

MINUTES FOR APRIL 26, 2010
COLUMBUS, KANSAS, CHEROKEE COUNTY
OFFICE OF THE COUNTY CLERK
CRYSTAL L. GATEWOOD

The Cherokee County Commissioners met April 26, 2010. The meeting was called to order by Commissioner Hilderbrand and those present were Commissioners Collins and Garner. The Pledge of Allegiance was said by all. County Clerk Crystal Gatewood submitted the minutes for April 19, 2010, Commissioner Collins made a motion to accept the minutes, his motion was seconded by Commissioner Hilderbrand, and all voted in favor. Commissioner Garner made a motion to accept and pay the April 2010 Payroll and Accounts Payable as presented by Clerk Gatewood, his motion was seconded by Commissioner Collins, and all voted in favor and signed off. It is noted that County Counselor Kevin Cure was not present and did not sign off on the documents. It is also noted that Commissioner Garner had an outside meeting in the afternoon and was not present.

COMMISSIONERS COLLINS, HILDERBRAND AND GARNER SIGNED OFF ON AND APPROVED THE FOLLOWING:

Commissioners Hilderbrand, Collins, and Garner, and County Clerk Crystal Gatewood signed off on new bank signatures brought before the board by County Treasurer Juanita Hodgson.

MOTIONS

Commissioner Garner made a motion to amend the agenda and move John Gaither from 10:00 AM to 9:00 AM, his motion was seconded by Commissioner Collins, and all voted in favor.

Commissioner Hilderbrand made a motion to recess for lunch, his motion was seconded by Commissioner Garner, and all voted in favor.

Commissioner Hilderbrand made a motion to recess for ten minutes, his motion was seconded by Commissioner Garner, and all voted in favor.

Commissioner Collins made a motion to sign off and pay Manatron \$3,122.60 for a 1-year maintenance agreement for the AS 400 System, Commissioner Hilderbrand seconded the motion, and all voted in favor.

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OTHER BUSINESS

John Gaither came before the commission to discuss a land issue in the county. Commissioners Collins and Hilderbrand agreed to discuss and refer the matter over to County Counselor Kevin Cure. The commission agreed to get back with him at a later date regarding the matter.

Joe Hurla of 360 Energy Solutions came before the commission to discuss a grant opportunity with the county regarding the County Health Department and the Cherokee County Courthouse for energy solutions regarding windows, heating, electricity usage, and air conditioning. Mr. Hurla said Federal Stimulus money through a grant, which is 'first come first serve', and the grant is to be initiated by the State of Kansas and the State of Kansas also chooses who gets the grants. These grants are available to counties in need of energy upgrades. This grant is 60% from the Grant Fund and 40% to be provided by the county who receives the grant. He explained that this could be financed in the 2011 budget as needed. His company would like to help the county apply for the grant, do the energy audit and be there for every step of the process. He also explained that the deadline is July 15, 2010 and he needs to know as soon as possible if the commissioners want to apply. The commissioners agreed to discuss it and get back with him later. They thanked him for coming.

Cherokee County Extension board members Angie Ripple, Nancy Herrenbruck, and Rebecca Brassart came before the commission to discuss an article in the Pittsburg Morning Sun stating that the Cherokee County Extension has agreed to join a district consolidation with area counties. The members said this is not true and the Cherokee County Extension would remain separate and not be joining the district. The commissioners thanked them for the update.

Jason Allison of Emergency Management came before the commission regarding the NSP Grant and stated one of the three homes chosen for the grant is in the bank's hand and the other two homes will proceed with the terms of the grant initiative.

Leonard Vanatta, Road and Bridge Supervisor, and Gene Langerot, Supervisor of the County Lot, came before the commission and gave an update. Leonard stated roads are improving and all county roads are open now. He also reported they are scheduled to meet with the Mining Reclamation in Pittsburg regarding Coal Valley Road on Tuesday, April 27, 2010. He also spoke about repairing the road near the ambulance facility in Columbus, Kansas, and being reimbursed by the State of Kansas due to storm damage. He said he would get back with the commissioners when he finds out further information. He also discussed maintenance and repair on the steps and asphaltting the North Parking lot at the Law Enforcement Center. The commission agreed to let Mr. Langerot measure the lot and look into paving with cement also. No decisions were made, they will wait until later to make any plans regarding this maintenance. Commissioner Hilderbrand asked Leonard Vanatta to mow around the lagoons in Baxter Springs. Leonard Vanatta made a note of it and said he would take care of it.



PUBLIC HEARING FOR SUNDAY BEER SALES

Commissioner Hilderbrand opened the hearing, those present were:

Barbara Hixenbaugh, Jerry Hixenbaugh, Linda Gillespie, James Bean, Rosemarie Ascanio, John Ascanio, James Beck, Melissa Beck, Ralph Houser, Richard Sanell, Dallas Satterfield, Robert Baxter, and Mark Kerr.

County Counselor Kevin Cure explained that he believes it would not be possible for it to get onto the August 3, 2010 Primary Ballot due to the time frame involved between the Cereal Malt Beverage Laws and Election Laws and procedures. He also explained that if 'Liquor-by-the-Drink' was put on a ballot, by law it must be on a state General or Primary Ballot, and that even to consider this, it would not be up for vote until the 2012 Primary or General Elections. Regarding the Sunday Beer Sales of Cereal Malt Beverages, that is a special question and he suggested that if the commission wanted it on the November 2010 General Election Ballot, that would be more accommodating with the time factors. Many present expressed religious reasons for being against the Sunday Sales and others present said let the people vote on it. In the end, no decisions were made at this time regarding Sunday Beer Sales and Commissioner Hilderbrand closed the public hearing and thanked everyone for attending and their comments on the matter.

EXECUTIVE SESSION

Commissioner Hilderbrand made a motion to go into Executive Session for Non-Elected Personnel for ten minutes with himself, Commissioners Garner and Collins, and Register of Deeds Christy Grant, his motion was seconded by Commissioner Garner, and all voted in favor. They went in at 9:31 AM and returned at 9:45 AM.

Commissioner Collins made a motion to go into Executive Session for Attorney/Client Privilege for twenty minutes with himself, Commissioner Hilderbrand, and County Counselor Kevin Cure, his motion was seconded by Commissioner Hilderbrand, and all voted in favor. They went in at 1:38 PM and returned at 1:58 PM.

Commissioner Collins made a motion to go into Executive Session for Attorney/Client Privilege for five minutes with himself, Commissioner Hilderbrand, and County Counselor Kevin Cure, his motion was seconded by Commissioner Hilderbrand, and all voted in favor. They went in at 1:06 PM and returned at 1:15 PM.

Commissioner Hilderbrand made a motion to go into Executive Session for Personnel/Non-Elected for ten minutes, his motion was seconded by Commissioner Collins, and all voted in favor. They went in at 2:45 PM and returned at 2:57 PM.

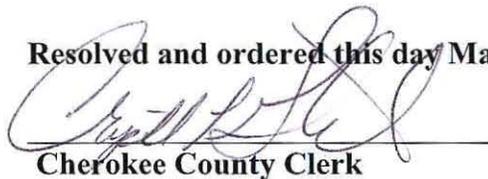
ADJOURNMENT



ADJOURMENT

Commissioner Collins made a motion to adjourn, his motion was seconded by Commissioner Hilderbrand and all voted in favor. The next Cherokee County Commission meeting will be held May 3, 2010 at 9:00 AM in the Cherokee County Courthouse in Columbus, Kansas.

Resolved and ordered this day May 3, 2010



Cherokee County Clerk



Commissioner



Commissioner



Commissioner