

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

February 27, 2023

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

CALL TO ORDER: Commissioner Bever.

INVOCATION: Commissioner Bever.

PLEDGE OF ALLEGIANCE: Commissioner McManus.

AGENDA APPROVAL:

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

*ROLL CALL VOTE - Commissioner Bever - Yes
Commissioner McManus - Yes
Commissioner Cordray- Yes*

APPROVAL OF PAYMENT OF INVOICES:

ACTION: *A motion was made by Commissioner Cordray to approve invoices in the amount of \$42,105.00, \$327,797.37, and \$85,552.39 as presented by the County Clerk's Office. Motion was seconded by Commissioner McManus.*

*ROLL CALL VOTE - Commissioner Bever - Yes
Commissioner McManus - Yes
Commissioner Cordray- Yes*

APPROVAL OF MINUTES:

ACTION: *A motion was made by Commissioner McManus to approve the minutes of February 21, 2023 with a correction on the out-of-pocket on dental coverage that should have been stated as "to increase the dental cap exposure benefit to \$2,000 annually" as there was no cap previously as presented by the County Clerk. The motion was seconded by Commissioner Cordray.*

*ROLL CALL VOTE - Commissioner Bever - Yes
Commissioner McManus - Yes
Commissioner Cordray- Yes*

COUNTY ATTORNEY – JUSTICE GRANT FUNDS – PBK SOFTWARE:

County Attorney Melissa Johnson and Juvenile Attorney Karen Miller met with the Board to discuss the purchase of a software program to interact with District Court Clerk's office. This will eliminate time consuming enter documents more than one time. Only two (2) software companies were available, PBK Software and Matrix Software.

The recommendation to the Board by Attorney Miller was to enter into a contract with PBK Software at a cost of \$95,600.00 to be paid from the Justice Grant Funds. This will be a two (2) year contract with on-site training. The funding awarded to their office is \$197,000.00. The request was approved by the Board.

COUNTY ATTORNEY (Continued):

A request had been previously made by the County Attorney to use funds from the Diversion Funds to bring files up-to-date. The funds will be used for overtime expenses for the extra hours for the employees to complete the work. The following action was taken:

ACTION: *A motion was made by Commissioner McManus to approve the County Attorney's request to use a portion of the Diversion Funds to bring files up-to-date and the storage of these files. The funds will be used or over-time payment to employees for the extra required hours it will take to complete the project. Motion was seconded by Commissioner Cordray.*

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

RES. NO. 23-037

HUMAN RESOURCES – WORK SESSION REQUEST :

Human Resource Director Becky Lewis presented a request to the Board for a Work Session on Wednesday, March 1, 2023 to conduct interviews of applicants for the Montgomery County Health office. The session was set for March 1, 2023 beginning at 1:00 PM.

EXECUTIVE SESSION:

ACTION: *A motion was made by Commissioner Bever to recess to Executive Session at the request of the HR Director at 9:30 AM to return at 9:35 AM with the Board and HR Director present to discuss job-status of non-elected personnel. (KSA 75-4319 b1). Motion was seconded by Commissioner Cordray.*

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

Returned to session at 9:35 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. Discussion regarding KDOT cost share program - The applications for the program are due by March 23, 2023. Mr. Wright will be completing a list of the projects for the Program for the Board.
2. Requested approval to purchase a copier for the Road and Bridge Shop. Commissioner Bever asked that the one being replaced in the Clerk's Office be taken to the Shop before buying a new one.
3. Noxious Weed Chemical Bid – Bids were as follows:

Sims Fertilizer & Chemical, Osborne, KS	\$38,006.50
Van Duest Supply, Iola, KS	\$38,107.48

ACTION: *A motion was made by Commissioner Bever to accept and approve the low bid for Noxious Weed Department chemicals from Sims Fertilizer & Chemical, Osborne, KS in the amount of \$38,006.50. Motion was seconded by Commissioner Cordray.*

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

RES. NO. 23-038

REGISTER OF DEEDS – OFFICE REPORT:

Register of Deeds Marilyn Calhoun presented a report to the Board on seven (7) counties and the number of employees in their Register of Deeds Office and what functions are in her office. Ms. Calhoun told the Board if the number of employees is cut by one (1) employee it will be too much extra for the number of staff in her office. No action was taken.

FINANCIAL OFFICER & HUMAN RESOURCES – AGGREGATE STOP-LOSS POLICY:

Financial Officer Fred Gress presented the contract for Aggregate Stop Loss Coverage for the approval and signature of the Chairman to renew the contract. The following action was taken:

ACTION: *A motion was made by Commissioner Cordray to approve the contract with EBMS for the Aggregate Stop-Loss Coverage package and authorize the Chairman to sign on behalf of Montgomery County. Motion was seconded by Commissioner McManus.*

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

RES. NO. 23-039

FINANCIAL OFFICER – DISCUSSION ON LEGAL REPRESENTATION INVOLVING RURAL WATER DISTRICTS:

Financial Officer Fred Gress presented information to the Board regarding rural water districts and experienced legal advisors. Attorney Ray Connell with a law firm in Eldorado, KS has experience in organization of a water district and the management required. Mr. Gress stressed to the Board the County needs expert legal advice working with the water districts on the Bartlett Project.

Attorney Ray Connell will be only working for the County on this project and advising the County's authority on this water project. The following action was taken:

ACTION: *A motion was made by Commissioner Cordray to hire Attorney Ray Connell, Eldorado, KS as legal advisor to the County while working with the water districts on the Bartlett Project at a fee of \$400.00 per hour. Motion was seconded by Commissioner McManus.*

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

RES. NO. 23-040

Mr. Gress also presented information and reviewed the EDA Application for the Comprehensive Plan. EDA requests this be entitled Strategic Smart Growth Plan designed to take on growth. Southeast Kansas Regional Planning representative Susan Galemore is working on the application and the Board has been requested to submit a letter approving to proceed with the Strategic Smart Growth Plan with 50% of the cost paid by a grant. The following action was taken:

ACTION: *A motion was made by Commissioner Cordray to approve a letter from the Board of County Commissioners to be submitted approving and proceeding with the Strategic Smart Growth Plan through Southeast Kansas Regional Planning and to authorize the Chairman to sign on behalf of Montgomery County. Motion was seconded by Commissioner McManus.*

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

RES. NO. 23-041

ENVIRONMENTAL HEALTH/ZONING – MONTGOMERY COUNTY SOLID WASTE PLAN:

Environmental Health/Zoning Director Matt Debo met with the Board to set a public hearing date for the Montgomery County Solid Waste Plan. The date was set for March 27th at 9:00 AM in the lower lobby of the Judicial Center at the County Commission Meeting Room.

RANSON FINANCIAL- ECONOMIC DEVELOPMENT:

Representatives from Ranson Financial Group LLC Beth Warren and Larry Kleeman met with the Board to discuss economic development tools and explain some that can fund infrastructure improvements. Ranson Financial Group provides municipal financial and legal advisory services to local governments

The discussed various questions concerning options as to conveying water, owners of the water lines and others concerning rural water districts. They also discussed agreements required before applying to a bonding company. There was no action to be taken.

MONTGOMERY COUNTY ACTION COUNCIL – EXECUTIVE SESSION:

Montgomery County Action Council Director Riley Lukomski met with the Board in Executive Session.

ACTION: *A motion was made by Commissioner Bever to recess to Executive Session at 10:57 AM to return at 11:17 AM to discuss confidential data relating to financial affairs or trade secrets (KSA 75-4319 b4) with the Board and Montgomery County Action Council Director Riley Lukoomski present. Motion was seconded by Commissioner Cordray.*

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

Returned to session at 11:17 AM with a motion by Commissioner Bever to extend the session to 11:37 AM with Commissioner Cordray seconding the motion and Commissioner McManus voting yes.

Returned to session at 11:20 AM stating no decisions and no action to be taken.

OTHER COUNTY BUSINESS:

1. The County Clerk presented a request to purchase a copier from Digital Connections, Coffeyville, at a purchase price of \$4,360.00 and paid from the County Clerk's Technical Fund. Request was approved.

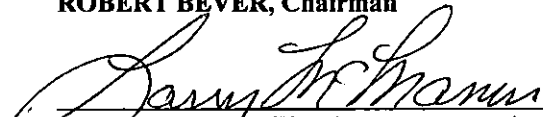
ADJOURNMENT: 11:21 AM

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

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

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


ROBERT BEVER, Chairman


LARRY McMANUS, Member


MIKE CORDRAY, Member




County Clerk

RESOLUTION NO. 23-037

DATED at Independence, Montgomery County, Kansas this 27th day of February, 2023

WHEREAS: *A motion was made by Commissioner McManus to approve the County Attorney's request to use a portion of the Diversion Funds to bring files up-to-date and the storage of these files. The funds will be used or over-time payment to employees for the extra required hours it will take to complete the project.*

Motion was seconded by Commissioner Cordray.

*ROLL CALL VOTE - Commissioner Bever - Yes
Commissioner McManus - Yes
Commissioner Cordray- Yes*



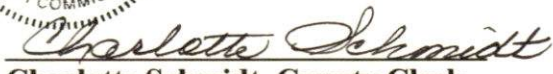
Robert Bever, Chairman



Larry McManus, Member



Mike Cordray, Member


Charlotte Schmidt, County Clerk

RESOLUTION NO. 23-038

DATED at Independence, Montgomery County, Kansas this 27th day of February, 2023

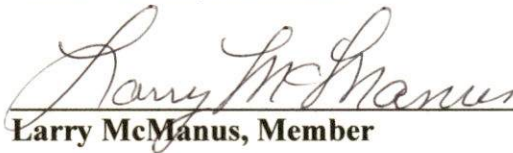
WHEREAS: *A motion was made by Commissioner Bever to accept and approve the low bid for Noxious Weed Department chemicals from Sims Fertilizer & Chemical, Osborne, KS in the amount of \$38,006.50.*

Motion was seconded by Commissioner Cordray.

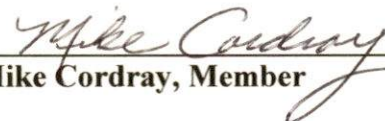
*ROLL CALL VOTE - Commissioner Bever - Yes
Commissioner McManus - Yes
Commissioner Cordray- Yes*



Robert Bever, Chairman



Larry McManus, Member



Mike Cordray, Member




Charlotte Schmidt, County Clerk

RESOLUTION NO. 23-039

DATED at Independence, Montgomery County, Kansas this 27th day of February, 2023

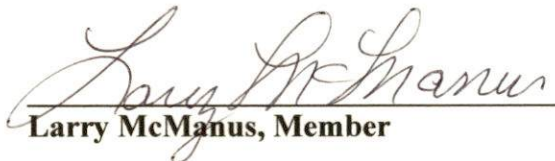
WHEREAS: ACTION: *A motion was made by Commissioner Cordray to approve the contract with EBMS for the Aggregate Stop-Loss Coverage package and authorize the Chairman to sign on behalf of Montgomery County.*

Motion was seconded by Commissioner McManus

*ROLL CALL VOTE - Commissioner Bever - Yes
Commissioner McManus - Yes
Commissioner Cordray - Yes*



Robert Bever, Chairman



Larry McManus, Member



Mike Cordray, Member

ATTEST:


Charlotte Schmidt, County Clerk

RESOLUTION NO. 23-040

DATED at Independence, Montgomery County, Kansas this 27th day of February, 2023

WHEREAS: *A motion was made by Commissioner Cordray to hire Attorney Ray Connell, Eldorado, KS as legal advisor to the County while working with the water districts on the Bartlett Project at a fee of \$400.00 per hour.*

Motion was seconded by Commissioner McManus.

*ROLL CALL VOTE - Commissioner Bever - Yes
Commissioner McManus - Yes
Commissioner Cordray- Yes*

Robert E. Bever

Robert Bever, Chairman

Larry McManus

Larry McManus, Member

Mike Cordray

Mike Cordray, Member



ATTEST:

Charlotte Schmidt
Charlotte Schmidt, County Clerk

RESOLUTION NO. 23-041

DATED at Independence, Montgomery County, Kansas this 27th day of February, 2023

WHEREAS: *A motion was made by Commissioner Cordray to approve a letter from the Board of County Commissioners to be submitted approving and proceeding with the Satiric Smart Growth Plan through Southeast Kansas Regional Planning and to authorize the Chairman to sign on behalf of Montgomery County.*

Motion was seconded by Commissioner McManus.

*ROLL CALL VOTE - Commissioner Bever - Yes
Commissioner McManus - Yes
Commissioner Cordray- Yes*


Robert Bever, Chairman


Larry McManus, Member


Mike Cordray, Member




Charlotte Schmidt, County Clerk