

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

April 24, 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:** Reverend Renita Butler, The Friends Evangelical 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 – Yes*

\*\*\*\*\*

**APPROVAL OF PAYMENT OF INVOICES:**

**ACTION:** *A motion was made by Commissioner McManus to approve invoices in the amount of \$125,158.00, \$28.75, \$46,555.29 and \$236,082.77 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*

\*\*\*\*\*

**APPROVAL OF MINUTES:**

**ACTION:** *A motion was made by Commissioner McManus to approve the minutes of April 10, 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 - Yes*

\*\*\*\*\*

**COMMUNITY CORRECTIONS – 2018 BUDGET AND BEHAVIORAL GRANT AND BUDGET:**

Community Corrections Director Kurtis Simmons met with the Board to discuss the Fiscal Year 2018 KDOC Plan and Budget.

Mr. Simmons advised the Board of an additional amount they will receive in the grant for the Kansas Department of Corrections and requested approval for and increase for the staff (indigent officers) from \$16.94 per hour to \$18.26 per hour to keep salaries competitive with other officers doing the same job but are State employees. The increases have been approved by the Corrections Advisory Board and are totally funded by grants. The following action was taken:

**ACTION:** *A motion was made by Commissioner McManus to approve the request by the Department of Corrections to increase staff (indigent officers) from \$16.94 per hour to \$18.26 per hour to keep salaries competitive with other officers doing the same job but are State of Kansas employees. This increase of salary has been approved by the Corrections Advisory Board. Motion was seconded by Commissioner York.*

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

RES. NO. 17-67

**COMMUNITY CORRECTIONS (Continued):**

The 2018 Behavioral Grant and Budget in the amount of \$56,400.00 was presented to the Board by Director Simmons. The following action was taken:

**ACTION:** A motion was made by Commissioner McManus to authorize the Chairman to sign the FY 2018 Behavioral Health Program Proposal as presented by Montgomery County Community Corrections. Motion was seconded by Commissioner York.

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

RES. NO. 68

\*\*\*\*\*

**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. Signature required on contract for corrective action at Illegal Dump Site #2 – South 17<sup>th</sup> Street

Environmental Health/Zoning Director Scott Barnhart met with the Board and Public Works to discuss the removal of a house burned and has remained in that state for an extended period of time. This property has been subject of the enforcement code as a nuisance. The Kansas Department of Health and Environment, Bureau of Waste Management will grant up to \$10,000 to the county for the project and has also approved burial on site. The work will be done by the Public Works Department. The following action was taken:

**ACTION:** A motion was made by Commissioner York to approve the contract between Montgomery County and Kansas Department of Health and Environment, Bureau of Waste Management for the Illegal Dump grant program granting the County up to \$10,000.00 for the project. Kansas Department of Health and Environment has approved burial on site and the work will be performed by the Public Works Department. Motion was seconded by Commissioner McManus.

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

RES. NO. 17-69

2. 2015 Summary of County Engineers' annual reports –
3. Road and Bridge balance sheet for March, 2017 –
4. Chip and Seal Bid results –

Blevins Asphalt, Mt. Vernon, MO	.888 per sq. yard
Circle C Paving, Goddard, KS	.869 per sq. yard
Jeff Hull's Paving, Altoona, KS	.760 per sq. yard
C&C Asphalt, Urbana, MO	.840 per sq. yard

**ACTION:** A motion was made by Commissioner York to approve and accept the low bid from Jeff Hull's Paving, Altoona, KS in the amount of \$ .760 per square yard with the stipulation if the work does not specifications it will be reawarded to C&C Asphalt, Urbana, MO. Motion was seconded by Commissioner McManus.

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

RES. NO. 17-70

5. Asphalt Bid results -

Bettis Asphalt & Construction, Gas, KS	\$61.09 – Hot Mix per ton \$55.30 – With 15% recycle per ton \$1,198.00 – Tack Oil per ton \$ 49.70 (std) – Asphalt per ton \$43.20 (15%) – Asphalt per ton
Heckert Construction, Pittsburg, KS	\$53.17 - Hot Mix per ton \$50.88 – With 15% recycle per ton \$500.00– Tack Oil per ton \$ 47.15 – Asphalt per ton

**PUBLIC WORKS (Continued):**

Asphalt bid results –

Apac-Central, Inc., Dewey, OK	\$80.00 - Hot Mix per ton
	\$77.50 – With 15% recycle per ton
	No Bid– Tack Oil per ton
	\$ 49.00 – Asphalt per ton

**ACTION:** A motion was made by Commissioner York to approve and accept the low bid for Asphalt for the Public Works Department from Heckert Construction, Pittsburg, KS as follows:

\$53.17 - Hot Mix per ton  
\$50.88 – With 15% recycle per ton  
\$500.00– Tack Oil per ton  
\$ 47.15 – Asphalt per ton

Motion was seconded by Commissioner McManus.

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

RES. NO. 17-71

6. Cat Grader (2) Bids –

Foley Equipment, Chanute, KS	\$174,239.00 each (with trade in)
------------------------------	-----------------------------------

**ACTION:** A motion was made by Commissioner York to approve and accept the bid from Foley Equipment, Chanute, KS for two (2) Cat Graders in the amount of \$174,239.00 each with trade in. Motion was seconded by Commissioner McManus.

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

RES. NO. 17-72

7. Schulte XH15 Mower Bids –

Sellers Equipment, Wichita, KS	\$46,406.00 (2 units)
--------------------------------	-----------------------

**ACTION:** A Motion was made by Commissioner York to approve and accept the bid from Sellers Equipment, Wichita, Kansas for two (2) Schulte XH15 Mowers in the total amount of \$46,406.00 for the Noxious Weed Department. Two (2) units will be sold on Purple Wave. Motion was seconded by Commissioner McManus.

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

RES. NO. 17-73

8. Employee Status change for seasonal employee in Road and Bridge (New Hire) –

\*\*\*\*\*

**OTHER COUNTY BUSINESS:**

1. Register of Deeds Report for March, 2017 –
2. Cereal Malt Beverage License for Caney Golf Club –

**ACTION:** A motion was made by Commissioner McManus to issue a Cereal Malt Beverage License to Caney Golf Club, Caney, KS. Motion was seconded by Commissioner York.

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

RES. NO. 17-74

3. Class LTD Agreement for 2017 signed by the Board –
4. Executive Session – Non-Elected Personnel –

**ACTION:** A motion was made by Commissioner McManus to recess to Executive Session at 9:05 AM to return at 9:15 AM with the Board and County Clerk present to discuss non-elected personnel. Motion was seconded by Commissioner York.

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

Returned to session at 9:15 AM stating no decisions made and no action to be taken.

**OTHER COUNTY BUSINESS (Continued):**

5. Executive Session – Non-Elected Personnel –

**ACTION:** A motion was made by Commissioner McManus to recess to Executive Session at 10:02 AM to return at 10:12 AM with the Board present to discuss non-elected personnel. Motion was seconded by Commissioner York.

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

Returned to session at 9:15 AM stating no decisions made and no action to be taken.

6. Appointed Department Personnel –

After discussion by the Board on appointed personnel being regular employees without requiring to be appointed each January, the following action was taken:

**ACTION:** A motion was made by Commissioner McManus to cease a long term Montgomery County Policy in which had previously obligated the Governing Body to an annual appointment of specific non-elected department heads.

The following department heads will be awarded consistency with the employment entitlements as any other non-elected personnel being subject only to disciplinary procedures as so defined therein the Montgomery County Handbook (Revised 12-32-2016): Montgomery County Health Director, Computer Department Director, Environmental Health/Zoning Administrator, Emergency Management Director and Public Works Coordinator. Motion was seconded by Commissioner York.

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

RES. NO. 17-75

\*\*\*\*\*

**ADJOURNMENT: 10:20 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