

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

April 17, 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 Cordray to approve the agenda as presented. The motion was seconded by Commissioner McManus.*

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

APPROVAL OF PAYMENT OF INVOICES:

ACTION: *A motion was made by Commissioner McManus to approve invoices in the amounts of \$126,721.50 and \$62,546.36 as presented by the County Clerk's Office. Motion was seconded by Commissioner Cordray.*

*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 April 10, 2023 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*

14TH JUDICIAL DIST. COMMUNITY CORRECTIONS – PROJECTED EXPENSES FOR 2024:

Director Duane Powell and incoming new Director Kenneth Fecke met with the Board to present the Projected Expenses for Fiscal Year 2024 Grant Application. Mr. Fecke presented the written report and it was discussed and questions answered on the report. The Board approved the report and grant application. They thank Mr. Powell and Mr. Fecke for their presentation.

EMERGENCY MANAGEMENT – WITHDRAWAL FOR PUBLIC ASSISTANCE (FEMA):

Emergency Manager Rick Whitson presented a Notice of Withdrawal for Public Assistance (RPA) requesting assistance from the COVID-19 Pandemic between the dates of January 20, 2020 and May 11, 2023 due to no eligible damage in Montgomery County.

ACTION: *A motion was made by Commissioner Bever to authorize the chairman to sign the Notice of Withdrawal for Public Assistance (RPA) FEMA-4504DR-KS. Motion was seconded by Commissioner McManus.*

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

RES. NO. 23-066

EXECUTIVE SESSION – NON-ELECTED PERSONNEL – KSA 75-4319 (b1):

ACTION: *A motion was made by Commissioner Bever to recess to Executive session at 9:17 AM to return at 9:32 AM with the Board present to discuss non-elected personal (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 9:32 AM stating no decisions made and no action to be taken:

EXECUTIVE SESSION – NON-ELECTED PERSONNEL – KSA 75-4319 (b1):

ACTION: *A motion was made by Commissioner Cordray to recess to Executive Session at 9:35 AM to return at 9:45 AM with the Board and Emergency Manager Rick Whitson present to discuss non-elected personnel (KSA 75-4319- b1). Motion was seconded by Commissioner McManus.*

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

Returned to session at 9:40 AM with the following motion by Chairman Bever.

ACTION: *A motion was made by Commissioner Bever to suspend Emergency Manager Rick Whitson one week without pay as disciplinary action for violation of the Montgomery County Procurement Policy effective this date. Motion was seconded by Commissioner Cordray.*

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

RES. NO. 23-067

BUILDING MAINTENANCE – COFFEYVILLE HEALTH DEPARTMENT ROOF REPAIR:

Maintenance Supervisor Jeff Phelps met with the Board to give a report to the Board on the estimate from the insurance on the roof repair at the Coffeyville Health department due to the wind storms. Mr. Phelps will get bids on the repairs for both sides of the roof and talk to KCAMP on perhaps a better rate depending on the type of shingles and the rating on the shingles to be used.

Mr. Phelps reported that someone is putting items in the storage of the Auto Tag Office building in Coffeyville. Red Cross representatives said they were not aware of anyone from Red Cross being in the building and they would not have furniture or appliances to be stored. Mr. Phelps said they have changed the lock to the garage.

Commissioner Bever asked if Mr. Phelps would follow up with the Emergency Manager and see if they know of anyone going into the building or where the items came from.

PUBLIC WORKS:

Public Works Coordinator Jim Wright presented the weekly written report. The following items were discussed:

1. Asphalt bids for 2023 Asphalt program:
- | | |
|---|---------------------------|
| Heckert Construction, Pittsburg, KS | \$ 99.90 Asphalt Laid |
| | \$ 94.16 15% Recycle laid |
| Bettis Asphalt & Construction, Iola, KS | \$ 194.55 Asphalt Laid |
| | \$171.12 15% Recycle Laid |

To be noted in the minutes the recommendation by the Public Works Coordinator is to accept the bid from Heckert Construction, Pittsburg, KS for 15% Recycle laid. Recommendation was verbally approved by the Board.

2. Emulsion Oil bids for 2023 Chip and Seal Program:
- | | |
|------------------------------------|-----------------------------------|
| Wright Asphalt, Springfield, MO | CHFRS-2P - \$2.83 per gallon |
| | CRS-1HP – No Bid |
| | TRMAC (CRSTR) - \$2.44 per gallon |
| Coastal Energy, Willow Springs, MO | CHFRS-2P - \$2.64 per gallon |
| | CRS-1HP - \$2.55 per gallon |
| | TRMAC (CRSTR) – No bid |
| Vanco Brothers, Kansas City, MO | CHFRS-2P - \$3.12 per gallon |
| | CRS-1HP - \$3.02 per gallon |
| | TRMAC (CRSTR) – No bid |

To be noted in the minutes the recommendation by the Public Works Coordinator is to accept the bid from Wright Asphalt, Springfield, MO for Emulsion Oil TRMAC (CRSTR) \$2.44 per gallon.

3. Approval was given for bids to be obtained for chemicals for the Noxious Weed Department

EXECUTIVE SESSION – NON-ELECTED PERSONNEL – SHERIFF’S DEPARTMENT:

ACTION: *A motion was made by Commissioner McManus to recess to Executive Session at 9:52 AM to return at 10:28 AM with the Board, Financial Officer Fred Gress, Sheriff Ron Wade, Sheriff’s Administrative Assistant Liz Schwatken, Undersheriff Chris Williams and Dispatch Supervisor Jamie DeWitt present to discuss non-elected personnel KSA-4319 (b1). Motion was seconded by Commissioner Cordray.*

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

RES. NO. 23-067

Returned to session at 10:28 AM stating no decisions made and no action to be taken.;

OTHER COUNTY BUSINESS:

1. Letter of Support to Labette Health , Mr. Anthony Vaughan, VP of Business Development Foundation Executive Director, the organization look favorable upon the application from the Labette Health Foundation for financial assistance in the amount of \$200,000 to purchase needed equipment. The following action was taken:

ACTION: *A motion was made by Commissioner Cordray the Board authorize the Chairman to sign, on behalf of Montgomery County, a letter of support on the application from the Labette Health Foundation for financial assistance in the amount of \$200,000 to purchase needed equipment, Siemens Acuson Sequola Ultra Sound Machine and the Lab Coagulation Analyzer. A motion was seconded by Commissioner McManus.*

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

RES. NO. 23-068

Recessed to Work Session at 10:35 AM:

Financial Officer presented information on budgets for 2024 and discussed some of the individual budgets. He anticipates having an estimated property total valuations in a few days. The session closed at 11:45 AM.


ADJOURNMENT: 10:30 AM
Began Work Session at 10:35 AM

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

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



ATTEST:



County Clerk

RESOLUTION NO. 23-066

DATED at Independence, Montgomery County, Kansas this 17th day of April, 2023

WHEREAS: *A motion was made by Commissioner Bever to authorize the chairman to sign the Notice of Withdrawal for Public Assistance (RPA) FEMA-4504DR-KS.*

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. 23-067

DATED at Independence, Montgomery County, Kansas this 17th day of April, 2023

WHEREAS: *A motion was made by Commissioner Bever to suspend Emergency Manager Rick Whitson one week without pay as disciplinary action for violation of the Montgomery County Procurement Policy effective this date.*

Motion was seconded by Commissioner Cordray.

ROLL CALL VOTE - Commissioner Bever - Yes

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. 23-068

DATED at Independence, Montgomery County, Kansas this 17th day of April, 2023

WHEREAS: *A motion was made by Commissioner Cordray the Board authorize the Chairman to sign, on behalf of Montgomery County, a letter of support on the application from the Labette Health Foundation for financial assistance in the amount of \$200,000 to purchase needed equipment, Siemens Acuson Sequola Ultra Sound Machine and the Lab Coagulation Analyzer.*

A 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