

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

March 28, 2017

The Board of County Commissioners, two members and the County Clerk present, met in regular session at 9:00 AM. Commissioner York absent.

**CALL TO ORDER:** Commissioner Brown.

**INVOCATION:** Commissioner Brown.

**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 Brown.*

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

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**APPROVAL OF PAYMENT OF INVOICES:**

**ACTION:** *A motion was made by Commissioner McManus to approve invoices in the amount of \$3,400.00, \$35,965.95, 603.48 and \$133,574.05 as presented by the County Clerk's office. The motion was seconded by Commissioner Brown.*

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

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**APPROVAL OF MINUTES:**

**ACTION:** *A motion was made by Commissioner McManus to approve the minutes of March 13, 2017 as presented by the County Clerk. The motion was seconded by Commissioner McManus.*

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

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**MONTGOMERY COUNTY RURAL FIRE DISTRICT NO. 1 – REQUEST TO PURCHASE VEHICLE:**

Darren Felts, MCRF#1 President, met with the Board to request approval to purchase a 2003 Chevrolet one-ton truck with 130,000 miles for the Havana Fire Station at a cost of \$11,000. The following action was taken:

**ACTION:** *A motion was made by Commissioner McManus, upon the recommendation of the Montgomery County Rural Fire Board, to approve the purchase of a 2003 Chevrolet one-ton truck in the amount of \$11,000.00 for the Havana Fire Station. Debit Montgomery County Rural Fire #1 General Fund. Motion was seconded by Commissioner Brown.*

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

*RES. NO. 17-46*

Mr. Felts requested approval to apply for the Forestry Grant in the amount of \$10,000 with the District's matching funds 50/50. The Board approved Mr. Felts to proceed with the application for the grant.

**APPOINTMENT OF EMERGENCY PREPAREDNESS MANAGER:**

**ACTION:** A motion was made by Commissioner McManus to appoint Rick Whitson as Montgomery County Emergency Manager effective March 27, 2017. Appointments and reappointments are made each year by the Board of County Commissioners following the reorganization of the Board in January. Motion was seconded by Commissioner Brown.

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

RES. NO. 17-47

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**ENVIRONMENTAL HEALTH/ZONING – APPOINTMENT OF PLANNING & ZONING BOARD MEMBERS AND BOARD OF ZONING APPEALS:**

Scott Barnhart, Environmental Health/Zoning Director met with the Board to present the request for the appointment of Planning & Zoning Board members and the Board of Zoning Appeals members. The following action was taken:

**ACTION:** A motion was made by Commissioner McManus to reappoint Mr. Kenneth Weaver, Independence and Mr. Max Williams, Coffeyville, to the Montgomery County Planning Commission for a term of three years, ending December 2019. Motion was seconded by Commissioner Brown.

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

RES. NO. 17-48

**ACTION:** A motion was made by Commissioner McManus to reappoint Mr. Jack Wishall, Coffeyville, to the Montgomery County Board of Zoning Appeals for a term of three years, ending December 2019. Motion was seconded by Commissioner Brown.

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

RES. NO. 17-49

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**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. February Balance Sheet for Road and Bridge –
2. Bids for 2017 Hot in Place Recycling (HIR) – Bids are as following:

Bettis Asphalt, Topeka, KS	\$2.38 per square yard (based on four-tenths of a gallon of oil per yard)
Dustrol, Inc., Towanda, KS	\$2.888 per square yard (based on four-tenths of a gallon of oil per yard)

**ACTION:** A motion was made by Commissioner McManus to accept the low bid from Bettis Asphalt, Topeka, KS for Hot in Place Recycling (HIR) at a cost of \$2.38 per square yard based on four-tenths of a gallon of oil per square yard. Debit Road and Bridge. Motion was seconded by Commissioner Brown.

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

RES. NO. 17-50

**PUBLIC WORKS (Continued):**

3. Bids for 2017 Cold Milling – Bids are as follows:

Bettis Asphalt, Topeka, KS	\$34,202.4	92,439 sq. yds @ \$0.37 per sq. yd.
Dustrol, Inc., Towanda, KS	\$44,370.72	92,439 sq. yds @ \$0.48 per sq. yd.

**ACTION:** A motion was made by Commissioner McManus to accept the low bid from Bettis Asphalt, Topeka, KS for Cold Milling at a cost of \$34, 202.43 (92,439 square yards @ \$0.37 per square yard. Debit Road and Bridge. Motion was seconded by Commissioner Brown.

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

RES. NO. 17-51

4. Bids for one-ton Chevrolet truck – Bids are as follows:

Molle Chevrolet Buick GMC, Frontenac, KS	\$28,598.00
Romans Motor Co., Inc., Independence, KS	\$30,387.00
National Auto Fleet Group, Watsonville, CA	\$30,884.84

The decision for awarding the bid was based upon the bid by a “local vendor” exceeding the 5% stipulated in the Montgomery County current bid procurement policy.

**ACTION:** A motion was made by Commissioner McManus to accept the low bid from Molle Chevrolet Buick GMC, Frontenac, KS in the amount of \$28,598.00 for one (1) one-ton truck for Public Works Department. Debit Road and Bridge. Motion was seconded by Commissioner Brown.

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

RES. NO. 17-52

5. Bids for relocating 6” water line Olive Street Road – Bids are as follows:

W&W Backhoe & Trenching, Mound Valley, KS	\$20,000
Tri-Star Utilities, Inc., Independence, KS	\$20,000

Public Works recommended W&W Backhoe and Trenching. The following action was taken:

**ACTION:** A motion was made by Commissioner McManus, upon the recommendation of the Public Works Department, to award the bid for relocating a 6” water line on Olive Street Road in the amount of \$20,000.00 to W&W Backhoe & Trenching, Mound Valley, KS. Debit Special Bridge Fund . Motion was seconded by Commissioner Brown

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

RES. NO. 17-53

6. Discussion regarding dust control –  
7. Acquisition of right-of-way on County Road 4550 - Public Works requested approval to enter into negotiations for right-of-way along Cline Road (CR 4550) when replacing a Reinforced Concrete Box with Reinforced Concrete Pipe. The offer will be made to Mrs. Phyllis Jenkins in the amount of \$250.00 for .003 of an acre. The funds will be paid from Road and Bridge. The following action was taken:

**ACTION:** A motion was made by Commissioner McManus to approve the right-of-way acquisition payment to Mrs. Phyllis Jenkins for .003 of an acre in the amount of \$250.00 for work to be done along Cline Road (CR 4550) when replacing a Reinforced Concrete Box with Reinforced Concrete Pipe. Debit Road and Bridge. Motion was seconded by Commissioner Brown.

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

RES. NO. 17-54

**PUBLIC WORKS – (Continued):**

8. February Balance Sheet for Noxious Weed Department –
9. Requested permission to receive bids for Courthouse roof repair – **Approved by the Board.**
10. Employee Status Change presented and approved -

**Executive Session – Non-Elected Personnel –**

**ACTION:** *A motion was made by Commissioner McManus to recess to Executive Session at 9:35 AM to return at 9:45 AM with the Board and Robert Bever present to discuss non-elected personnel. Motion was seconded by Commissioner Brown.*

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

Returned to session at 9:43 AM stating no decisions made and no action to be taken.

**OTHER COUNTY BUSINESS:**

1. Executive Session – Commissioner Brown –

**ACTION:** *A motion was made by Commissioner McManus to recess to Executive Session at 9:10 AM to return at 9:25 AM with the Board present to discuss non-elected personnel. Motion was seconded by Commissioner Brown.*

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

Returned to session at 9:25 AM stating no decisions made and no action to be taken.

2. Employee Status Changes approved for Department of Corrections –
3. Mayor and County Recognition Day Declaration –

**ACTION:** *A motion was made by Commissioner McManus to recognize April 4, 2017 as Mayor and County Recognition Day for National Service for Montgomery County. Motion was seconded by Commissioner Brown.*

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

*RES. NO. 17-55*

**ADJOURNMENT: 11:15 AM**

**ACTION:** *Motion by Commissioner York seconded by Commissioner McManus.*

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

**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**