

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

November 16, 2015

The Board of County Commissioners, two members and the County Clerk present, met in regular session at 9:00 AM. Commissioner Brown was absent.

**Commissioner McManus will serve as Chairman for the meeting.**

**CALL TO ORDER:** Commissioner McManus.

**INVOCATION:** Reverend Renita Butler, The Friends Evangelical Church, Independence.

**PLEDGE OF ALLEGIANCE:** Commissioner McManus.

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**AGENDA APPROVAL:**

**ACTION:** *A motion was made by Commissioner York to approve the agenda as amended.. The motion was seconded by Commissioner McManus.*

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

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**APPROVAL OF PAYMENT OF INVOICES:**

**ACTION:** *A motion was made by Commissioner York to approve invoices in the amount of - \$366,288.90 as presented by the County Clerk's office. The motion was seconded by Commissioner McManus.*

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

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**APPROVAL OF MINUTES:**

**ACTION:** *A motion was made by Commissioner York to approve the minutes of November 9, 2015 as presented by the County Clerk. The motion was seconded by Commissioner McManus.*

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

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**CHERRYVALE CITY ADMINISTRATOR – NEIGHBORHOOD REVITALIZATION:**

Cherryvale City Administrator Travis Goedken met with the Board to present which will expire February 20, 2016. He explained to the Board he was not requesting action on the extension of the Plan and will return at a later date with the documents for extending the existing plan. He has advised his council members of the 5% administrative fee to be added to all new approved applications and paid to the county. No action was required at this time.

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**MONTGOMERY COUNTY ACTION COUNCIL – AARON HECKMAN – EXECUTIVE SESSION – FINANCIAL MATTERS/TRADE SECRETS:**

**ACTION:** *A motion was made by Commissioner McManus to recess to Executive Session at 9:30 AM to return at 9:40 AM with the Board and Montgomery County Action Council Director Mr. Aaron Heckman present to discuss confidential financial matters and trade secrets. Motion was seconded by Commissioner York.*

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

Returned to session at 9:40 AM stating no decisions made and no action to be taken.

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**PUBLIC WORKS:**

Public Works Coordinator Robert Bever and Computer Department Director Jason Clubine met with the Board to discuss a contract with AT&T for phone service and internet contract. The following action was taken:

**ACTION:** *A motion was made by Commissioner York to approve the contract with AT&T for telephone service and internet contract in the amount of \$1,707.65 per month. Motion was seconded by Commissioner McManus.*

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

*RES. NO. 15-158*

Mr. Bever presented the weekly written report as follows:

1. Set road viewing for Johnson's Addition to Wayside (Marshall) – Viewing set for 10:00 AM, December 7, 2015 in the Commission Meeting Room.
2. Presented the 2015/2016 Montgomery County Snow Plan –
3. Balance sheet for Road and Bridge for October 2015 –
4. Balance sheet for Noxious Weed for 2015 –

Mr. Bever advised the Board he will be going out for bids on replacement of a culvert on CR 3719. He also discussed a wooden culvert that is falling apart in the Elk City area and surrounded by Corp of Engineer land. No decision was made at this time but there was some discussion on vacating the road.

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**EXECUTIVE SESSION – COUNTY CLERK AND HUMAN RESOURCES – NON-ELECTED PERSONNEL:**

**ACTION:** *A motion was made by Commissioner McManus to recess to Executive session at 10:35 AM to return at 10:50 AM with the Board, County Clerk and Human Resources Director present to discuss non-elected personnel. Motion was seconded by Commissioner York.*

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

Returned to session at 10:50 AM stating no decisions made and no action to be taken.

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**COUNTY COUNSELOR – PAUL KRITZ - INDIGENT CONTRACTS:**

County Counselor Paul Kritz, Chautauqua County Counselor Ruth Ritthaler and Judge Cullins met with the Board to discuss the 2016 Indigent Legal Service contracts.

Everyone agreed the present contracts should be revised. Judge Cullins stated the best option to save money is to negotiate with our local attorneys within the county and this will be addressed when revising the present contracts. Mr. Kritz will return to the Board with the revisions and will be sending a letter to all Montgomery County attorneys asking for responses if interested in being considered for a contract. No action was taken at this time.

**OTHER COUNTY BUSINESS:**

1. Mr. Paul Clifton, Cherryvale resident, met with the Board with a request to place emergency lights on his private vehicle to be used when working part-time with the Cherryvale City Police and Montgomery County Rural Fire. Mr. Clifton stated he has been approved by the Cherryvale City Police to use the emergency equipment on his private vehicle. He said he has a letter from the Chief but a copy of the letter was not made available to the County Clerk, Secretary of the Board, for the records.

The request was tabled until a December meeting.

2. Executive Session – County Counselor – Attorney/Client Privilege –

**ACTION:** *A motion was made by Commissioner York to recess to Executive Session at 11:45 AM to return at 11:55 AM with the Board, County Counselor and County Clerk present for Attorney Client Privilege. Motion was seconded by Commissioner McManus.*

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

Returned to session at 11:55 AM stating no decisions made and no action to be taken.

3. Memo from Human Resources Director on Concealed Carry by County Employees -

**ADJOURNMENT: 11:56 AM**

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

*ROLL CALL VOTE - Commissioner Brown - Absent  
Commissioner McManus – Yes  
Commissioner York- 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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**RYAN YORK, Member**

**ATTEST:**

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**County Clerk**