

**MINUTES FOR NOVEMBER 21, 2011**  
**COLUMBUS, KANSAS, CHEROKEE COUNTY**  
**OFFICE OF THE COUNTY CLERK**  
**CRYSTAL L. GATEWOOD**

The Cherokee County Commissioners met November 21, 2011. The meeting was called to order by Chairman Commissioner Garner and those present were Commissioners Collins and Hilderbrand. The Pledge of Allegiance was said by all. County Clerk Crystal Gatewood submitted the re-revised minutes for November 7, 2011, Commissioner Hilderbrand made a motion to accept the minutes, and his motion was seconded by Commissioner Collins; with Commissioners Collins, Garner, and Hilderbrand voting in favor and with Commissioners Collins, Hilderbrand and Garner, and Clerk Gatewood signing off. Commissioner Hilderbrand made a motion to approve and pay November 2011 Payroll; his motion was seconded by Commissioner Collins; with Commissioners Garner, Collins, and Hilderbrand voting in favor; Commissioner Garner signed off on the paperwork. Commissioner Collins made a motion to approve and pay November 2011 Accounts/Payables; his motion was seconded by Commissioner Hilderbrand with Commissioners Collins, Garner, and Hilderbrand voting in favor; signing off on the paperwork were Commissioners Garner, Hilderbrand and Collins, and Clerk Gatewood. Commissioners Garner, Collins, and Hilderbrand signed off on a letter of support for the Senior Services of Southeast Kansas for Transit District #10 for transportation needs for the elderly to continue. Commissioner Garner signed off on the purchase agreement for the NSP home the county holds.

**EXECUTIVE SESSIONS**

Commissioner Hilderbrand requested an **Executive Session for Personnel/Non Elected**. Commissioner Hilderbrand made the motion to go into **Executive Session for twenty minutes for Personnel/Non Elected** with himself, Commissioners Garner and Collins, and Sheriff Groves; his motion was seconded by Commissioner Collins with Commissioners Garner, Collins, and Hilderbrand voting in favor. They went in at 10:03 AM and returned at 10:20 AM.

**MOTIONS**

Commissioner Hilderbrand made the motion to approve and pass **Resolution #20 in the matter of establishing a 911 Fund pursuant to the Kansas 911 Act as enacted during the 2011 Kansas Legislative Session**; his motion was seconded by Commissioner Collins with Commissioners Garner, Hilderbrand and Collins voting in favor. Commissioners Garner, Hilderbrand and Collins, and County Clerk Gatewood signed off on the resolution.

Commissioner Hilderbrand made the motion to approve and pass **Resolution #21 regarding the Cherokee County Emergency Telephone Service**; his motion was seconded by Commissioner Collins with Commissioners Garner, Hilderbrand and Collins voting in favor. Commissioners Garner, Hilderbrand and Collins, and Clerk Gatewood signed off on the resolution.

**A COPY OF RESOLUTION #20 AND #21 ARE ATTACHED TO THESE MINUTES.**

Commissioner Hilderbrand made the motion to have County Counselor Cure do research on the procedure to consolidate the Cherokee County Register of Deeds Office with the Cherokee County Clerk's Office; his motion was seconded by Commissioner Collins with Commissioners Garner, Collins, and Hilderbrand voting in favor.

**OTHER BUSINESS**

Leonard Vanatta of Road and Bridge came before the commission to discuss general road and machinery maintenance. Commissioner Hilderbrand asked Leonard to put up two "No Dumping" signs on Lostine Road in the county, the money will be taken out of 911 Funds to pay for the signs. Leonard also reported that the estimate for Weaver Bridge was \$592,250.22 and the project will start before April 2012.

Treasurer Hodgson submitted her November budget worksheet for the county. She pointed out that the Road and Bridge and Emergency Management line item is low, and to make sure and watch spending. It was also pointed out that both budgets were over the amount which was set by the commission. A copy of this report is attached to the minutes. Juanita also thanked two of her employees, Candy and Cheryl, for working to get tax statements in envelopes and that her office is mailing them out today to taxpayers.

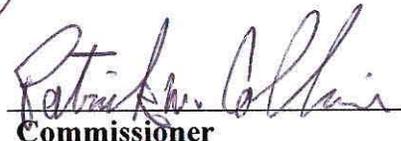
**ADJOURMENT**

Commissioner Garner made a motion to adjourn at 11:05 AM; his motion was seconded by Commissioner Collins with Commissioners Collins, Hilderbrand, and Garner voting in favor. The next regular Cherokee County Commission meeting will be held November 28, 2011 at 9:00 AM in the Cherokee County Courthouse in Columbus, Kansas.

**Resolved and ordered this day, November 28, 2011**

  
Cherokee County Clerk

  
Commissioner

  
Commissioner

\_\_\_\_\_  
Commissioner

	<u>Beginning Budget</u>	<u>BUDGET AVAIL.</u>	<u>Rd &amp; Bridg</u>	<u>Nov A/P</u>	<u>Nov P/R</u>	<u>AFTER NOV ISSUE</u>	<u>%</u>
County No-Fund Warrant	\$ 226,889.00	\$ 102,000.50	\$ -	\$ -	\$ -	\$ 102,000.50	44.96%
Technology Fund			\$ -	\$ 3,021.16	\$ -		0.00%
Rd & Bridg	\$ 3,360,000.00	\$ 277,484.19	\$ 277,673.38	\$ 267,533.65	\$ 111,264.07	\$ 176,359.85	5.25%
Ex Counc	\$ 200,615.00	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Noxious Weed	\$ 85,500.00	\$ 27,113.39	\$ -	\$ 132.91	\$ 2,232.53	\$ 24,747.95	28.94%
Health &Wic	\$ 834,741.00	\$ 430,847.55	\$ -	\$ 101,533.90	\$ 36,108.41	\$ 293,205.24	35.13%
Fair	\$ 1,049.00	\$ (2,914.95)	\$ -	\$ -	\$ -	\$ (2,914.95)	-277.88%
Direct Elect	\$ 189,000.00	\$ 84,714.47	\$ -	\$ 380.00	\$ 3,588.13	\$ 80,746.34	42.72%
Comm College	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Soil Conserv	\$ 25,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Special Bridge	\$ -	\$ -	\$ -	\$ 378.00	\$ 1,588.33		0.00%
Mental Health	\$ 111,457.00	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Mental Retard.	\$ 111,457.00	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Ambulance	\$ 576,576.00	\$ 96,096.00	\$ -	\$ 48,048.00	\$ -	\$ 48,048.00	8.33%
Inter-Gov 911	\$ 187,399.00	\$ 136,913.88	\$ -	\$ 1,410.13	\$ -	\$ 135,503.75	72.31%
911 Wireless	\$ 271,922.00	\$ 270,977.00	\$ -	\$ -	\$ -	\$ 270,977.00	99.65%
Appraiser	\$ 331,400.00	\$ 82,030.71	\$ -	\$ 4,609.63	\$ 21,776.53	\$ 55,644.55	16.79%
County Bldg.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Employee Bene	\$ 3,100,000.00	\$ 774,805.21	\$ -	\$ 42,722.48	\$ -	\$ 732,082.73	23.62%
Elderly	\$ 35,000.00	\$ 13,734.88	\$ -	\$ 144.96	\$ -	\$ 13,589.92	38.83%
08LEPC Plan/Train Grant	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Landfill	\$ 35,859.00	\$ 30,171.03	\$ -	\$ -	\$ -	\$ 30,171.03	84.14%
Sewer Dist #1	\$ 298,902.00	\$ 115,229.53	\$ -	\$ 1,962.15	\$ 1,884.56	\$ 111,382.82	37.26%
Siren				\$ -	\$ -		
PR	\$ -	\$ -	\$ -	\$ 150.00	\$ -	\$ -	0.00%
No Fund Warrants	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
PA Training	\$ 3,765.00	\$ 3,765.00	\$ -	\$ -	\$ -	\$ 3,765.00	0.00%
Do Attorney Spec Law Enforc	\$ 3,104.00	\$ 3,104.00	\$ -	\$ -	\$ -	\$ 3,104.00	0.00%
NSP			\$ -	\$ -	\$ -		
Park	\$ 13,490.00	\$ 9,490.00	\$ -	\$ -	\$ -	\$ 9,490.00	70.35%
Alcohol	\$ 14,669.00	\$ 1,940.56	\$ -	\$ -	\$ -	\$ 1,940.56	13.23%
Tourism	\$ 7,500.00	\$ 6,079.05	\$ -	\$ 3,213.94	\$ -	\$ 2,865.11	38.20%
Spec Law	\$ 1,570.00	\$ 1,570.00	\$ -	\$ -	\$ -	\$ 1,570.00	0.00%
Drug Tax Stamp Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
<b>Total</b>		\$ -	\$ 277,673.38	\$ 600,126.83	\$ 373,236.33		

<b>FUND BALANCES 11/21/2011</b>					
<b>FUND</b>	<b>FUND #</b>	<b>Balance November 2011</b>	<b>Nov A/P</b>	<b>Nov P/R</b>	<b>BALANCE</b>
County No-Fund Warrants	99	\$ 14,234.86	\$ -	\$ -	\$ 14,234.86
CO GEN	100	\$ 580,422.71	\$ 124,885.92	\$ 194,793.77	\$ 260,743.02
TECHNOLOGY FUND	103	\$ 28,800.98	\$ 3,021.16	\$ -	\$ 25,779.82
STATE LINE ROAD PROJECT	105	\$ 259.43	\$ -	\$ -	\$ 259.43
Jail Salestax	107	\$ 521,611.24	\$ -	\$ -	\$ 521,611.24
Law Enforcement Center	108	\$ -	\$ -	\$ -	\$ -
RD BRIDGE	110	\$ 478,534.04	\$ 267,533.65	\$ 111,264.07	\$ 99,736.32
EX COUNCIL	120	\$ 27,598.80	\$ -	\$ -	\$ 27,598.80
NOXIOUS WEED	130	\$ 73,599.03	\$ 132.91	\$ 2,232.53	\$ 71,233.59
SEVERE WEATHER EQUIPMENT	135	\$ 22.00	\$ -	\$ -	\$ 22.00
HEALTH	140	\$ 1,239,041.98	\$ 101,533.90	\$ 36,108.41	\$ 1,101,399.67
Clean Up Illegal Dump	142	\$ -	\$ -	\$ -	\$ -
TRI CO WIC	145	\$ 118.32	\$ -	\$ -	\$ 118.32
FAIR	150	\$ 190.89	\$ -	\$ -	\$ 190.89
ELECTION	160	\$ 146,923.45	\$ 380.00	\$ 3,588.13	\$ 142,955.32
COMM COLLEGE	170	\$ 1,943.09	\$ -	\$ -	\$ 1,943.09
SOIL CONSERV	180	\$ 3,551.27	\$ -	\$ -	\$ 3,551.27
SPECIAL BRIDGE	190	\$ 352,799.97	\$ 378.00	\$ 1,588.33	\$ 350,833.64
MENTAL HEALTH	200	\$ 15,100.05	\$ -	\$ -	\$ 15,100.05
MENTAL RETARD	210	\$ 14,946.12	\$ -	\$ -	\$ 14,946.12
FAM LIFE CENTER BOND & INT	216	\$ -	\$ -	\$ -	\$ -
AMBULANCE	220	\$ 160,812.20	\$ 48,048.00	\$ -	\$ 112,764.20
INTERGOV 911	225	\$ 98,674.96	\$ 1,410.13	\$ -	\$ 97,264.83
911 WIRELESS	226	\$ 153,035.20	\$ -	\$ -	\$ 153,035.20
FEMA PUBLIC ASSISTANCE GRANT	227	\$ -	\$ -	\$ -	\$ -
APPRAISAL	230	\$ 155,832.72	\$ 4,609.63	\$ 21,776.53	\$ 129,446.56
COUNTY BLDG	250	\$ 916.33	\$ -	\$ -	\$ 916.33
EMPL. BENE	260	\$ 616,927.85	\$ 42,722.48	\$ -	\$ 574,205.37
PAYROLL W/HOLD	265	\$ (81.96)	\$ 150.00	\$ -	\$ (231.96)
SPECIAL (TORT) LIABILITY	290	\$ 16,873.74	\$ -	\$ -	\$ 16,873.74
ELDERLY	300	\$ 17,683.64	\$ 144.96	\$ -	\$ 17,538.68
DESIGNATED DV & SA PROSEC	301	\$ -	\$ -	\$ -	\$ -
CDBG-Grant Family Life	302	\$ -	\$ -	\$ -	\$ -
08LEPC PLAN/TRAIN GRANT	303	\$ -	\$ -	\$ -	\$ -
SPIDER PROGRAM	304	\$ 11,465.00	\$ -	\$ -	\$ 11,465.00
E/P GRANT	306	\$ 201.43	\$ -	\$ -	\$ 201.43
JUVENILE BLOCK GRANT	308	\$ -	\$ -	\$ -	\$ -
JUVENILE BLOCK GRANT	309	\$ -	\$ -	\$ -	\$ -

FUND	FUND #	Balance November 2011	Nov A/P	Nov P/R	BALANCE
LANDFILL	310	\$ 80,322.61	\$ -	\$ -	\$ 80,322.61
REMODEL GRANT	313	\$ -	\$ -	\$ -	\$ -
INVESTIGATOR GRANT	314	\$ -	\$ -	\$ -	\$ -
GALENA MINE CLOSURE	317	\$ -	\$ -	\$ -	\$ -
EMERG SHELTER GRANT	318	\$ -	\$ -	\$ -	\$ -
SEWER DIST #1 BOND & INT	320	\$ 5,542.84	\$ -	\$ -	\$ 5,542.84
SEWER DIST #1 OPER & MAINT	330	\$ 73,470.02	\$ 1,962.15	\$ 1,884.56	\$ 69,623.31
SHELTERED WORKSHOP BD & IN	340	\$ 13.00	\$ -	\$ -	\$ 13.00
SPECIAL HIGHWAY IMPROVEMT	360	\$ 1,264.20	\$ -	\$ -	\$ 1,264.20
SPECIAL ROAD MACHINERY	370	\$ 100.00	\$ -	\$ -	\$ 100.00
COUNTY BOND & INTEREST	390	\$ 1,340.54	\$ -	\$ -	\$ 1,340.54
PROS ATTORN TRAIN	410	\$ 1,377.89	\$ -	\$ -	\$ 1,377.89
ELECTRONIC MONITORING	412	\$ 910.00	\$ -	\$ -	\$ 910.00
ATTORNEY APPLICATION FEE	413	\$ -	\$ -	\$ -	\$ -
DIVERSION SUPERVISION FEE	414	\$ 5.00	\$ -	\$ -	\$ 5.00
ADMINISTRATION FEE BAD CKS	415	\$ 88.81	\$ -	\$ -	\$ 88.81
SPECIAL PARKS & RECREATION	430	\$ 6,513.42	\$ -	\$ -	\$ 6,513.42
SPEC ALCOHOL	440	\$ 6,326.89	\$ -	\$ -	\$ 6,326.89
TOURISM	450	\$ 4,013.94	\$ 3,213.94	\$ -	\$ 800.00
INFORMATION NETWORK OF KS	465	\$ 4,528.14	\$ -	\$ -	\$ 4,528.14
BANKRUPTCY FUND	470	\$ 1,865.21	\$ -	\$ -	\$ 1,865.21
CONCEALED WEAPON APPS	489	\$ 9,320.00	\$ -	\$ -	\$ 9,320.00
SPECIAL LAW ENFORC TRUST	490	\$ 6,047.34	\$ -	\$ -	\$ 6,047.34
DRUG TAX STAMP FUND	491	\$ 1,253.42	\$ -	\$ -	\$ 1,253.42
CO ATTY SPEC LAW ENFORC	492	\$ 883.92	\$ -	\$ -	\$ 883.92
Drug Forfeiture Fund	493	\$ 4,274.93	\$ -	\$ -	\$ 4,274.93
Justice Assistance Grant	494	\$ 390.81	\$ -	\$ -	\$ 390.81
DRUG FREE GRANT 91-03	495	\$ 4,539.35	\$ -	\$ -	\$ 4,539.35
RURAL WATER #8 GRANT	505	\$ 246.00	\$ -	\$ -	\$ 246.00
FLOOD PURCHASE AGREEMENT	513	\$ -	\$ -	\$ -	\$ -
FLOOD BUYOUT PROG 1997	517	\$ -	\$ -	\$ -	\$ -
SIREN			\$ -		
NSP			\$ -		
			\$ 600,126.83	\$ 373,236.33	

<b>BUDGET BALANCES 2011</b>							
<b>COUNTY GENERAL</b>	<b>Beginning Budget</b>	<b>BUDGET AVAIL.</b>	<b>1st Half Nov A/P</b>	<b>Nov A/P</b>	<b>Nov P/R</b>	<b>AFTER NOV ISSUE</b>	<b>%</b>
Commissioners	\$ 91,500.00	\$ 22,553.71	\$ -	\$ 1,324.92	\$ 5,753.53	\$ 15,475.26	16.91%
County Clerk	\$ 130,000.00	\$ 30,906.28	\$ -	\$ 1,457.04	\$ 9,252.66	\$ 20,196.58	15.54%
County Treasurer	\$ 140,000.00	\$ 48,132.70	\$ -	\$ 803.76	\$ 24,192.59	\$ 23,136.35	16.53%
County Attorney	\$ 240,000.00	\$ 46,146.94	\$ -	\$ 3,824.42	\$ 15,927.80	\$ 26,394.72	11.00%
Register of Deeds	\$ 112,000.00	\$ 19,396.26	\$ -	\$ 1,734.54	\$ 9,629.78	\$ 8,031.94	7.17%
County Counselor	\$ 32,000.00	\$ 10,035.35	\$ -	\$ -	\$ 2,185.45	\$ 7,849.90	24.53%
Sheriff Dept	\$ 1,014,033.00	\$ 208,903.45	\$ -	\$ 36,979.87	\$ 67,328.45	\$ 104,595.13	10.31%
Sheriff O.T.	\$ 40,000.00	\$ (28.78)	\$ -	\$ -	\$ 3,507.02	\$ (3,535.80)	-8.84%
District Court	\$ 266,800.00	\$ 76,551.95	\$ -	\$ 17,718.79	\$ 2,438.00	\$ 56,395.16	21.14%
Courthouse	\$ 455,000.00	\$ 49,500.61	\$ -	\$ 26,283.05	\$ 5,102.72	\$ 18,114.84	3.98%
Emergency Prep	\$ 68,550.00	\$ 9,132.28	\$ -	\$ 604.77	\$ 5,759.19	\$ 2,768.32	4.04%
Human Resources	\$ 35,000.00	\$ 5,752.85	\$ -	\$ -	\$ 3,023.12	\$ 2,729.73	7.80%
Economic Dev.	\$ 2,300.00	\$ (200.00)	\$ -	\$ -	\$ -	\$ (200.00)	-8.70%
Planning Comm	\$ 6,300.00	\$ 509.25	\$ -	\$ -	\$ -	\$ 509.25	8.08%
Recreation	\$ 12,000.00	\$ 6,600.00	\$ -	\$ 1,500.00	\$ -	\$ 5,100.00	42.50%
Jail	\$ 843,356.00	\$ 146,166.85	\$ -	\$ 22,226.45	\$ 36,547.08	\$ 87,393.32	10.36%
Computer Prog	\$ 42,000.00	\$ 12,730.17	\$ -	\$ 47.50	\$ -	\$ 12,682.67	30.20%
Jury Cost	\$ 10,000.00	\$ 7,875.05	\$ -	\$ -	\$ -	\$ 7,875.05	78.75%
Juvenile Dentention	\$ 74,208.00	\$ 15,652.00	\$ -	\$ 7,361.00	\$ -	\$ 8,291.00	11.17%
Geneology Society	\$ 7,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Emergency 911	\$ 65,000.00	\$ 21,755.56	\$ -	\$ -	\$ 4,146.38	\$ 17,609.18	27.09%
Contract Services	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Gis Info	\$ 30,000.00	\$ 5,851.10	\$ -	\$ -	\$ -	\$ 5,851.10	19.50%
Other Trans	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Capital Lease	\$ 613,728.00	\$ 613,728.00	\$ -	\$ -	\$ -	\$ 613,728.00	100.00%
Employee Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Jail COP Cash Reserve	\$ 158,041.00	\$ 158,041.00	\$ -	\$ -	\$ -	\$ 158,041.00	0.00%
Courthouse Contingency			\$ -	\$ -	\$ -	\$ -	0.00%
Capital Lease AS400	\$ -	\$ -				\$ -	0.00%
Capital Lease File Server	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Employee Compensation	\$ 76,200.00	\$ 50,055.63	\$ -	\$ 3,019.81	\$ -	\$ 47,035.82	61.73%
<b>Total County General</b>	<b>\$ 4,565,516.00</b>	<b>\$ 1,565,748.21</b>	<b>\$ -</b>	<b>\$ 124,885.92</b>	<b>\$ 194,793.77</b>	<b>\$ 1,246,068.52</b>	<b>27.29%</b>

RESOLUTION NO. # 20

**A RESOLUTION ESTABLISHING THE CHEROKEE COUNTY 911 FUND**

At a regular meeting of the Board of County Commissioners of Cherokee County, Kansas conducted on November 21, 2011; there came before the Board for consideration the matter of establishing a 911 Fund pursuant to the Kansas 911 Act as enacted during the 2011 legislative session.

The Board, upon a motion duly made, seconded, and carried, adopted the following resolution, to-wit:

WHEREAS, the 2011 Kansas Legislature enacted comprehensive legislation entitled the Kansas 911 Act, providing for the collection and distribution of fees relating to emergency communications services; and

WHEREAS, pursuant to the Kansas 911 Act, on or after January 1, 2012, fees will be collected from services capable of contacting emergency communications services; and

WHEREAS, on and after January 1, 2012, Cherokee County will receive revenues from fees collected and distributed under the Kansas 911 Act; and

WHEREAS, the Board deems it necessary and advisable to establish a separate special fund for the receipt and expenditure of monies under the Kansas 911 Act.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Cherokee County, Kansas that the Cherokee County 911 Fund shall be and hereby is established within the Funds and Accounts of Cherokee County Government, to be administered as hereafter provided:

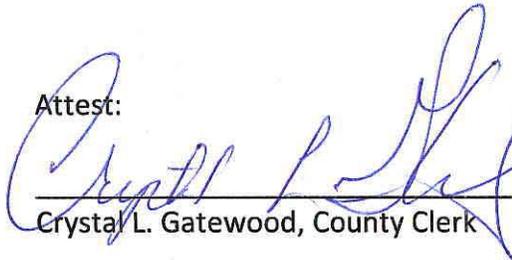
(a) *Fund Establishment.* There shall be and hereby is created a special fund account to be designated the Cherokee County 911 Fund. The Fund shall be administered as authorized under this resolution for the purposes required under the Kansas 911 Act, as now existing or hereafter amended.

(b) *Use of Funds.* All monies received by Cherokee County derived from fees collected pursuant to the Kansas 911 Act shall be credited to and deposited in the Cherokee County 911 Fund <sup>#224</sup>. The Cherokee County 911 Fund <sup>#224</sup> shall be a separate fund from the existing funds known as the 911 and E911, and monies shall not be comingled into or between those funds. Any and all interest earned or accrued on monies in the Fund as computed by the Cherokee County Treasurer shall be retained in the Fund. All monies in the Fund shall be used only for purposes required or permitted under the Kansas 911 Act, as enacted or hereafter amended, but shall include uses pursuant to any Interlocal Governmental Agreements entered into with those cities in the County which are consistent with the Act.

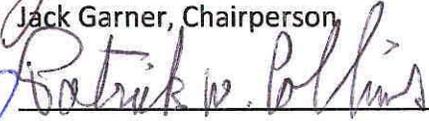
This resolution shall be and become effective upon adoption.

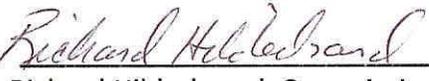
RESOLVED THIS 21<sup>ST</sup> DAY OF November 2011.

Attest:

  
Crystal L. Gatewood, County Clerk

  
Jack Garner, Chairperson

  
Pat Collins, Commissioner

  
Richard Hilderbrand, Commissioner

**Resolution # 21**

**CHEROKEE COUNTY EMERGENCY TELEPHONE SERVICE**

WHEREAS, K.S.A. 12-5301, et seq., authorizes the governing body to enact by resolution or ordinance provisions for the implementation of an emergency telephone service for reporting police, fire, medical or other emergency situations; and

WHEREAS, the Board of County Commissioners of Cherokee County, Kansas approved a resolution on the 24<sup>th</sup> day of May, 2004 to provide for emergency telephone services utilizing the three (3) digit number 911 for reporting police, fire, medical or other emergency situations; and

WHEREAS, the Board of County Commissioners of Cherokee County, Kansas, originally imposed a tax in an amount not to exceed two percent (2%) of the tariff rate defined in K.S.A. 12-5301 to pay the costs of such emergency telephone services within Cherokee County;

AND WHEREAS, the governing body is now authorized and has been imposing a tax in an amount not to exceed \$.75 per month per exchange access line or its equivalent in those portions of the governing body's jurisdiction for which emergency telephone service has been contracted to pay the costs thereof.

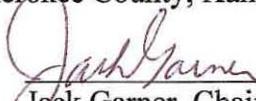
AND WHEREAS, the Kansas Legislature has mandated that, beginning in January of 2012, the amount of tax to be imposed shall be in the amount of \$0.53 per month per exchange access line or its equivalent.

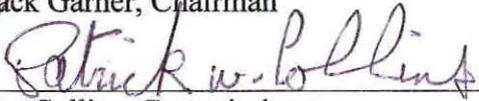
NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Cherokee County, Kansas, that:

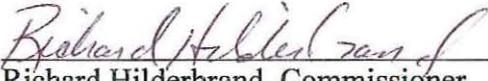
1. That the tax imposed for the purpose of providing 911 Service within Cherokee County shall continue to be in the amount of \$.53 per month per exchange access line or its equivalent in accordance with K.S.A. 12-5302, et seq.
2. That the Board of County Commissioners of Cherokee County, Kansas shall be authorized to continue to enter into any contracts with providers of emergency telephone service or any other public agencies in accordance with K.S.A. 23-5304, if the same is deemed to be the most appropriate procedure.
3. The forgoing tax rate of \$0.53 shall take effect and replace the former tax rate of \$0.75 beginning January 1, 2012

PASSED AND APPROVED, this 21<sup>st</sup> day of November, 2011.

The Board of County Commissioners  
of Cherokee County, Kansas

  
\_\_\_\_\_  
Jack Garner, Chairman

  
\_\_\_\_\_  
Pat Collins, Commissioner

  
\_\_\_\_\_  
Richard Hilderbrand, Commissioner

ATTEST:

  
\_\_\_\_\_  
Crystal L Gatewood, County Clerk