

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

January 11, 2016

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:** Commissioner Brown.

**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 \$70,175.98 (Unencumbered prepays) and \$232,024.57 (Encumbered 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 York to approve the minutes of January 4, 2016 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*

\*\*\*\*\*

**REORGANIZATION OF THE BOARD FOR 2016:**

Election of Chairman of the Board of County Commissioners for 2016 –

**ACTION:** *A motion was made by Commissioner York to appoint Commissioner Brown as Chairman of the Board for 2016. Motion was seconded by Commissioner McManus.*

*ROLL CALL VOTE - Commissioner Brown - Yes*

*Commissioner McManus – Yes*

*Commissioner York- Yes*

*RES. NO. 16-04*

Appointment of County Newspaper for 2016 –

**ACTION:** *A motion was made by Commissioner York to appoint the Independence Reporter as the County Newspaper for 2016. Motion was seconded by Commissioner McManus.*

*ROLL CALL VOTE - Commissioner Brown - Yes*

*Commissioner McManus – Yes*

*Commissioner York- Yes*

*RES. NO. 16-05*

**REORGANIZATION (Continued):**

Approval of Holiday Schedule for 2016 –

**ACTION:** *A motion was made by Commissioner McManus to approve the holiday schedule to be the same as 2015 as follows:*

Martin Luther King’s Birthday	(Monday)	January 18, 2016
President’s Day	(Monday)	February 15, 2016
Good Friday	(Friday)	March 25, 2016
Memorial Day	(Monday)	May 30, 2016
Independence Day	(Monday)	July 4, 2016
Labor Day	(Monday)	September 5, 2016
Columbus Day	(Monday)	October 10, 2016
Veteran’s Day	(Friday)	November 11, 2016
Thanksgiving Day	(Thursday)	November 24, 2016
Day after Thanksgiving	(Friday)	November 25, 2016
Christmas Eve	(Observed on Friday)	December 23, 2016
Christmas Day	(Observed on Monday)	December 26, 2016
New Years Day	(Observed on Monday)	January 2, 2017

\*The County offices will close at noon on December 30, 2016 for auditing c

Motion was seconded by Commissioner York.

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

RES. NO. 16-06

\*\*\*\*\*

GAAP Waiver for 2016 –

**ACTION:**

**WHEREAS:** *Montgomery County, Kansas, has determined that the financial statements and financial reports for the year ended 2016 to be prepared in conformity with the requirements of K.S.A. 75-1120a(a) are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the Board of County Commissioners or the members of the general public of Montgomery County and*

**WHEREAS:** *There are no revenue bond ordinances or resolutions or other ordinances or resolutions of the municipality which require financial statements and financial reports to be prepared in conformity with K.S.A. 75-1120a(a) for the year ended 2016.*

**NOW, THEREFORE BE IT RESOLVED:** *A motion was made by Commissioner York to approve the waiver of GAAP (Governmental Accounting Procedures) for Montgomery County for the year 2016. Motion was seconded by Commissioner McManus.*

**BE IT FURTHER RESOLVED:** *that the Board of County Commissioners shall cause the financial statements and financial reports of Montgomery County to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this State.*

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

RES. NO. 16-07

\*\*\*\*\*

Appointment of Departmental Supervisors:

1 ,Robert Bever – Public Works Department Coordinator

**ACTION:** *A motion was made by Commissioner York to reappoint Robert Bever as Public Works Department Coordinator for 2016. Motion was seconded by Commissioner McManus.*

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

RES. NO. 16-08

**REORGANIZATION (Continued):**

2. Carolyn Muller – County Health Director

**ACTION:** *A motion was made by Commissioner McManus to reappoint Carolyn Muller as County Health Director for 2016. Motion was seconded by Commissioner York.*

*ROLL CALL VOTE - Commissioner Brown - Yes*

*Commissioner McManus – Yes*

*Commissioner York- Yes*

*RES. NO. 16-09*

3. Scott Barnhart – Environmental Health/Zoning Administrator –

**ACTION:** *A motion was made by Commissioner McManus to reappoint Scott Barnhart as Environmental Health/Zoning Administrator for 2016. Motion was seconded by Commissioner York.*

*ROLL CALL VOTE - Commissioner Brown - Yes*

*Commissioner McManus – Yes*

*Commissioner York- Yes*

*RES. NO. 16-10*

4. Jason Clubine – Computer Department Director –

**ACTION:** *A motion was made by Commissioner McManus to reappoint Jason Clubine as Computer Department Director for 2016. Motion was seconded by Commissioner York.*

*ROLL CALL VOTE - Commissioner Brown - Yes*

*Commissioner McManus – Yes*

*Commissioner York- Yes*

*RES. NO. 16-11*

4. Jim Miller – Emergency Preparedness Director –

**ACTION:** *A motion was made by Commissioner York to reappoint Jim Miller as Emergency Preparedness Director for 2016. Motion was seconded by Commissioner Brown.*

*ROLL CALL VOTE - Commissioner Brown - Yes*

*Commissioner McManus – No*

*Commissioner York- No*

*RES. NO. 16-12*

(Mr. Miller was no reappointed for the year 2016).

5. Shawn Wallis – Human Resources Director –

**ACTION:** *A motion was made by Commissioner McManus to reappoint Shawn Wallis as Human Resources Director for 2016. Motion was seconded by Commissioner York.*

*ROLL CALL VOTE - Commissioner Brown - Yes*

*Commissioner McManus – Yes*

*Commissioner York- Yes*

*RES. NO. 16-13*

6. Dr. Gregory Mears – County Coroner –

**ACTION:** *A motion was made by Commissioner McManus to reappoint Dr. Gregory Mears as Montgomery County Coroner for 2016. Motion was seconded by Commissioner York.*

*ROLL CALL VOTE - Commissioner Brown - Yes*

*Commissioner McManus – Yes*

*Commissioner York- Yes*

*RES. NO. 16-14*

7. Attorney Paul Kritz – County Counselor –

**ACTION:** *A motion was made by Commissioner McManus to reappoint Attorney Paul Kritz as Montgomery County Counselor for 2016. Motion was seconded by Commissioner York.*

*ROLL CALL VOTE - Commissioner Brown - Yes*

*Commissioner McManus – Yes*

*Commissioner York- Yes*

*RES. NO. 16-15*

8. Laverne Strecker – County In-House Auditor –

**ACTION:** *A motion was made by Commissioner McManus to reappoint Mr. Lavern Strecker as Montgomery County In-house Auditor for 2016. Motion was seconded by Commissioner York.*

*ROLL CALL VOTE - Commissioner Brown - Yes*

*Commissioner McManus – Yes*

*Commissioner York- Yes*

*RES. NO. 16-16*

**REORGANIZATION (Continued):**

Committee Assignments –

Commissioner McManus - KS	Southeast Kansas Regional Planning Commission, Chanute, Juvenile Detention Board, Girard, KS Montgomery County Council on Aging
Commissioner York	Montgomery County Solid Waste Committee RCND
Commissioner Brown	LEPC

All three Commissioners will serve on the Montgomery County Economic Development Committee.

\*\*\*\*\*

**EXECUTIVE SESSION – BOARD OF COUNTY COMMISSIONERS – NON-ELECTED PERSONNEL:**

**ACTION:** *A motion was made by Commissioner York to recess to Executive Session at 10:00 Am to return at 10:20 AM with the Board present to discuss non-elected personnel. Motion was seconded by Commissioner McManus.*

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

Returned to session at 10:20 AM with a motion by Commissioner York and seconded by Commissioner McManus, to extend the session until 10:27 AM Commissioner Brown voting yes.

Returned to session at 10:27 AM stating no decisions made and no action to be taken.

\*\*\*\*\*

**SHERIFF’S DEPARTMENT – DEPARTMENT OF CORRECTIONS POSITION FOR EXTRA NURSE:**

Sheriff Robert Dierks, Administrative Assistant Liz Schwatken, Lt. Nick Wood and insurance representative Doug Buckles met with the Board to discuss the position for an additional nurse in the Department of Corrections.

The position would be increased from 40 hours per week to 80 hours per week at an additional cost of \$55,311.67 per year. Mr. Buckles stressed the importance of qualified medical personnel distributing medications to the inmates.

The request was tabled until a later date and the Sheriff’s Department will contact Labette County Health for a proposal and quote on providing the necessary services and return with the information.

\*\*\*\*\*

**PUBLIC WORKS:**

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

1. Signature required on employee change of status report –
2. Request for shared leave within the department of 240 hours. Request was approved.
3. Balance sheet for Road and Bridge for December, 2015 –
4. Bid request have been sent out for Pest Control –
5. Balance sheet for Noxious Weed for 2015 –
6. Household Hazardous Waste Schedule for 2016 –
7. Grant application letter for a 3 Aerosol Can Disposal System –
8. Corrugated Metal Pipe bids – Bids were as follows:

Welborn Sales, Salina, KS	\$18,752.80
Metal Culverts, Jefferson City, MO	\$19,893.06
J&J Drainage, Hutchinson, KS	\$18,419.24

**PUBLIC WORKS (Continued):**

**ACTION:** *A motion was made by Commissioner York to accept the low bid for Corrugated Metal Pipe for Road and Bridge, from J&J Drainage, Hutchinson, KS in the amount of \$ 18,419.24. Debit Road and Bridge. Motion was seconded by Commissioner McManus.*

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

*RES. NO. 16-17*

**COUNTY APPRAISER – AERIAL IMAGERY FLYOVER CONTRACT:**

County Appraiser Angela Wright, GIS representative Cris Bilby and Jonathan Ballard, District Manager of Pictometry Intelligent Images, met with the Board to present the contract for services for new aerial flyover and updated Pictometry.

The cities will contribute \$22,535 to be paid over a three (3) year period and the County will pay \$20,551.17 to be paid over a three (3) year period.

The following action was taken:

**ACTION:** *A motion was made by Commissioner York to approve the contract between Montgomery County and Pictometry Intelligent Images for aerial flyover for the County with total cost to be divided between Montgomery County, Caney City, Cherryvale City, Coffeyville City Havana City and Independence with the total from cities in the amount of \$22,535 and the County's share \$20,551.17 all to be paid over a three (3) year period. Debit Montgomery County Capital Outlay Fund. Motion was seconded by Commissioner McManus.*

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

*RES. NO. 16-18*

\*\*\*\*\*

**COMPUTER DEPARTMENT:**

Computer Department Director Jason Clubine met with the Board to request approval to solicit bids for the AS400. Request was approved.

He discussed web page hosting and it was decided it can be done “in-house” without the extra expense.

\*\*\*\*\*

**Recessed at 11:00 AM.**

**Returned at 11:15 AM.**

**MONTGOMERY COUNTY ACTION COUNCIL – EXECUTIVE SESSION:**

MCAC Director Aaron Heckman met with the Board to request an Executive Session to discuss financial matters and trade secrets.

**ACTION:** *A motion was made by Commissioner McManus to recess to Executive Session at 11:30 AM to return at 11:45 AM to discuss financial matters and trade secrets with the Board and Aaron Heckman present. Motion was seconded by Commissioner Brown.*

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

Returned to session at 11:45 AM stating no decisions made and no action to be taken.

\*\*\*\*\*

**EXECUTIVE SESSION – HUMAN RESOURCES – NON-ELECTED PERSONNEL:**

**ACTION:** *A motion was made by Commissioner McManus to recess to Executive Session at 11:50 AM to return at 12:00 Noon to discuss non-elected personnel with the Board, Human Resources 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 11:59 AM stating no decisions made and no action to be taken.

**OTHER COUNTY BUSINESS:**

1. County Clerk's December report on fees collected –
2. Paul Clifford spoke to the Board again on running lights and siren on personnel vehicle. No action was taken. He was told to visit with Sheriff Dierks.
3. Montgomery County Tax Sale (2016) –

**ACTION:** *A motion was made by Commissioner McManus:*

**WHEREAS:** Chapter 79, Article 28 of the Kansas Statutes Annotated provides the process for judicial foreclosure and sale of real estate sold and bid in by the county at any delinquent ad valorem property tax sale; and

**WHEREAS:** K.S.A. 79-2801 requires the Board of County Commissioners to order the county counselor to institute an action for the foreclosure and sale of such real estate.

**NOW, THEREFORE, BE IT RESOLVED** *by the Board of County Commissioners of Montgomery County, Kansas, that the County Counselor institute an action in district court for the foreclosure and sale of all eligible real estate sold and bid in by the county for delinquent ad valorem property taxes, all as provided by law.*

*Motion was seconded by Commissioner York.*

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

*RES. NO. 16-19*

4. Indigent Contracts –

**ACTION:** *A motion was made by Commissioner McManus to approve contracts for Indigent Legal Services for Jeff Gettler, Ruth Ritthaler, Daniel Reynolds, Phillip Bernhart Cole Hoffmeister, Michael Hassenplug, Patrick Martin and Roger L. Gossard as submitted by the County Counselor for the year 2016. Motion was seconded by Commissioner York.*

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

*RES. NO. 16-20*

\*\*\*\*\*

**ADJOURNMENT: 12:15 PM**

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

*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**