

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

March 24, 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 Daniel Knight, Bible Baptist 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 - \$58,749.95 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 March 17, 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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**EXECUTIVE SESSION – NON-ELECTED PERSONNEL – COUNTY CLERK:**

**ACTION:** *A motion was made by Commissioner Rau to recess to Executive Session at 9:20 AM to return at 9:40 AM to discuss non-elected personnel with the Board and County Clerk present. Motion was seconded by Commissioner McManus.*

*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.

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**COMPUTER DEPARTMENT – RVI SOFTWARE MAINTENANCE CONTRACT:**

Computer Department Director Jason Clubine met with the Board to request the annual software support renewal of the Real Vision Software, Inc. (RVI). The software is used for scanning by some of the offices and the annual renewal fee is \$4,500.00. The following action was taken:

**ACTION:** *A motion was made by Commissioner McManus to approve the renewal of the annual software support renewal of the Real Vision Software, Inc. (RVI) in the amount of \$4,500.00 to be debited from County General Operating Fund. Motion was seconded by Commissioner Rau.*

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

*RES. NO. 14-43*

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**EXECUTIVE SESSION – NON-ELECTED PERSONNEL – COMMISSION:**

**ACTION:** *A motion was made by Commissioner McManus to recess to Executive Session at 9:45 AM to return at 9:55 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*

*At 9:50 AM the Board asked the County Appraiser Brian Gough to be included in the session and extended the session until 10:05.*

Returned to session at 10:05 AM stating no decisions made and no action taken.

The Board discussed an Employee Change Status for the County Appraiser. The following action was taken:

**ACTION:** *A motion was made by Commissioner Rau to approve a 4% of the base salary increase for the County Appraiser as stated in the Employee Handbook, “after completing (6) months of employment with Montgomery County to be applied towards the mandatory contribution to KPERS. Motion was seconded by Commissioner McManus.*

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

*RES. NO. 13-44*

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**PUBLIC WORKS:**

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

1. FEMA Report on debris reimbursement –
2. Annual meeting agenda for the Association of County Commissioners and Highway Officials of SE Kansas –
3. Noxious chemical bid results –

Midwest Fertilizer, Liberty, KS	No Bid
Sims Fertilizer, Osborne, KS	\$12,906.00
Helena Chemical Co., Shawnee, KS	\$14,243.20
Snyder Sales & Services, Elwood, NE	No Bid
CPS Timberland, Parker, CO	\$13,312.00

**ACTION:** *A motion was made by Commissioner McManus to approve the recommendation of the Public Works Coordinator and accept the low bid of \$12,906.00 from Sims Fertilizer, Osborne, KS. Debit Noxious Weed Fund. Motion was seconded by Commissioner Rau.*

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

*RES. NO. 14-45*

**PUBLIC WORKS (Continued):**

4. Sewer District No. 2 –  
Mr. Vincent Thompson and Assistant Public Works Coordinator along with Mr. Robert Bever met with the Board to ask how the Board wishes the MCSD#2 Board to proceed with the city of Independence. They would like to send a rate analysis to Mr. Mickey Webb, Mr. Tony Royse and the Independence City Commissioners for review prior to the sewer district board meeting with them.

The Board of County Commissioners agreed with their request to send a letter and the report to each Independence City Commissioner, Mr. Mickey Webb and Mr. Tony Royse prior to meeting with them.

5. Executive Session –  
**ACTION:** *A motion was made by Commissioner McManus to recess to Executive Session at 10:25 AM to return at 10:35 AM to discuss non-elected personnel with the Board and Public Works Coordinator Robert Bever present. Motion was seconded by Commissioner Rau.*

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

Returned to session at 10:35 AM stating no decisions made and no action taken.

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**DEPARTMENT OF CORRECTIONS JUVENILE SERVICES – LEASE OF OFFICE SPACE:**

Department of Corrections Juvenile Services Director Duane Powell met with the Board to present a lease contract with the new owners of the Independence Corporate Office Building. Presently his offices are in the building. The new lease will increase the rent at 5 cents per square foot. Mr. Powell presented the lease agreement to be sent to County Counselor before entering into the agreement.

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**MONTGOMERY COUNTY RURAL FIRE – BIDS ON BUILDING REPAIRS AT INDEPENDENCE STATION:**

Montgomery County Rural Fire Board President Darren Felts presented a request to solicit bids for repairs on the Independence Station building. The Board approved obtaining bids for the repairs.

Mr. Felts discussed the resolution passed on November 25<sup>th</sup> allowing \$20.00 per hour for expenses for time spent on Montgomery County Rural Fire Business (not including call outs for fire runs). The expenses are not to exceed \$7,000.00 per year without prior approval from the Board of County Commissioners with a recommendation by the Fire Board. He thought the resolution would include the seven (7) Fire Station Chiefs for their expenses also. After discussion, the following action was taken:

**ACTION:** *A motion was made by Commissioner Rau to amend Montgomery County Resolution 13-153 dated November 25, 2013 to include the seven (7) Montgomery County Rural Fire District No. 1 Fire Chiefs (also not to include call outs for fire runs or their duties presently covered and compensated for as Fire Chief of each station. Motion was seconded by Commissioner McManus.*

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

*RES. NO. 14-46*

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**GIS DEPARTMENT – EXECUTIVE SESSION – NON-ELECTED PERSONNEL:**

Gis Department Director Cris Bilby requested an Executive Session to discuss non-elected personnel. The following action was taken:

**ACTION:** *A motion was made by Commissioner McManus to recess to Executive Session at 10:55 AM to return at 11:05 AM to discuss non-elected personnel with GIS Director present. Motion was seconded by Commissioner Rau.*

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

Returned to session at 11:05 AM stating no decisions made and no action taken.

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**OTHER COUNTY BUSINESS:**

1. Monthly report for County Clerk for the month of February 2014 –
2. Rescinding of Montgomery County Resolution No. 14-35 – “Personal use of County Vehicles” –

**ACTION:** *A motion was made by Commissioner Rau to rescind Montgomery County Resolution No. 14-35 until ad determination can be made by the Board following Internal Revenue Guidelines. Motion was seconded by Commissioner McManus.*

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

*RES. NO. 14-45*

3. Letter from Four County Mental Health with examples of agreements for services included. They were not discussed at this time –

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**ADJOURNMENT: 11:25 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**