

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

October 2, 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 Bever to approve invoices in the amount of \$36,788.00 for Special Equipment for MCRF#1 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 Cordray to approve the minutes of September 28, 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*

EXECUTIVE SESSION – NON-ELECTED PERSONNEL:

ACTION: *A motion was made by Commissioner McManus to recess to Executive Session at 9:07 AM to return at 9:12 AM with the Board and Human Resources Director present to discuss non-elected personnel, K.S.A. 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 9:12 AM with a motion by Commissioner McManus, seconded by Commissioner Cordray with Commissioner Bever voting "Yes" to extend the session until 9:17 AM.

Returned to session at 9:17 AM stating no decisions made and no action to be taken.

MONTGOMERY COUNTY HEALTH DEPARTMENT – CLINIC OFFICE UPDATE:

Montgomery County Health Department Director Brandee Hanna-Kirk met with the Board to provide an update for their department. Written reports were provided to the Board and County Clerk. She reported on Lead testing with the School System in Caney, Upcoming events their office with participate in, updates on Staff Education, Covid and Covid vaccine, Opioid Awareness and Staffing Updates. They are planning to relocate the Independence office into the Coffeyville office to better utilize resources and more accessibility to the county residents.

HUMAN RESOURCES – CONTRACT WITH ARNOLD GROUP:

Human Resources Director Ben Brubaker discussed the present contract with the Arnold Group relating to the County's salary scales each year. He told the Board we do not need the maintenance contract with Arnold Group and recommended cancelling the \$3,600 contract the County has with them. The following action was taken:

ACTION: *A motion was made by Commissioner McManus to cancel the maintenance contract between Montgomery County and The Arnold Group effective as of October 3, 2023. Motion was seconded by Commissioner Cordray.*

ROLL CALL VOTE - Commissioner Bever - Yes

Commissioner McManus – Yes

Commissioner Cordray- Yes

RES. NO. 23- 165

FINANCIAL OFFICER – AUDITOR BID PROCESS and THRIVING COMMUNITIES PROGRAM:

Financial Officer Fred Gress discussed placing a bid request for to audit firms and the results on cost will probably not be any lower that our present auditing firm.

He presented a packet of information on the Thriving Communities Program being sponsored by the Federal DOT. He has contacted SEK Regional Planning Commission and Montgomery County Action Council if they are interested in the program. The Board requested Mr. Gress submit a letter of intent on the Program.

ENVIRONMENTAL HEALTH/ZONING – APPLICATION OF SANITARY CODE TO PARCELS (25 ACRES) and LETTER FROM MONTGOMERY COUNTY ZONING BOARD:

Environmental Health/Zoning Director Matt Debo presented a Memorandum from County Counselor Paul Kritz to clarify some issues on the Sanitary Code applying to parcels over 25 acres in size. To clarify the several conditions that must be met in order for a parcel to be exempt from the Sanitary, Mr. Kritz listed these three conditions:

- The parcel must be over 25 acres
- The parcel must be under one ownership, it cannot be owned by multiple owners.
- The parcel must continuously be used for the production of livestock or crops.

Mr. Debo was requested to notify realtors and place on website clarifying the Sanitary Code.

The letter of August 4, 2023 from the Montgomery County Zoning Board was presented for discussion on new zoning regulations county wide. The letter from the Zoning Board presented two (2) recommendations:

1. Make county-wide zoning for commercial and industrial renewable energy (wind/solar) or
2. County-wide zoning for all commercial and industrial activities.

The Board requested Mr. Debo start working with the Zoning Board on plans for the county-wide zoning for commercial and industrial renewable energy (wind/solar).

HUMAN RESOURCES – POSTING JOB POSITION:

Human Resources Director Be Brubaker, Public Works Coordinator Jim Wright and Environmental Health/Zoning Director Matt Debo were present to discuss the position of Sanitary Technician for the Environmental Health Department. The job description was presented to the Board at a previous meeting. After discussion on the job description Mr. Brubaker said the person would receive all training on the job. The Board approved Human Resources to proceed with the posting of the position.

EMERGENCY MANAGEMENT – REPORT ON THE COFFEYVILLE LEVEE :

Emergency Manager Rick Whitson presented a report and copies of a slide from the Chief Emergency Management, U.S. Army Corps of Engineers, Tulsa District on the Flood Risk Impact Analysis and Risk Reduction Project Status, Phase #1 and Phase #2 on the Coffeyville Levee Project.

Mr. Whitson said they are now in Phase #3 and looking into mitigation projects and funding. The Board had several questions on cost and how many miles of the levee would have to be raised. The total levee is about 3.5 miles long. He invited the Board to a meeting on the project to be held November 13th at 1:00 PM at the Coffeyville City Hall.

OTHER COUNTY BUSINESS:

1. Lease agreement for 1141 S. Penn, Independence =

ACTION: *A motion was made by Commissioner McManus to approve the Lease Agreement for 1141 S. Penn, Independence and authorize the Chairman to sign on behalf of Montgomery County. The motion was seconded by Commissioner Cordray.*

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

RES. NO. 23-166

2. Soil Conservation 2024 Budget Certification required from the County –

ACTION: *A motion was made by Commissioner Bever to authorize the Chairman to sign the on behalf of Montgomery County, the 2024 Budget Certification for Soil Conservation. Motion was seconded by Commissioner Cordray.*

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

RES. NO. 23-167


ADJOURNMENT: 10:02 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. 23-165

DATED at Independence, Montgomery County, Kansas this 2nd day of October, 2023

WHEREAS: *A motion was made by Commissioner McManus to cancel the maintenance contract between Montgomery County and The Arnold Group effective as of October 3, 2023.*

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. 23-166

DATED at Independence, Montgomery County, Kansas this 2nd day of October, 2023

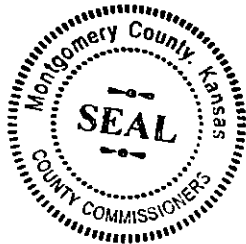
WHEREAS: *A motion was made by Commissioner McManus to approve the Lease Agreement for 1141 S. Penn, Independence and authorize the Chairman to sign on behalf of Montgomery County.*

The 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. 23-167

DATED at Independence, Montgomery County, Kansas this 2nd day of October, 2023

WHEREAS: *A motion was made by Commissioner Bever to authorize the Chairman to sign the on behalf of Montgomery County, the 2024 Budget Certification for Soil Conservation.*

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