

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

September 11, 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 Bever 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 McManus to approve invoices in the amount of \$241,338.90 and \$168,227.32 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 Cordray to approve the minutes of September 11, 2023 as presented by the County Clerk with a correction to KSA 75-4319 b1 to KSA 75-4319 b5. The motion was seconded by Commissioner McManus.*

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

ENVIRONMENTAL HEALTH/ZONING- GREEN ENVIRONMENTAL SERVICES:

Environmental Health/Zoning Director Matt Debo and Green Environmental Services representatives John Harper and Jason Thompson met with the Board to discuss the transfer station at Cherryvale. The following action was taken:

ACTION: *A motion was made by Commissioner Bever to approve and authorize the Chairman to sign on behalf of Montgomery County, the documents required by the Kansas Department of Health and Environment (KDHE) to be submitted for the New Permit for the Green Environmental Transfer Station to be located at Cherryvale, Kansas.. Motion was seconded by Commissioner Cordray.*

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

RES. NO. 23-145

ENVIRONMENTAL HEALTH/ZONING – ICC NEW WELDING FACILITY:

Environmental Health/Zoning Director Matt Debo presented a letter for Mr. Bruce Peterson, Grant Writer for Independence Community College requesting a written statement of support to receive a grant for constructing a new Welding Training Facility on the ICC Campus.

Mr. Debo was requested to prepare a letter of support to be signed at the next regular Commission Meeting.

SHERIFF' DEPARTMENT – EXECUTIVE SESSION – KSA 75-4319 (b5):

Undersheriff Chris Williams met with the Board requesting an Executive Session allowed by KSA 75-4319 (b5), matters relating to actions adversely or favorably affecting a person (resident of a public institution).

ACTION: *A motion was made by Commissioner Bever to recess to Executive Session at 9:17 AM to return at 9:22 AM with the Board and Undersheriff present to discuss matters relating to actions adversely or favorable affecting a person (resident of a public institution) KSA 75-4319 b5. Motion was seconded by Commissioner Cordray.*

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

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

MONTGOMERY COUNTY RURAL FIRE #1 – FREIGHTLINER PUMPER TRUCK:

Montgomery County Rural Fire Dist. #1 District Fire Chief Rick Whitson presented information on a 1995 Freightliner FL70 New Lexington Pumper, 21,000 miles, for the Dearing Station. The asking price of the unit is \$35,000.00. It is located in Indiana and the shipping would be \$3,288.00. The following action was taken:

ACTION: *A motion was made by Commissioner Bever to approve the purchase of a 1995 Freightliner FL70 New Lexington Pumper from Fireline Equipment for the Dearing Station at a cost of \$35,000.00 plus shipping \$3,288.00. Motion was seconded by Commissioner Cordray.*

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

RES. NO. 23-146

Mr. Whitson also had bid proposals for review that was not discussed at this meeting but will be discussed at a later date.

HUMAN RESOURCES – ENVIRONMENTAL HEALTH/ZONING JOB DESCRIPTION:

Human Resources Director Ben Brubaker presented an updated Environmental Health/Zoning job description to the Board. The Job Title is Technician and the Grade is 14 and will be under the supervision of the Director of Environmental Health. No action was taken but will return for discussion at the next meeting.

COUNTY TREASURER – EXECUTIVE SESSION:

County Treasurer Nancy Clubine met with the Board and requested an Executive Session to discuss the job status of non-elected personnel (KSA 75-4319 b1).

ACTION: *A motion was made by Commissioner Bever to recess to Executive Session at 9:35 AM to return at 9:50 AM with the Board and County Treasurer 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 9:50 AM stating no decisions made and no action to be taken.

The County Treasurer provided the Board with information on resignations in the Auto Tag Office and in the Treasurer's Office. It will be necessary for her to close the Coffeyville Auto Office in Coffeyville temporarily beginning September 18th, 2023 for an undetermined length of time.

PUBLIC WORKS & BUILDING MAINTENANCE:

Montgomery County Maintenance Supervisor Jeff Phelps presented the contract between Montgomery County and Koehn Construction Services LLC for the Judicial Center steps and sidewalk project. Mr. Phelps a change order to be approved by the Board to add a second handrail to the steps not to exceed \$2,500.00. The following action was taken:

ACTION: *A motion was made by Commissioner McManus to approve the change order between Montgomery County and Koehn Construction Services LLC for the Judicial Center steps and sidewalk project. The change order is to add a second handrail to the steps not to exceed \$2,500.00. Motion was seconded by Commissioner Cordray.*

ROLL CALL VOTE - Commissioner Bever - Yes

Commissioner McManus – Yes

Commissioner Cordray- Yes

RES. NO. 23-147

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

1. Signatures required on contract between Montgomery County/KDOT/E.E.S. Engineering for the construction engineering on the Buckeye project.

ACTION: *A motion was made by Commissioner Cordray to approve the contract between Montgomery County and KDOT/E.E.S Engineering for the construction on the Buckeye Project. Motion was seconded by Commissioner McManus.*

ROLL CALL VOTE - Commissioner Bever - Yes

Commissioner McManus – Yes

Commissioner Cordray- Yes

RES. NO. 23-148

2. Information was presented to the Board on Kansas Local Bridge Projects that were awarded funding.

OTHER COUNTY BUSINESS:

1. County Appraiser Melody Kikkert presented a form to be distributed to landowners on soil classifications. This will be a better way of correctly placing values on land.
2. Letter to the Kanas State Representatives regarding the LAVTR tax in Kansas was presented to the Board for signatures.
3. Register of Deeds report for August –
4. Chairman Bever announced the County will not be making a decisions until a later date on any changes in software and asked that representatives for KOMTEK Software and Tyler Software come to the County and answer questions the department heads have or problems they are having.
5. Neighborhood Revitalization –

ACTION: *A motion was made by Commissioner Cordray to approve the applications for Neighborhood Revitalization for 3961 CR 4050, Independence 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. 23-149

6. Occupational License for My Place, Cherryvale –

ACTION: *A motion was made by Commissioner Bever to approve the Occupational License renewal for My Place, Cherryvale. Motion was seconded by Commissioner Cordray.*

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

RES. NO. 23-150

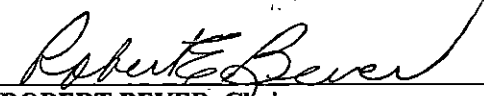
The Chairman announced there will be a Montgomery County Special Meeting September 13, 2023 at 1:00 PM to 3:00 PM for the purpose of an Executive Session.

ADJOURNMENT: 10:025 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




County Clerk

**Workshop at 10:30 AM for Budget Review.
Adjourned at 11:30 AM**

RESOLUTION NO. 23-145

DATED at Independence, Montgomery County, Kansas this 11th day of September, 2023

WHEREAS: *A motion was made by Commissioner Bever to approve and authorize the Chairman to sign on behalf of Montgomery County, the documents required by the Kansas Department of Health and Environment (KDHE) to be submitted for the New Permit for the Green Environmental Transfer Station to be located at Cherryvale, Kansas..*

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



ATTEST:


Charlotte Schmidt, County Clerk

RESOLUTION NO. 23-146

DATED at Independence, Montgomery County, Kansas this 11th day of September, 2023

WHEREAS: *A motion was made by Commissioner Bever to approve the purchase of a 1995 Freightliner FL70 New Lexington Pumper from Fireline Equipment for the Dearing Station at a cost of \$35,000.00 plus shipping \$3,288.00.*

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



ATTEST:


Charlotte Schmidt, County Clerk

RESOLUTION NO. 23-147

DATED at Independence, Montgomery County, Kansas this 11th day of September, 2023

WHEREAS: *A motion was made by Commissioner McManus to approve the change order between Montgomery County and Koehn Construction Services LLC for the Judicial Center steps and sidewalk project. The change order is to add a second handrail to the steps not to exceed \$2,500.00.*

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



ATTEST:



Charlotte Schmidt, County Clerk

RESOLUTION NO. 23-148

DATED at Independence, Montgomery County, Kansas this 11th day of September, 2023

WHEREAS: *A motion was made by Commissioner Cordray to approve the contract between Montgomery County and KDOT/E.E.S Engineering for the construction on the Buckeye Project.*

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. 23-149

DATED at Independence, Montgomery County, Kansas this 11th day of September, 2023

WHEREAS: *A motion was made by Commissioner Cordray to approve the applications for Neighborhood Revitalization for 3961 CR 4050, Independence 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. 23-150

DATED at Independence, Montgomery County, Kansas this 11th day of September, 2023

WHEREAS: *A motion was made by Commissioner Bever to approve the Occupational License renewal for My Place, Cherryvale.*

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


ATTEST

Charlotte Schmidt, County Clerk

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

September 13, 2023

The Board of County Commissioners, two members and the County Clerk present, met in special session for the purpose of an Executive Session from 1:00 PM. to 3:00 PM Commissioner McManus was absent.

CALL TO ORDER: Commissioner Bever.

Commissioner Bever called the special meeting to order at 1:15 PM. The following action was taken:

ACTION: *A motion was made by Commissioner Bever to recess to Executive Session at 1:15PM to return at 3:00 PM for the purpose of discussing certain confidential data relating to the financial affairs and/or trade secrets of a third party business entity, as permitted by the exception to the Open Meetings Act set forth in K.S.A. 75-4319 (b) (4), to include the Commissioners,, Jim Kelly, MCAC Director Melissa Johnson, County Counselor Paul Kritz, Bond Counsel Sarah Steele, Independence City Manager Kelly Passauer, County Financial Officer Fred Gress and representatives of the third party business entity, to reconvene in the Commission Room at 3:00 PM. Motion was seconded by Commissioner Cordray.*

ROLL CALL VOTE - Commissioner Bever - Yes

Commissioner McManus - Absent

Commissioner Cordray- Yes

Returned to session at 2:55 PM with the Chairman closing the meeting with no decisions made and no action to be taken.

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


ROBERT BEVER, Chairman

LARRY McMANUS, Member


MIKE CORDRAY, Member

ATTEST:




County Clerk