

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

February 10, 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:** Reverend Richard Peckman, St. Paul's Lutheran Church, Coffeyville

**PLEDGE OF ALLEGIANCE:** Commissioner McManus.

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**AGENDA APPROVAL:**

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

*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 - \$1,724.19 (Prepays) \$269,786.98 (Prepays) 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 Rau to approve the minutes of January 13, 2014 as presented by the County Clerk. The motion was seconded by Commissioner McManus.*

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

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**GIS DEPARTMENT – ESRI SOFTWARE MAINTENANCE CONTRACT:**

GIS Department Director Cris Bilby met with the Board to request approval of the 2014 esri Software Maintenance Contract in the amount of \$5,450.14. Ms. Bilby explained the contract fee is divided between departments using the system by the estimated percentage of usage. This determines the cost to each department, and the largest amount will be paid by the GIS Department. The contract was approved by the Board and will be paid by the GIS Department with reimbursements to the GIS Department by departments using the software.

Ms. Bilby presented goals for her department and discussed with the Board what she wants to achieve in 2014.

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**REGISTER OF DEEDS – EXECUTIVE SESSION – NON-ELECTED PERSONNEL:**

Register of Deeds Marilyn Calhoun met with the Board to request an Executive Session to discuss non-elected personnel.

**ACTION:** *A motion was made by Commissioner McManus to recess to Executive Session at 9:25 AM to return at 9:35 AM to discuss non-elected personnel with the Board and Register of Deeds present. Motion was seconded by Commissioner Rau.*

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

Returned to session at 9:35 AM stating no decisions made and no action taken.

Ms. Calhoun presented an Employee Status Change to the Board to promote an employee to Clerk III in the Register of Deeds Department. The following action was taken:

**ACTION:** *A motion was made by Commissioner Rau to approve the increase for Joyce Smith to Clerk III in the Register of Deeds Department. Motion was seconded by Commissioner McManus.*

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

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**KANSAS DEPARTMENT OF TRANSPORTATION – CLOSURE OF ROAD FOR WORK ON THE HWY 169 AND HWY 160 JUNCTION:**

Mr. Luke Middleton , KDOT Area Engineer, met with the Board to present information on proposed work to be done at the junction of Highway 169 and Highway 160. The work will require the closing of CR 4400 for approximately 12 months when an overpass will be built. A tentative date has been scheduled for the work to take place in 2017.

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**MONTGOMERY COUNTY SHERIFF – WRECKED PATROL VEHICLE:**

Sheriff's Administrative Assistant Liz Schwatken met with the Board to report on a patrol vehicle wrecked during the ice storm. The officer was stopped assisting a motorist with emergency lights flashing when an individual hit the back of the patrol vehicle, totaling the patrol car. The individual's insurance was for minimum liability and will only pay \$10,000.00. The amount of the bank loan on the vehicle is \$13,666.

Ms. Schwatken requested the Board's approval to accept the insurance of \$10,000.00 and the balance owed on the vehicle be paid from the VIN Fund. County Counselor has been made aware of the incident and advises the County accept the amount allowed by the insurance company. The following action was taken:

**ACTION:** *A motion was made by Commissioner McManus to accept the payment of \$10,000.00 from the insurance of the responsible party and the remainder of the balance owed on the vehicle to be paid from the VIN Fund. Motion was seconded by Commissioner Rau.*

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

*RES. NO. 14-23*

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**PUBLIC WORKS:**

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

1. Signature required on Authority to Award Contract to Commitment of County Funds on Tenth Street HRRR Project.
2. Road viewings set for March 3, 2014 for two viewings: Portion of County Road 1400-200 and 4900-02 (Perkins viewing); County Road 5200-23 (Bentson viewing). Viewings will be held at 10:00 AM for Perkins and 10:15 AM for Bentson.
3. Bid for Construction Engineering Services on Bridge 509 located on CR 3275 mile 3. Only one bid was received. The following action was taken:

**ACTION:** *A motion was made by Commissioner Rau to accept the bid for Construction Engineering Services on Bridge 509 (located on CR 3275 Mile 3) from Elite Engineering Services (EES) LLC, Gardner, KS in the amount of \$40,500.00. Debit Road and Bridge Fund. Motion was seconded by Commissioner McManus.*

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

*RES. NO. 14-24*

4. Employee Change of Status for termination approved –
5. Signature required on 2014 Annual Weed Management Plan –
6. Requested approval to bid , not to exceed \$3,000.00, on a Roller Packer listed on Purple Wave. The request was approved by the Board.
7. Requested the Board rescind Resolution #13-183 on increasing the Montgomery County Sewer District No. 2 rates per 1000 gallon of water usage to be effective March 1, 2014. The following action was taken:

**ACTION:** *A motion was made by Commissioner Rau to rescind Montgomery County Resolution No. 13-183 dated December 30, 2013 to increase Montgomery County Sewer District No. 2 rates per 1000 gallon of water usage effective March 1, 2014 billing cycle. Motion was seconded by Commissioner McManus.*

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

*RES. NO. 14-25*

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**OTHER COUNTY BUSINESS:**

1. County Clerk's monthly report for January 2014 –
2. Register of Deeds monthly report for January 2014 –
3. Abatements \$119,338.92 –

**ACTION:** *A motion was made by Commissioner Rau to approve abatements as presented by the County Clerk in the amount of \$119,338.92. Motion was seconded by Commissioner McManus.*

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

4. Commissioner Rau addressed the article in the Independence Reporter dated February 6, 2014. The article misquoted Commissioner Rau on the county paying the costs for the consolidation of the 911 system in Montgomery County and stated a board had been appointed at the February 6<sup>th</sup> 911 meeting. He said a board has not been appointed at this time.
5. Executive Session –

**ACTION:** *A motion was made by Commissioner McManus to recess to Executive Session at 10:32 AM to return at 10:42 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 10:40 AM stating no decisions made and no action taken.

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**ADJOURNMENT: 11:05 AM**

**ACTION:** *Motion by Commissioner McManus, seconded by Commissioner Rau.*  
*ROLL CALL VOTE - Commissioner Brown - Yes*  
*Commissioner McManus – Yes*  
*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**