

MINUTES FOR FEBRUARY 6, 2012

COLUMBUS, KANSAS, CHEROKEE COUNTY

OFFICE OF THE COUNTY CLERK

CRYSTAL L. GATEWOOD

The Cherokee County Commissioners met February 6, 2012. Those in attendance were Commissioners Garner, Collins and Hilderbrand. The Pledge of Allegiance was said by all. County Clerk Crystal Gatewood submitted the minutes for January 30, 2012. Commissioner Collins made a motion to accept the minutes as amended by the commission; his motion was seconded by Commissioner Garner with Commissioners Collins, Garner and Hilderbrand voting in favor. Commissioners Collins, Hilderbrand and Garner, and Clerk Gatewood signed off on the documentation. Commissioner Hilderbrand and County Clerk Crystal Gatewood signed off on the Cherokee County Annual Tourism Agreement submitted by Jean Pritchett of the Columbus Chamber of Commerce during the meeting.

Commissioner Hilderbrand asked the Department Heads to construct a zero based budget proposal for their 2013 budgets. He also asked for the delinquent office inventories to be handed in to the Clerk's Office.

Commissioner Hilderbrand asked Clerk Gatewood to write a letter for the commission to be submitted to the Kansas Legislature regarding K.S.A. 20-301b which, if repealed, would give the court the ability to move judges to places where there is the highest need, which is in the urban areas of Kansas, and it would take them away from the rural areas of Kansas. The commission received a letter from Commissioner Michael E. Myatt of Clark County asking the Cherokee County Commission to oppose the repeal of K.S.A. 20-301b. Clerk Gatewood and County Counselor Cure will write a letter for the commission to oppose the repeal of K.S.A. 20-301b.

OTHER BUSINESS

Mayor Dale Oglesby came before the commission to let them know there was some confusion at the state level regarding set back requirements at the landfill in Galena, Kansas. He showed the commission a map of the landfill area and DWOP requirements and explained that the state wanted to make sure the commission was aware of the difference between the 150 feet vs. 75 feet on the compliance issue. The commissioners stated they had no concerns or issues with the compliance issue at the site. The commission thanked him for coming in. (The map is attached to these minutes.)

EXECUTIVE SESSIONS

Cherokee County Register of Deeds Barbara Bilke requested Executive Session for Personnel/Non Elected. Commissioner Hilderbrand made a motion to go into **Executive Session for Personnel/Non Elected for five minutes** with himself, Commissioners Garner and Collins, and Barbara Bilke; his motion was seconded by Commissioner Garner with Commissioners Garner, Collins, and Hilderbrand voting in favor. They went in at 11:05 AM and returned at 11:10 AM.

RA

County Counselor Kevin Cure requested Executive Session for Attorney/Client Privilege/Litigation. Commissioner Hilderbrand made the motion to go into **Executive Session for ten minutes for Attorney/Client Privilege/Litigation** with himself and Commissioners Garner and Collins, and County Counselor Kevin Cure; his motion was seconded by Commissioner Collins with Commissioners Collins, Garner, and Hilderbrand voting in favor. They went in at 11:37AM and returned at 11:49 AM.

MOTIONS

Commissioner Hilderbrand made a motion to sign off on the Lease Purchase Agreement for the Storm Sirens with Labette Bank, with 36 payments of \$18,042.21 a month to Labette Bank; his motion was seconded by Commissioner Garner with Commissioners Garner, Collins, and Hilderbrand voting in favor. County Counselor Cure will bring the final Lease Purchase Agreement in next week for the commission to sign. The commission will also let Clerk Gatewood know which county line item the payments will be coming out of.

COUNTY APPOINTED DEPARTMENT HEADS

Betha Elliott of the Cherokee County Health Department reported that her department is catching up on workshops and doing webinar for billing and Medicare.

Wayne Elliott of 911 mapping reported he was still having trouble with the cities in the county involving the cities not reporting to the county their newly assigned addresses. Commissioner Collins suggested he send a second letter or visit each city in person regarding this matter.

Supervisor Leonard Vanatta of Road & Bridge reported the County Lot was doing routine maintenance and the Weaver Bridge project was underway. Commissioner Collins discussed the road easement on the agenda for February 27, 2012 and asked Leonard to get back to him next week after he looks it over. Commissioner Garner asked about Spicklemire Cemetery and asked why it was not assessable to the public and Leonard said it was on private property and had been locked to keep vandals out by the owners.

County Appraiser Nancy Herrenbruck reported that citizens have until March 15, 2012 to return their personal property lists back to her office with no penalty, after the March 15, 2012 date a penalty will be assessed. Her office almost has the appraised values set for 2012.

Deana Randall of Human Resource reported she was preparing mid-month account payables and the cut off for mid-month was February 8, 2012 at noon.

Ralph Houser, Court House Maintenance, reported everything was going well.

Jason Allison of Emergency Preparedness reported the storm sirens will be delivered this week with a 24 hour notice by the company before delivering. He will meet with the sales rep on Thursday to schedule the set up of the sirens. He also reported that 150 individuals attended the storm spotter class that was held last week.

ELECTED OFFICIALS

Cherokee County Treasurer Juanita Hodgson submitted the sales tax report to the commission. (This report is attached to these minutes.) She reported that only name changes and re-newels for drivers' licenses will be processed by the Treasurer's Office. The process for re-newel is an eye exam and no written exam. She has also hired a new employee and the new employee will start Monday 13, 2012 and she would submit the paperwork next week.

Cherokee County Register of Deeds Barbara Bilke reported the office has processed 87 mortgages, 82 deeds, and several passports.

Cherokee County Sheriff David Groves reported that the dispatchers are training on the new system and the new system will be up on March 1, 2012. Currently the old system is being used as a backup, and they are working on the office phone system at the Law Enforcement Center.

Cherokee County Clerk Crystal Gatewood, reported by Clerk Jones, reported that the office is busy preparing for the City Election in April 2012. The office has processed many Homestead and Food Sales refunds for Cherokee County Citizens and the citizens can file until April 15, 2012. The Clerk's Office is also processing in-coming paperwork from the Appraiser's Office on property.

ADJOURNMENT

Commissioner Garner made a motion to adjourn; his motion was seconded by Commissioner Collins with Commissioners Collins, Hilderbrand, and Garner voting in favor. The commission adjourned for the day at 12:17 PM. The next Cherokee County Commission meeting will be held February 13, 2012 at 9:00 AM in the Cherokee County Courthouse in Columbus, Kansas.

Resolved and ordered this day, February 13, 2012

Cherokee County Clerk


Commissioner


Commissioner


Commissioner

TRANSIENT TAX AGREEMENT

This agreement is made and entered into this 16th January 2012 between Cherokee County, KS here in after called "County" and the Columbus Chamber of Commerce, a non-profit corporation here in after called the "Chamber" acting herein the Executive, its duly authorized representative.

WHEREAS, the County Commission of the County of Cherokee enacted the Transient Guest Tax Resolution August 31, 1982, levying a tax upon hotel and motel transient guests within the County, said tax being currently effective.

WHEREAS, the county of Cherokee desires that the proceeds derived from the said hotel and motel Transient Guest Tax be used for the promotion, solicitation, encouragement and development of tourism and convention for Cherokee County, as provided for by KSA 12-1693 and KSA 1978 Supp. 12-1694 to 12-1698.

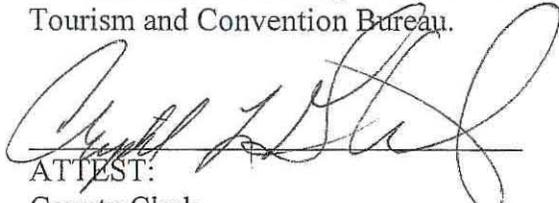
NOW THEREFORE, be it understood and agreed by and between the County and the Chamber that for and in consideration of payment of a sum of money raised by the two (2) percent Transient Guest Tax that said Chamber will provide those services necessary to carry out one year commencing the 1st day of January, 2012 and ending the 1st day of January 2013.

NOW BE IT FURTHER AGREED as follows:

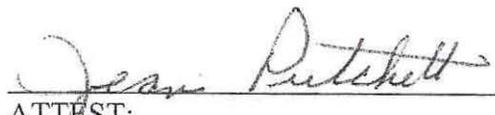
1. The Chamber will operate and manage a Convention & Tourism Bureau to render services hereinafter contemplated and to discharge its duties in accordance with terms and conditions hereinafter set forth.
2. The Chamber is hired and engaged as an independent contractor, and is not an officer, agent or employee of the county.
3. Advisory Committee. The Convention & Tourism Committee, as appointed by the County/Chamber as required by KSA 12-16, 101 shall perform, among others, the following functions: (a) promote tourism and conventions in Columbus; (b) recommend programs and expenditures for the promotion of tourism and conventions in Columbus; (c) to work as a liaison between motels and conventions.
4. The Chamber shall submit prior to July 1, to the Cherokee County Commissioners a proposed annual operation budget for the Convention and Tourism Bureau for the next fiscal year and by February 15, a written report of the previous year's activities and expenditures to be made by the Tourism & Convention Bureau, none of which shall be made until the annual budget has been approved by the County governing body. Such budget shall also include the program of work, projects and activities.

5. Payments. The County will transfer quarterly to the Chamber all funds as provided by the Transient Guest Tax Resolution.
6. The County Clerk or his designated representative may, upon reasonable notice, inspect all books and records of the Tourism and Convention Bureau.
7. It is expressly agreed by the parties that all Transient Tax Guest funds of the County shall be used solely for the propose of promoting travel, tourism and conventions within the area as provided by the Transient Guest Tax.
8. Either party may terminate this Agreement by giving the other party written notice sixty (60) days in advance of the proposed termination date.

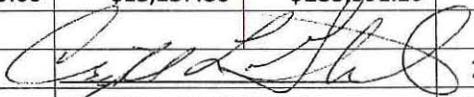
Upon termination, unless it is subsequently reserved, the Chamber shall deliver to the County all Transient Guest Tax funds and any equipment purchased by use of said guest tax funds then remaining with the Chamber after payment of all budgeted expenses of the Tourism and Convention Bureau.

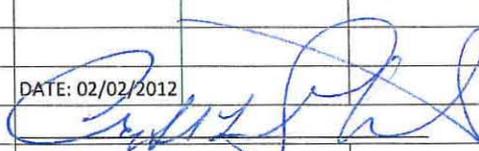

ATTEST:
County Clerk


COMMISSION CHAIRMAN
Cherokee County


ATTEST:
Director/Columbus Chamber of Commerce


PRESIDENT
Columbus Chamber of Commerce

CHEROKEE COUNTY BUDGET REPORT				
AS OF FEBRUARY 2, 2012				
FUND	K.S.A.	BUDGET	EXPENSES	ENCUMBERED
COUNTY GENERAL	79-1946	\$4,432,111.00	\$309,970.95	\$4,122,140.45
ROAD & BRIDGE	79-1946	\$3,186,289.00	\$177,685.97	\$3,008,603.03
APPRAISER	19-436	\$321,212.00	\$25,201.88	\$296,010.12
HEALTH	65-204	\$649,305.00	\$74,821.78	\$574,483.22
DIRECT ELECTION	25-2201a	\$183,189.00	\$3,629.34	\$179,559.66
NOXIOUS WEED	2-1318	\$68,333.00	\$2,742.02	\$65,590.98
EXTENSION COUNCIL	2-610	\$194,447.00	\$48,611.75	\$0.00
CONSERVATION DISTRICT	2-1907b	\$25,000.00	\$6,250.00	\$18,750.00
FAIR		\$190.89	\$0.00	\$190.89
AMBULANCE		\$558,850.00	\$46,570.83	\$512,279.17
ELDERLY SERVICES		\$33,924.00	\$932.86	\$32,991.14
MENTAL HEALTH		\$108,030.00	\$27,007.50	\$81,022.50
MENTAL RETARDATION		\$108,030.00	\$27,007.50	\$81,022.50
NO-FUND WARRANTS		\$238,777.00	\$226,888.50	\$14,234.86
SPECIAL BRIDGE		\$402,381.12	\$4,490.33	\$397,890.79
SPECIAL PARKS		\$9,802.52	\$0.00	\$9,802.52
SPECIAL ALCOHOL		\$8,964.33	\$8,342.11	\$622.22
LANDFILL		\$80,322.61	\$0.00	\$80,322.61
TOURISM & PROMOTION		\$800.00	\$0.00	\$800.00
SP.LAW ENFORCEMENT TR.		\$6,547.34	\$0.00	\$6,547.34
CHEROKEE COUNTY 911		\$391,033.00	\$0.00	\$391,033.00
PA TRAINING		\$1,359.54	\$235.00	\$1,124.04
EMPLOYEE BENEFITS		\$3,257,000.00	\$404,834.69	\$2,852,165.31
SEWER DISTRICT # 1		\$258,829.00	\$23,237.80	\$235,591.20
	CHEROKEE COUNTY CLERK			2/2/2012
			CRYSTAL L. GATEWOOD	DATE

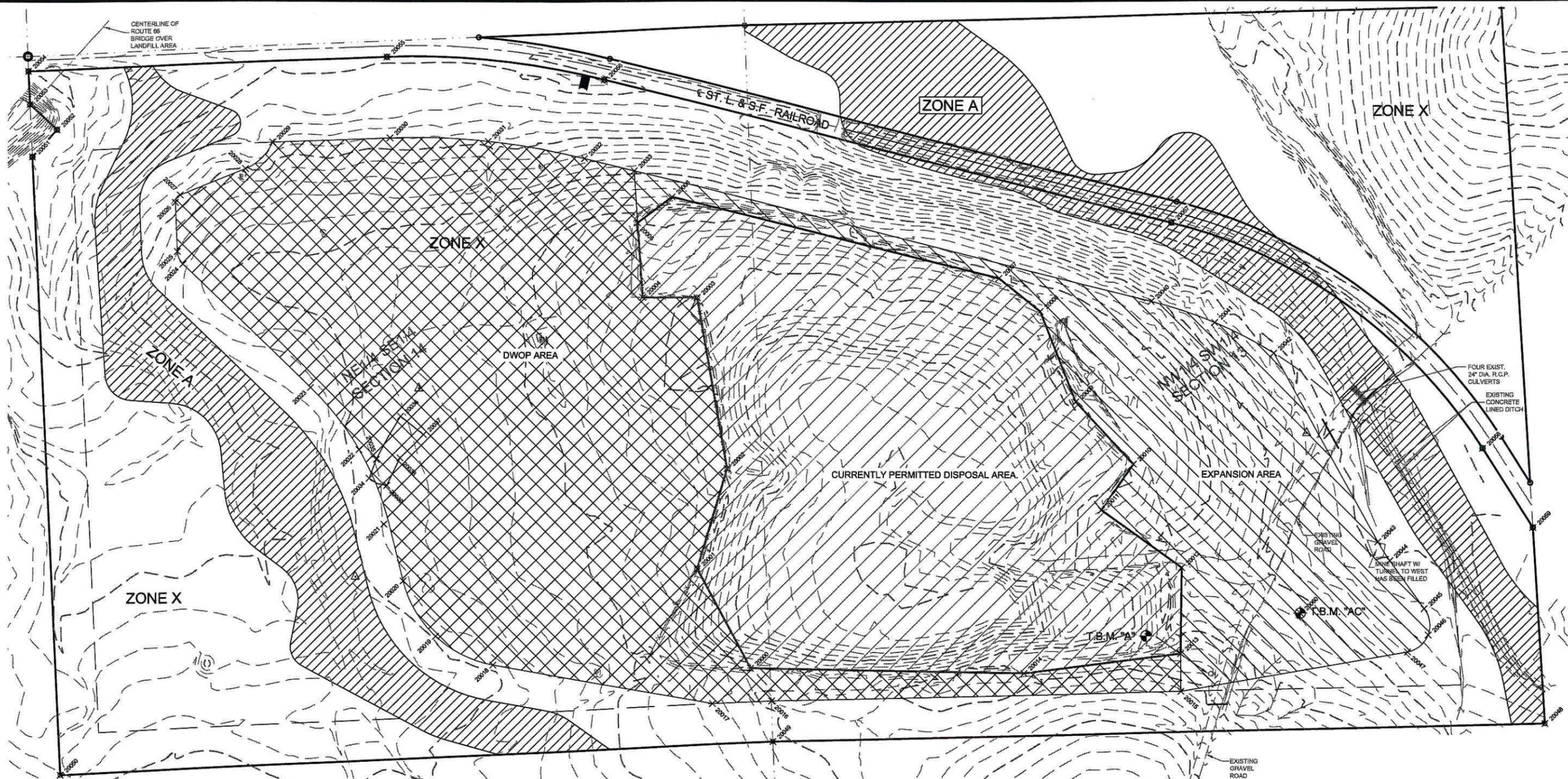
CHEROKEE COUNTY GENERAL FUND BALANCES					
AS OF FEBRUARY 2, 2012	K.S.A.79-1946				
COUNTY GENERAL 100		BEG. BALANCE	YTD EXPENSE	ENCUMBERED	% LEFT
COMMISSIONERS		\$88,687.00	\$10,550.64	\$78,136.36	88.10%
COUNTY CLERK		\$126,003.00	\$10,197.84	\$115,805.16	91.91%
COUNTY TREASURER		\$135,696.00	\$10,126.05	\$125,569.55	92.54%
COUNTY ATTORNEY		\$232,622.00	\$17,604.18	\$215,017.82	92.43%
REGISTER OF DEEDS		\$108,557.00	\$7,151.13	\$101,405.87	93.41%
COUNTY COUNSELOR		\$31,016.00	\$2,385.45	\$28,630.55	92.31%
SHERIFF DEPARTMENT		\$982,858.00	\$89,907.88	\$892,950.12	90.85%
SHERIFF OVERTIME		\$38,770.00	\$2,123.51	\$36,646.49	94.52%
DISTRICT COURT		\$258,598.00	\$6,128.89	\$252,469.11	97.63%
COURTHOUSE		\$441,135.00	\$15,014.23	\$426,120.77	96.60%
EMERGENCY PREPAREDNESS		\$66,443.00	\$7,875.28	\$58,567.72	88.15
ECONOMIC DEVELOPMENT		\$2,229.00	(\$2,500.00)	(\$271.00)	-12.16
PLANNING COMMISSION		\$6,106.00	\$0.00	\$6,106.00	100.00%
RECREATION (COMMISSION)		\$11,631.00	\$0.00	\$11,631.00	100.00%
JAIL FUND		\$817,428.00	\$70,860.31	\$74,567.69	91.33%
COMPUTER PROGRAMING		\$40,709.00	\$199.17	\$40,509.83	99.51%
JURY COSTS		\$9,693.00	\$0.00	\$9,693.00	100.00%
JUVENILE DETENTION		\$76,281.00	\$0.00	\$76,281.00	100.00%
GENEALOGY SOCIETY		\$7,269.00	\$2,075.00	\$5,194.00	71%
911 MAPPING		\$63,002.00	\$4,414.72	\$58,587.28	92.99%
GIS INFO		\$29,078.00	\$0.00	\$29,078.00	100.00%
CAPITAL LEASE		\$615,000.00	\$0.00	\$615,000.00	100.00%
JAIL CERTPART CASH RESV		\$4,432,111.00	\$263,408.12	\$4,168,702.88	94.06%
HUMAN RESOURCE		\$38,412.00	\$3,081.18	\$35,330.82	91.98%
INTEREST ON INSUFF FUND					
EMPLOYEE COMPENSATION		\$69,369.00	\$1,212.66	\$68,156.34	98.25%
BEGINNING FUND BALANCE	\$4,432,111.00				
YTD EXPENSE	\$309,970.95				
ENDING FUND BALANCE	\$4,122,140.05				
			DATE: 02/02/2012		
		CHEROKEE COUNTY CLERK			
			CRYSTAL L. GATEWOOD		

Sales tax Payments from State of Kansas

<u>Date</u>	<u>Local Comp</u>	<u>Local Retail</u>	<u>Jail Salestax</u>	<u>Total Salestax</u>
January 2012	\$ 19,040.86	\$ 73,208.00	\$ 46,124.43	\$ 138,373.29
February 2012	\$ -	\$ -	\$ -	\$ -
March 2012	\$ -	\$ -	\$ -	\$ -
April 2012	\$ -	\$ -	\$ -	\$ -
May 2012	\$ -	\$ -	\$ -	\$ -
June 2012	\$ -	\$ -	\$ -	\$ -
July 2012	\$ -	\$ -	\$ -	\$ -
August 2012	\$ -	\$ -	\$ -	\$ -
September 2012	\$ -	\$ -	\$ -	\$ -
October 2012	\$ -	\$ -	\$ -	\$ -
November 2012	\$ -	\$ -	\$ -	\$ -
December 2012	\$ -	\$ -	\$ -	\$ -
	<u>\$ 19,040.86</u>	<u>\$ 73,208.00</u>	<u>\$ 46,124.43</u>	<u>\$ 138,373.29</u>

<u>Date</u>	<u>Local Comp</u>	<u>Local Retail</u>	<u>Jail Salestax</u>	<u>Total Salestax</u>
January 2011	\$ 19,496.72	\$ 69,041.81	\$ 44,269.26	\$ 132,807.79
February 2011	\$ 21,044.24	\$ 73,990.89	\$ 47,517.57	\$ 142,552.70
March 2011	\$ 22,717.13	\$ 83,717.13	\$ 53,287.21	\$ 159,721.47
April 2011	\$ 20,381.15	\$ 73,583.35	\$ 46,982.24	\$ 140,946.74
May 2011	\$ 30,102.69	\$ 78,768.07	\$ 54,435.38	\$ 163,306.14
June 2011	\$ 14,649.06	\$ 76,053.64	\$ 45,351.35	\$ 136,054.05
July 2011	\$ 33,107.28	\$ 62,839.28	\$ 47,973.28	\$ 143,919.84
August 2011	\$ 27,206.47	\$ 88,551.43	\$ 57,878.94	\$ 173,636.84
September 2011	\$ 25,289.21	\$ 74,906.95	\$ 50,098.09	\$ 150,294.25
October 2011	\$ 28,086.64	\$ 83,258.03	\$ 55,672.33	\$ 167,017.00
November 2011	\$ 29,067.73	\$ 82,248.76	\$ 55,658.24	\$ 166,974.73
December 2011	\$ 26,821.94	\$ 80,988.81	\$ 53,870.56	\$ 161,681.31
	<u>\$ 297,970.26</u>	<u>\$ 927,948.15</u>	<u>\$ 612,994.45</u>	<u>\$ 1,838,912.86</u>

<u>Date</u>	<u>Local Comp</u>	<u>Local Retail</u>	<u>Jail Salestax</u>	<u>Total Salestax</u>
January 2010	\$ 16,361.57	\$ 66,214.27	\$ 41,287.92	\$ 123,863.76
February 2010	\$ 19,065.09	\$ 79,322.38	\$ 49,193.74	\$ 147,581.21
March 2010	\$ 26,779.61	\$ 86,243.76	\$ 56,511.69	\$ 169,535.06
April 2010	\$ 20,414.17	\$ 76,199.35	\$ 48,306.77	\$ 144,920.29
May 2010	\$ 32,887.05	\$ 81,799.08	\$ 57,343.07	\$ 172,029.20
June 2010	\$ 22,626.72	\$ 70,022.49	\$ 46,324.61	\$ 138,973.82
July 2010	\$ 23,721.98	\$ 67,913.02	\$ 45,817.50	\$ 137,452.50
August 2010	\$ 27,647.62	\$ 78,863.92	\$ 53,255.77	\$ 159,767.31
September 2010	\$ 17,063.45	\$ 75,480.85	\$ 46,272.15	\$ 138,816.45
October 2010	\$ 21,308.43	\$ 77,283.41	\$ 49,295.91	\$ 147,887.75
November 2010	\$ 18,497.09	\$ 64,083.47	\$ 41,290.28	\$ 123,870.84
December 2010	\$ 24,223.91	\$ 72,452.85	\$ 48,338.39	\$ 145,015.15
	<u>\$ 270,596.69</u>	<u>\$ 895,878.85</u>	<u>\$ 583,237.80</u>	<u>\$ 1,749,713.34</u>



POINT #	NORTHING	EASTING	DESCRIPTION
20000	1485850.17	2440542.88	CURRENT AREA
20001	1486033.96	2440444.38	CURRENT AREA
20002	1486219.13	2440499.04	CURRENT AREA
20003	1486535.18	2440443.76	CURRENT AREA
20004	1486536.45	2440343.79	CURRENT AREA
20005	1486674.21	2440334.21	CURRENT AREA
20006	1486721.42	2440397.39	CURRENT AREA
20007	1486571.66	2441002.20	CURRENT AREA
20008	1486510.57	2441078.59	CURRENT AREA
20009	1486343.48	2441144.31	CURRENT AREA
20010	1486227.76	2441251.09	CURRENT AREA
20011	1486143.15	2441191.99	CURRENT AREA
20012	1486036.08	2441340.16	CURRENT AREA
20013	1485877.00	2441338.36	CURRENT AREA
20014	1485841.60	2441049.19	CURRENT AREA

POINT #	NORTHING	EASTING	DESCRIPTION
20015	1485807.46	2441339.17	DWOP AREA
20016	1485789.82	2440581.74	DWOP AREA
20017	1485784.86	2440472.84	DWOP AREA
20018	1485857.46	2440067.43	DWOP AREA
20019	1485910.80	2439961.45	DWOP AREA
20020	1486012.84	2439901.42	DWOP AREA
20021	1486117.70	2439865.94	DWOP AREA
20022	1486255.40	2439819.35	DWOP AREA
20023	1486369.98	2439729.57	DWOP AREA
20024	1486597.91	2439493.88	DWOP AREA
20025	1486621.01	2439483.54	DWOP AREA
20026	1486711.97	2439479.95	DWOP AREA
20027	1486725.51	2439488.71	DWOP AREA
20028	1486773.87	2439608.84	DWOP AREA
20029	1486822.90	2439658.69	DWOP AREA

POINT #	NORTHING	EASTING	DESCRIPTION
20030	1486831.45	2439876.54	DWOP AREA
20031	1486825.53	2440057.80	DWOP AREA
20032	1486793.69	2440236.33	DWOP AREA
20033	1486770.43	2440328.10	DWOP AREA
20034	1486202.54	2439838.44	BURRITO WRAP AREA
20035	1486237.62	2439851.42	BURRITO WRAP AREA
20036	1486317.09	2439896.50	BURRITO WRAP AREA
20037	1486283.51	2439838.84	BURRITO WRAP AREA
20038	1486240.50	2439895.44	BURRITO WRAP AREA
20039	1486189.32	2439871.22	BURRITO WRAP AREA
20040	1486528.20	2441283.40	EXPANSION AREA
20041	1486488.97	2441400.14	EXPANSION AREA
20042	1486432.55	2441509.61	EXPANSION AREA
20043	1486084.01	2441703.69	EXPANSION AREA
20044	1486049.14	2441725.77	EXPANSION AREA

POINT #	NORTHING	EASTING	DESCRIPTION
20045	1485960.55	2441789.14	EXPANSION AREA
20046	1485911.76	2441796.43	EXPANSION AREA
20047	1485880.44	2441758.33	EXPANSION AREA
20048	1485748.10	2442011.48	PROPERTY CORNER
20049	1485714.86	2440584.32	PROPERTY CORNER
20050	1485654.78	2439266.77	PROPERTY CORNER
20051	1486797.23	2439214.80	PROPERTY CORNER
20052	1486847.52	2439261.00	PROPERTY CORNER
20053	1486894.02	2439210.40	PROPERTY CORNER
20054	1486955.31	2439207.61	PROPERTY CORNER
20055	1486981.33	2439870.66	PROPERTY CORNER
20056	1486939.10	2440273.20	PROPERTY CORNER
20057	1486673.60	2441320.26	PROPERTY CORNER
20058	1486256.65	2441896.20	PROPERTY CORNER
20059	1486110.22	2441989.20	PROPERTY CORNER

POINT #	NORTHING	EASTING	DESCRIPTION
20060	1485952.21	2441559.56	TBM AC

KANSAS ENGINEERING CERTIFICATE OF AUTHORIZATION NUMBER E-177 EXPIRATION DATE DEC. 31, 2011

PROJECT
COORDINATE SHEET
LANDFILL PERMIT MODIFICATION

CUSTOMER
CITY OF GALENA
GALENA, CHEROKEE COUNTY, KANSAS

NO.	DATE	INIT.	REVISIONS
1	2/1/12	JPM	ADDED SHEET

CIVIL ENG. E-8888

Professional Engineers & Land Surveyors
702 South Main - Joplin, Missouri 64801
608 W. Will Rogers Blvd. - Claremore, OK 74017

Mailing Address
P.O. Box 1867
Joplin, Missouri 64802
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TOLL FREE 1-888-781-0843
www.tristate-engineering.com

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JOB NO. 11127
DATE 2/1/12
DRAWN BY JPM
CHKD. BY