

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

April 25, 2016

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

**CALL TO ORDER:** Commissioner Brown.

**INVOCATION:** Reverend Daniel Knight, The Bible Baptist Church, Coffeyville

**PLEDGE OF ALLEGIANCE:** Commissioner Brown.

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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 Brown.*

*ROLL CALL VOTE - Commissioner Brown - Yes  
Commissioner McManus – Absent  
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 - \$24,602.63 (Prepays) as presented by the County Clerk's office. The motion was seconded by Commissioner Brown.*

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

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**APPROVAL OF MINUTES:**

**ACTION:** *A motion was made by Commissioner York to approve the minutes of April 18, 2016 as presented by the County Clerk. The motion was seconded by Commissioner Brown.*

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

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**COMPUTER DEPARTMENT AND COUNTY ATTORNEY'S OFFICE – LAPTOP COMPUTERS:**

Computer Department Director Jason Clubine and Lisa Schwenker representing the County Attorney's Office, met with the Board to request approve for purchasing of four laptop computers and a docking station. The total amount will be \$5,229.24 and requested the payment to be made from County General Capital Outlay. The following action was taken:

**ACTION:** *A motion was made by Commissioner York to approve the purchase of four laptop computers and a docking station for the County Attorney's Department from CDW-G, Vernon Hills, IL in the amount of \$5,229.24. Motion was seconded by Commissioner Brown.*

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

*RES. NO. 16-58*

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**ENVIRONMENTAL HEALTH/ZONING – PUBLIC HEARING ON MONTGOMERY COUNTY  
5-YEAR UPDATE TO THE SOLID WASTE MANAGEMENT PLAN:**

The Board recessed into a public hearing on the Montgomery County Solid Waste Management Plan at 9:15 AM. The revised Plan was presented by Environmental Health/Zoning Director Scott Barnhart. There being no public input the public hearing was adjourned at 9:20 AM.

Returned to regular meeting at 9:21 AM.

The following action was taken to approve the Montgomery County Solid Waste Management Plan to be submitted to the Kansas Department of Health and Environment:

**ACTION:** *A motion was made by Commissioner York to approve the 5 Year Updated Montgomery County Solid Waste Management Plan to be submitted to the State of Kansas Department of Health and Environment. Motion was seconded by Commissioner Brown.*

*ROLL CALL VOTE - Commissioner Brown - Yes*

*Commissioner McManus – Absent*

*Commissioner York- Yes*

*RES. NO. 16-59*

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**SEWER DISTRICT NO. 2- VINCENT THOMPSON:**

Mr. Vincent Thompson met with the Board to discuss action taken by the Board at the April 18<sup>th</sup> meeting concerning the erection of a new building on the Jerry Shank property (Shanks Oil Company). Mr. Thompson stated the Sewer District Board was not notified or consulted concerning the building being over the sewer district line. Commissioner York asked Mr. Thompson if he had visited with Mr. Shank and he said he had not. Commissioner York asked him to visit with Mr. Shank and return to the meeting after he has talked to him about the problem.

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Commissioner McManus returned from Jury Duty at 9:30 AM.

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**PUBLIC WORKS:**

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

- Shop Summer hours to begin on May 2, 2016 – 7 am to 3:30 pm –
- Executive Session regarding Acquisition of Real Property –

**ACTION:** *A motion was made by Commissioner York to recess to Executive Session at 9:45 AM to return at 9:55 AM to discuss Acquisition of Real Property with the Board, Public Works Coordinator Robert Bever and Assistant Public Works Coordinator Jim Wright present. Motion was seconded by Commissioner McManus.*

*ROLL CALL VOTE - Commissioner Brown - Yes*

*Commissioner McManus – Yes*

*Commissioner York- Yes*

Returned to session at 9:55 AM with a motion by Commissioner York and seconded by Commissioner McManus with Commissioner Brown voting “yes” to extend the session until 10:05 AM.

Returned to session at 10:05 AM stating no decisions made and no action to be taken.

- Signatures required on 2016 Annual Noxious Weed Management Plan –

**PUBLIC WORKS (Continued):**

- Bids for rock hauling for 2016 Chip and Seal Program – Bids were as follows:

Starbuck Trucking, Fredonia, KS	\$14.50 per ton
Muller Construction, Coffeyville, KS	\$13.95 per ton
APAC Central Inc., Tulsa, OK	\$ 9.80 per ton
Bellco Trucking LLC, Nowata, OK	\$ 9.70 per ton

**ACTION:** *A motion was made by Commissioner York to accept and approve the low bid for rock haul for 2016 Chip and Seal Program for Road and Bridge Department from Bellco Trucking, LLC, Nowata, OK in the amount of \$9.70 per ton. Motion was seconded by Commissioner McManus.*

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

*RES. NO. 16-60 Commissioner York- Yes*

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**PUBLIC WORKS WORK SESSION – 2017 BUDGETS:**

The Board adjourned the meeting at 10:15 AM to enter into a work session only with Public Works Director Robert Bever and Assistant Public Works Director Jim Wright to discuss the 2017 budget items being requested. Work Session ended at 12:15 PM No action was to be taken.

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**OTHER COUNTY BUSINESS:**

1. Mutual Rescission of Agreement between Montgomery County and Patrick J. Martin for Indigent Legal Service provided by County Counselor and signature required by the Chairman of the Board.
2. March Statement of receipts, disbursements and balances from the County Clerk's office –
3. Midwest Plastics Extension of Time Plan for CDBG Grant Repayment –

The Board discussed the extension of time for the CDBG Grant repayment by Midwest Plastics and the letter received from Steve Kelly, Deputy Secretary of Commerce, Kansas Department of Commerce requesting a plan by the county on working with Midwest Plastics to ensure project closure within the requested time extension period. This project was also addressed at the April 18, 2016 regular meeting of the Board.

After discussing the project further and how to construct a plan to provide to the Department of Commerce the following plan was adopted by the Board by resolution:

**ACTION:** *A motion was made by Commissioner Brown to adopt the following plan to submit to the Kansas Department of Commerce to work with Midwest Plastics for a successful project closure within the requested time extension period.*

**Item No. 1** – Our plan will be to require Midwest Plastics to provide a monthly update by the 1<sup>st</sup> Monday of each month, on the list of items on the attached Action Plan. The information received from Midwest Plastics will be input on a form which the County will submit to you or to the department you designate. All payments will be required prior to or no later than 5:00 PM on the 15<sup>th</sup> day of each month unless the date falls on a Saturday or Sunday and the payment will be required by 5:00 PM on Friday preceding the 15<sup>th</sup> of each month.

*Motion was seconded by Commissioner York.*

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

*RES. NO. 16-61 Commissioner York- Yes*

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**ADJOURNMENT: 10:30 AM**

**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**

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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**