

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

May 2, 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: Reverend Doug Mund, The Grace Fellowship Church, Coffeyville

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 \$53,813.88, \$460,151.90 and \$22,094.00 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 May 2, 2016 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

CORRESPONDENCE:

1. Letters from Tim Emert, Debbie Miller, and Cole Hoffmeister regarding “out-of-state” hospitals being allowed to establish in the state of Kansas.
2. Letter from Southeast Kansas Regional Juvenile Detention Center regarding 2017 Funding for Juvenile Detention Center.

COUNTY INTERNAL AUDITOR LAVERNE STRECKER – DISTRICT COURT INVOICES FOR TRAVEL:

Montgomery County In-House Auditor Laverne Strecker met with the Board with his concerns on invoices being presented for payment by the District Court.

Mr. Strecker provided the Board with copies of mileage and expenses for trips for meetings for several employees of the District Court. His stated his concern is if there is a meeting with several employees attending the same meeting, they are each receiving mileage. “If they had traveled in one vehicle, the mileage would have been \$200.00 but the charges amounted to almost \$900.00.

COUNTY AUDITOR (Continued):

Mr. Strecker told the Board he has spoken to this department on the matter and it was ignored. He also said he has found no other department using travel in this manner. The Board asked him to speak with Administrative Judge Cullins regarding the expenditures. They also talked about adopting a policy covering travel expenses and it was suggested to use the IRS guidelines on travel, rooms and mileage payment. Establishing a county policy will be discussed by the Board with County Counselor.

MONTGOMERY COUNTY RURAL FIRE #1 – DARREN FELTS – DIGITAL RADIOS:

MCRF#1 President Darren Felts met with the Board to discuss the purchase of 35 digital radios. The radios will be \$638.00 each and purchased from Action Communications at a total cost of approximately \$22,330.00 to be paid from the Montgomery County Rural Fire #1 General Fund. The following action was taken:

ACTION: *A motion was made by Commissioner McManus , upon the recommendation of the MCRF#1 Board, to approve the purchase of 35 digital radios for Montgomery County Rural Fire District No. 1 from Action Communications in the amount of \$22,330.00 (\$638.00 each). Debit MCRF#1 General Fund. Motion was seconded by Commissioner York.*

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

RES. NO. 16-62

COUNTY TREASURER NANCY CLUBINE – REMODEL TO COMBINE COUNTY TREASURER’S OFFICE AND AUTO TAG:

County Treasurer Nancy Clubine presented a request to the Board to combine the Auto Tag Office and County Treasurer’s office facilities into one office with some remodeling. Public Works is aware of the proposed changes. The County Treasurer will pay for telephone expenses due to the relocation of the phone lines. The request was approved.

SHERIFF’S DEPARTMENT – SHERIFF ROBERT DIERKS – FALLEN OFFICERS MEMORIAL:

Sheriff Robert Dierks met with the Board to request approval to erect a Fallen Officers Memorial between the Judicial Center and the Courthouse. He gave the Board two names of officers who have died in the line of duty in Montgomery County over the past years. The Board approved the request and the Sheriff’s Department will oversee the project.

PUBLIC WORKS:

Public Works Coordinator Robert Bever and Assistant Public Works Coordinator Jim Wright met with the Board and presented the weekly written report. The first item on the list for the meeting was the Public Hearing for the road viewing for Johnson’s Addition to Wayside. Chairman Brown recessed the meeting to go into the Public Hearing at 10:00 AM.

The Public Hearing opened at 10:00 AM by the Chairman.

Public Works presented the request for vacation of several tracts in Johnson’s Addition to Wayside. There being no public input for discussion, Chairman Brown closed the Public Hearing at 10:15 AM and returned to regular session.

PUBLIC WORKS (Continued):

The following action was taken as a result of the Public Hearing for Johnson’s Addition to Wayside:

ACTION: A motion was made by Commissioner York to vacate tracts of land, previously used for road purposes and a public alley, in Johnson’s Addition to Wayside as described:

Several tracts of land, previously used for road purposes and a public alley, as shown on the plat of Johnson’s Addition to Wayside, Montgomery County, Kansas, all located in the SW1/4 of the SW1/4 of Section 34, Township 33, Range 14 East; copies of this plat can be found in the Montgomery County Register of Deeds.

All of Green Street as shown on the plat of Johnson’s Addition to Wayside being 40 feet in width.

All of North Street as shown on the plat of Johnson’s Addition to Wayside being 50 feet in width.

Also all of the 20’ public alley within block 2 on the plat of Johnson’s Addition to Wayside.

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 McManus.

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

RES. NO. 16-63

The following items were discussed as a result of the weekly written report:

1. Discussion regarding a County rock quarry –
2. Discussion regarding the County uniforms for Public Works – Mr. Bever was asked to receive bids on uniform rental for his department.
3. Public Works will be replacing a Road and Bridge employee due to a resignation.
4. Discussion on portion of old Highway 169 (CR 5175), the city of Coffeyville is not interested in the County deeding it to them. Jim Wright will contact County Counselor Paul Kritz for options.
5. Commissioner York discussed CR 1500 which has been vacated and filed with the Register of Deeds. He asked that an amendment be added to the deed to allow access to the river. The following action was taken:

ACTION: A motion was made by Commissioner York to amend the deed vacating CR 1500 to allow access to the river. The motion was seconded by Commissioner McManus.

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

The resolution will be sent to County Counselor for a resolution with the legal wording for the amendment to the deed.

6. Chip & Seal Bids – Bids were as follows:	Labor & Equip.	Labor, Equip. & Oil
	<u>Option #1</u>	<u>Option#2</u>
Circle C. Paving, Goddard, KS	\$ 0.189	\$ 0.749
Blevins Asphalt Company, Mount Vernon, MO	\$ 0.350	\$ 0.890
Vance Brothers, Kansas City, MO	No Bid	\$ 0.890

ACTION: A motion was made by Commissioner York to approve the bid for the Chip and Seal Program for 2016 from Circle C Paving, Goddard, KS for Option#2, Labor, Equipment & Oil at \$ 0.749. Debit Road and Bridge Fund. Motion was seconded by Commissioner McManus.

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

RES. NO. 16-64

PUBLIC WORKS (Continued):

7. Emulsion Oil for 2016 Chip and Seal – Bids were as follows:

	<u>CRS-1HP</u> <u>Option #1</u>	<u>RS-HP</u> <u>Option#2</u>	<u>CRSTR</u> <u>Option #3</u>
Wright Asphalt, Dodge City, KS	No Bid	No Bid	\$ 1.450
Costal Energy, Willow Springs, MO	\$ 1.625	\$ 1.840	No Bid
Vance Brothers, Kansas City, MO	\$ 1.700	\$ 1.700	No Bid
Ergon Asphalt & Emulsions, Overland Park, KS	\$ 1.560	\$ 1.560	No Bid

Declined All Bids.

8. Hot Water Heater for Judicial Center Bids –

Shufeldt Plumbing, Coffeyville, KS	\$7,158.61
Eriic’s Plumbing, Independence, KS	\$8,000.00
Newton’s TrueValue, Cherryvale, KS	\$8,525.00

ACTION: A motion was made by Commissioner York to accept and approve the low bid for a hot water heater for the Judicial Center from Shufeldt Plumbing, Coffeyville, KS in the amount of \$7,158.62. Debit Building Maintenance Fund. Motion was seconded by Commissioner McManus.

ROLL CALL VOTE - Commissioner Brown - Yes

Commissioner McManus – Yes

Commissioner York- Yes

RES. NO. 16-65

VINCENT THOMPSON – SEWER DISTRICT NO. 2 – BUILDING CONSTRUCTION AT SHANKS OIL CO:

Mr. Vincent Thompson, Mr. Pat Tucker, Environmental Health/Zoning Administrator Scott Barnhart and Mr. Jerry Shanks met with the Board to continue the discussion on the action at the previous meeting allowing Mr. Shanks to rebuild on the previous location at Shanks Oil Company.

Mr. Barnhart advised the Board there was a Variance Application that has to go before the Planning Commission at the May 19th meeting to rebuild the building in the same location as the previous building that was located partially on the Sewer District No. 2 easement.

It was decided that the vote of the Board at the last meeting allowing Mr. Shanks to rebuild on the previous building site, based on the fact the Sewer District by-laws does not have a policy in place covering the matter, the vote will stand as previously passed by the Board.

OTHER COUNTY BUSINESS:

1. Indigent Legal Services – The Board approved a contract between Montgomery County and Timothy Grillot for Indigent Legal Services.
2. Nelson Olinger spoke to the Board on the South Tenth Street Detour. He was told the project has 14 working days to completion
3. Thank you letter for contribution in memory of Jerry Bever from the Sycamore United Methodist Church –
4. Notice of Public Hearing for Title VII Formula Grant/Parent Committee Meetings for JOM and Title VII Grants from USD 445 Indian Education, Kris Crane Director –
5. County Treasurer’s request to cancel outstanding checks - The following action was taken:

ACTION: A motion was made by Commissioner McManus grant permission, as requested by the Montgomery County Treasurer, to cancel outstanding checks, having been outstanding for three (3) years or more and never presented for payment. The total amount for outstanding checks to be cancelled is \$2,714.03 and will be credited to the appropriate funds. Motion was seconded by Commissioner York.

ROLL CALL VOTE - Commissioner Brown - Yes

Commissioner McManus – Yes

Commissioner York- Yes

RES. NO. 16-66

OTHER COUNTY BUSINESS (Continued):

6. County Clerk's request to cancel outstanding checks - The following action was taken:
ACTION: *A motion was made by Commissioner McManus to grant permission, as requested by the Montgomery County Clerk, to cancel outstanding Expenditure Warrants, having been outstanding for three (3) years or more and never presented for payment. The total amount for outstanding warrants to be cancelled is \$2,698.93 and will be credited to the appropriate funds. Motion was seconded by Commissioner York.*

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

RES. NO. 16-67

ADJOURNMENT: 11:25 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**

FRED BROWN, Chairman

LARRY McMANUS, Member

RYAN YORK, Member

ATTEST:

County Clerk