

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

April 11, 2016

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

CALL TO ORDER: Commissioner Brown.

INVOCATION: Reverend Bo Bryant, The First Assembly of God 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 Brown.*

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

APPROVAL OF PAYMENT OF INVOICES:

ACTION: *A motion was made by Commissioner McManus to approve invoices in the amount of \$316,855.38 as presented by the County Clerk's office. The motion was seconded by Commissioner Brown.*

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

APPROVAL OF MINUTES:

ACTION: *A motion was made by Commissioner McManus to approve the minutes of April 4, 2016 as presented by the County Clerk. The motion was seconded by Commissioner Brown.*

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

CANVASS OF VOTES – COFFEYVILLE CITY SPECIAL SALES TAX ELECTION – APRIL 5, 2016:

The Canvass of Votes for the Coffeyville City Special Sales Tax Election held April 5, 2016 was held in the Montgomery County Commission Meeting Room with the Board of County Commissioners acting as the official Board of Canvassers at 9:05 AM.

There being no changes to result of the election, the Board closed the canvass at 9:20 AM.

COMPUTER DEPARTMENT – RVI MAINTENANCE AGREEMENT RENEWAL:

Computer Department Director Jason Clubine met with the Board to present the RVI Maintenance Agreement Renewal for maintenance on the system used for the scanning and saving of records for various offices. The amount of the agreement for a 12 month period is \$4,500.00. The following action was taken:

ACTION: *A motion was made by Commissioner McManus to approve the agreement for RVI Maintenance in the amount of \$4,500.00 to be paid from the County General Operating Fund. Motion was seconded by Commissioner Brown.*

ROLL CALL VOTE - Commissioner Brown - Yes

Commissioner McManus – Yes

Commissioner York- Absent

RES. NO. 16-48

PUBLIC WORKS:

Public Works Coordinator Robert Bever, Assistant Public Works Coordinator Jim Wright and Public Works Technician Brady Millemon met with the Board and presented the weekly written report. The following items were discussed:

- Road Viewing – County Road 1500-20 (Elk City)

The Chairman opened the road viewing at 10:00 AM to consider the petition request for the vacation of a portion of County Road 1500 miles 19 and 20. After information was presented to the Board by the Public Works Department, the discussion was opened to the public attending the meeting.

The public in attendance was Mr. and Mrs. David Newton and Mr. Eugene Goff, Corps of Engineers. Mr. Newton spoke against the vacation of the road and explained it is a public road to access the river but if the Corp of Engineers takes it over, the access will be closed and gated.

Mr. Bever explained that several roads throughout the county are being evaluated due to the cost of maintaining roads that are privately being used. Upon the recommendation of the Public Works Department, the following action was taken:

ACTION: *A motion was made by Commissioner McManus in accordance with KSA 68-102 and 68-104, to vacate portions of County Road 1500 miles 19 and 20 described as follows:*

A tract of land, previously used for road purposes, being portions of County Road 1500 miles 19 and 20 as described as a portion of Wagon Road 142 with a recorded width of 50', all of Wagon Road 196 with the recorded width of 50', and a portion of Wagon Road 200 with a recorded width of 40' copies located in the Montgomery County Public Works Department. More particularly described as follows: Beginning at the Northwest corner of Section 7, Township 32, Range 14 East, thence running Southerly on the West line of said Section 7 to the Southwest corner of said Section 7/Northwest corner Section 18 in said Township and Range, then continuing Southerly on the west section line of said Section 18 to the centerline of Salt Creek, all being in the East half of Section 12 and the Northeast quarter of Section 13 in Township 32, Range 13 East, and the West half of Section 7 and the Northwest quarter of Section 18 in Township 32, Range 14 East of the 6th Principal Meridian, Montgomery County, Kansas.

The above described tracts of land are subject to easements for the right of ingress and egress, reconstruction and maintenance of all existing utilities and appurtenances thereto.

Motion was seconded by Commissioner Brown.

ROLL CALL VOTE - Commissioner Brown - Yes

Commissioner McManus – Yes

Commissioner York- Absent

RES. NO. 16-49

- Requested a Road Viewing date be set for Johnson's Addition to Wayside. The viewing date is set for May 2, 2016 at 10:00 AM in the Commission Meeting Room –
- Received a petition for a Road Vacation in Corbin City and requests approval to send to Planning and Zoning. Request approved.

PUBLIC WORKS (Continued):

- Received a petition for a Road Vacation for Banner Farm Addition in Independence and requests approval to send to Planning and Zoning. Request approved.
- County Commissioners and Highway Officials Association of Southeast Kansas will hold their annual meeting in Chanute, KS on April 21, 2016.
- Bid for Corrugated Metal Pipe – Bids are as follows:

Welborn Sales, Salina, KS	\$7,838.00
J & J Drainage, Hutchinson, KS	\$8,434.00

ACTION: A motion was made by Commissioner McManus to accept and award the bid for corrugated metal pipe for the Road and Bridge Department to Welborn Sales, Salina, KS in the amount of \$7,838.00. Debit Road and Bridge Fund. Motion was seconded by Commissioner Brown.

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

RES. NO. 16-50

- Road and Bridge Balance Sheet for March 2016 –
- Discussion regarding Dust Control on private driveway for Bill Newkirk – This was tabled by the Board at this time.
- Discussion regarding Harmony Lane requesting a survey of the road and determine if it is to be an access road to the cemetery and given the township board access or make it a public road requiring a survey. The Board agreed to the survey and will be kept a county road the road, authorizing Cornerstone to survey at a cost of \$1,500.00. The following action was taken:

ACTION: A motion was made by Commissioner McManus to authorize a survey by Cornerstone Surveying for Harmony Road and to keep the road as a county road. Motion was seconded by Commissioner Brown.

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

RES. NO. 16-51

- Advised the Board bid requests have been requested for Chip & Seal, Emulsion Oil and Rock Hauling –
- Noxious Weed Department Balance Sheet for March 2016 –
- Presented a letter from Oak River Insurance Company denying the coverage for a Claim for Damage to a county building for cracked and settled floor damage.

OTHER COUNTY BUSINESS:

1. Executive Session – Non-elected personnel-

ACTION: A motion was made by Commissioner McManus to recess to Executive Session at 9:23 AM to return at 9:43 AM to discuss non-elected personnel with the Board and County Clerk present. Motion was seconded by Commissioner Brown.

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

Returned to session at 9:43 AM stating no decisions made and no action to be taken.

2. Executive Session – Non-elected personnel-

ACTION: A motion was made by Commissioner McManus to recess to Executive Session at 9:45 AM to return at 10:00 AM to discuss non-elected personnel with the Board present. Motion was seconded by Commissioner Brown.

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

Returned to session at 9:43 AM stating no decisions made and no action to be taken.

ADJOURNMENT: 10:29 AM

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

BOARD OF COUNTY COMMISSIONERS
MONTGOMERY COUNTY, KANSAS

FRED BROWN, Chairman

LARRY McMANUS, Member

RYAN YORK, Member

ATTEST:

County Clerk