

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

June 2, 2014

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

Commissioner McManus will serve as Acting Chairman in the absence of Chairman Brown.

CALL TO ORDER: Commissioner McManus.

INVOCATION: Reverend Doug Mund, The Grace Fellowship Church, Coffeyville

PLEDGE OF ALLEGIANCE: Commissioner McManus.

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 - Absent

Commissioner McManus – Yes

Commissioner Rau - Yes

APPROVAL OF PAYMENT OF INVOICES:

ACTION: *A motion was made by Commissioner McManus to approve invoices in the amount of \$23,461.41 and \$497.37 as presented by the County Clerk's office. The motion was seconded by Commissioner Rau.*

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 May 19, 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

DEPARTMENT OF CORRECTIONS JUVENILE SERVICES – RENTAL CONTRACT:

Department of Corrections Juvenile Services Director Duane Powell met with the Board and presented the rental contract between Stratford-Smothers, LLC., and Montgomery County on behalf of the Family & Children Service Center and the Montgomery County Attorney-Juvenile Division for office space for the department. The following action was taken:

ACTION: *A motion was made by Commissioner Rau to approve the contract between Stratford-Smothers, LLC., and Montgomery County on behalf of the Family & Children Service Center and the Montgomery County Attorney-Juvenile Division for office space for the department for three (3) years to commence on the 1st day of July, 2014 and terminate on the 30th day of June, 2017. The monthly rental cost is \$2,148.67 per month. Motion was seconded by Commissioner McManus.*

ROLL CALL VOTE - Commissioner Brown - Absent

Commissioner McManus – Yes

Commissioner Rau - Yes

RES. NO. 14-74

MONTGOMERY COUNTY RURAL FIRE DST. #1 – SECRETARY PAY FOR FIRE BOARD:

Montgomery County Rural Fire Dst. #1 Board President Darren Felts met with the Commission to request approval for pay for the secretary attending the regular Fire Board meeting and preparing the written minutes of each meeting. The request was for the secretary to be paid \$40.00 per each monthly regular meeting and be retroactive to the January, 2014 meeting. The new secretary is Denise Finney and she also serves on the Fire Board. The following action was taken:

ACTION: *A motion was made by Commissioner Rau to approve the request of the Montgomery County Rural Fire District No. 1 Board for payment to the secretary attending the monthly regular Fire Board meeting and preparing the written minutes of each meeting. The secretary, Denise Finney, is to be paid \$40.00 per monthly regular meeting and be retroactive to the January, 2014 meeting. Motion was seconded by Commissioner McManus.*

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

RES. NO. 14-75

Mr. Felts request approval to rent the Havana City Barn to be used to for storing fire equipment. The Fire Board approved the rate of \$50.00 per month for rent of the building. The following action was taken:

ACTION: *A motion was made by Commissioner Rau to approve the rental agreement to be entered into by the Montgomery County Rural Fire District No. 1 Board for use of the Havana City Barn for storing fire equipment. Motion was seconded by Commissioner McManus.*

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

RES. NO. 14-76

Mr. Felts requested approval from the Board to try contacting other transportation companies for the transportation of the new fire truck from Delaware, PA. He has been having problems in getting the service through the company located in Coffeyville. Approval was given by the Board.

LIBERTY CEMETERY DISTRICT NO. 13 – JIM TALLMAN, BOARD MEMBER:

Jim Tallman, Liberty Cemetery District Board Member presented pictures to the Board on a problem that has occurred at the Liberty Cemetery. A fence has been moved onto several feet of the Cemetery property. After discussion, the Board advised Mr. Tallman they have no authority on the placement of the fence as this does not fall under the “fence viewing” Kansas State Statute.

ENVIRONMENTAL HEALTH/ZONING – BUILDING PERMIT & FEE – ICC:

Environmental Health/Zoning Administrator Scott Barnhart met with the Board to discuss the building permit fee for the new dormitories at Independence Community College. Past practice has been to reduce the fee by 50% and the contractor will provide the inspectors and the County will do the final walk through only. The following action was taken:

ACTION: *A motion was made by Commissioner McManus to approve the reduction of the Building Permit Fee by 50% for the construction of the new dormitories at Independence Community College, with the agreement the general contractor will provide for third party inspections during the construction and the County will do the final walk through inspection at the time of completion. Motion was seconded by Commissioner Rau.*

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

RES. NO. 14-77

PUBLIC WORKS:

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

1. Employee Changes of Status – 1 full-time and 1 part-time
2. Ten hour days will begin June 2, 2014 Monday through Thursday –
3. Signature required on Bridge Inspection Agreement –
4. KAC article written by Norm Bowers –
5. Rebar bid – Bids were as follows:

Logan Contractors Supply, Olathe, KS	\$17,760.00
Steel & Pipe Supply Co., Inc., Manhattan, KS	\$16,712.74
Railroad Yard (Domestic Only Items), Stillwater, OK	\$18,985.20
Railroad Yard (Foreign Items), Stillwater, OK	\$18,325.20

ACTION: *A motion was made by Commissioner McManus to approve the low bid for rebar from Steel & Pipe Supply Co., Inc., Manhattan, KS in the amount of \$16,712.74. Debit Road and Bridge Fund. Motion was seconded by Commissioner Rau.*

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

RES. NO. 14-78

6. Noxious Weed chemical bids - Bids were as follows:

Sims Fertilizer, Osborne, KS	\$38,213.00
CPS Timberland, Castle Rock, CO	\$35,829.16

ACTION: *A motion was made by Commissioner Rau to approve the low bid for chemicals for the Noxious Weed Department in the amount of \$35,829.16 to be purchased from CPS Timberland, Castle Rock, CO. Debit Noxious Weed Department. Motion was seconded by Commissioner McManus.*

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

RES. NO. 14-79

7. Robert Bever and Scott Barnhart met with the Board on an exception on the right-of-way width for the entrance to the “Poor Farm Cemetery” located in Liberty Township. The following action was taken:

ACTION: *A motion was made by Commissioner McManus to approve the application for the Special Exception by the Public Works Department to the Montgomery County Zoning Board for “relief from design requirements as so defined therein Article 4-104 of the Montgomery County Sub-Division Regulations for property located 4550 mile 14 and legally described as “a portion of the NW ½ and a portion of the SW ¼ of Section 10 Township 33S Range 16E in Montgomery County; and which is presently unzoned. Motion was seconded by Commissioner Rau.*

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

RES. NO. 14-80

OTHER COUNTY BUSINESS:

1. Cereal Malt Beverage License for Caney Valley Speedway –

ACTION: *A motion was made by Commissioner Rau to approve the issuance of a Cereal Malt Beverage License for Caney Valley Speedway, Caney, KS. Motion was seconded by Commissioner McManus.*

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

RES. NO. 14-81

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OTHER COUNTY BUSINESS (Continued):

2. Occupational License – Sassy’s Bar and Grill, Sycamore, KS –

ACTION: *A motion was made by Commissioner Rau to approve the issuance of an Occupational License to Sassy’s Bar and Grill, Sycamore, KS. Motion was seconded by Commissioner McManus.*

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

RES. NO. 14-82

ADJOURNMENT: 11:05 AM

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

*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