BOARD OF COUNTY COMMISSIONERS
MONTGOMERY COUNTY, KANSAS
OFFICIAL MINUTES

December 16, 2019

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 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 Brown to approve the agenda as presented. The motion was seconded by Commissioner Bever.

ROLL CALL VOTE - Commissioner McManus - Yes
Commissioner Brown - Yes
Commissioner Bever - Yes

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APPROVAL OF PAYMENT OF INVOICES:

No Invoices to approve.

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APPROVAL OF MINUTES:

ACTION: A motion was made by Commissioner Bever to approve the minutes of December 9th, 2019 with an amendment to Resolution 19-147 to include the addition of "the transfer from Montgomery County Rural Fire General Fund to Montgomery County Special Equipment Fund in the amount of $100,000" ... The motion was seconded by Commissioner Brown.

ROLL CALL VOTE - Commissioner McManus - Yes
Commissioner Brown - Yes
Commissioner Bever - Yes

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EXECUTIVE SESSION – NON-ELECTED PERSONNEL – EMPLOYEE JOB STATUS:

ACTION: A motion was made by Commissioner Bever to recess to Executive Session at 9:05 AM to return at 9:20 AM with the Board and County Clerk present to discuss the job status of a non-elected employee. Motion was seconded by Commissioner Brown.

ROLL CALL VOTE - Commissioner McManus - Yes
Commissioner Brown - Yes
Commissioner Bever - Yes

Returned to session at 9:20 AM stating no decisions to be made and no action to be taken.

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PUBLIC WORKS:

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

1. Discussed petition for road vacation in Caney tabled from previous Commission Meeting. It was decided to accept a new petition from Spears Mfg. for road vacation and to cancel the tabled petition from Spear tabled at the December 9th regular Commission meeting. Minutes from the December 5, 2019 Planning and Zoning Board were presented with the second order for business
PUBLIC WORKS (Continued):

in their meeting being the petition for vacating a portion of 11th Avenue, Caney, Kansas. The Board voted to deny the road vacation in a 4 to 1 vote. The following action was taken by the Board of County Commissioners:

**ACTION:** A motion was made by Commissioner Bever to cancel the tabled road vacation petition from Spears Mfg as published on November 7, 2019. Motion was seconded by Commissioner Brown.

**ROLL CALL VOTE** - Commissioner McMannus - Yes Commissioner Brown – Yes Commissioner Bever - Yes

**RES. NO. 19-149**

**ACTION:** A motion was made by Commissioner Bever to accept a new petition from Spears Mfg for road vacation and the petition be sent to the Montgomery County Planning and Zoning Board. Motion was seconded by Commissioner Brown.

**ROLL CALL VOTE** - Commissioner McMannus - Yes Commissioner Brown – Yes Commissioner Bever - Yes

**RES. NO. 19-150**

2. Discussion regarding Montgomery County Vehicle Policy. The policy will be reviewed by the Board for later discussion on county vehicles being driven home by non-emergency employees.

3. Building Maintenance – Jeff Phelps met with the Board to discuss electrical work needed at the Courthouse. A quote for installing a new underground service to the Courthouse building and rewiring the disconnect inside the building was discussed as work to be done in 2020.

4. Building Maintenance – Household Hazardous building is in need of a new Direct Fire Heater G76, 1200 CPM. The cost is estimated at $3,592.78 with free shipping from Ventilation Direct. The following action was taken:

   **ACTION:** A motion was made by Commissioner Brown to approve the purchase of a new Direct Fire Heater G76, 1200 CPM from Ventilation Direct at an estimated cost of $3,592.78 with free shipping to be debited from Household Hazardous Waste Dept. Motion was seconded by Commissioner Bever.

**ROLL CALL VOTE** - Commissioner McMannus - Yes Commissioner Brown – Yes Commissioner Bever - Yes

**RES. 19-151**

5. Proposals for the Classification and Compensation Study was presented by Mr. Wright. They received two (2) proposals:

   Gallagher, Minneapolis, MN $75,000.00
   The Arnold Group, Wichita, KS $34,780.00

   The Steering Committee will review the proposals and return to the Board with a recommendation.

6. Mr. Wright presented two change of status reports, one promotion and one employee resigned.

7. Requests for transfers of public health employees.

   **ACTION:** A motion was made by Commissioner Bever to authorize the transfer of the following funds:

   From: 2019 Road & Bridge Fund to the Special Road, Bridge, or Street Building, Machinery, Equipment & Bridge Building Fund in the amount of $200,000.
   From: 2019 Road and Bridge Fund to the Special Highway Improvement Fund in the amount of $400,000.
   From: Noxious Weed Fund to the Noxious Weed Capital Outlay Fund in the amount of $40,000.00.
   From: Noxious Weed Fund to the Noxious Weed Capital Outlay Fund in the amount of $20,000.

   All transfers are subject to the 2019 Audit. Motion was seconded by Commissioner Brown.

**ROLL CALL VOTE** - Commissioner McMannus - Yes Commissioner Brown – Yes Commissioner Bever - Yes

**RES. NO. 19-152**

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PUBLIC WORKS (Continued):

REIMBURSEMENT BY TRANSFER OF FUNDS:

ACTION: A motion was made by Commissioner Bever to approve the reimbursement of funds by transfers to the following funds:

- From Household Hazardous Waste Dept. to Noxious Weed Fund in the amount of $5,200.00 for reimbursement of wage expenses for 2019.
- From Montgomery County General Operating Fund to Road and Bridge Fund in the amount of $30,000.00 for reimbursement of 2019 asphalting expenses for the Judicial Center North Parking Lot.

Motion was seconded by Commissioner Brown.

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

RES. 19-153

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MONTGOMERY COUNTY RURAL FIRE #1 – EQUIPMENT PURCHASES:

District Fire Chief Rick Whitson and Assistant Lee Miller met with the Board to present approval to purchase 21 Integritas Box Lights (three for each fire station) at a total cost of $3,558.79. The following action was taken:

ACTION: A motion was made by Commissioner Bever to approve the purchase of 21 Integritas Box Lights for Montgomery County Rural Fire District No. 1 from The Public Safety Store, LLC in the amount of $3,558.79. Debit Montgomery County Rural Fire District No. 1 General Operating Fund. Motion was seconded by Commissioner Brown.

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

RES. NO. 19-154

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EMERGENCY MANAGEMENT – PURCHASE OF COPIER:

Emergency Manager Rick Whitson presented a request to the Board to purchase a Lanier IM350F Ricoh Brand Copier from Digital Connections, Coffeyville, Kansas in the amount of $1,995.00. The following action was taken:

ACTION: A motion was made by Commissioner Brown to approve the purchase of a Lanier IM350F Ricoh Brand Copier from Digital Connections, Coffeyville, Kansas in the amount of $1,995.00. Debit Emergency Management 2019 Budget. Motion was seconded by Commissioner Bever.

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

RES. NO. 19-155

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Recessed to work session with Lisa Wilson, Independence Chamber of Commerce, at 10:00 AM, for the purpose of working with the Chambers on tourism taxes collected in Montgomery County.

Returned to regular session at 11:35 AM.

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OTHER COUNTY BUSINESS:

1. Cereal Malt Beverage License for AKAS, LLC Independence –

   **ACTION:** A motion was made by Commissioner Bever to approve and issue a Cereal Malt Beverage License to AKAS, LLC, Independence, KS for 2020. Motion was seconded by Commissioner Brown.
   
   **ROLL CALL VOTE:** - Commissioner McManus - Yes
   - Commissioner Brown – Yes
   - Commissioner Bever – Yes

   **RES. NO. 19-156**

2. Environmental Health Equipment Request for 3 monitors and 2 scanners for approximately $2,000.00 to $2,200.00 to be paid from County General Capital Outlay. The following action was taken:

   **ACTION:** A motion was made by Commissioner Bever to approve the purchase request for Environmental Health/Zoning Department for the purchase of 3 monitors and 2 scanners at an approximate cost of $2,000.00 to $2,200.00 to be paid from County General Capital Outlay. Motion was seconded by Commissioner Brown.
   
   **ROLL CALL VOTE:** - Commissioner McManus - Yes
   - Commissioner Brown – Yes
   - Commissioner Bever - Yes

   **RES. No. 19-157**

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ADJOURNMENT:  11:45 AM

**ACTION:** Motion by Commissioner Brown, seconded by Commissioner Bever.

**ROLL CALL VOTE:** - Commissioner McManus - Yes
- Commissioner Brown – Yes
- Commissioner Bever - Yes

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BOARD OF COUNTY COMMISSIONERS
MONTGOMERY COUNTY, KANSAS

*LARRY McMANUS, Chairman*

*FRED BROWN, Member*

*ROBERT BEVER, Member*

ATTEST:

*Charlotte Schambutt*

County Clerk
RESOLUTION NO. 19-157

DATED at Independence, Montgomery County, Kansas this 16th day of December, 2019.

WHEREAS: A motion was made by Commissioner Bever to approve the purchase request for Environmental Health/Zoning Department for the purchase of 3 monitors and 2 scanners at an approximate cost of $2,000.00 to $2,200.00 to be paid from County General Capital Outlay.

Motion was seconded by Commissioner Brown.

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

BOARD OF COUNTY COMMISSIONERS
MONTGOMERY COUNTY, KANSAS

Larry McManus, Chairman

Fred Brown, Member

Robert Bever, Member

Charlotte Scott Schmidt, County Clerk
RESOLUTION NO. 19-156

DATED at Independence, Montgomery County, Kansas this 16th day of December, 2019.

WHEREAS: A motion was made by Commissioner Bever to approve and issue a Cereal Malt Beverage License to AKAS, LLC, Independence, KS for 2020.

Motion was seconded by Commissioner Brown.

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

BOARD OF COUNTY COMMISSIONERS
MONTGOMERY COUNTY, KANSAS

Larry McManus, Chairman

Fred Brown, Member

Robert Bever, Member

Charlotte Scott Schmidt, County Clerk
RESOLUTION NO. 19-155

DATED at Independence, Montgomery County, Kansas this 16th day of December, 2019.

WHEREAS: A motion was made by Commissioner Brown to approve the purchase of a Lanier IM350F Ricoh Brand Copier from Digital Connections, Coffeyville, Kansas in the amount of $1,995.00. Debit Emergency Management 2019 Budget.

Motion was seconded by Commissioner Bever.

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

BOARD OF COUNTY COMMISSIONERS
MONTGOMERY COUNTY, KANSAS

Larry McManus, Chairman

Fred Brown, Member

Robert Bever, Member

ATTEST:

Charlotte Scott Schmidt, County Clerk
RESOLUTION NO. 19-154

DATED at Independence, Montgomery County, Kansas this 16th day of December, 2019.

WHEREAS: A motion was made by Commissioner Bever to approve the purchase of 21 Integritas Box Lights for Montgomery County Rural Fire District No. 1 from The Public Safety Store, LLC in the amount of $3,558.79. Debit Montgomery County Rural Fire District No. 1 General Operating Fund.

Motion was seconded by Commissioner Brown.

ROLL CALL VOTE – Commissioner McManus- Yes

Commissioner Brown – Yes

Commissioner Bever– Yes

BOARD OF COUNTY COMMISSIONERS
MONTGOMERY COUNTY, KANSAS

Larry McManus, Chairman

Fréd Brown, Member

Robert Bever, Member

Charlotte Scott Schmidt, County Clerk
RESOLUTION NO. 19-153

DATED at Independence, Montgomery County, Kansas this 16th day of December, 2019.

WHEREAS: A motion was made by Commissioner Bever to approve the reimbursement of funds by transfers to the following funds:

From Household Hazardous Waste Dept. to Noxious Weed Fund in the amount of $5,200.00 for reimbursement of wage expenses for 2019.

From Montgomery County General Operating Fund to Road and Bridge Fund in the amount of $30,000.00 for reimbursement of 2019 asphalting expenses for the Judicial Center North Parking Lot.

Motion was seconded by Commissioner Brown.

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

BOARD OF COUNTY COMMISSIONERS
MONTGOMERY COUNTY, KANSAS

Larry McManus, Chairman

Fred Brown, Member

Robert Bever, Member

Charlotte Scott Schmidt, County Clerk
RESOLUTION NO. 19-152

DATED at Independence, Montgomery County, Kansas this 16th day of December, 2019.

WHEREAS: A motion was made by Commissioner Bever to authorize the transfer of the following funds:

From: 2019 Road & Bridge Fund to the Special Road, Bridge, or Street Building, Machinery, Equipment & Bridge Building Fund in the amount of $200,000.
From: 2019 Road and Bridge Fund to the Special Highway Improvement Fund in the amount of $400,000.
From: Noxious Weed Fund to the Noxious Weed Capital Outlay Fund in the amount of $40,000.00.
From: Noxious Weed Fund to the Noxious Weed Capital Outlay Fund in the amount of $20,000.

All transfers are subject to the 2019 Audit.

Motion was seconded by Commissioner Brown.

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

BOARD OF COUNTY COMMISSIONERS
MONTGOMERY COUNTY, KANSAS

Larry McManus, Chairman

Fred Brown, Member

Robert Bever, Member

Charlotte Scott Schmidt, County Clerk
RESOLUTION NO. 19-151

DATED at Independence, Montgomery County, Kansas this 16th day of December, 2019.

WHEREAS: A motion was made by Commissioner Brown to approve the purchase of a new Direct Fire Heater G76, 1200 CPM from Ventilation Direct at an estimated cost of $3,392.78 with free shipping to be debited from Household Hazardous Waste Dept.

Motion was seconded by Commissioner Bever.

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

BOARD OF COUNTY COMMISSIONERS
MONTGOMERY COUNTY, KANSAS

Larry McManus, Chairman

Fréd Brown, Member

Robert Bever, Member

ATTEST:

Charlotte Scott Schmidt, County Clerk
RESOLUTION NO. 19-150

DATED at Independence, Montgomery County, Kansas this 16th day of December, 2019.

WHEREAS: A motion was made by Commissioner Bever to accept a new petition from Spears Mfg. for road vacation and the petition be sent to the Montgomery County Planning and Zoning Board.

Motion was seconded by Commissioner Brown.

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

BOARD OF COUNTY COMMISSIONERS
MONTGOMERY COUNTY, KANSAS

Larry McManus, Chairman

Fred Brown, Member

Robert Bever, Member

Charlotte Scott Schmidt, County Clerk
RESOLUTION NO. 19-149

DATED at Independence, Montgomery County, Kansas this 16th day of December, 2019.

WHEREAS: A motion was made by Commissioner Bever to cancel the tabled road vacation petition from Spears Mfg as published on November 7, 2019.

Motion was seconded by Commissioner Brown.

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

BOARD OF COUNTY COMMISSIONERS
MONTGOMERY COUNTY, KANSAS

Larry McManus, Chairman
Fred Brown, Member
Robert Bever, Member

Charlotte Scott Schmidt, County Clerk