

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

April 1, 2019

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: Reverend Renita Butler, The Friends Evangelical Church, Independence.

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 Bever.*

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

APPROVAL OF PAYMENT OF INVOICES:

ACTION: *A motion was made by Commissioner Brown to approve invoices in the amounts of \$165,919.23 and End of Month , \$2,155. 00 Prepays as presented by the County Clerk’s office. The motion was seconded by Commissioner Bever.*

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

APPROVAL OF MINUTES:

ACTION: *A motion was made by Commissioner Brown to approve the minutes of March 25, 2019 as presented by the County Clerk. The motion was seconded by Commissioner Bever.*

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

EMERGENCY PREPAREDNESS – RICK WHITSON AND JASON CLUBINE:

Emergency Manager Rick Whitson and Computer Director Jason Clubine met with the Board to open a bid on large screen w/camera and a 70” TV in the meeting Room and also included upgrade on the Wi-Fi system in the basement of the Judicial Building. There being only one bid on the project, the following action was taken:

ACTION: *A motion was made by Commissioner Bever to accept and approve the bid from PCMG located in Ohio for a large screen w/camera in the Commission Meeting Room and a 70” TV in the lower lobby meeting Room and also included upgrade on the Wi-Fi system in the basement of the Judicial Building. The total cost will be \$6,409.95 to be paid from the EMPG Grant funding. Motion was seconded by Commissioner Brown.*

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

RES. NO. 19-047

Mr. Whitson discussed the purchase of two (2) drones. He said there is only one price on the drones as the price is set and cannot be changed by a vendor.

COMPUTER DEPARTMENT – EXECUTIVE SESSION:

Computer Department Director Jason Clubine requested an Executive Session to discuss the Job Status of a non-elected employee. The following action was taken:

ACTION: *A motion was made by Commissioner Brown to recess to Executive Session at 9:12 AM to return at 9:22 AM with the Board and Jason Clubine present to discuss the job status of a non-elected employee. Motion was seconded by Commissioner Bever.*

*ROLL CALL VOTE – Commissioner McManus – Yes
Commissioner Brown – Yes
Commissioner Bever – Yes*

Returned to session at 9:22 AM stating no decisions made and no action to be taken.

PUBLIC WORKS:

Public Works Coordinator Jim Wright met with the Board to present the weekly written report. The following items were discussed:

1. Employee Change of Status – New Hire –
2. Signatures required on 2019 Annual Weed Management Plan –
ACTION: *A motion was made by Commissioner Bever to approve and the Board to sign the 2019 Annual Weed Management Plan. Motion was seconded by Commissioner Brown.*

*ROLL CALL VOTE – Commissioner McManus – Yes
Commissioner Brown – Yes
Commissioner Bever – Yes*

3. Kristen Schodors and Mary Kurtis representing Little House on the Prairie historical site, met with the Board to request rock for parking area. They explained for Prairie Days in June approximately 500 visitors are at the historical site. Public Works Coordinator Jim Wright said it will take five (5) to six (6) loads of rock for the parking area.

They also requested a road name change to Laura Engels Road. They were requested to send and letter to the Commission with their request on the name change.

The Board has reservations on the county furnishing rock for the parking area but no decisions were made and Commissioner McManus will be viewing the area before a decision is made.

**COUNTY COUNSELOR PAUL KRITZ AND COUNTY APPRAISER DEE CARTER –
EXECUTIVE SESSION FOR CLIENT/ATTORNEY PRIVILEGES FOR TRADE SECRETS:**

ACTION: *A motion was made by Commissioner Bever to recess to Executive Session at 10:10 AM to return at 10:30 AM with the Board, County Counselor, County Appraiser and County Clerk present for the purpose of discussing trade secrets with Attorney/Client Privilege. The motion was seconded by Commissioner Brown.*

*ROLL CALL VOTE – Commissioner McManus – Yes
Commissioner Brown – Yes
Commissioner Bever – Yes*

Returned to session at 10:30 AM with a motion by Commissioner Brown to extend the session until 10:40 AM. The motion was seconded by Commissioner Bever.

*ROLL CALL VOTE – Commissioner McManus – Yes
Commissioner Brown – Yes
Commissioner Bever – Yes*

Returned to session at 10:40 AM with the Chairman calling for discussion on a settlement agreement between Coffeyville Resources Refining & Marketing, LLC (“CRRM”), Coffeyville Resources Nitrogen Fertilizers, LLC (“CRNF”) and Montgomery County, Kansas (“County”). The agreement is for the settlement of the 2008 Tax Appeals for the tax year of 2008.

**SETTLEMENT AGREEMENT BETWEEN MG COUNTY AND COFFEYVILLE RESOURCES
(Continued):**

There being no further discussion, the following action was taken:

ACTION: *A motion was made by Commissioner Brown to approve and enter into the Settlement Agreement between Coffeyville Resources Refining & Marketing, LLC (“CRRM”), Coffeyville Resources Nitrogen Fertilizers, LLC (“CRNF”) and Montgomery County, Kansas (“County”). The agreement is for the settlement of the 2008 Tax Appeals for the tax year of 2008 effective as of April 1, 2019. Motion was seconded by Commissioner Bever,*

*ROLL CALL VOTE – Commissioner McManus – Yes
Commissioner Brown – Yes
Commissioner Bever – Yes*

RES. NO. 19-048

OTHER COUNTY BUSINESS:

1. The next regular meeting of the Board of County Commissioners will be held on Tuesday, April 9th at 9:00 AM.

ADJOURNMENT: 10:55 AM

ACTION: *Motion by Commissioner Bever, seconded by Commissioner Brown.*

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

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

LARRY McMANUS, Chairman

FRED BROWN, Member

ROBERT BEVER, Member

ATTEST:

County Clerk