construction Services, Fredonia, KS	\$136,050.00
Decker Construction, Coffeyville, KS	\$149,200.00

The recommendation is to accept the low bid of SerPro of Tulsa, Tulsa, OK in the amount of \$113,462.80. The following action was taken:

ACTION: A motion was made by Commissioner Brown to accept the low bid of ServPro of South Tulsa County, Tulsa, OK in the amount of \$113,462.80.

Discussion: Commissioner York stated he felt we should be awarding to a local company which would be Decker Construction, Coffeyville, KS. The county's bidding policy does allow for preferences for a local company if it does not exceed 5%. However Decker Construction bid exceeded the 5% by a much larger percentage and did not qualify under the County's Official Bid Policy.

The motion was seconded by Commissioner McManus.

ROLL CALL VOTE - Commissioner McManus - Yes
Commissioner Brown – Yes
Commissioner York - No

RES. NO. 18-036

Public Works continued discussion with the Board on the weekly written report with Mr. Bever and Mr. Wright present. The following items were discussed:

1. Copy of asphalt bid request mailed on March 16, 2018 –
2. Copy of Dust control letter and application mailed on March 16, 2018 –
3. Culvert Replacement on 4550 Road at Pfister Drive. Bids were as follows:

Rubick Construction, Inc., Williamsburg, KS	\$ 98,950.08
Muller Construction, Inc, Coffeyville, KS	\$111,866.20

Recommended accepting the low bid from Rubick Construction, Inc. in the amount of \$98,950.08.

ACTION: A motion was made by Commissioner Brown to accept the low bid of \$98,950.08 by Rubick Construction, Williamsburg, KS, for the culvert replacement on 4550 Rd at Pfister Drive. Debit Special Bridge Fund. Motion was seconded by Commissioner York.

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

RES. NO. 18-037

4. Zoning Heat and Air Unit Bid – Bids are as follows:

Independence Heat & Air, Inc., Independence, KS	\$3,365.00
Russell Refrigeration & Heating, Independence, KS	\$5,902.49
Newton's True Value, Independence, KS	\$4,985.00
Hawkins Heating & Cooling, Cherryvale, KS	\$4,434.00
Vestal Refrigeration, Independence, KS	\$5,271.09

Recommended accepting the low bid from Independence Heating & Air, Inc. in the amount of \$3,365.00.

ACTION: A motion was made by Commissioner Brown to accept the low bid of \$3,365.00 from Independence Heat & Air, Inc, Independence, KS in the amount of \$3,365.00 for the Environmental Health/Zoning Department. Debit Building Maintenance Fund. Motion was seconded by Commissioner York.

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

RES. NO. 18-038

5. Balance Sheet for Noxious Weed and Road and Bridge for February –

OPIOID LIGATION DISCUSSION WITH LEGAL FIRMS:

County Counselor Paul Kritz introduced the four law firms present to discuss the opioid litigation for the Board to decide if they want Montgomery County to participate in the suit and, if so, which firm the County will want to be the representation. Regardless of the firm chosen, it will be at no cost to the County. The firms making the presentations were: Spigarelli Law Firm, Pittsburg, KS (Kala Spigarelli); Patrick C. Smith LLC, Pittsburg, KS (Patrick C. Smith); Prochaska Howell & Prochaska LLC, Wichita, KS (Brad Prochaska); and Kapke & Willerth, LLC, Lee's Summit, MO (Mike Fleming).

The Board will contact County Counselor Paul Kritz with their decision if they wish to be represented in the litigation and the firm they wish to be represented by.

OTHER COUNTY BUSINESS:

1. Discussion on EMS Services – The Board discussed the Advisory Board for EMS and stated it should have CEOs from both Coffeyville and Labette on the Board. No action was taken at this time.
2. Executive Session – Non-elected personnel –

ACTION: *A motion was made by Commissioner York to recess to Executive Session at 11:40 AM to return at 11:50 AM to discuss non-elected personnel with the Board and County Clerk present with no action to be taken. Motion was seconded by Commissioner Brown.*

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

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

ADJOURNMENT: 11:55 AM

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

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

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

LARRY McMANUS, Chairman

FRED BROWN, Member

RYAN YORK, Member

ATTEST:

County Clerk