

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

July 21, 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, The 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 - \$237,212.79 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 July14, 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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**BMI INSURANCE UPDATE – MICAH BOULANGER:**

Micah Boulanger met with the Board and presented an update on the county's employee insurance coverage. He will meet with Shawn Wallis on any problems the employees may be having.

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**CLASS LTD – 2015 BUDGET REQUEST:**

Mr. Scott Thompson and Mr. Phillip Chappuie met with the Board to discuss the 2015 Budget for CLASS LTD. They also provided a general update with information on the achievements and financial status of CLASS. No decision was made at this time on the 2015 budget request.

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**MONTGOMERY COUNTY RURAL FIRE DISTRICT NO. 1 – ROOF REPAIRS:**

Mr. Darren Felts representing MCRF #1 presented a request to the Board to obtain bids for a new roof for the Independence Rural Fire Station in Independence. Approval was given to obtain bids.

**PUBLIC WORKS:**

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

1. Rock report for June 2014 –
2. Sales tax items for charging by the county –
3. Letter from KDOT on one of the High Risk Rural Road projects was not chosen for funding this year –
4. Discussed an outside source for Sewer District No. 2 billing. Jayhawk Software presently being used but is discontinuing the program. The new program will be approximately \$4,100. Mr. Bever will return to the Board with the actual cost –
5. Presented Employee Status Change replacing an Operator III at lower rate and will distribute the difference in salaries to other operator positions, with the Board's approval. Approval was given as requested.
6. Judicial building door replacement for ADA compliance at a cost of \$2,949.00 from Countryside Glass, Tyro, KS – The following action was taken:

**ACTION:** *A motion was made by Commissioner McManus to approve the replacement of a door in the Judicial Building for ADA compliance in the amount of \$2,949.00 from Countryside Glass, Tyro, KS. Motion was seconded by Commissioner Rau.*

*ROLL CALL VOTE - Commissioner Brown - Yes*

*Commissioner McManus – Yes*

*Commissioner Rau – Yes*

*RES. NO. 14-112*

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**ENVIRONMENTAL HEALTH/ZONING – REZONING AND CONDITIONAL USE PERMIT WITHIN THE 3-MILE ZONE OF INDEPENDENCE CITY:**

Environmental Health/Zoning Director Scott Barnhart met with the Board to present applications for rezoning and a Conditional Use Permit. Mr. Barnhart presented minutes from the Planning and Zoning Board Meeting with the recommendations from their Board. The following action was taken:

**ACTION:** *A motion was made by Commissioner McManus to accept the findings and the recommendation by the Montgomery County Planning Board to approve the zoning amendment (rezoning) of the property located at 3429 CR 3900, operating as a metal fabrication business. The Zoning Amendment will amend the property's current zoning from R-1 Residential to I-1 Light Industrial. Motion was seconded by Commissioner Rau.*

*ROLL CALL VOTE - Commissioner Brown - Yes*

*Commissioner McManus – Yes*

*Commissioner Rau – Yes*

*RES. NO. 14-105*

**ACTION:** *A motion was made by Commissioner McManus to accept the recommendation of the Montgomery County Planning Commission to approve a Conditional Use Permit for a portion of a 13.7 acre tract at 0000 4600 Street, Independence, Kansas to be utilized as a private takeoff and landing strip.*

*Motion was seconded by Commissioner Rau.*

*ROLL CALL VOTE - Commissioner Brown - Yes*

*Commissioner McManus – Yes*

*Commissioner Rau – Yes*

*RES. NO. 14-106*

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**COMMUNITY CORRECTIONS – 2015 BUDGETS:**

Community Corrections Director Kurtis Simmons met with the Board to present the Revised Community Correction Budget and Narrative and the Behavioral Health Budget Summary & Narrative for FY2015. Mr. Simmons advised the Board both budgets have been approved by the Montgomery County Community Corrections Advisory Board. The following action was taken:

**COMMUNITY CORRECTIONS (Continued):**

**ACTION:** A motion was made by Commissioner Rau to approve the FY 2015 Revised Budget Summary and Narrative in the amount of \$287,163.00 for Montgomery County Community Corrections Department. Motion was seconded by Commissioner Rau.

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

RES. NO. 14-107

**ACTION:** A motion was made by Commissioner Rau to approve the FY 2015 Behavioral Health Budget Summary & Narrative in the amount of \$71,520.00 for Montgomery County Community Corrections Department. Motion was seconded by Commissioner McManus.

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

RES. NO. 14-108

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**MONTGOMERY COUNTY SHERIFF – DEPARTMENT OF CORRECTIONS – VAPOR CIGARETTES:**

Montgomery County Sheriff Administrative Assistant Liz Schwatken met with the Board to request 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 10:23 AM to return a 10:28 AM to discuss non-elected personnel with the Board and Liz Schwatken present. Motion was seconded by Commissioner Rau.

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

Returned to session at 10:28 AM stating no decisions made and no action taken.

Ms. Schwatken discussed an opening in the Sheriff's Department for a Dispatch Supervisor. She requested the department be approved to use the last applications for deputies to fill the vacant position recently created by a resignation. Approval was given by the Board.

Department of Corrections Supervisor Jim Carson met with the Board to request allowing the inmates to use vapor cigarettes. He gave reasons to the Board for easier control in the facility of inmates and had talked to other counties and found some counties have received as much as \$500.00 in revenue after allowing the use in their facilities. The following action was taken:

**ACTION:** A motion was made by Commissioner Rau to approve use of vapor cigarettes by the inmates in the Department of Corrections facility. Motion was seconded by Commissioner McManus.

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

RES. NO. 14-109

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**OTHER COUNTY BUSINESS:**

1. Verdigris Drainage District No. 1 Board appointment –

**ACTION:** A motion was made by Commissioner Rau to approve the appointment of Sharon Westervelt to Verdigris Drainage District No. 1 Board effective July 21, 2014. Motion was seconded by Commissioner McManus.

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

RES. NO. 14-110

**OTHER BUSINESS (Continued):**

2. Budget Amendment Request for KAN-STEP Grant 12-ST-001 for Rural Water District No. 12 –  
**ACTION:** *A motion was made by Commissioner McManus to approve the budget amendment request for KAN-STEP 12-st-001 for Rural Water District No. 12. Motion was seconded by Commissioner Rau.*

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

*RES. NO. 14-111*

3. Executive Session – Non-Elected Personnel – Co. Clerk –

**ACTION:** *A motion was made by Commissioner McManus to recess to Executive Session at 9:05 AM to return at 9:10 AM to discuss non-elected personnel with the Board and County Clerk present. Motion was seconded by Commissioner Rau.*

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

Returned to session at 9:10 AM with a motion by Commissioner McManus to extend the session until 9:15 AM with the Board and Jim Miller present. 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 action taken and no decisions made.

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**ADJOURNMENT: 11:05 AM**

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

*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**