

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

April 23, 2018

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

**CALL TO ORDER:** Commissioner McManus.

**INVOCATION:** Mr. Donnie Collier

**PLEDGE OF ALLEGIANCE:** Commissioner McManus.

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**AGENDA APPROVAL:**

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

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

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**APPROVAL OF PAYMENT OF INVOICES:**

**ACTION:** *A motion was made by Commissioner Brown to approve invoices in the amount of - \$800.00 and \$50,286.45 (Prepays) as presented by the County Clerk's office. The motion was seconded by Commissioner McManus.*

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

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**APPROVAL OF MINUTES:**

**ACTION:** *A motion was made by Commissioner Brown to approve the minutes of April 16, 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 - Absent*

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**REGISTER OF DEEDS – SALARY INCREASES TABLED FROM APRIL 16<sup>TH</sup> MEETING:**

Register of Deeds Marilyn Calhoun met with the Board to present again the request for increases for two (2) employees in the Register of Deeds office. These increases are being requested to adjust their salaries above the salary of the new hire in the office. The following action was taken:

**ACTION:** *A motion was made by Commissioner Brown to table the request at this time and will be discussed at the next meeting. Motion was seconded by Commissioner McManus.*

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

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**PUBLIC WORKS:**

Public Works Coordinator Robert Bever, Maintenance Superintendent Jeff Phelps and ServPro Representative Scott Rockers met with the Board with a Change Orders totaling \$2,500.00. The following action was taken.:

**ACTION:** A motion was made by Commissioner Brown to approve change orders totaling \$2,500.00 for work being done on the restoration of county offices in the courthouse. Motion was seconded by Commissioner McManus.

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

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

1. Requested permission to solicit bids for rock hauling for chip and seal from Dewey to the two stockpile locations. The request was approved by the Board.
2. Requested permission to solicit bids for rebar for a culvert replacement and stock. The request was approved by the Board.
3. Requested permission to solicit bids for chemical for Noxious Weed Department. The request was approved by the Board.
4. Discussion on the Coffeyville County Health Office – (1) Changing out lights to LED lights; (2) What to do with the old County Health building and it was decided the Chairman will talk to a realtor and list the building for sale.
5. Requested permission to sell old equipment on Purple Wave. The request was approved by the Board.
6. Requested permission to purchase the following items this year –
  - New Rubber tire backhoe
  - New load attachment and grapple for a John Deere tractor
  - New Mack truck
  - New grader (with trade-in)
  - New Schulte pull behind mowers (2)

**ACTION:** A motion was made by Commissioner Brown to approve the sale of the used equipment in Road and Bridge and purchase the new following items in 2018. The items to be purchased are:

- New Rubber tire backhoe
- New load attachment and grapple for a John Deere tractor
- New Mack truck
- New grader (with trade-in)
- New Schulte pull behind mowers (2)

*Motion was seconded by Commissioner McManus.*

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

*RES. NO. 18-061*

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**Recessed at 9:35 AM.**

**Returned at 9:45 AM.**

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**COUNTY COUNSELOR – EXECUTIVE SESSION:**

**ACTION:** A motion was made by Commissioner Brown to recess to Executive Session at 10:20 AM to return at 10:40 AM for Attorney Client Privilege , the subject being Legality of Neighborhood Revitalization, with the Board, County Counselor Paul Kritz, County Clerk Charlotte Schmidt and County Appraiser Dianna Carter present. Motion was seconded by Commissioner McManus.

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

Returned to session at 10:40 AM with a motion by Commissioner Brown to extend the session until 10:50 AM. Motion was seconded by Commissioner McManus.

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

Returned to session at 10:50 AM stating no decisions made and no action to be taken.

**OTHER COUNTY BUSINESS:**

1. Cereal Malt Beverage License for Caney Golf Club –

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

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

RES. NO. 18-062

2. Appointment for SEK Library System Board –

**ACTION:** A motion was made by Commissioner Brown to appoint County Clerk Charlotte Schmidt to the Southeast Kansas Library System Board effective this date. Motion was seconded by Commissioner McManus.

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

RES. NO. 18-063

3. State of Local Disaster Emergency Resolution for Montgomery County –

**ACTION:** A motion was made by Commissioner Brown to adopt the Resolution and Proclamation of a State of Local Disaster Emergency for Montgomery County, Kansas:

*WHEREAS, ON THE 19THY DAY OF April 2018, the Board of Commissioners of Montgomery County, finds that certain conditions have caused, or eminently threaten to cause wide-spread or sever damage, injury or loss of life or property in disaster proportion in Montgomery County, Kansas;*

*WHEREAS, such conditions have created obstructions which endanger health, safety and welfare of persons and property within the border of Montgomery County, Kansas.*

*Now, therefore, be it resolved by the Board of Commissioners of Montgomery County, Kansas:*

*That the Board of County Commissioners of Montgomery County, Kansas, under and by virtue of the authority vested in by K.S.A. 1976 Supp. 48-932, does hereby PROCLAIM that a State of Local Disaster Emergency exists.*

*IT IS FURTHER RESOLVED AND PROCLAIMED that the area within the border of Montgomery County, Kansas covered by this proclamation/resolution is the entire area of Montgomery County, Kansas.*

*BE IT FURTHER RESOLVED that said Board has all rights and/or powers to perform such functions as are vested in said Board by and through the provisions of the Kansas Emergency Preparedness Act of 1975.*

*IT IS FURTHER RESOLVED AND PROCLAIMED that this resolution shall remain in effect for a period of seven (7) days unless terminated earlier or renewed by consent of the governing body.*

*ADOPTED BY THE BOARD OF MONTGOMERY COUNTY COMMISSIONERS THIS 23<sup>RD</sup> DAY OF APRIL, 2018.*

*Motion was seconded by Commissioner McManus.*

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

RES. NO. 18-060

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**ADJOURNMENT: 11:50 AM**

**ACTION:** *Motion by Commissioner Brown, seconded by Commissioner McManus.*  
*ROLL CALL VOTE - Commissioner McManus - Yes*  
*Commissioner Brown – Yes*  
*Commissioner York - Absent*

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

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**LARRY McMANUS, Chairman**

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**FRED BROWN, Member**

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**RYAN YORK, Member**

**ATTEST:**

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**County Clerk**