

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

March 23, 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 Joe Davolt, The Bible Holiness Church, Independence.

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 \$28,271.15 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 McManus to approve the minutes of March 16, 2015 as presented by the County Clerk. The motion was seconded by Commissioner York.*

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

ENVIRONMENTAL HEALTH/ZONING – CONDITIONAL USE PERMIT #15-02:

Environmental Health/Zoning Director Scott Barnhart met with the Board to present the recommendation from the Montgomery County Planning and Zoning Commission on Application No. 15-02, George and Julie Eisele dba Right Move Properties. The application was to utilize an existing agriculture storage type structure as a place to conduct public auctions. The structure is located at 0000 North 3950 Street, Independence, Ks. The structure could be utilized as a facility to conduct public auctions on the weekend and on occasion during a weeknight.

Those attending the meeting and addressing the Commission in favor of the request were George and Julie Eisele. Mr. Eisele gave information on properties they own and their business function in Independence. The auction would be used to dispose of items when residences are sold and they do not wish to retain all of the personal items.

Attending the meeting and addressing the Commission against approval of the Conditional Use Permit were Ms. Tammy Doub and Mr. Doug Rinck, property owners adjoining the described property to be used for auction purposes. Ms. Doub expressed their concern for available parking, traffic on the gravel road and liability. Mr. Rinck presented a petition type list of residents against the issuance of the permit.

ENVIRONMENTAL HEALTH/ZONING (Continued):

Commissioner York brought up several regulations that if violated the permit would be rescinded and the property owners (Mr. and Mrs. Eisele) would not be allowed to use the property as permitted. They were given the option to table the action on the permit and have time to visit with the residents or to accept the decision of the Planning/Zoning Board and the Board of County Commissioners proceed with action at this time. Mr. and Mrs. Eisle did not wish to have it tabled. The following action was taken:

ACTION: *A motion was made by Commissioner York to accept the recommendation of the Montgomery County Planning and Zoning Board to deny the request by George and Julie Eisele for approval of Conditional Use Permit No. 15-02 for the purpose of utilizing an existing agriculture storage type structure as a place to conduct public auctions. The structure is located at 0000 North 3950 Street, Independence, Ks. The structure could be utilized as a facility to conduct public auctions on the weekend and on occasion during a weeknight. Motion was seconded by Commissioner McManus.*

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

RES. NO. 15-50

PUBLIC WORKS:

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

1. Replacement Bridge Project 1291 (CR 2500-04) recommendation by Public Works Coordinator to accept the bid from B&B Bridge Co. LLC in the amount of \$262,887.00. The following action was taken:

ACTION: *A motion was made by Commissioner York to accept the recommendation of the Public Works Coordinator and approve the bid from B&B Bridge Co., LLC in the amount of \$262,887.00 for Replacement Bridge Project 1291 (CR 2500-04). Debit Road and Bridge Fund. Motion was seconded by Commissioner McManus.*

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

RES. NO. 15-51

2. Recommendation on rebar bid for bridge project. Bids were as follows:

Carter Waters, Kansas City, MO	\$8,642.63
Logan Contractors, Olathe, KS	\$6,697.50
Railroad Yard, Stillwater, OK	\$7,951.50

ACTION: *A motion was made by Commissioner York to accept the recommendation of the Public Works Coordinator and approve the bid from Logan Contractors, Olathe, KS in the amount of \$6,697.50 to replace box culvert #558. Debit Road and Bridge Fund. Motion was seconded by Commissioner McManus*

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

RES. NO. 15-52

3. Chemical Bids for Noxious Weed Department – Bids are as follows:

Red River Specialists, Bartlesville, OK (Incomplete)	\$20,828.40
CPS Timberland Castle, Rock, CO	\$30,556.08
Midwest Fertilizer Liberty, KS	\$38,619.84
Helena Chemical Company, Shawnee, KS (Incomplete)	\$24,477.60

ACTION: *A motion was made by Commissioner York to accept the recommendation of the Public Works Coordinator and approve the bid from CPS Timberland Castle, Rock CO in the amount of \$30,556.08 for chemicals for the Noxious Weed Department. Debit Noxious Weed Fund. Motion was seconded by Commissioner McManus.*

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

RES. NO. 15-53

MONTGOMERY COUNTY APPRAISER – INFORMATION ON VALUES OF AGRICULTURAL LAND CHANGES FROM 2014 TO 2015:

County Appraiser Angela Wright met with the Board to present the most recent information on the Agricultural Land Values with the changes from the 2014 to 2015 values. Values state-wide range from 0% increase to 51% increase. The increase in value for Montgomery county agricultural land is 16%.

OTHER COUNTY BUSINESS:

1. Request from Senator King's office to use the lower lobby of the Judicial Building April 15th from 8:00 AM until 9:00 AM. Request was approved by the Board.

ADJOURNMENT: 11:10 AM

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