

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

October 23, 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: Reverend Jamie Regis, Dearing Christian Church, Dearing KS

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 McManus to approve invoices in the amount of \$140,375.67 (Prepays) 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 October 16, 2023 as presented by the County Clerk. The motion was seconded by Commissioner McManus.*

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

CORRESPONDENCE: Letter from Four County Mental Health requesting a letter of support for Transportation.

HUMAN RESOURCES – EXECUTIVE SESSION – NON-ELECTED PERSONNEL:

Human Resources Director Ben Brubaker met with the Board and requested a five-minute recess to discuss non-elected personnel (KSA 75-4319 1b).

ACTION: *A motion was made by Commissioner McManus to recess to Executive Session at 10:07 AM to return at 10:12 AM with the Board and Human Resources Director present to discuss non-elected personnel (KSA 75-4319 1b). The motion was seconded by Commissioner Cordray.*

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

Returned to session at 10:12 AM with a motion by Commissioner Bever, seconded by Commissioner Cordray with Commissioner McManus voting yes to extend the meeting until 10:22 AM.

Returned to session at 10:22 AM stating no decisions made and no action to be taken.

HUMAN RESOURCES (Continued):

HR Director gave an update on the contract with Marcie Roberts for the Wellness Coalition and their Board is working on a contract. A memo of understanding was also discussed until the contract is completed. The County Counselor will be consulted on the memo of understanding and will be contacted by Mr. Brubaker.

EMERGENCY MANAGER RICK WHITSON & CANEY CITY ADMINISTRATOR KELLY ZELLNER – CANEY CITY WATER SHORTAGE & CHANGE ORDER FOR SKID UNIT FOR MONTGOMERY COUNTY RURAL FIRE #1 CHERRYVALE STATION:

Emergency Manager Rick Whitson reported the bids on the skid unit will need a change order for \$632.00 extra for materials and plumbing. The change order was not approved by the Board and will pay the bid that was originally approved.

Caney City Administrator, Emergency Manager Rick Whitson and USD#436 Superintendent Blake Vargis met with the Board to discuss the water shortage in Caney. Superintendent Vargis reported on the school and how they are working to conserve water. Mr. Whitson recommended the County make a resolution declaring a State of Local Disaster and Emergency for the water shortage event within Montgomery County, Kansas. The following action was taken:

ACTION: *A motion was made by Commissioner Cordray that the Emergency Manager proceed to file the declaration of State of Local Disaster and Emergency and authorize the Chairman to sign on behalf of Montgomery County, after reviewing with the County Counselor. Motion was seconded by Commissioner McManus.*

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

RES. NO. 23-172

PUBLIC WORKS:

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

1. Cash receipts report for third quarter for Road and Bridge –
2. Cash receipts report for third quarter for Noxious Weed –
3. Requested permission to solicit contractor bids for the application of Chip & Seal for the 2024 season –
4. Oil prices carrying forward to 2024 –
5. CR 5125 will be closed 5 to 6 months in December for work to be done on culverts –
6. Support letters to KDOT –

ACTION: *A motion was made by Commissioner Bever to approve the two (2) support letters to the U.S. Army Corps of Engineers for a study to address the erosion along the Verdigris River on CR 1400 and the erosion along the Verdigris River on CR 4900. The motion was seconded by Commissioner McManus.*

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

RES. NO. 23-173

COUNTY APPRAISER:

County Appraiser Melody Kikkert and Appraiser Department Employee Jonna Weimer met with the Board to report on several additions to the County Appraiser's office.

The new sorting/mailing machine was reported on by Jonna. The machine is new in the office and will be used by several offices for large mailings. It stuffs the envelope, sorts the mail and may also have the postage on the envelopes.

Ms. Kikkert reported on the new tablets being used by the Field Appraisers. She said the time has been reduced for the staff to under 10 minutes per residence. She also reported on the recent mailings on agricultural acres and the response to the mailings.

There was discussion on the need to possibly include the Spanish language on all information sent from the Appraisers Office. There was no decision at this time. It will be researched further through the colleges.

OTHER COUNTY BUSINESS:

1. The Board approved the closing of the Courthouse at 2:00 PM October 27th for the Neewollah Kiddie Parade.

ADJOURNMENT: 10:32 AM

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

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

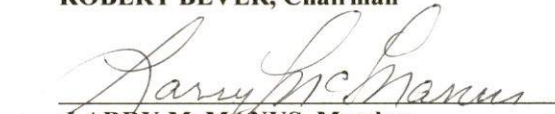
WORK SESSION:

Sheriff's Department and Human Resources. Those attending the work session for the Sheriff's Department were Sheriff Ron Wade Undersheriff Chris Williams, Adm. Assistant Liz Schwatken and Patrol Lt. Jeremy Hunsucker HR Director Ben Brubaker and Finance Officer Fred Gress.

The Work Session closed at 12:20 PM.

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


ROBERT BEVER, Chairman


LARRY McMANUS, Member


MIKE CORDRAY, Member




County Clerk

RESOLUTION No. 23-172

Dated at Montgomery County, KS this 23rd day of October, 2023

DECLARATION OF LOCAL DISASTER EMERGENCY

WHEREAS on the 23rd day of October 2023, the Board of Commissioners of Montgomery County, Kansas did consider the current availability of potable water within the County in general and the area of Caney, Kansas in particular;

WHEREAS drought conditions in Kansas have caused exceptionally low water levels in the Little Caney River, and this has physically reduced the ability of the City of Caney to produce potable water in sufficient quantity to support residential, educational, commercial, and other water customers in its service area;

WHEREAS both the uninterrupted supply of potable water and continuous provision of education services are defined as vital community lifelines by the Federal Emergency Management Agency;

WHEREAS the use of water conservation methods in the Caney water service area has reduced consumption, yet this has been insufficient to restore the community lifelines of water supply and educational systems;

WHEREAS on the 15th day of August 2023, the Governor of the state of Kansas issued Executive Order 23-04 pursuant to K.S.A. 74-2608, acknowledging that drought conditions continue to exist in Kansas, and further declaring Montgomery County, Kansas to be categorized as in a condition of 'drought emergency';

WHEREAS the drought has led to extreme measures including the use of a four day school week instead of a five day week at all schools in Unified School District 436, strict control of water usage in USD 436, hardship for the residents of the Caney area, and reduced production at area factories, and

WHEREAS the City of Caney and Unified School District 436 have both requested emergency assistance from the Board of County Commissioners of Montgomery County, with the goal of maintaining the community lifelines of educational services and water supply to residents of Caney and the surrounding area;

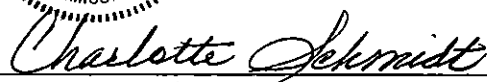
IT IS THEREFORE RESOLVED that the Board of County Commissioners of Montgomery County Kansas does hereby declare a State of Local Disaster and Emergency for the water shortage event within Montgomery County Kansas.

Dated the 23rd day of October 2023.

BOARD OF COUNTY COMMISSIONERS OF
MONTGOMERY COUNTY, KANSAS


Chairman, Robert Bever




Charlotte Schmidt, County Clerk

RESOLUTION NO. 23-173


DATED at Independence, Montgomery County, Kansas this 23rd day of October, 2023

WHEREAS: *A motion was made by Commissioner Bever to approve the two (2) support letters to the U.S. Army Corps of Engineers for a study to address the erosion along the Verdigris River on CR 1400 and the erosion along the Verdigris River on CR 4900.*

The 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