

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

April 7, 2014

The Board of County Commissioners, two members and the County Clerk present, met in regular session at 9:00 AM. Commissioner Brown was absent.

CALL TO ORDER: Commissioner McManus.

INVOCATION: Commissioner Rau.

PLEDGE OF ALLEGIANCE: Commissioner McManus.

Commissioner McManus was appointed Acting Chairman for the meeting.

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 - Absent
Commissioner McManus – Yes
Commissioner Rau - Yes*

APPROVAL OF PAYMENT OF INVOICES:

ACTION: *A motion was made by Commissioner Rau to approve invoices in the amount of - \$290,177.92 as presented by the County Clerk's office. The motion was seconded by Commissioner McManus.*

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

APPROVAL OF MINUTES:

ACTION: *A motion was made by Commissioner McManus to approve the minutes of April 1, 2014 as presented by the County Clerk. The motion was seconded by Commissioner Rau.*

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

CANVASS OF BALLOTS – CANEY CITY GENERAL ELECTION:

The Board of County Commissioners with Mr. Jim Miller, Chairman of the Democratic Party, conducted the Canvass of Votes for the Caney City General Election. Those present for the canvass were: Board of County Commissioners (Commissioner McManus and Commissioner Rau), Mr. Jim Miller, County Clerk Charlotte Schmidt and Election Deputy Kathy Craig.

With only 100 ballots being cast, there was no change in the outcome of the election. The Canvass was concluded at 9:30 AM.

DEPARTMENT OF CORRECTIONS JUVENILE SERVICES – EQUIPMENT PURCHASE AND PERSONNEL ISSUE:

Mr. Duane Powell, Department of Corrections Juvenile Services Director met with the Board to discuss \$8,000 being available to his department. He would like to purchase new laptop computers with these funds. Approval was given to obtain bids for laptops.

Mr. Powell presented quarterly reports to the Board.

Personnel issues were discussed regarding a transfer from the department to the County Attorney's Office. Mr. Powell presented information which he states they are county employees. The question presented to the Auditor and the County Counselor is the transferring of vacation, sick leave from a 100% grant funded department to a ad valorem tax levied fund. Mr. Powell said he will pay the accrued vacation from his fund. No decisions were made at this time. Discussion will continue at the next regular meeting.

COUNTY TREASURER – OUTSTANDING CHECK RESOLUTION:

County Treasurer Nancy Clubine met with the Board and submitted a list of outstanding checks for 2008, 2009 and 2010 in the amount of \$3,558.63. The following action was taken:

ACTION: *A motion was made by Commissioner Rau to approve a total of \$3,558.63 to be cancelled by the Montgomery County Treasurer for the years 2008, 2009 and 2010. The complete list is attached. Motion was seconded by Commissioner McManus.*

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

RES. NO. 14-49

PUBLIC WORKS:

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

1. FEMS notification regarding the reimbursement for road damage.
2. Correction on legal description for Resolution #13-172. Corrected as follows:

ACTION: *A motion was made by Commissioner Rau to amend the legal description in Resolution #13-172 as follows:*

Several tracts of land, previously used for road purposes and alleyways as shown on the plats of Glass Plant Addition, and Westside Addition, to Tyro, Montgomery County, Kansas, copies of these plats can be found in the Montgomery County Register of Deeds:

All of Glass Street as shown on the plats of Glass Plant Addition and Westside Addition being 60 feet in width.

All of Factory Street as shown on the plats of Glass Plant Addition and Westside Addition being 60 feet in width.

All of High Street as shown on the plat of Glass Plant Addition being 60 feet in width, also portions as shown on the plat of Westside Addition being 60 feet in width, described as follows: Beginning at the southwest corner of block 7, thence north to the northwest corner of block 7, thence west 60 feet to the northeast corner of block 6, thence south to the southeast corner of block 6, thence east 60 feet to the place of beginning; also beginning at the southwest corner of block 2, thence north to the northwest corner of block 2, thence west 60 feet to the northeast corner of block 3, thence south to the southeast corner of block 3, thence east 60 feet to the place of beginning.

All of Spring Street as shown on the plat of Glass Plant Addition being 60 feet in width, also a portion of as shown on the plat of Westside Addition being 60 feet in width, described as follows: Beginning at the southwest corner of block 1, thence north to the northwest corner of block 1, thence west 60 feet to the northeast corner of block 2, thence south to the southeast corner of block 2, thence east 60 feet to the place of beginning.

All of Chambers Street as shown on the plat of Westside Addition being 60 feet in width.

*A portion of Olive Street as shown on the plat of Westside Addition being 60 feet in width, and described as follows: Beginning at the southeast corner of block 3, thence west to a point that is 60 feet west of the southwest corner of block 4, thence south to a point that is 60 feet west of the northwest corner of block 5, thence east to the northeast corner of block 6, thence north to the place of beginning.
All of Main Street as shown on the plat of Westside Addition being 80 feet in width.*

Minutes – April 7, 2014
Page 3 of 3

PUBLIC WORKS: (Continued):

All of Locust Street as shown on the plat of Glass Plant Addition a portion being 30 feet and a portion being 60 feet in width.

All of West Pine Street as shown on the plat of Glass Plant Addition being 60 feet in width.

Also all public alleyways within Glass Plant Addition and Westside Addition all having widths of 16 feet.

The above described tracts of land are subject to easements for the right of ingress and egress, reconstruction and maintenance of all existing utilities and appurtenances thereto.

Motion seconded by Commissioner McManus.

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

RES. NO. 14-50

3. Road Sign Assessment System approved by the Board.
4. Employee Status Changes – 1 new hire and 2 probation approved by the Board.
5. Special Bridge Employee Status Change – Approved by the Board.
6. E-mail from Westar Energy regarding our application for Montgomery County Solar Project being denied.
7. Letter from Attorney Gary H. Hanson to Independence City Manager Mickey Webb regarding sewer rates charged by the City .
8. Discussed replacing Tanker and tilt trailer –

OTHER COUNTY BUSINESS:

1. Discussed the percentages allocated for each Historical Society located in Cherryvale, Caney, Coffeyville and Independence. This will be further discussed before any changes are made.
2. U.S. Cellular quote was discussed and will be discussed at the next meeting and compare costs quoted by Verizon and U. S. Cellular for county cell phone service and equipment.

ADJOURNMENT: 10:05 AM

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

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

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

FRED BROWN, Chairman

LARRY McMANUS, Member

LEON RAU, Member

ATTEST:

County Clerk