

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

March 2, 2015

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 Melvin Simpson, First Church of God in Christ, 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 York.*

ROLL CALL VOTE - Commissioner Brown - Yes

Commissioner McManus – Yes

Commissioner York - Yes

APPROVAL OF PAYMENT OF INVOICES:

ACTION: *A motion was made by Commissioner McManus to approve invoices in the amount of \$262,405.24 and \$1,084.37 as presented by the County Clerk's office. The motion was seconded by Commissioner York.*

ROLL CALL VOTE - Commissioner Brown - Yes

Commissioner McManus – Yes

Commissioner York - Yes

APPROVAL OF MINUTES:

ACTION: *A motion was made by Commissioner York to approve the minutes of February 23, 2015 as presented by the County Clerk. The motion was seconded by Commissioner McManus.*

ROLL CALL VOTE - Commissioner Brown - Yes

Commissioner McManus – Yes

Commissioner York - Yes

COUNTY COUNSELOR – INDIGENT CONTRACTS AND RESIDENCY REQUIREMENTS:

County Counselor Paul Kritz met with the Board to discuss the 2015 Indigent Legal Services between Montgomery County and eight (8) attorneys. Mr. Kritz discussed the \$12,600 per month being spent for these services with an additional \$80.00 per hour rate for “conflict cases” which must be given to one of the other attorneys. At the present time the State of Kansas rate is \$62.00 per hour for the “conflict cases”.

It was recommended by County Counselor the Board to proceed with and approve the current contracts for 2015 as presented by Judge Gary House. The following action was taken:

ACTION: *A motion was made by Commissioner York to approve the contracts between Montgomery County and the following attorneys for Indigent Legal Services for the year 2015:*

<i>Patrick J. Martin in the amount of :</i>	<i>\$2,000.00 per month</i>
<i>Philip J. Bernhart in the amount of:</i>	<i>\$2,200.00 per month</i>
<i>Jeffrey W. Gettler in the amount of:</i>	<i>\$1,600.00 per month</i>
<i>Roger L. Gossard in the amount of :</i>	<i>\$ 750.00 per month</i>
<i>Michael W. Hassenplug in the amount of:</i>	<i>\$1,400.00 per month</i>
<i>Cole Hoffmeister in the amount of:</i>	<i>\$2,000.00 per month</i>

COUNTY COUNSELOR (Continued):

Daniel M. Reynolds in the amount of: \$1,900.00 per month
Lisa Montgomery in the amount of: \$ 750.00 per month

In addition, in the event it is required to provide representation in appeals beyond the District Court level, they will be paid \$80.00 per hour not to exceed \$800.00 per case.

Motion was seconded by Commissioner McManus.

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

RES. NO. 15-37

The Board discussed the Residency Policy Rule for Montgomery County Employees with the County Counselor. After discussion the following action was taken:

ACTION: *A motion was made by Commissioner York to change the requirements to rescind Montgomery County Resolution No. 11-63(the current resolution) regarding Residency Requirements for Montgomery County Employees and ask the County Counselor to write a new policy for the Montgomery County Employee Handbook with the requirements to be “must live within the State of Kansas”. Motion was seconded by Commissioner McManus.*

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

RES. NO. 15-38

COMPUTER DEPARTMENT – EXECUTIVE SESSION – NON-ELECTED PERSONNEL:

Computer Department Director Jason Clubine 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 York to recess to Executive Session at 9:45 AM to return at 9:55 AM to discuss non-elected personnel with the Board and Computer Department Director present. Motion was seconded by Commissioner McManus.*

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

Returned to session at 9:55 AM stating no decisions made and no action to be taken.

Mr. Clubine presented information on the recent virus infecting the GIS and County Appraiser’s Department. He also presented a detailed report on the circumstances leading to the virus infection, what the virus is and the seriousness, how the county got infected, a log showing the files and what has to be done to clean it up. He also provided information on how this may be prevented from happening again.

MOSAIC IN SOUTHEAST KANSAS:

Mosaic in SEK Executive Director Leslie L. Lackamp met with the Board to discuss how the County mill dollars are allocated to developmental disability providers in Montgomery County. The offices for Mosaic in SEK are located at 1206 S. Elm St. in Coffeyville, KS.

Ms. Lackamp provided information on their services, information from fiscal year 2016 Revenue and Employee Numbers. They have a budget of \$1.9 million and have 28 employees in Montgomery County. The payroll is approximately \$1.5million dollars.

The Board thanked her for her presentation but no action is to be taken.

PUBLIC WORKS:

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

1. Requested approval to send a petition to Zoning for their recommendation for a road vacation for Victor Hollingsworth in Caney – **Request was approved by the Board.**
2. Bids were presented for two (2) post automotive lift. Mr. Bever recommended going with the low bid of \$7,117.68 from P.B. Hoidale, Chanute, KS. Only one other bid was received from Mohawk, Amsterdam, NY in the amount of \$11,200.27.
Commissioner York asked for information on the products. **No action was taken on the bids and Mr. Bever will return with more information at the next meeting.**
3. Requested permission to solicit bids for design on four (4) bridges. All four (4) bridges are structurally deficient. – **Request was approved by the Board.**
4. Presented a proposed job posting for the Bridge and Culvert Assistant Supervisor –
5. Advised there is no report on work load for GIS due to virus in system –
6. Reported on Mission Construction not finishing a bridge on time which was in 200 calendar days to be completed. They are over by 43 days which is a penalty of \$21,500.00 for not completing on time. **No action required.**

OTHER COUNTY BUSINESS:

1. Employee Insurance - Micah Boulanger of Encompass HR Solutions was present to answer question regarding the employee's insurance plan for the 2015/2016 year. The following action was taken:

ACTION: *A motion was made by Commissioner York to approve the continuance of the Montgomery County Employee's Health Insurance Plan through Benefit Management Inc. (BMI) for the year 2015/2016 effective April 1, 2015 with changes as outline in the Plan. Motion was seconded by Commissioner McManus.*

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

RES. NO. 15-39

2. Disclosure Statement for BMI Insurance - Chairman's signature required –
ACTION: *A motion was made by Commissioner McManus to authorize the Chairman to sign the Disclosure Statement for BMI Insurance on behalf of Montgomery County. Motion was seconded by Commissioner York.*

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

RES. NO. 15-40

3. Planning/Zoning Director Scott Barnhart request for an Executive Session to discuss non-elected personnel –

ACTION: *A motion was made by Commissioner McManus to recess to Executive Session at 11:07 AM to return at 11:17 AM to discuss non-elected personnel with the Board and Scott Barnhart present. Motion was seconded by Commissioner York.*

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

Returned to session at 11:17 AM stating no decisions made and no action required.

4. County Treasurer Nancy Clubine – Approval to post position in County Treasurer's office due to a resignation – **Approval was given by the Board.**
5. Request by County Clerk to destroy bookkeeping reports for the years 2006 and 2007 as listed and presented to the Board of County Commissioners. These documents have been retained as required by Local Government Records Management Manuel and will be destroyed by shredding by county employees. **Request approved by the Board.**
6. Commissioner McManus will attend the Kansas NG9-1-1 GIS Data Maintenance Workshop to be held in Independence on Wednesday March 4, 2015.

ADJOURNMENT: 12:10 PM

ACTION: *Motion by Commissioner McManus, seconded by Commissioner York.*
ROLL CALL VOTE - Commissioner Brown - Yes
Commissioner McManus – Yes
Commissioner York - Yes

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

FRED BROWN, Chairman

LARRY McMANUS, Member

RYAN YORK, Member

ATTEST:

County Clerk