

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

August 29, 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:** Mr. Don Collier, Caney, Kansas

**PLEDGE OF ALLEGIANCE:** Commissioner McManus.

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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 McManus.*

*ROLL CALL VOTE - Commissioner Brown - Yes*

*Commissioner McManus – Yes*

*Commissioner York - Yes*

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**APPROVAL OF PAYMENT OF INVOICES:**

**No invoices to be approved.**

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**APPROVAL OF MINUTES:**

**ACTION:** *A motion was made by Commissioner York to approve the minutes of August 22, 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*

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**COMMUNITY CORRECTIONS – APPOINTMENT TO ADVISORY BOARD:**

Mr. Kurtis Simmons, Community Corrections Director, presented the recommendation as approved by the Community Corrections Advisory Board, to appoint Mr. William Tunstall to the Advisory Board. The following action was taken:

**ACTION:** *A motion was made by Commissioner York to accept the recommendation of the Community Corrections Advisory Board and approve the appointment of Mr. William Tunstall to the Board. Motion was seconded by Commissioner McManus.*

*ROLL CALL VOTE - Commissioner Brown - Yes*

*Commissioner McManus – Yes*

*Commissioner York – Yes*

*RES. NO. 16-116*

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**CONCERN OVER RESPONSE TIME THROUGH 911 – MR. BRAD HALL:**

Mr. Brad Hall, Independence, met with the Board to express his concern over the way 911 is set up and the delay in response time due to the system.

Mr. Hall stated there was a fire at their residence Sunday evening and the response time was 20 to 25 minutes when he is just outside the city limits west of Independence on Highway 75. He told the Board he finally had to call the Sheriff's Office and they dispatched fire trucks to the site.

When Patrol Lt. Nick Wood of the Sheriff's Department was asked about the 911 system, he told the Board that Independence City dispatches for the north end of the county and Coffeyville City for the south end of

**911 SERVICES (Continued):**

the county. However, if a resident is calling from a cell phone, all calls go to the Independence City dispatch. Mr. Hall asked the Board to “figure out a plan that the county controls the 911.

Commissioner York ask Emergency Preparedness Director Shawn Wallis “investigate the facts about how the 911 system works and how much money the city is receiving”. He was asked to report back to the Board at the September 12<sup>th</sup> meeting.

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**COUNTY ATTORNEY’S OFFICE AND COMPUTER DEPARTMENT PURCHASE OF COMPUTER SERVER:**

Ms. Lisa Schwenker, representing the County Attorney’s Office and Mr. Jason Clubine, Computer Department Director, met with the Board to request approval to purchase a computer server from the General Capital Outlay fund in the amount of \$11,316.92. The quote presented was from four (4) vendors:

KKI Server Quote	Server/Labor	\$ 8,274.00
CDW Software Quote	Windows Program	\$ 1,342.92
Justice Systems	FullCase Migration	\$ 700.00
Huber & Associates	Enterpol Migration	<u>\$ 1,000.00</u>

After examining the contract for services and equipment, Commissioner York asked the contract be amended to read “not to exceed” the prices quoted.

Mr. Clubine will return to the Board with the new contract at the next meeting.

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**SHERIFF’S DEPARTMENT – TRAINING CLASS:**

Liz Schwatken, Administrative Assistant to the Sheriff and Nick Wood, Patrol Lieutenant met with the Board to discuss a training class scheduled for the 16<sup>th</sup> of September in the court rooms of the Judicial Building. The training class will be an “active shooter scenario”. They are requesting permission to close the Judicial Building to the public for the day on the 16<sup>th</sup> of September so the training session can be held. The request was approved and the media will be notified of the closing.

The Sheriff’s Department presented information on a recording system for their phone lines. They are requesting approval to receive bids. Commissioner York asked why the county computer department could not assist in determining the required equipment. The Board approved the request to receive bids following the assessment of the required equipment.

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**ALLEN PROPERTY RESTITUTION REQUEST:**

Mr. and Mrs. Kenny Allen, owners of the property involved in the capture of Aleandrjo Garcia which ended in a shooting on the property, met with the Board. Mr. Allen was told by the Board they could not discuss the situation since they have retained an attorney. They were told by Commissioner York if they wish to discuss this with the Board, they will have to have their attorney rescind the letter sent to the Board of County Commissioners. This would have to be done before the Board could discuss the situation.

The Allens want \$25,000 and indemnity clause. Commissioner York stated, “**We have been ordered by our attorney to not speak directly to you. Call off your lawyer and we will talk to you or go through your attorney to talk to us through our attorney.**” (Amended 9-12-2016)

Mr. Allen will return to the Board if and when his attorney agrees and sends a letter to the Commission.

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**MONTGOMERY COUNTY RURAL FIRE #1 – PURCHASE OF USED TRUCKS:**

Mr. Marty Smith of the Dearing Station of Montgomery County Rural Fire, asked to speak to the Board regarding the Montgomery County Bidding Procedure. He does not feel it is right to have to obtain bids for any used vehicle costing \$10,000 or more due to the time it takes to complete the process and the vehicles would not then be available. He also stated the Board should let the “fire board conduct their own business because they have their own county funds”.

**MCRF#1 (Continued):**

The Board agreed to amend Section D (Exceptions) of the Montgomery County Bidding Policy to allow the fire department to purchase used vehicles not to exceed \$20,000.00 without going through the Formal Bidding Process. The following action was taken:

**ACTION:** *A motion was made by Commissioner York to amend the present Montgomery County Bidding Policy, Section D (Exceptions) of the Montgomery County Bidding Policy to include the Montgomery County Rural Fire District No. 1 to purchase used vehicles, without going through the formal bidding policy, not to exceed \$20,000 per vehicle. Motion was seconded by Commissioner McManus.*

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

*RES. NO. 16-117*

The fire department will proceed with the purchasing of the grass truck and pumper as requested at the meeting on August 22<sup>nd</sup>.

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**PUBLIC WORKS:**

Public Works Coordinator Robert Bever and Assistant Coordinator Jim Wright met with the Board at the request of Commissioner York. The following items were discussed:

1. Commissioner York reported he had spoken to Mr. Kenny Evans on the Harmony Lane project and is fine with everything if he doesn't have to move his fence –
2. Right-of-way on South Olive Street – The Board approved an offer for right-of-way to Gary Minnich in the amount of \$5,201 –

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**OTHER COUNTY BUSINESS:**

1. Mr. Don Collier spoke to the Board regarding the cost of two (2) colleges in Montgomery County and compared this with the cost of the county funding. He requested an open evening meeting with the college boards and the county commission. This would make “not so many meetings so people could go after work”. No decisions on the meetings were made at this time.
2. Executive Session – Confidential Data relating to financial affairs or trade secrets –

**ACTION:** *A motion was made by Commissioner McManus to recess to Executive Session at 10:50 AM to return at 11:00 AM with the Board and County Clerk present for the purpose of discussing Confidential Data relating to financial affairs or trade secrets. Motion was seconded by Commissioner York.*

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

Returned at 10:50 AM with a motion by Commissioner McManus and seconded by Commissioner Brown with Commissioner York voting “yes” to extend the session until 11:10 AM.

Returned to session at 11:10 AM stating no decisions made and no action to be taken

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**ADJOURNMENT: 11:10 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**