

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

March 26, 2018

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

CALL TO ORDER: Commissioner McManus.

INVOCATION: Reverend Doug Mund, The Grace Fellowship Church, Coffeyville

PLEDGE OF ALLEGIANCE: Commissioner McManus.

AGENDA APPROVAL:

ACTION: *A motion was made by Commissioner Brown to approve the agenda as amended.. The motion was seconded by Commissioner York.*

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

APPROVAL OF PAYMENT OF INVOICES:

ACTION: *A motion was made by Commissioner York to approve invoices in the amount of - \$42,290.69 as presented by the County Clerk's office. The motion was seconded by Commissioner Brown.*

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

APPROVAL OF MINUTES:

ACTION: *A motion was made by Commissioner Brown to approve the minutes of March 19, 2018 as presented by the County Clerk. The motion was seconded by Commissioner McManus.*

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

COUNTY HEALTH DEPARTMENT – GRANT APPLICATION:

County Health Director Carolyn Muller met with the Board to present a grant application for the Board's approval. The application was approved by the Board.

Ms. Muller advised the Board they are in the process of moving into the new facility and asked permission to close Monday, Tuesday and Wednesday of this week. The Board approved the request.

MONTGOMERY COUNTY ACTION COUNCIL – TYSON UPDATE:

Montgomery County Action Council Director Trisha Purdon presented an update to the Board on the Tyson Industries project. She told the Board it will still be some time before they know if Coffeyville is chosen for their future site in Kansas. She said it is between Montgomery County and Cloud County.

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:

- Reported that the department had bid on two different brooms on Purplewave but were outbid. The Board asked Mr. Bever if it would help if they increased the approved amount they could bid to \$30,000.00 instead of \$20,000. They all agreed this would enable them to be able to bid on this equipment and be able to purchase a broom. The following action was taken:

ACTION: *A motion was made by Commissioner York to increase the approved amount for bidding on and purchasing a broom for the Public Works Department to \$30,000.00. Motion was seconded by Commissioner Brown.*

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

RES. NO. 18-039

Public Hearing for Road Viewing for formerly Wagon Road 21 –

The Board commenced their public hearing at 9:30 AM for the purpose of vacating a county road. The legal description is as follows:

A tract of land, previously used for road purposes, being a portion of County Road 5600 miles 12 and 13 (formerly Wagon Road 221), as shown I the Road Record Books located in the Montgomery County Public Works Department, said tract being 50 feet in width, 25 feet from either side of the centerline of the existing road, as the road lays and described as follows:

Beginning at the intersection of CR 5600 and CR 3375, thence running easterly along the centerline of the existing roadway to the Section corner between 34, 35, 26 and 27, then continuing easterly approximately 1291' and ending at the point where the existing road intersects with the east property line extended from the north (Springer), all in Township 32 South, Range 15 East, Montgomery County.

The above described tract of land is subject to easements for the right of ingress and egress, reconstruction and maintenance of all existing utilities and appurtenances thereto.

There being no public input, the Board closed the public hearing at 9:40 AM and returned to regular session to discuss the vacation of the county road. After some discussion the following action was taken:

ACTION: *A motion was made by Commissioner Brown to vacate a county road in Montgomery County. The legal description is as follows:*

A tract of land, previously used for road purposes, being a portion of County Road 5600 miles 12 and 13 (formerly Wagon Road 221), as shown I the Road Record Books located in the Montgomery County Public Works Department, said tract being 50 feet in width, 25 feet from either side of the centerline of the existing road, as the road lays and described as follows:

Beginning at the intersection of CR 5600 and CR 3375, thence running easterly along the centerline of the existing roadway to the Section corner between 34, 35, 26 and 27, then continuing easterly approximately 1291' and ending at the point where the existing road intersects with the east property line extended from the north (Springer), all in Township 32 South, Range 15 East, Montgomery County.

The above described tract of land is subject to easements for the right of ingress and egress, reconstruction and maintenance of all existing utilities and appurtenances thereto.

The motion was seconded by Commissioner York.

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

RES. NO. 18-040

ENVIRONMENTAL HEALTH/ZONING – EXECUTIVE SESSION – NON-ELECTED PERSONNEL:

Environmental Health/Zoning Administrator Scott Barnhart met with the Board to request an Executive Session to discuss non-elected personnel: The following action was taken:

ACTION: *A motion was made by Commissioner Brown to recess to Executive Session at 9:50 AM to return at 9:55 AM with the Board and Scott Barnhart present to discuss non-elected personnel. Motion was seconded by Commissioner York.*

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

Returned to session at 9:55 AM stating no decisions made and no action to be taken.

Mr. Barnhart reported to the Board that Dennis Sanford has resigned from the Planning Commission. Mr. Sanford represented Commissioner McManus's. Commissioner McManus will be making a recommendation for his replacement on the Planning Commission.

A report was given on the mold survey conducted in the courthouse resulting from the water pipe breakage.

OTHER COUNTY BUSINESS:

1. Resolution to change the Ambulance Advisory Board to EMS Advisory Board –

ACTION: *A motion was made by Commissioner York to change the Ambulance Board of EMS Advisory Board, amending Montgomery County Resolution #44 dated April 11th, 1980. Members serving as the Advisory Board will be:*

*Chairman and Public Information Officer Rick Whitson, representing Montgomery County
Members Brian Williams and Becky Mitchell, representing Labette Health
Members Jim Wilhelm and Lori Rexwinkle, representing Coffeyville Regional Medical Center
Member Dave Cowan, representing Independence City
Member Ron Wade, representing Caney City
Member Jesse Reed, representing Cherryvale City.*

Effective this date as passed by the Montgomery County Board of County Commissioners.

Motion was seconded by Commissioner Brown.

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

RES. NO. 18-041

2. National Service Day (Recognition Day) Proclamation –

ACTION: *A motion was made by Commissioner Brown to officially recognize April 3rd, 2018 as Nation Service Recognition Day. Motion was seconded by Commissioner York.*

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

RES. NO. 18-042

3. County Commissioners and Highway Officials meeting April 19th in Chanute –
4. Opioid Litigation – The Board chose to recommend Spigarelli –Fleming Law Firms. The following action was taken:

ACTION: *A motion was made by Commissioner York to advise County Counselor the Board will participate in the litigation against opioids and have chosen Spigarelli-Fleming Law Firms to represent Montgomery County. Motion was seconded by Commissioner Brown.*

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

RES. NO. 18-043

5. Commissioner York requested the County Clerk contact County Counselor to request bid policy require certifications when bidding for projects for Montgomery County.

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ADJOURNMENT: 10:30 AM

ACTION: *Motion by Commissioner York seconded by Commissioner Brown*

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

BOARD OF COUNTY COMMISSIONERS
MONTGOMERY COUNTY, KANSAS

LARRY McMANUS, Chairman

FRED BROWN, Member

RYAN YORK, Member

ATTEST:

County Clerk