

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

September 18, 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 Daniel Knight, The Bible Baptist Church, Coffeyville

PLEDGE OF ALLEGIANCE: Commissioner McManus.

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*

APPROVAL OF PAYMENT OF INVOICES:

ACTION: *A motion was made by Commissioner McManus to approve invoices in the amount of \$279,871.32 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 September 11, 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*

CANVASS OF BALLOTS – CITY OF CANEY MAIL BALL ELECTION (SALES TAX QUESTION):

The Board of County Commissioners, serving as the Board of Canvassers, met with the County Clerk/Election Officer and Deputy Election Officer at 9:05 AM for the canvass of votes for the City of Caney Mail Ballot Election Sales Tax Question conducted September 12, 2017.

There being no changes or corrections to the results, the official canvass was concluded at 9:15 AM.

PUBLIC WORKS:

Public Works Coordinator Robert Bever and Assistant Public Works Coordinator Jim Wright, met with the Board to present the weekly written report. The following items were discussed:

1. Road and Bridge Balance sheet for August –
2. Retirement party for Tom Munday Thursday, September 28th at 3:30 PM –

PUBLIC WORKS (Continued):

3. Requested a bridge viewing be set for September 25th with the Commissioners for a possible bridge closure (not replacement) after public comment. It was decided each Commissioner will view the bridge individually and report their comments to Mr. Bever. This is Bridge #312 on County Road 5600 - Mile 13.
4. Noxious Weed balance sheet for August –
5. Chemical Bids for Noxious Weed – Bids are as follows:

Sims Fertilizer & Chemical, Osborne, KS	\$13,251.00
CPS Timberland, Castle Rock, CO	\$12,446.68
Van Diest Supply Company, Lindsborg, KS	\$12,030.96

ACTION: A motion was made by Commissioner York to approve and accept the low bid from Van Diest Supply Company, Lindsborg, KS for chemicals for the Noxious Weed Department in the amount of \$12,030.96. Motion was seconded by Commissioner McManus.

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

RES. NO. 17-123

6. Discussion regarding Sheriff Department’s generator. Cherryvale City wants to purchase the generator but requested taking it and trying it to make sure it will work. The Board approved the request by Cherryvale City.
7. Mr. Brad Hall discussed the dust control on the road being used for a detour while Peter Pan Road is closed. He was referred to Robert Bever in Public Works and he has already spoken with Mr. Passauer at Independence City.

COUNTY TREASURER NANCY CLUBINE – STATUTE CONCERNING REAL ESTATE TAXES AND PART-TIME EMPLOYEE:

County Treasurer Nancy Clubine met with the Board to discuss Kansas Statutes concerning delinquent real estate taxes being collected from vendor payments.

The County Treasurer requested approval to hire a part-time employee during tax season. The Board approved the request.

Discussion on the cost of Komtek printing and stuffing “pie chart graphs” with the tax statements this year. The pie charts show the percentage of tax dollars spent by the taxing entities. The cost of printing and mailing will be \$7,667.84. Other avenues for distribution were discussed and no decisions were made at this time.

MONTGOMERY COUNTY ACTION COUNCIL – EXECUTIVE SESSION FOR CONFIDENTIAL DATA RELATING TO FINANCIAL AFFAIRS OR TRADE SECRETS OF THIRD PARTIES EXCEPTION:

ACTION: A motion was made by Commissioner McManus to recess to Executive Session at 9:50 AM to return at 10:07 AM with the Board and MCAC Director Trisha Purdon present to discuss a potential economic development project, pursuant to the confidential data relating to financial affairs or trade secrets of third parties exception. 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.

LABETTE HEALTH – BRIAN WILLIAMS – PETER PAN ROAD EXTENSION:

Mr. Brian Williams, President and CEO of Labette Health, met with the Board to discuss the extension of improvements on Peter Pan Road. The City of Independence has agreed to share the additional expense of the 3-lane improvement ending at the north entrance to Labette Health facility. The request is for the city to share 1/3, the county share 1/3 and Labette Health will share 1/3 of the total project cost of \$448,540.50.

LABETTE HEALTH (Continued):

Mr. Williams stated the City of Independence has approved up to \$150,000 in partnership with Labette Health and Montgomery County for this project. The City of Independence also agreed to the ownership of the road and on the city and county staff finalizing future maintenance (snow removal) on this portion of the road. A change order would be issued for the expansion. Commissioner York requested the change order be bid publicly. Mr. Williams said he would check with TranSystems on the request and report back to Commissioner York. The Board took the following action:

ACTION: *A motion was made by Commissioner York to approval funding up to \$150,000 in partnership with Labette Health and City of Independence for Alternate 3 dated 5/17/2017 for a 3-lane improvement ending on Peter Pan Road beyond Labette Health's Center north entrance with sealed bids to be requested for in accordance with the Montgomery County Bidding Policy. The sealed bids will be returned to the Montgomery County Clerk's Office.*

Montgomery County Staff will work with City of Independence Staff on road ownership and maintenance. Motion was seconded by Commissioner McManus.

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

RES. NO. 17-124

OTHER COUNTY BUSINESS:

1. Executive Session – Non-elected Personnel –

ACTION: *A motion was made by Commissioner McManus to recess to Executive Session at 10:15 AM to return at 10:30 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 10:30 AM stating no decisions made and no action to be taken.

2. Occupational License – My Place, Cherryvale -

ACTION: *A motion was made by Commissioner McManus to approve the issuance of an Occupational License for My Place, Cherryvale, KS. Motion was seconded by Commissioner York.*

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

RES. NO. 17-125

3. Marty Smith, MCRF#1 Dearing Fire Chief met with the Board to apologize not getting the information to the Board in a timely manner for an accident involving one of Dearing's fire trucks. The Board will be notified in the future immediately when an accident occurs.

ADJOURNMENT: 10:40 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