

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

June 6, 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 Bo Bryant, First Assembly of God Church, Independence

PLEDGE OF ALLEGIANCE: Commissioner McManus.

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 - Yes
Commissioner McManus – Yes
Commissioner York*

APPROVAL OF PAYMENT OF INVOICES:

ACTION: *A motion was made by Commissioner York to approve invoices in the amount of - \$261, 199.94 and \$248,634.97 as presented by the County Clerk's office. The motion was seconded by Commissioner McManus.*

*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 23, 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*

COUNTY APPRAISER – FOUR TEN YOUR WORK WEEK FOR FIELD APPRAISERS:

County Appraiser Angie Wright met with the Board to request approval for field appraisers to work a four (4) day work week ten (10) hours per day. The work week will be Monday through Thursday each week. After discussion, the following action was taken:

ACTION: *A motion was made by Commissioner York to approve a four (4) day work week, Monday through Thursday, ten (10) hours per day for the Field Appraisers, to be reevaluated in September and the Board will decide at that time if they will continue this schedule after the summer months. Motion was seconded by Commissioner McManus.*

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

RES. NO. 16-81

PUBLIC WORKS:

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

1. Discussed intersection signage at CR 5400 and CR 5900 with a letter presented from Cook, Flatt and Stroble Engineers regarding the site inspection completed by their firm. They recommended installing yield signs on 5900 Road. Labette County would like to request a resolution from Montgomery County agreeing to Montgomery County placing two (2) signs on the north and Labette will place the signs on the south side CR 5400. The following action was taken:

ACTION: A motion was made by Commissioner York to enter into an agreement with Labette County agreeing to Montgomery County placing two signs, (1) yield and one (1) yield ahead sign on the north side of CR 5400 and Labette will place the signs on the south side of the road at the intersection of CR 5400 and CR 5900. The motion was seconded by Commissioner McManus.

ROLL CALL VOTE - Commissioner Brown - Yes

Commissioner McManus – Yes

Commissioner York- Yes

RES. NO. 16-82

2. Discussion regarding Traffic Engineering Assistance Program Request (TEAP) through KDOT –
3. Quotes received for grader tires and tractor tires. Quotes are as follows:

Grader Tires (6):

Purcell Tire and Service, Springfield, MO	\$5,649.36
Ashcraft Tire and Service, Independence, KS	\$6,729.36
Dollar Tire, Coffeyville, KS	\$8,910.00
Riverside Tire, Independence, KS	\$7,169.30

ACTION: A motion was made by Commissioner York to approve and accept the low the bid from Purcell Tire and Service, Springfield, MO for six (6) grader Tires in the amount of \$5,649.36. 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. 16-83

Tractor Tires (4):

Purcell Tire and Service, Springfield, MO	\$2,959.00
Ashcraft Tire & Service, Independence, KS	\$2,750.00
Dollar Tire, Coffeyville, KS	\$3,450.00
Riverside Tire, Independence, KS	\$2,936.00

ACTION: A motion was made by Commissioner York to approve and accept the low bid from Ashcraft Tire, Independence, KS for four (4) truck tires in the amount of \$2,750.00. 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. 16-84

4. Road and Bridge Balance Sheet for May 2016 –
5. Discussion regarding county uniforms. Mr. Wright recommended staying with our present uniform contract giving information on cost and replacement of damaged or destroyed uniforms. The Board approved the recommendation by Mr. Wright.
6. Bids for the 2016 Asphalt Project - Bids are as follows:

Asphalt:

SE-Kan Asphalt Services, Gas, KS	\$45.00 per ton (P/U)
Heckert Construction, Pittsburg, KS	\$43.45 per ton (P/U)
Brent Bell Construction, LLC, Nowata, OK	No Bid
Emery Sapp & Sons, Inc., Springfield, MO	\$45.00 per ton (P/U)

ACTION: A motion was made by Commissioner York to approve and accept the low bid for Montgomery County 2016 Asphalt project from Heckert Construction, Pittsburg, KS in the amount of \$43.45 per ton (P/U). 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. 16-85

PUBLIC WORKS (Continued):

7. Montgomery County/Wilson County Maintenance Agreement –
ACTION: A motion was made by Commissioner McManus to approve the Montgomery County/Wilson County Maintenance Agreement on file in the Public Works Department. Motion was seconded by Commissioner York.
*ROLL CALL VOTE - Commissioner Brown - Yes
Commissioner McManus – Yes
Commissioner York- Yes*
RES. NO. 16-86
8. Discussion regarding building inspection at Judicial Center with Jeff Phelps, Maintenance Supervisor present. Mr. Phelps also addressed a problem with sewer water leaking into the elevator pit in the Judicial Building.
9. Noxious Weed balance sheet for 2016 –
10. Special Bridge –
 - (a) Memo regarding fence replacement at Bridge 1134B offer to the landowner was approved by the Board.
 - (b) Memo regarding fence replacement and ROW acquisition at Olive Street offers to the landowner by Public Works was approved by the Board.
11. Discussed prospective sewage treatment plant for Sewer District #2 - A copy of a letter sent to KDHE by the Public Works Coordinator was provided to the Board for information only, no action is required.

OTHER COUNTY BUSINESS:

1. Indigent Legal Services Contract between Montgomery County and Attorney Michael W. Hassenplug –
ACTION: A motion was made by Commissioner McManus to approve the Agreement to Provide Legal Services between Montgomery County and Attorney Michael W. Hassenplug to be paid a monthly fee of \$2,000.00. In the case of appeals, the County shall pay the sum of \$65.00 per hour, but not more than \$650.00 per appeal. Motion was seconded by Commissioner Brown.
*ROLL CALL VOTE - Commissioner Brown - Yes
Commissioner McManus – Yes
Commissioner York- Yes*
RES. NO. 16-87
2. Montgomery County Action Council Budget Request – No discussion at this time.
3. Labette County Community College Agreement between the College and Montgomery County for Purchase of Services for the period from June 2016 through May 2017 –
ACTION: A motion was made by Commissioner McManus to approve and enter into an agreement between Montgomery County and Labette Community College for Purchase of Services covering the period from June 2016 through May 2017 for educational training programs for emergency services employees as authorized to attend by the County. Motion was seconded by Commissioner Brown.
*ROLL CALL VOTE - Commissioner Brown - Yes
Commissioner McManus – Yes
Commissioner York- Yes*
RES. NO. 16-88
4. Mr. Andy Taylor, of the Montgomery County Chronicle Newspaper, addressed the Board and presented a copy of a new article from the Topeka Capital-Journal on Governor Brownback making an exception to the April order delaying 25 highway projects.

Mr. Taylor recommended the commissioners write a letter to the Governor voicing their displeasure for abandoning the Highway 169/Highway 160 Junction project. He also provided information on the number of fatal accidents at this intersection since 1998 being approximately 24. The Commissioners will individually plan to contact the Governor.

OTHER COUNTY BUSINESS (Continued):

5. Lehunt Cemetery Discussion –
Mr. Jerry Piatt of Midwest Minerals, Mr. Keith Jabben, landowner and Mr. Mike Likes, President of Sycamore Cemetery District met with the Board to discuss the trespassing problem. The lock and gate system does not seem to be working and keys do not work when people have asked permission to go to the cemetery. As a result of the discussion, the following action has been taken:

ACTION: *A motion was made by Commissioner York stating a new lock is to be placed on the gate at the entrance to Lehunt Cemetery on the county road and keys cannot be duplicated. The distribution of the keys will be: two (2) keys to Mr. Jerry Piatt, Midwest Minerals; two (2) keys to Mr. Mike Likes, Sycamore Cemetery District President; seven (7) keys to Mr. Keith Jabben, landowner and one (1) key will be placed in the Sheriff's Office. All recipients of the keys will be responsible for anyone using the keys in their possession.*

The notice posted on the gate will have instructions to "make arrangements through the Montgomery County Sheriff's Office for admittance to the cemetery between the hours of 8:00 AM and 3:00 PM." No one will be allowed to enter the premises without accompaniment for the duration of the visit by a member of the Sycamore Cemetery District. The Sheriff's Office telephone number will be placed upon the posting and they will contact the cemetery representative when a request is received in the Sheriff's Office. Motion was seconded by Commissioner McManus.

ROLL CALL VOTE - Commissioner Brown - Yes

Commissioner McManus – Yes

Commissioner York- Yes

RES. NO. 16-89

6. Executive Session (Commissioner York):

ACTION: *A motion was made by Commissioner York to recess to Executive Session at 11:12 AM to return at 11:22 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 11:22 AM stating no decisions made and no action to be taken.

ADJOURNMENT: 11:22 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