

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

January 13, 2014

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

**CALL TO ORDER:** Commissioner Brown.

**INVOCATION:** Commissioner Rau.

**PLEDGE OF ALLEGIANCE:** Commissioner McManus.

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**AGENDA APPROVAL:**

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

*ROLL CALL VOTE - Commissioner Brown - Yes  
Commissioner McManus – Yes  
Commissioner Rau - Yes*

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**APPROVAL OF PAYMENT OF INVOICES:**

**ACTION:** *A motion was made by Commissioner Rau to approve invoices in the amount of - \$184,807.05 and \$59,513.80 as presented by the County Clerk's office. The motion was seconded by Commissioner McManus.*

*ROLL CALL VOTE - Commissioner Brown - Yes  
Commissioner McManus – Yes  
Commissioner Rau - Yes*

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**APPROVAL OF MINUTES:**

**ACTION:** *A motion was made by Commissioner McManus to approve the minutes of January 6, 2014 as presented by the County Clerk. The motion was seconded by Commissioner Rau.*

*ROLL CALL VOTE - Commissioner Brown - Yes  
Commissioner McManus – Yes  
Commissioner Rau - Yes*

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**SHERIFF'S DEPARTMENT – TRANSPORT VEHICLE PURCHASE AND EXECUTIVE SESSION:**

Sheriff Robert Dierks and Administrative Assistant Liz Schwatken met with the Board to present the vehicle bid recommendation for the transport vehicle. Bids were as follows:

Quality Motors, Independence, KS	\$25,816.66
Shields Motor Co., Inc., Chanute, KS	\$28,700.00

Sheriff Dierks recommended accepting the low bid of Quality Motors, Independence, KS in the amount of \$25,816.66. The following action was taken:

**ACTION:** *A motion was made by Commissioner McManus to accept the recommendation of Sheriff Dierks for the purchase of a transport vehicle for the Sheriff's Department from Quality Motors, Independence, KS for a 2014 Dodge Charger, in the amount of \$25,816.66. Debit County General Capital Outlay Fund. Motion was seconded by Commissioner Rau.*

*ROLL CALL VOTE - Commissioner Brown - Yes  
Commissioner McManus – Yes  
Commissioner Rau - Yes*

*RES, NO. 14-06*

**SHERIFF' DEPARTMENT (Continued):**

Sheriff Dierks requested an Executives Session to discuss non-elected personnel with the Board, Sheriff Dierks, Liz Schwatken and Human Resources Director present. The following action was taken:

**ACTION:** *A motion was made by Commissioner McManus to recess to Executive Session at 9:10 AM to return at 9:25 AM with the Board, Sheriff Dierks, Liz Schwatken and Shawn Wallis present to discuss non-elected personnel. Motion was seconded by Commissioner Rau.*

*ROLL CALL VOTE - Commissioner Brown - Yes  
Commissioner McManus – Yes  
Commissioner Rau - Yes*

Returned to session at 9:15 AM stating no decisions made and no action taken.

The Sheriff requested replacing a supervisors position with a road deputy position . This request was approved by the Board.

An Employee Status Change was presented for Department of Corrections for a new hire and approved by the Board.

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**COUNTY TREASURER – EXECUTIVE SESSION (MATTERS RELATING TO SECURITY):**

County Treasurer Nancy Clubine met with the Board to request an Executive Session to discuss matters relating to security. The following action was taken:

**ACTION:** *A motion was made by Commissioner McManus to recess to Executive Session at 9:17 AM to return at 9:32 AM to discuss matters relating to security with the Board and County Treasurer present. Motion was seconded by Commissioner Rau.*

*ROLL CALL VOTE – Commissioner Brown – Yes  
Commissioner McManus – Yes  
Commissioner Rau – Yes*

Returned to session at 9:24 AM stating no decisions made and no action taken.

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**EMERGENCY PREPAREDNESS – VEHICLE BID:**

Emergency Preparedness Manager Jim Miller presented bids for a vehicle for the Emergency Preparedness Department and a recommendation. Bids were as follows:

Perl Chevrolet, Coffeyville, KS	2011 Ford Escape	\$15,995.00
	2011 Ford Escape	\$16,787.00
Quality Motors, Independence, KS	2014 Jeep Patriot	\$19,337.45
Shields Motor Co, Inc., Chanute, KS	2012 Jeep	\$17,500.00
Green Country Ford, Vinita, OK	2012 Ford Escape	\$17,500.00
Ed Bozarth Chevrolet #1, Topeka, KS	2014 Chevrolet Equinox	\$22,669.00
	2014 Chevrolet Traverse	\$25,997.00
	2012 Chevrolet Traverse	\$22,579.00
	2011 Chevrolet Traverse	\$21,995.00

The following action was taken:

**ACTION:** *A motion was made by Commissioner Rau to approve the purchase of the 2011 Ford Escape from Perl Chevrolet, Coffeyville, KS in the amount of \$15,995.00 for the Emergency Management Department. Debit County General Capital Outlay Fund. Motion was seconded by Commissioner Brown.*

*ROLL CALL VOTE – Commissioner Brown – Yes  
Commissioner McManus – Yes  
Commissioner Rau – Yes*

*RES. NO. 14-07*

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**GIS – UPGRADE OF COMPUTERS AND MEETING IN KANSAS CITY:**

GIS Department Director met with the Board on upgrading of computers. This will possibly be needed in the next 3 or 4 months. She also told the Board she wishes to attend a week -long meeting in Kansas City for herself and all of the staff. This will be further discussed with no approval at this time for the meeting.

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**REORGANIZATION OF THE BOARD OF COUNTY COMMISSIONERS FOR YEAR 2014:**

1. Election of Chairman of the Board of County Commissioners –

**ACTION:** A motion was made by Commissioner McManus to appoint Commissioner Brown to serve as Chairman of the Board for the year 2014. Motion was seconded by Commissioner Rau.

ROLL CALL VOTE - Commissioner Brown - Yes  
Commissioner McManus – Yes  
Commissioner Rau - Yes

**RES. NO. 14-08**

2. Appointment of official county newspaper –

**ACTION:** A motion was made by Commissioner McManus to appoint the Montgomery County Chronicle as the Official County Newspaper for the year 2014. Motion was seconded by Commissioner Rau.

ROLL CALL VOTE - Commissioner Brown - Yes  
Commissioner McManus – Yes  
Commissioner Rau - Yes

**RES. NO. 14-09**

3. Holiday Schedule for 2014 –

**ACTION:** A motion was made by Commissioner Rau hat the following holidays be adopted for 2014. Motion was seconded by Commissioner McManus.

Martin Luther King’s Birthday	(Monday)	January 20, 2014
President’s Day	(Monday)	February 17, 2014
Good Friday	(Friday)	April 18, 2014
Memorial Day	(Monday)	May 26, 2014
Independence Day	(Friday)	July 4, 2014
Labor Day	(Monday)	September 1, 2014
Columbus Day	(Monday)	October 13, 2014
Veteran’s Day	(Tuesday)	November 11, 2014
Thanksgiving Day	(Thursday)	November 27, 2014
Day after Thanksgiving	(Friday)	November 28, 2014
Christmas Day	(Thursday)	December 25, 2014
Day after Christmas	(Friday)	December 26, 2014
New Years Day	(Thursday)	January 1, 2015
New Years Day After	(Friday)	January 2, 2015

\*The County offices will close at noon on December 31, 2014 for auditing case purposes.

ROLL CALL VOTE - Commissioner Brown - Yes  
Commissioner McManus – Yes  
Commissioner Rau - Yes

**RES. NO. 14-04**

4. Approved Invocation Schedule –

**REORGANIZATION – APPOINTMENT OF DEPARTMENT HEADS (Continued):**

5. Appointment of Department Heads –

**ACTION:** A motion was made by Commissioner Rau to approve the following Department Heads:  
Public Works Coordinator Robert Bever  
GIS Director Cris Bilby

Motion was seconded by Commissioner McManus.  
ROLL CALL VOTE - Commissioner Brown - Yes  
Commissioner McManus – Yes  
Commissioner Rau - Yes

RES. NO. 14-10

**ACTION:** A motion was made by Commissioner McManus to appoint the following Department Heads:  
County Health Director Carolyn Muller  
Environmental Health/ Zoning Director Scott Barnhart  
Computer Department Director Jason Clubine  
Human Resources Director Shawn Wallis

Motion was seconded by Commissioner Rau.  
ROLL CALL VOTE - Commissioner Brown - Yes  
Commissioner McManus – Yes  
Commissioner Rau - Yes

RES. NO. 14-11

**ACTION:** A motion was made by Commissioner Rau to appoint the following:  
Emergency preparedness Director Jim Miller

Motion was seconded by Commissioner Brown.

ROLL CALL VOTE - Commissioner Brown - Yes  
Commissioner McManus – No  
Commissioner Rau - Yes

RES. NO. 14-12

**ACTION:** A motion was made by Commissioner Rau to appoint the following:

County Coroner – Dr. Gregory Mears  
County Counselor – Paul Kritz  
County In-House Auditor – Laverne Strecker  
Commissioner Larry McManus to the SEK Regional Planning Board  
Commissioner Larry McManus to the Solid Waste Committee  
Commissioner Larry McManus to as a Representative to the Juvenile Detention Board in Girard, KS  
Commissioner Larry McManus to the GIS Committee  
Commissioner Leon Rau to the LEPC Board  
Commissioner Leon Rau to the RCND Board  
Commissioner Leon Rau to the Council on Aging Board

Motion was seconded by Commissioner McManus.  
ROLL CALL VOTE - Commissioner Brown - Yes  
Commissioner McManus – Yes  
Commissioner Rau - Yes

RES. NO. 14-13

**ACTION:** A motion was made by Commissioner Rau to approve the waiver of GAAP (Governmental Accounting Procedures) for Montgomery County for the year 2014. Motion was seconded by Commissioner McManus.

ROLL CALL VOTE - Commissioner Brown - Yes  
Commissioner McManus – Yes  
Commissioner Rau - Yes

RES. NO. 14-05

**PUBLIC WORKS:**

Public Works Coordinator Robert Bever presented the weekly written report. The following items were discussed:

1. December 2013 balance sheet for Road and Bridge –
2. Approved Employee Change of Status –
3. Noxious Weed 2013 balance sheet –
4. Copy of the Noxious Weed Law being reviewed by the Department of Agricultural –
5. Sewer District No. 2 2013 balance sheet –

No action was taken for these items discussed.

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**MONTGOMERY COUNTY RURAL WATER DISTRICT NO. 12 – RIGHT-OF-WAY REQUEST:**

Penny Lumbley, representing Montgomery County Rural Water District No. 12, met with the Board to discuss a problem the District is having in obtaining right-of-way along CR 6000 and CR 5700. They requested the Board of County Commissioners give approval to place the water line to a customer in the county right-of-way if they cannot obtain permission to cross an adjoining landowner. The Board approved using the county right-of-way if no other solution is available and it is the decision of the water board to use the county right-of-way.

They will advise the commission of the water board's decision.

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**OTHER COUNTY BUSINESS:**

1. Abstract of Mortgage Registrations and Fees for the year 2013 provided by the Register of Deeds-
2. Abatements -  
**ACTION:** *A motion was made by Commissioner McManus to approve abatements in the amount of \$74, 581.56 as presented by the County Clerk's Office. Motion was seconded by Commissioner Rau.*

*ROLL CALL VOTE - Commissioner Brown - Yes  
Commissioner McManus – Yes  
Commissioner Rau - Yes*

3. Report on 911 by Commissioner Rau –
4. Executive Session – Non-elected personnel:  
**ACTION:** *A motion was made by Commissioner McManus to recess to Executive Session at 9:30 AM to return at 9:45 AM to discuss non-elected personnel with the Board present. Motion was seconded by Commissioner Rau.*

*ROLL CALL VOTE - Commissioner Brown - Yes  
Commissioner McManus – Yes  
Commissioner Rau – Yes*

Returned to session at 9:40 AM stating no decisions made and no action taken.

5. Budget Adjustments to the 2013 departmental budgets in the General Fund –  
**ACTION:** *A motion was made by Commissioner Brown to authorize the County Clerk to make adjustments to the salary line item to include the 3.5% increase for November and December of 2013 and the one-time 3.5% adjustment for 2013. Motion was seconded by Commissioner Rau.*

*ROLL CALL VOTE - Commissioner Brown - Yes  
Commissioner McManus – Yes  
Commissioner Rau – Yes*

6. Indigent Legal Services Contracts for year 2014 –  
**ACTION:** *A motion was made by Commissioner Rau to approve the Indigent Legal Services Contracts as submitted by Judge Gary House. Contracts are as follows: Phillip J. Bernhart (\$1,600.00 per month); Jeffrey W. Gettler (\$1,600.00 per month); Jeffrey D. Gossard (\$3,000.00 per month); G. Thomas Harris (\$500.00 per month); Michael W. Hassenplug (\$1,300.00 per month); Daniel M. Reynolds (\$2,700.00 per month); and Cole Hoffmeister (\$1,400.00 per month). Motion was seconded by Commissioner McManus.*

*ROLL CALL VOTE - Commissioner Brown - Yes  
Commissioner McManus – Yes  
Commissioner Rau - Yes*

**OTHER COUNTY BUSINESS (Continued):**

7. Approved and signed the Agent of Record Letter for Encompass HR Consulting/Micah Boulanger 415 S. Greenwood, Wichita, KS as benefits consultant and producer of record for all matters relating to and concerning health and Rx plan with BMI, voluntary products with All State and products underwritten by Reliance Standard.

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**ADJOURNMENT: 10:45 AM**

**ACTION:** *Motion by Commissioner McManus, seconded by Commissioner Rau.  
ROLL CALL VOTE - Commissioner Brown - Yes  
Commissioner McManus – No  
Commissioner Rau - Yes*

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

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**FRED BROWN, Chairman**

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**LARRY McMANUS, Member**

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**LEON RAU, Member**

**ATTEST:**

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**County Clerk**