

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

January 30, 2017

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. Donnie Collins

**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:**

**ACTION:** *A motion was made by Commissioner McManus to approve invoices in the amount of \$285,960.81 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 January 23, 2017 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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**REGISTER OF DEEDS – TECHNOLOGY FUND:**

Register of Deeds Marilyn Calhoun met with the Board to present a transfer of \$10,000.00 from the Register of Deeds Technology Fund to Capital Outlay for the use of purchasing technology equipment regarding real estate only.

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**EXECUTIVE SESSION – NON-ELECTED PERSONNEL:**

**ACTION:** *A motion was made by Commissioner McManus to recess to Executive Session at 9:07 AM to return at 9:27 AM with the Board present. Motion was seconded by Commissioner Brown.*

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

Returned to session at 9:27 AM stating no decisions made and no action to be taken.

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**EXECUTIVE SESSION – NON-ELECTED PERSONNEL:**

**ACTION:** A motion was made by Commissioner Brown to recess to Executive Session at 9:38 AM to return at 9:58 AM to discuss non-elected personnel with the Board and Public Works Coordinator Robert Bever present. Motion was seconded by Commissioner McManus.

ROLL CALL VOTE - Commissioner Brown - Yes

Commissioner McManus – Yes

Commissioner York - Yes

Returned to session at 9:42 AM stating no decisions made and no action to be taken:

**EXECUTIVE SESSION – NON-ELECTED PERSONNEL:**

**ACTION:** A motion was made by Commissioner York to recess to Executive session at 9:42 AM to return at 9:58 AM to discuss non-elected personnel with the Board, Public Works Coordinator Robert Bever and Assistant 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 9:58 AM with a motion by Commissioner York and seconded by Commissioner McManus to extend the Executive Session until 10:25 AM with the Board and Robert Bever for non-elected personnel. Motion by Commissioner Brown, seconded by Commissioner York.

ROLL CALL VOTE - Commissioner Brown - Yes

Commissioner McManus – Yes

Commissioner York - Yes

Returned to session at 10:25 AM stating no decisions made and no action to be taken.

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**COUNTY COUNSELOR PAUL KRITZ – EXECUTIVE SESSION – ATTORNEY/CLIENT PRIVILEGE:**

**ACTION:** A motion was made by Commissioner McManus to recess to Executive Session at 10:25 AM to return at 10:45 AM for Attorney/Client Privilege with the Board, County Counselor Paul Kritz and Public Works Coordinator Robert Bever present.

ROLL CALL VOTE - Commissioner Brown - Yes

Commissioner McManus – Yes

Commissioner York - Yes

Returned to session at 10:45 AM.

**BRIDGE BID AWARD DISCUSSION:**

Mr. Kritz addressed the meeting stating the County's bidding policy has a vendor preference policy, however the 10 percent was not within the \$10,000.00 limit by the local bidder. He recommended awarding contracts for Bridge No. #1183 and Bridge No. 1134B to J&J Contractors, Inc. as low bidders or to reject all bids and rebid the projects. He said they could award one project to J&J Contractors, Inc. and one project to J. Graham Construction, Inc. if agreed between bidding parties and the Board. Those in attendance for the meeting was Nicholle Hoepken and Lorenzo Jensen representing J&J Contractors and Jeff Graham representing J. Graham Construction. They agreed they would each accept splitting the bridges between the two companies. The following action was taken by the Board:

**ACTION:** A motion was made by Commissioner York to rescind Montgomery County Resolution No. 17-18 for the awarding of Bridges No. 1183 and 1134B. Motion was seconded by Commissioner McManus.

ROLL CALL VOTE - Commissioner Brown - Yes

Commissioner McManus – Yes

Commissioner York - Yes

RES. NO. 17-22

**ACTION:** A motion was made by Commissioner York to award Bridge No. 1183 to J&J Contractors, Inc., Iola, Kansas in the amount of \$200,812.50 and Bridge No. 1134B Project in the amount of \$261,728.95 to J. Graham Construction, Inc. Debit Special Bridge Fund. Motion was seconded by Commissioner McManus.

ROLL CALL VOTE - Commissioner Brown - Yes

Commissioner McManus – Yes

Commissioner York - Yes

RES. NO. 17-23

**PUBLIC WORKS REPORT:**

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:

1. Provided information on street name signage –
2. Photos showing property damage as a result of pulling down a power line –
3. Requested approval to solicit bids for two (2) motorgraders, two (2) pull-behind mowers and one (1) pickup truck – **Request was approved by the Board.**
4. Requested approval to solicit bids for Asphalt and Chip and seal – **Request was approved by the Board.**
5. Approved Cook, Flatt and Stroble for Design on South 10<sup>th</sup> Street as previously discussed –
6. Requested approval for TEAP study on 10<sup>th</sup> Street (4-lane) by KDOT – **Request was approved by the Board.**
7. Noxious Weed Eradication Report signed by the Board –
8. Requested approval for bids to relocate water lines on North Olive Street (west side of road) – **Request was approved by the Board.**

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**OTHER COUNTY BUSINESS:**

1. Personal Day for Employees –

**ACTION:** A motion was made by Commissioner York to include the Employee Personal Day on the 2017 Holiday Schedule. Motion was seconded by Commissioner McManus.

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

RES. NO. 17-24

2. Legal Services provided by Mike Hassenplug –

**ACTION:** A motion was made by Commissioner McManus to approve the Legal Services contract between Montgomery County and Mike Hassenplug for 2017. Motion was seconded by Commissioner York.

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

RES. NO. 17-25

3. After Prom -

**ACTION:** A motion was made by Commissioner McManus to approve funds for After Prom Activities as follows:

USD # 447	\$250.00	USD # 283	\$100
USD # 446	\$250.00	USD # 461	\$ 50
USD # 445	\$250.00	USD #484	\$50
USD # 436	\$250.00		

Motion was seconded by Commissioner York.

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

RES. NO. 17-26

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4. Donation to AWOL tabled until more information on number of animals from rural residents and total number for the facility are obtained.

**ADJOURNMENT: 11:12 AM**

**ACTION:** *Motion by Commissioner Brown, 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**