

MINUTES FOR NOVEMBER 24, 2014
BOARD OF CHEROKEE COUNTY COMMISSIONERS
CHEROKEE COUNTY, KANSAS

CONVENE

Commissioner Hilderbrand called the regular session of the Cherokee County Board of Commissioners (The Board), to order and led all in attendance in the Pledge of Allegiance at 9:00 AM on Monday, November 24, 2014 in the Commission Room, #109 of the Cherokee County Courthouse located at 110 W Maple St., Columbus, Kansas. Commissioners Richard Hilderbrand, Charles Napier, Pat Collins, and County Clerk Rodney Edmondson were present.

Members of the press present: Larry Hiatt, Machel Smith, Jordan Zabel

After convening, the Board moved to the District Courtroom for a public presentation of a proposal to bring a casino to Cherokee County.

Castle Rock Casino Resort, LLC

At 9:19 AM Rodney Stevens II and Greg Ferris of Castle Rock Casino Resort, LLC provided a public presentation of a proposal to bring a destination casino to Cherokee County. Castle Rock is a group of Kansas owners and investors. They have purchased 80 acres in Kansas near the Downstream Casino Resort to build a Las Vegas style casino and hotel.

The group plans to invest \$130 Million dollars on the facility. It is expected to generate 1,000 to 1,200 permanent jobs, \$1.5 Million dollars in new property taxes, \$250,000 in County Sales Tax, and \$2.4 Million dollars in County Gaming Tax.

Castle Rock is asking the Board for an endorsement from Cherokee County to submit to the State of Kansas in the application process to build a casino in Cherokee County. They are not seeking an exclusive endorsement so the Board is free to endorse any other proposals brought before them.

The presentation concluded at 10:14 AM following a question and answer period from those in attendance.

A motion was made by Commissioner Hilderbrand to enter an Executive Session with the Board and Counsel David Cooper for the purpose of Attorney Client Privilege for a period of 15 minutes. The motion was seconded by Commissioner Collins. The motion carried 3-0 at 10:15 AM.

The meeting reconvened at 10:30 AM.

A motion was made by Commissioner Hilderbrand to accept Resolution 20-2014, a resolution of endorsement for the operation of a lottery gaming facility by Castle Rock Casino Resort, LLC in Cherokee County, Kansas. The motion was seconded by Commissioner Collins. The motion carried 3-0 with all voting yes.

The meeting reconvened at 10:40 AM in the Commission Room.

A motion was made by Commissioner Hilderbrand to amend the agenda for Sandra Stricklin from 11:00 AM to 10:55 AM. The motion was seconded by Commissioner Napier. The motion carried 3-0 at 10:55 AM.

Sandra Stricklin - Mayor, City of Weir

She appeared before the Board on behalf of the City of Weir, along with Tammy Hall from USD 247.

RH

USD 247, in cooperation with the City of Weir, have been awarded a FEMA Grant in the amount of \$400,000 to construct a Storm Safe Room at the school in Weir. The safe room will accommodate 299 persons and will be open for community use during storms. The school is responsible for 25%, or \$100,000 of the total project. The school district is prepared to use capital outlay funds to ensure the completion of the project.

They are asking the Board to consider providing any funding possible toward the project.

The Board took it under advisement.

Sheriff David Groves, Bill Charles - Sheriff's Department

They appeared before the Board to provide an update on the preparation to house Kansas Department of Corrections inmates. They have been working on a cost estimate for new inmate uniforms, bedding, etc., that is needed at the jail. It will cost \$5,000 for approximately half of what is needed. They can proceed with current jail budget funds, but it might will make the budget tight. The first inmate is expected within a couple of weeks.

Emergency Preparedness Director Jason Allison presented a maintenance agreement from Blue Valley Public Safety Inc. for storm siren maintenance through November 30, 2015 at a cost of \$494 per month.

A motion was made by Commissioner Collins to approve the contract as presented. The motion was seconded by Commissioner Napier. The motion carried 3-0.

A motion was made by Commissioner Collins to approve the Minutes of the November 17, 2014 BOCC Meeting as written. The motion was seconded by Commissioner Napier. The motion carried 3-0.

The Board considered a Letter of Support as requested by Marla Larison of the Scenic Byway Committee addressed to the Kansas Historical Society. They are seeking the nomination of a portion of the Kansas Route 66 Historic Roadbed as a historical road. The portion extends 2.1 miles beginning just south of the Rainbow Bridge south to the edge of where the old Willow Creek Bridge was located.

A motion was made by Commissioner Napier to sign the Letter of endorsement. The motion was seconded by Commissioner Hilderbrand. The motion carried 3-0.

Commissioner Hilderbrand read a request from the Quapaw Tribe of Oklahoma to have Cherokee County abandon a portion of the State Line Road near the Downstream Casino. Newton County has already abandoned their portion of the road. The item died for lack of interest by the Board.

Property Tax Relief Applications - Baxter Springs Tornado

The Board reviewed Property Tax Relief Applications for consideration of tax abatements to homesteads damaged as a result of the tornado in Baxter Springs on April 27, 2014.

The Board reviewed the following applications and made determinations as indicated.

Debra K. Price, 522 E 10th St. Structures were destroyed by the tornado and the property is now a vacant lot. A motion made by Commissioner Collins, seconded by Commissioner Napier to grant a 100% abatement. The motion carried 3-0.

Russell and Carolyn Truster, 401 E 12th St. Structure was destroyed, now a vacant lot. A motion made by Commissioner Collins, seconded by Commissioner Napier to grant a 100% abatement. The motion carried 3-0.

RH

All properties are located within the city limits of Baxter Springs. The abatements granted are for tax year 2014. The approved abatements will apply to property taxes on structures. Land values and taxes assessed on land are not affected.

Nathan Coleman - County Counselor

He appeared before the Board regarding legal matters concerning Cherokee County.

A motion was made by Commissioner Hilderbrand to enter an Executive Session with the Board, Mr. Coleman, and Sheriff David Groves for the purpose of Attorney Client Privilege for a period of 10 minutes. The motion was seconded by Commissioner Napier. The motion carried 3-0 at 11:38 AM.

The meeting reconvened at 11:39 AM.

No action was taken as a result of the Executive Session.

Commissioner Collins provided Mr. Coleman with documents regarding two pieces of property that the county owns, that someone wants to purchase. Mr. Coleman will research the county's options for transferring ownership of the property.

A motion was made by Commissioner Collins to provide a Walmart gift card in the amount of \$50 to each of the county's employees for Christmas. The motion was seconded by Commissioner Napier. The motion carried 3-0. Funds are to be taken from the Employee Comp Fund.

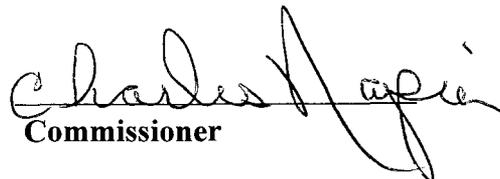
A motion was made by Commissioner Collins to change the holiday schedule to reflect December 24, 25, and 26 as county holidays for 2014. The motion was seconded by Commissioner Napier. The motion carried 2-1 with Commissioner Hilderbrand voting no, for the reason that he wanted the option of each department to close on the 26th by using vacation or personal days.

Commissioner Hilderbrand made a motion to adjourn until the next regularly scheduled meeting set for December 1, 2014 at 9:00 AM. The motion was seconded by Commissioner Napier. The motion carried 3-0 with all voting yes at 12:09 PM.

ATTEST: Resolved and ordered this day, December 1, 2014


Cherokee County Clerk


Commissioner


Commissioner


Commissioner

Cherokee County Commissioners

COURTHOUSE • 110 W. MAPLE ST.

COLUMBUS, KANSAS 66725

PHONE 620-429-3256

FAX 620-429-1591

E-MAIL: ckcomm@columbus-ks.com

November 24, 2014

Sarah J. Martin
Kansas Historical Society
6425 SW 6th Ave.
Topeka, KS 66615

To whom it may concern,

The Board of County Commissioners of Cherokee County Kansas, hereby issue our support for the nomination of a portion of the Kansas Rt. 66 Historic Roadbed, as a historical road. The portion of the road to be considered is approximately 2.1 miles in length and extends from just south of Rainbow Bridge to the edge of where the old Willow Creek Bridge was located.

Respectfully,

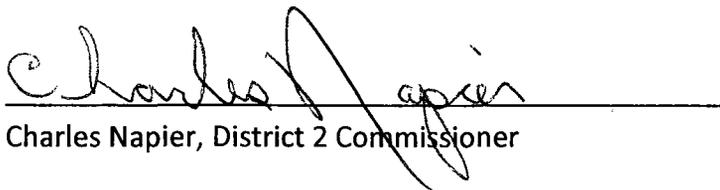
Cherokee County Board of Commissioners



Chairman Richard Hilderbrand, District 3 Commissioner



Patrick Collins, District 1 Commissioner



Charles Napier, District 2 Commissioner

PAT COLLINS
First District

CHARLES NAPIER
Second District

RICHARD HILDERBRAND
Third District

BVPS

Complete Solutions
Blue Valley Public Safety Inc.

509 JAMES ROLLO DRIVE ♦ PO BOX 363
GRAIN VALLEY, MO 64029
(816) 847-7502

MAINTENANCE AGREEMENT

PO # _____

Maintenance Period: 12/1/14 thru 11/30/15

Payment Period: _____

Customer Address		Billing Address		
Cherokee Co., Emergency Mgmt. ATTN: Jason Allison PO Box 143 - 110 W. Maple Columbus, KS 66725				
Phone	Attention of			
Qty.	Model and Description	Unit per Month	Month Total	Annual
10	DCFCTBDU Controls	18.00	180.00	
40	Batteries	5.50	220.00	
2	SS2000D Encoders	12.00	24.00	
1	Sotware Warranty (SFCD25)	70.00	70.00	
	Monthly Total:		494.00	
	ANNUAL TOTAL:			\$5,928.00
10	UNDER WARRANTY: Model 2001 Sirens thru 2/17			

BLUE VALLEY PUBLIC SAFETY

Dee A. Wieduwilt

Dee A. Wieduwilt, Office Manager

Date: 11/20/2014 10:36:00 AM

CUSTOMER

Cherokee Co., KS

By: Richard H. ...

Date: 11-24-2014

Resolution No. 20-2014

A RESOLUTION OF ENDORSEMENT FOR THE OPERATION OF A
LOTTERY GAMING FACILITY BY CASTLE ROCK CASINO RESORT, LLC
IN CHEROKEE COUNTY, KANSAS:

WHEREAS, the Kansas Expanded Lottery Act and amendments thereto, K.S.A. 74-8733, *et seq.* (the "Act"), was approved by the Kansas Legislature, signed by the Governor, and published in the Kansas Register; and

WHEREAS, the Act provides for the development of one lottery gaming facility per Gaming Zone in the State, as defined in the Act; and

WHEREAS, Crawford County and Cherokee County are the counties located in the southeast Kansas Gaming Zone; and

WHEREAS, the Act provides that each county in each gaming zone must submit to the qualified voters a resolution to permit the operation of a Lottery Gaming Facility within the County; and

WHEREAS, Cherokee County called an election on the question of "Shall the Kansas lottery be authorized to operate a lottery gaming facility in Cherokee County?"; and

WHEREAS, the election was duly noticed, conducted, and the votes counted and canvassed in the manner provided under Kansas law; and

WHEREAS, the qualified voters voted in favor of the development and operation of Lottery Gaming Facility in Cherokee County and the certified results were transmitted to the Lottery Commission; and

WHEREAS, the Act requires a Resolution of Endorsement from the County of any prospective Lottery Gaming Facility Manager submitting a Lottery Gaming Facility Management Contract to the Lottery Commission; and

WHEREAS, Cherokee County has received statements of qualifications for parties seeking a Resolution of Endorsement from the County as a Lottery Gaming Facility Manager; and

WHEREAS, the County held a public hearing on November 24, 2014, ("Public Hearing") to receive information and testimony in support of prospective Lottery Gaming Facility Managers regarding their qualifications, proposed sites for the Lottery Gaming Facility, and specific development plans for the Lottery Gaming Facility and ancillary development; and

WHEREAS, the following parties presented statements of qualification at the Public Hearing: Castle Rock Casino Resort, LLC; and

WHEREAS, after duly considering all information and testimony provided at the Public Hearing the County determined that Castle Rock Casino Resort, LLC possesses the qualifications and financial resources to operate a Lottery Gaming Facility in Cherokee County, Kansas, and

WHEREAS, Castle Rock Casino Resort, LLC controls approximately 80 acres adjacent to U.S. Highway 400 in close proximity to Interstate 44 and proposes this as the location for development and operation of a Lottery Gaming Facility; and

WHEREAS, Cherokee County has determined this location is well suited to attract tourism and enhance the economic development prospects of the County and State; and

WHEREAS, Cherokee County agrees to facilitate the delivery of water and sewer utilities, on terms acceptable to the County, to the agreed upon site as provided by law; and

WHEREAS, the proposed location in Cherokee County is presently eligible for County Emergency Medical and Fire Protection Services and are served by existing providers; and

WHEREAS, there are no zoning or building permits required in Cherokee County and Castle Rock Casino Resort, LLC will be able to construct the proposed facility at the proposed location with no additional zoning or permitting requirements; and

WHEREAS, Castle Rock Casino Resort, LLC is in compliance with all applicable Cherokee County resolutions, ordinances, and regulations; and

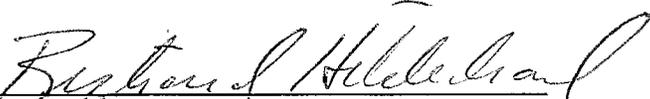
WHEREAS, the County expects to negotiate and enter into a development agreement with Castle Rock Casino Resort, LLC before construction of the project;

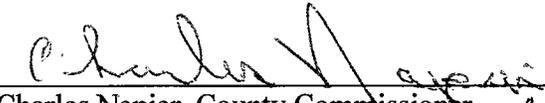
WHEREAS, to facilitate the location of the southeast Kansas Lottery Gaming Facility in Cherokee County the County has determined it is in the best interest of the County based on the information and testimony provided at the Public Hearing and independent investigations of prospective Lottery Gaming Facility Managers to issue a Resolution of Endorsement at this time.

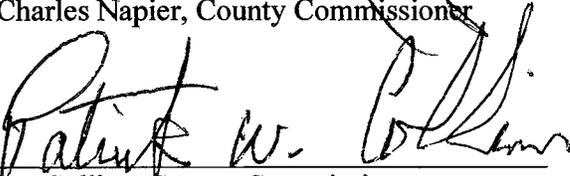
NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE BOARD OF COMMISSIONERS OF CHEROKEE COUNTY, KANSAS:

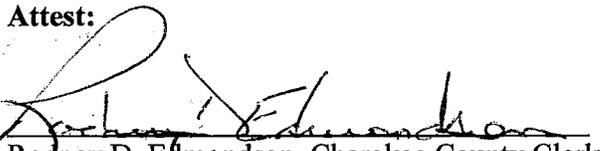
Castle Rock Casino Resort, LLC is hereby provided the Endorsement of the County for its proposal as Lottery Gaming Facility Manager Lottery Gaming Facility to be located in Cherokee County.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF CHEROKEE COUNTY, KANSAS, THIS __ DAY OF NOVEMBER, 2014.


Richard Hilderbrand, Chairman, County Commissioner


Charles Napier, County Commissioner


Pat Collins, County Commissioner

Attest:

Rodney D. Edmondson, Cherokee County Clerk

Approved as to Form:

David R. Cooper, Special Counsel to the Board of County Commissioners

Cherokee County Board of County Commissioners

Public Attendance Log: November 24, 2014

Printed Name	Phone Number	Address	Company or Organization
Janet Miller	762-0717	104 S. Kansas	Clc Cty Econ Dvpt
Mark Turnbull	417-473-8322		JRP
OTTO MARTIN	620-848-3189	6160 SE FAR Riverton	
TODD BERRY	620-848-3386	6800 Hwy 160, Riverton	USD 404
Jack Price	620-848-3483	6930 SE Bluebird Ln	Star
STEVEN PARSONS	620-674-3298	3215 Bethlehem Rd	G
Jim Tunnell	420-848-9852	-	-
Richard Mallatt Jr	620-848-3846	6336 SE 60 th ST	K/R
Connie B. Shaw	" " "	" " " "	"
Dan Brownlee	785-291-5800	700 SW Harrison Topeka	KRG Co
Andrew Nash	620-231-2600	201 N. Locust, Pittsburg	Morning Sun
Don Underwood	620-856-9783	2421 Kings Lt. Rd Dopeta, KS	-
A. DeJ			
Chris Wagoner		Hinsbury, KS	

Cherokee County Board of County Commissioners

Public Attendance Log: November 24, 2014

Printed Name	Phone Number	Address	Company or Organization
Jordan Zabel			CENA
John & Susan Archer			
ASHLEY QUALLS			
Matthew Feldkamp		PO Box 165 Riverton	
Angela Feldkamp		PO Box 165 Riverton	
GREG WALKER		6008 SE 74TH ^{TR} RIVERTON	
Jill Fichtner		Riverton KS.	
STEVE VOGEI		Galena Kc	
Sue Brennan		Galena Ks. 66737	
Tommy Bailey		Riverton Ks 66770	
Jerry Messer	674-1550		
Dania Szymura	620-202-1075	Galena	
Pat Rayce Cantrell	917-396-1860	74 E 4th Galena	
MIKE SWEETON	417-540-6853	Joplin	

