

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

October 31, 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.

**PLEDGE OF ALLEGIANCE:** Commissioner McManus.

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**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*

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**APPROVAL OF PAYMENT OF INVOICES:**

**ACTION:** *A motion was made by Commissioner McManus to approve invoices in the amount of \$790,522.49 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*

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**APPROVAL OF MINUTES:**

**ACTION:** *A motion was made by Commissioner McManus to approve the minutes of October 20, 2016 and October 24, 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*

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**MOSAIC – SERVICE PROVIDER FOR PEOPLE WITH INTELLECTUAL DISABILITIES:**

Ms. Leslie L. Lackamp, Executive Director of MOSAIC met with the Board to request the Board to consider “splitting county dollars now being distributed to CLASS LTD between all four (4) service providers in Montgomery County”.

MOSAIC has 50 clients and 24 employees in the Coffeyville Office. Their serves are for people with intellectual disabilities.

There was no action taken following the presentation.

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**ENVIRONMENTAL HEALTH/ZONING – PUBLIC HEARING FOR SPECIAL EXCEPTION:**

The Public Hearing for Special Exception Request was opened by the Chairman at 9:30 AM. Environmental Health/Zoning Director Scott Barnhart introduced Mr. Thomas Wilcox, applicant for the Special Exception.

This exception is a lot/tract split application for subdividing lands residing therein Section 16 Township 35 Range 16 of Montgomery County, Kansas. This tract would contain less than the minimum specified frontage along a street/road. The recommendation of the Zoning Office is “a special exception only be granted in the effect that duly acquired and registered easement(s) being so attached upon those property deeds as may become affected for access related issues”.

There being no public input, the Chairman closed the Public Hearing at 9:45 AM.

Following the Public Hearing for a Special Exception requested by Mr. Thomas Wilcox, the following action was taken:

**ACTION:** *A motion was made by Commissioner York to approve the Special Exception as presented by the Environmental Health/Zoning Director with the following stipulation: The special exception only being granted in effect with duly acquired and registered easement(s) being so attached upon those property deeds as may become affected for access related issues. Motion was seconded by Commissioner McManus.*

*ROLL CALL VOTE - Commissioner Brown - Yes*

*Commissioner McManus – Yes*

*Commissioner York- Yes*

*RES. NO. 16-143*

Mr. Barnhart presented recommendations and concerns from the Montgomery County Solid Waste Committee for the Montgomery County Solid Waste Plan.

1. Additional funding needed for the House Hold Waste (HHW) –
2. The life expectancy for the landfill could be as little as five (5) years unless the landfill is expanded at the present location -

**COUNTY TREASURER – PERSONNEL:**

County Treasurer Nancy Clubine met with the Board to request approval to rehire Pam Warren to work during the tax collection. The following action was taken:

**ACTION:** *A motion was made by Commissioner McManus to approve the request of the County Treasurer to rehire Ms. Pam Warren to work during the tax collection season. Motion was seconded by Commissioner York.*

*ROLL CALL VOTE - Commissioner Brown - Yes*

*Commissioner McManus – Yes*

*Commissioner York- Yes*

The County Treasurer also requested approval to hire someone for November for tax season but does not have anyone at this time. The request was approved by the Board.

**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. Signatures required on KDOT Project Funding Applications (FFY 2019 High Risk Rural Roads - CR 4000 on Sedan Shortcut #RS97 and Intersection of CR 3900 & CR 3400 #RS475)

**ACTION:** *A motion was made by Commissioner McManus for the Board to sign KDOT Project Funding Applications (FFY 2019 High Risk Rural Roads - CR 4000 on Sedan Shortcut #RS97 and Intersection of CR 3900 & CR 3400 #RS475). Motion was seconded by Commissioner York.*

*ROLL CALL VOTE - Commissioner Brown - Yes*

*Commissioner McManus – Yes*

*Commissioner York- Yes*

*RES. NO. 16-149*

2. Employee Change of Status - Approved
3. Montgomery County Snow Plan for 2016-2017 –
4. Request permission to obtain applications for Operator 1 position – Approved

**PUBLIC WORKS (Continued):**

5. Right-of-way Acquisition for Olive St. Road –

**ACTION:** A motion was made by Commissioner York to approve the recommendation of the Public Works Coordinator and accept the counter offer of \$3,918.00 for ROW and Fencing/Water Gap from Matt and Heather Boss on the Olive Street Road Box Replacement. Motion was seconded by Commissioner McManus.

ROLL CALL VOTE - Commissioner Brown - Yes

Commissioner McManus – Yes

Commissioner York- Yes

RES. NO. 16-144

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**SHERIFF’S DEPARTMENT – EXECUTIVE SESSION – NON-ELECTED PERSONNEL:**

**ACTION:** A motion was made by Commissioner McManus to recess to Executive Session at 10:04 AM to return at 10:14 AM with the Board, Sheriff Dierks, and Liz Schwatken present. Motion was seconded by Commissioner York.

ROLL CALL VOTE - Commissioner Brown - Yes

Commissioner McManus – Yes

Commissioner York- Yes

Returned to session at 10:07 AM stating no decisions made and no action to be taken.

Sheriff Dierks presented an Employee Status Change to the Board and requested approval for an increase in salary for a lieutenant in his department. The Board approved the request.

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**OTHER COUNTY BUSINESS:**

1. Holiday Voucher Approval in the amount of \$30.00 for each full-time and part-time employee to be prepared by the County Clerk’s Payroll Office.

**ACTION:** A motion was made by Commissioner York to approve a Holiday Voucher in the amount of \$30.00 for each full-time and part-time employee to be used at one of the designated grocery markets in Montgomery County. Motion was seconded by Commissioner McManus.

ROLL CALL VOTE - Commissioner Brown - Yes

Commissioner McManus – Yes

Commissioner York- Yes

RES. NO. 16-145

2. Occupational License – American Legion, Caney –

**ACTION:** A motion was made by Commissioner McManus to approve the renewal of an Occupational License for the American Legion, Caney, Kansas. Motion was seconded by Commissioner York.

ROLL CALL VOTE - Commissioner Brown - Yes

Commissioner McManus – Yes

Commissioner York- Yes

RES. NO. 16-146

3. Canvass of Votes for the November 8<sup>th</sup> General Election – Approval by the Board to set the canvass date for November 17<sup>th</sup> at 9:15 AM.

4. Legal Services Contract between Montgomery County and Philip J. Bernhart, Attorney –

**ACTION:** A motion was made by Commissioner McManus to approve the Legal Services Contract between Montgomery County and Philip J. Bernhart, Attorney-at-law for the period January 1, 2017 and December 31, 2017. Motion was seconded by Commissioner York.

ROLL CALL VOTE - Commissioner Brown - Yes

Commissioner McManus – Yes

Commissioner York- Yes

RES. NO. 16-147

**OTHER COUNTY BUSINESS (Continued:)**

5. LeHunt Cemetery Keys –

**ACTION:** A motion was made by Commissioner York to amend Montgomery County Resolution No16-97 to read:

“A new lock 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: 7 – Keith Jabben; 2 - Midwest Materials; 2 Sheriff’s Department (1 to dispatch and 1 to mowing crew)”.

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.” The Sheriff’s Office telephone number will be placed upon the posting. Motion was seconded by Commissioner McManus.

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

RES. NO 16-148

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**ADJOURNMENT: 10:45 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**