

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

April 27, 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 Francis Aeschliman, The Wesleyan 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 \$30,813.77 (Prepays) 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 April 20, 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*

EXECUTIVE SESSION – CONFIDENTIAL DATA RELATING TO FINANCIAL MATTERS:

ACTION: *A motion was made by Commissioner McManus to recess at 9:10 to return at 9:25 to Executive Session to discuss Confidential Data Relating to Financial Matters with the Board and County Clerk present. Motion was seconded by Commissioner York.*

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

Returned to session at 9:25 AM stating no decisions made and no action to be taken.

**COMMUNITY CORRECTIONS – 2016 BEHAVIORAL HEALTH PROGRAM PROPOSAL/
BUDGET AND 2016 KDOC COMPREHENSIVE PLAN/BUDGET:**

Community Corrections Director Kurtis Simmons met with the Board to present the FY 2016 Behavioral Health Program Proposal Plan/Budget Application and FY 2016 KDOC Behavioral Health Program Proposal/Budget request for approval of each submitted. The following action was taken:

ACTION: *A motion was made by Commissioner York to approve the FY 2016 Behavioral Health Program Proposal/Budget and the FY 2016 Comprehensive Plan/Budget Application for the Community Corrections Department as presented by the Director. Motion was seconded by Commissioner McManus.*

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

PUBLIC WORKS:

Public Works Coordinator Robert Bever met with the Board and presented the weekly written report.

Before the report was presented, a discussion was held on the reopening of the LeHunt Cemetery Road. Those in attendance for this portion of the meeting were President of Sycamore Cemetery District Mike Likes, Midwest Materials representative Jerry Piatt and Keith Jabben a surrounding landowner.

Mr. Likes gave reasons for the road not being open to the public except by appointment then he or a representative of the cemetery district will accompany the individuals to the property. He said it is a very dangerous area, poison snakes are a real problem. Mr. Likes mows the cemetery at least twice a year and always before Memorial Day. They have had on two visitors in several years. At one time there were over 200 cemetery markers (stone) and now there are five or six. They have been stolen or broken. This is another reason for not reopening the road.

Mr. Piatt spoke on behalf of Midwest Materials, owning the surrounding land and having the second gate. He said they will not remove the gate from their property as there is too much liability if someone would get hurt at the old ruins on the property.

Mr. Keith Jabben owns acreage adjoining Midwest Materials and would help Mr. Likes if someone wants to visit the cemetery and Mr. Likes is not available. He also does not want the gates removed and opening to the public.

Mr. Bever was instructed by the Board to work on vacating the road. He will return to the Board as soon as he has the necessary information to present.

Mr. Bever presented the report as follows:

1. Discussed Speed Limit/Stop Signs and he has contacted TranSystems Engineers for the cost of engineering services required –
2. Presented the cost of maintenance for Quaker, Highland and 24th Street cemeteries –
3. Required signature for Bridge Design contract with Cook, Flatt & Strobel for bridges 1183,1134B, 527A and 67 as previously approved –
4. Advised the Board Heckman and Associates do not do bridge design or inspections –
5. Advised they will need to post for a replacement equipment operator for Bridge crew –
6. Signature required on Change of Status Report –
7. CMP Pipe Quote as follows:

Metal Culvers, Jefferson MO	\$7,416.00
Welborn Sales, Salina KS	\$9,264.00
J&J Drainage, Hutchinson KS	\$7,660.80

Mr. Bever recommended the bid be awarded to Metal Culverts, Jefferson, MO in the amount of \$7,416.00. The following action was taken:

ACTION: *A motion was made by Commissioner McManus to accept and award the bid for CMP Pipe for the Road and Bridge Department to the low bidder, Metal Culverts, Jefferson City, MO in the amount of \$7,660.80. Debit Road and Bridge Fund. Motion was seconded by Commissioner Brown.*

*ROLL CALL VOTE - Commissioner Brown - Yes
Commissioner McManus – Yes
Commissioner York- No*

PUBLIC WORKS (Continued):

8. Copy of the Memorandum of Agreement with the City of Coffeyville and Montgomery County for the 3rd Floor of the City Hall – Mr. Bever gave the Board his written recommendation for changes to the agreement.
9. GIS – Report on work load from previous week –
Returned to session at 11:50 AM stating no decisions made and no action to be taken.
10. Reported on a broken gas line at the Harry Miller resident west of Cedar Bluff School. The gas company will only replace 800[of the line leaving approximately 700 feet at \$6.00 per foot to be replaced. Mr. Miller is asking the county to replace the line to the house. The Board agreed the cost will be on the gas company and private landowner.

SHERIFF'S DEPARTMENT – EMPLOYEE STATUS CHANGES:

Sheriff Robert Dierks and Adm. Assistant Liz Schwatken met with the Board to present employee status changes for the department. They also discussed obtaining mower and power tools needed for the mowing of the cemeteries by the prisoners.

OTHER COUNTY BUSINESS:

1. Abatements – approved in the amount of \$157,713.44 –
2. Appointment of Southeast Kansas Agency on Aging Representative- The following action was taken:

ACTION: *A motion was made by Commissioner McManus to approve the recommendation of the Southeast Kansas Area Agency on Aging, Inc. and appoint Ms. Jane Mattix to fill the current vacant position on their governing board. Motion was seconded by Commissioner York.*

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

RES. NO. 15-64

3. Executive Session – Non-Elected Personnel –

ACTION: *A motion was made by Commissioner McManus to recess to Executive Session at 11: 20 AM to 11:50 AM with the Public Works Coordinator Robert Bever and the Board present. Motion was seconded by Commissioner York.*

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

Returned to session at 12:20 PM stating no decisions made and no action to be taken.

4. Executive Session – Non-Elected Personnel with the Board and HR Director present –

ACTION: *A motion was made by Commissioner McManus to recess to Executive Session at 12:20 PM to return at 12:25 PM to discuss non-elected personnel with the Board and HR Director present. Motion was seconded by Commissioner York.*

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

Returned to session at 12:25 PM stating no decisions to be made and began discussion. The GIS Department restructuring was discussed with the HR Director present. The restructuring will be for the department to be an appointed Director and one GIS Technician to be hired according to personnel policies. The following action was taken:

OTHER COUNTY BUSINESS (Continued):

ACTION: *A motion was made by Commissioner York to restructure the GIS Department with one Director to be appointed by the Board of County Commissioners with reappointment each year, and for the Human Resources Director to begin advertising for one GIS Technician. Motion was seconded by Commissioner McManus.*

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

RES. NO. 15-65

5. Montgomery County Rural Fire #1 President Darren Felts met with the Board to present a request that has been approved by the fire board to purchase a 1990 Pierce 1250/1599 350 Cummins Diesel pumper truck to be used at the Cherryvale Station. The truck is available from the Command Fire Apparatus Company, delivered from Lancaster County, PA for \$41,000.00. The following action was taken:

ACTION: *A motion was made by Commissioner York to approve the request of the Montgomery County Rural Fire #1 Board to purchase a 1990 Pierce 1250/1599 350 Cummins Diesel pumper truck to be used at the Cherryvale Station from the Command Fire Apparatus Company, delivered from Lancaster County, PA for \$41,000.00. Payment for the truck will be divided between Montgomery County Rural Fire General Fund and Montgomery County Special Equipment Fund. Motion was seconded by Commissioner McManus.*

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

RES. NO. 15-66

6. *Executive Session – HR Director and County Clerk – Non-Elected Personnel –*

ACTION: *A motion was made by Commissioner McManus to recess to Executive Session at 12:00 Noon to return at 12:20 PM to discuss non-elected personnel with the HR Director and County Clerk present. Motion was seconded by Commissioner York.*

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

Returned to session at 12:15 PM stating no decisions made and no action to be taken.

ADJOURNMENT: 12:30 PM

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

*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