

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

November 13, 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.

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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 \$262,645.78 and \$183,725.11 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 York to approve the minutes of October 30, 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*

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**DISTRICT COURT – JUDGE F. WILLIAM CULLINS – CARPETING FOR COUNTY OFFICE AT COFFEYVILLE:**

Judge Cullins met with the Board to request approval to replace carpet in the small court room, hallway, District Clerk's office and Court Services at the Coffeyville Courthouse. The cost is estimated at \$17,300.00. The following action was taken:

**ACTION:** *A motion was made by Commissioner McManus to approve Unified District Court to obtain bids for carpeting for the small courtroom, hallway, District Clerk's Office and Court Services at the Coffeyville Courthouse to be paid from General Operating Capital Outlay. Motion was seconded by Commissioner York.*

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

*RES. NO. 17-146*

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**SEWER DISTRICT NO. 2 – EXECUTIVE SESSION – ATTORNEY/CLIENT PRIVILEGE:**

**ACTION:** A motion was made by Commissioner McManus to recess to Executive Session at 9:25 AM to return at 9:40 AM for Attorney/Client Privilege with the Board, Public Works Coordinator Robert Bever, Assistant Coordinator Jim Wright, Attorney Gary Hanson, Sewer District Board Members Vince Thompson, Kenneth Weaver, and Jim Gates . Motion was seconded by Commissioner York.

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

Returned to session at 9:40 AM stating no decisions made and no action to be taken.

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**CANVASS OF VOTES – 2017 CITY/SCHOOL GENERAL ELECTION:**

The Board of County Commissioners recessed at 10:00 AM to act as the Board of Canvassers to begin the canvass of votes for the 2017 City/School General Election at 10:00 AM.

There being no public input and no change in the results of the election following the canvass, the Board returned to regular session at 10:28 AM

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**2016 MONTGOMERY COUNTY AUDIT – PHIL JARRED (JARRED, GILMORE & PHILLIPS):**

Mr. Phil Jarred of Jarred, Gilmore & Phillips Certified Public Accounts presented the 2016 Montgomery County Audit. He reviewed the information with the Board and answered any question they had concerning the audit.

Mr. Jarred presented letters of engagement for the county audit for the years 2017, 2018 and 2019 not to exceed \$21,975.00 each year based on hourly rates varying due to the degree of responsibility involved and the experience level of the personnel assigned to the audit.

The Montgomery County budget will be prepared for the years 2019, 2020 and 2021 not to exceed \$6,200.00 each year. The following action was taken:

**ACTION:** A motion was made by Commissioner York to accept the 2016 Montgomery County Audit report as prepared and presented by Jarred, Gilmore & Phillips, Certified Public Accounts. Motion was seconded by Commissioner McManus.

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

RES. NO. 17-147

**ACTION:** A motion was made by Commissioner McManus to sign three year Engagement Agreements between Montgomery County and the auditing firm of Jarred, Gilmore and Phillips, Certified Public Accounts for the preparation of the 2017, 2018 and 2019 required audits and the Engagement Agreements for the preparation of the 2019, 2020 and 2021 Montgomery County Budgets. Motion was seconded by Commissioner Brown.

ROLL CALL VOTE - Commissioner Brown - Yes  
Commissioner McManus – Yes  
Commissioner York - No

RES. NO. 17-148

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**MONTGOMERY COUNTY RURAL FIRE DST. #1 – USED TRUCK PURCHASE:**

Mr. Darren Felts, President of the Montgomery County Rural Fire District No. 1 Board presented a request to purchase used trucks. Commissioner York advised Mr. Felts he was not required to get the approval from the Commission if each truck is under \$20,000. The trucks being purchased are: Amerte Pumper truck and the cost will be \$18,500( Debit MCRF#1 General Fund), Light-em-up used Pumper Truck will be \$5,000 (Debit MCRF#1 General Fund) and an F-450 Truck (Debit MCRF#1 Special Equipment Fund) . The Board did approved the request.

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**REGISTER OF DEEDS – PROBATION COMPLETION OF EMPLOYEE:**

Register of Deeds Marilyn Calhoun met with the Board to request an Executive Session to discuss non-elected personnel:

**ACTION:** *A motion was made by Commissioner McManus to recess to Executive Session at 9:52 AM to return at 9:57 AM to discuss non-elected personnel with the Board and Register of Deeds present. Motion was seconded by Commissioner York.*

*ROLL CALL VOTE - Commissioner Brown - Yes  
Commissioner McManus – Yes  
Commissioner York - No*

Returned to session at 9:57 AM stating no decisions made.

Ms. Calhoun presented the request for an adjustment in salary by 3.5% for an employee in the Register of Deeds Office to keep her salary in line with a new hire just completing probation. She advised the Board she will not have enough funds in the 2017 budget for Personnel Services to cover salaries for the remainder of 2017 and when asked by the Board, did not know the amount she will be short at the end of December.

The Board approved the increase effective 12-26-2017 but asked for Ms. Calhoun to provide the amount the budget over at the end of December. No approval was given at this time for the transfer of funds from the General Operating Department to the Register of Deeds to cover the shortage which does not include the 3.5% increase which will not affect the 2017 budget at this time.

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**ENVIRONMENTAL HEALTH/ZONING – GRANT APPLICATION FROM KDHE FOR ILLEGAL DUMPING:**

Environmental Health/Zoning Director Scott Barnhart present an application to Kansas Department of Health and Environment for illegal dumping. The grant will pay 75% of the cost of cleanup up to \$10,000. The property is located at 1951 S. 17<sup>th</sup> St., Independence, KS. The following action was taken:

**ACTION:** *A motion was made by Commissioner McManus to authorize the Chairman to sign on behalf of Montgomery County an application to the Kansas Department of Health and Environment for illegal dumping on the property located at 1951 S. 17<sup>th</sup> St., Independence, KS. Motion was seconded by Commissioner York.*

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

RES. NO. 17-149

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**OTHER COUNTY BUSINESS:**

1. Executive Session – Non-elected Personnel – Commissioner Brown:

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

*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.

2. Flood Buyout Lease Agreements –

**ACTION:** *A motion was made by Commissioner York to approve the Flood Lease Agreements on the properties located at 2371 Valley High Place, Independence and 1160 S. 10<sup>th</sup> Street, Independence. Motion was seconded by Commissioner Brown.*

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

RES. NO. 17-150

3. Public Works Assistant Coordinator Jim Wright requested approval to advertise a Maintenance position opening. Request was approved by the Board.

**OTHER COUNTY BUSINESS (Continued):**

4. Executive Session – Non-Elected Personnel:

**ACTION:** *A motion was made by Commissioner McManus to recess to Executive Session at 11:15 AM to return at 11:30 AM to discuss non-elected personnel with the Board and County Clerk present. Motion was seconded by Commissioner York.*

*ROLL CALL VOTE - Commissioner Brown - Yes  
Commissioner McManus – Yes  
Commissioner York - No*

Returned to session at 11:30 AM stating no decisions made and no action to be taken.

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**ADJOURNMENT: 11:31 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**