

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

September 29, 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 to act as Chairman in the absence of Commissioner Brown.

CALL TO ORDER: Commissioner McManus.

INVOCATION: Reverend Melvin Simpson, First Church of God in Christ, Coffeyville

PLEDGE OF ALLEGIANCE: Commissioner McManus.

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 - \$36,320.82 and \$354,921.45as 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 January 13, 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*

ENVIRONMENTAL HEALTH.ZONING – RECOMMENDATIONS FROM ZONING BOARD ON CONDITIONAL USE PERMITS:

Environmental Health/Zoning Director Scott Barnhart met with the Board to present recommendations from the Montgomery County Planning Commission voted on at the September 18, 2014 Planning Commission meeting. The applications are as follows:

1. Conditional Use Permit MGPU Case # 14-03 to establish a seasonal agri-tourism attraction thereon lands physically addressed as 3610 Peter Pan Road, Independence by Kevin and Amber Snyder. This is the relocating of “The Pumpkin Patch” from its formerly permitted site to the proposed location. The following action was taken:

ACTION: *A motion was made by Commissioner Rau to accept the Montgomery County Planning Commission's recommendation and approve the Conditional Use Permit (MGPU Case #14-03),requested by Kevin and Amber Snyder, the physical location being 3610 Peter Pan Road, Independence, KS for relocation of “The Pumpkin Patch”. Motion was seconded by Commissioner McManus.*

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

RES. NO. 14-140

ENVIRONMENTAL HEALTH/ZONING (Continued):

2. Conditional Use Permit MGCU Case # 14-04 to allow for the usage in a portion of land owned by Phil Loveless for usage as a soccer field by lease agreement physically addressed as 0000 4600 Street, Independence, KS and was the subject for conditional use permitting, as a private flying field this past July. The Planning Commission did approve the permit with various safeguards and restrictions to be appropriated.

The Board asked for input from the public and Mr. Patrick Burden presented several topics of opposition to the permitting for the soccer field. Mr. Burden's land adjoins the property location for the soccer field.

The Board will individually visit the site. The following action was taken:

ACTION: *A motion was made by Commissioner McManus to table the request for the Conditional Use Permit (MGCU Case #14-04) requested by Mr. Phil Loveless until the regular meeting of the Board of County Commissioners on October 6, 2014. Motion was seconded by Commissioner Rau.*

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

SHERIFF'S DEPARTMENT – DISPATCH POSITION – EXECUTIVE SESSION – SALVAGE OF WRECKED UNITS:

Montgomery County Sheriff's Administrative Assistant met with the Board on the following items:

1. Executive Session – non-elected personnel –
ACTION: *A motion was made by Commissioner McManus to recess to Executive Session at 9:31 AM to return at 9:41 AM to discuss non-elected personnel with the Board and Liz Schwatken present. Motion was seconded by Commissioner Rau.*
*ROLL CALL VOTE - Commissioner Brown - Absent
Commissioner McManus – Yes
Commissioner Rau – Yes*
Returned to session at 9:34 AM stating no decisions made and no action to be taken.
2. Dispatch Position – Ms. Schwatken advised the Board two (2) dispatchers have been terminated and requested to post the positions to be replaced. **Approval was given by the Board.**
3. Three patrol units were wrecked and totaled and insurance has been collected. The units were purchased from the insurance company to be used for parts on other patrol units. This has been completed and they are requesting approval to take all three to the salvage company. **Approval was given for the units to be salvaged.**

OTHER COUNTY BUSINESS:

1. Letter from Kansas Department of Revenue on compliance within the County Appraiser's Office stating they have successfully completed the appraisal cycle in a satisfactory manner.
2. Amend Resolution No. 14-124 on right-of-way for Mr. David Harris, CR 3900. The following action was taken:
ACTION: *A motion was made by Commissioner Rau to amend Montgomery County Resolution No. 14-124 to a total offer of \$25,587,66 for payment of right-of-way and fencing to Mr. David Harris, CR 3900. Motion was seconded by Commissioner McManus.*
*ROLL CALL VOTE - Commissioner Brown - Absent
Commissioner McManus – Yes
Commissioner Rau – Yes*
RES. NO. 14-139
3. Commissioner Parking – Commissioner Rau asked about the designated parking spaces and if there was a policy on the departmental designated parking. There is no county policy. They discussed the Commissioner's designated parking and because it is causing conflict with other employees, their parking will not be used except for the Board without approval by the Board in the case of an employee being incapacitated due to sickness or injury. The employee or department head should contact the County Clerk or Human Resources and it will be brought to the attention of the Commission for a decision on temporary parking. The Human Resource Director was instructed to send a memo to all departments.

ADJOURNMENT: 11:25 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