

**MINUTES FOR JUNE 23, 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, June 23, 2014 in the Commission Room, #109 of the Cherokee County Courthouse located at 110 W Maple St., Columbus, Kansas. Commissioners Richard Hilderbrand, Pat Collins, and County Clerk Rodney Edmondson were present. Commissioner Napier was absent due to illness.

Members of the press present: Larry Hiatt, Machel Smith, and Thom Hanrahan

A motion was made by Commissioner Collins to approve the minutes of the June 16, 2014 BOCC Meeting as written. The motion was seconded by Commissioner Hilderbrand. The motion carried 2-0 with all present voting yes.

**Leonard Vanatta - County Road Supervisor**  
**Gene Langerot - County Lot Supervisor**

They met with the Board on routine county road business.

The Board agreed to table the bids for asphalt, dump trucks, and tires that were opened last week, to allow Commissioner Napier to be present. The Board will discuss the bids next Monday, June 30, 2014.

A motion was made by Commissioner Hilderbrand to enter an Executive Session with the Board, Gene Langerot, and Leonard Vanatta for the purpose of Non/Elected Personnel for a period of five minutes. The motion was seconded by Commissioner Collins. The motion carried 2-0 with all present voting yes at 9:27 AM.

The meeting reconvened at 9:32 AM.

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

A motion was made by Commissioner Collins to enter an Executive Session with the Board and County Clerk Rodney Edmondson for the purpose of Non/Elected Personnel for a period of five minutes. The motion was seconded by Commissioner Hilderbrand. The motion carried 2-0 with all present voting yes at 9:34 AM.

The meeting reconvened at 9:39 AM.

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

A motion was made by Commissioner Collins to approve the Payroll for the month of June, 2014. The motion was seconded by Commissioner Hilderbrand. The motion carried 2-0 with all present voting yes.

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A motion was made by Commissioner Hilderbrand to amend the agenda for Christina Main and the Columbus Hospital Center from 11:00 AM to 10:30 AM. The motion was seconded by Commissioner Collins. The motion carried 2-0 with all voting yes at 10:30 AM.

**Christina Main, Diane Larson - President and Secretary/Treasurer of Columbus Hospitality Center**

They appeared before the Board seeking their assistance with funding to repair the roof on the Hospitality Center. They are a non-profit organization and their only funding comes from building rentals and private donations.

They provided an estimate from Vanatta Construction in the amount of \$5,887.43 to remove the old roof and replace it with a new metal roof. They have spoken with their insurance company and they are expected to come and inspect the damages from the water leaks. Commissioner Hilderbrand is concerned about the Board allocating tax dollars to a private entity. Commissioner Collins stated that when Commissioner Napier returns, the Board will consider their request.

**Mary Pat Burgan - B-3 Construction**

She appeared before the Board to inform them that B-3 Construction received approval last month to operate a "drop-off" station for trash. It will open tomorrow to the public. They will provide one big dumpster that will be available for the public to bring bagged trash and the individuals will be charged by the bag for disposal. Paint cans will be allowed, but tires and batteries will not. When the bin is full, B-3 will take it to a transfer station. It will be a collection bin only and the public will be responsible for unloading their own bags. No trash haulers will be allowed, it's for individuals only.

A motion was made by Commissioner Collins to approve the Accounts Payables for the month of June, 2014. The motion was seconded by Commissioner Hilderbrand. The motion carried 2-0 with all present voting yes.

**Kevin Cure - County Counselor**

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

He presented a resolution for the Board to consider, it establishes that certain financial controls exist in entities and associations receiving funding that Cherokee County may provide.

A motion was made by Commissioner Hilderbrand to pass Resolution 14-2014 as presented by Mr. Cure. The motion was seconded by Commissioner Collins. The motion carried 2-0 with all present voting yes.

A motion was made by Commissioner Hilderbrand to approve the contract with Fisher, Patterson, Saylor, and Smith to represent Cherokee County on any casino matters for a potential Gaming Facility in the southeast gaming zone. The motion was seconded by Commissioner Collins. The motion carried 2-0 with all present voting yes.

Mr. Cure presented a resolution for the Board to consider, it establishes a policy for Cherokee County's electronic media and communication services and the use of county property.



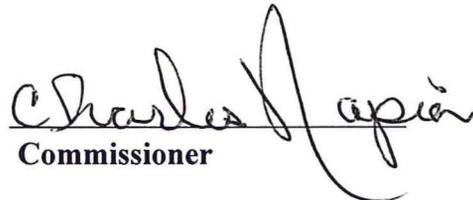
A motion was made by Commissioner Hilderbrand to pass Resolution 15-2014 as presented by Mr. Cure. The motion was seconded by Commissioner Collins. The motion carried 2-0 with all present voting yes.

Commissioner Collins made a motion to adjourn until the next regularly scheduled meeting set for June 30, 2014 at 9:00 AM. The motion was seconded by Commissioner Hilderbrand. The motion carried 2-0 with all in attendance voting yes at 12:03 PM.

**ATTEST: Resolved and ordered this day, June 30, 2014**

  
Cherokee County Clerk

  
Commissioner

  
Commissioner

  
Commissioner

(Published in the official county newspaper on the 23<sup>rd</sup> day of June, 2014)

RESOLUTION NO. 14 - 2014

A RESOLUTION ESTABLISHING THAT CERTAIN FINANCIAL CONTROLS EXIST IN ENTITIES AND ASSOCIATIONS RECEIVING FUNDING THAT CHEROKEE COUNTY MAY PROVIDE TO IT.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CHEROKEE COUNTY, KANSAS:

WHEREAS, the County in the form of its duly elected governing body has the authority under K.S.A. § 19-101 to determine its local affairs and government, and;

WHEREAS, the County in the form of its duly elected governing body has the authority under K.S.A. § 19-212 to exercise control over the County's financial matters, and;

WHEREAS, the Board of County Commissioners of Cherokee County, Kansas, meeting in regular session, this 23rd day of June, 2014, does hereby resolve as follows:

**Section 1. Applicability.** This Resolution shall apply to all entities and associations that receive funding in excess of \$1000.00 annually from the Board of County Commissioners of Cherokee County, Kansas, (hereinafter "Board" in this section) that is not required to be distributed by the Board to the association or entity expressly under state statute but is only required to be distributed to such entity or association by the Board's passage of a resolution or a motion.

**Section 2. Reconciliation of Accounts- General.** At least two members of the board, officers or management of the entity or association shall assure the reconciliation and balancing, at least monthly, of all bank accounts maintained by such entity or association to the entity's or association's cash balance in the accounting system.

**Section 3. Reconciliation of Accounts- Outstanding Checks.** During the reconciliation process, when it is determined that outstanding checks issued by the entity or association are more than three years old, then such checks shall be voided. The check detail and money shall then be sent to the State of Kansas Unclaimed Property Division based on the guidelines of the State of Kansas.

**Section 4. Reconciliation of Accounts- Outstanding Deposits.** Outstanding deposits shall not be on the bank reconciliation for more than one month as deposits in transit recorded as outstanding at the end of any month should clear within a few days on the subsequent bank statement. If any outstanding deposit is shown on the online banking statement for more than 3 working days the board or management shall conduct an immediate inquiry into the cause of such deposit not posting to the bank account.

**Section 5. Deposits.** Deposits shall be prepared and made at least weekly for the previous week's activity. The deposit slip shall be dated for the day of the activity rather than the date the deposit slip is prepared. When the deposit slip is returned from the bank, the person who prepared the deposit shall verify the receipt with the detail to verify that the amounts agree.

**Section 6. Detail Receipt Reports.** As a part of the daily closing process, cash, checks and credit card transactions shall be counted and compared to what the detail receipt report shows. Any variances in the composition of a day's cash, check and credit card receipts shall be noted on that day's activity report when the money is counted and confirmed at the end of the day on each drawer count down. The variances should then be verified by the person who reviews all financial transactions. Any variances to the report should be noted on that day's report, initialed and dated by the person preparing the report.

**Section 7. Accounts Payable.** All payments of bills of the entity shall bear at least two signatures on any check or the verification of at least two persons who shall be managers, officers or board members of the entity or association.

**Section 8. Purchase Orders and Invoices.** No person employed by or assisting the entity or association shall submit invoices or purchase orders for payment until the written initials or signature of a board member, officer or manager who is not also the submitting employee is placed thereon. Supporting documentation for such payments shall be kept for a minimum of 7 years.

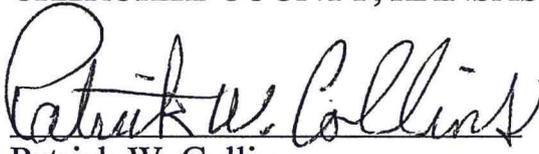
**Section 9. Entity or Association Board Prior Approval of Checks.** All checks shall be approved by the board of the entity or association prior to being mailed. Checks shall be posted to the accounting system or ledger within two working days after the board approves the same and be posted the same date as the check. The board shall receive at least a monthly report detailing checks written from all the board's cash accounts.

**Section 10. Certification.** The board of any entity or association so receiving funds, as described herein, from County shall certify, in writing, it has enacted and adheres to financial control standards that, at a minimum, meet the standards set forth herein.

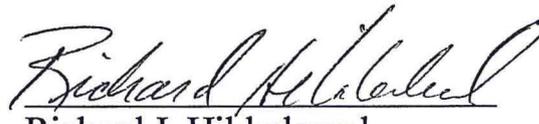
**Section 11. Severability.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this resolution, or the application thereof to any circumstances, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this resolution.

**Section 12. Effective Date.** This resolution shall take effect and be in full force from and after its passage and publication once in the official county newspaper.

Adopted this 23rd day of June, 2014, by the BOARD OF COMMISSIONERS OF CHEROKEE COUNTY, KANSAS.



Patrick W. Collins  
County Commissioner



Richard J. Hilderbrand  
County Commissioner

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Charlie Napier  
County Commissioner

ATTEST:



Rodney Edmondson  
County Clerk of Cherokee County,  
Kansas

Resolution No. \_\_\_\_\_ - 2014

Prepared by:  
Kevin Cure, Attorney to the  
Board of County Commissioners

(Published in the official county newspaper the 23<sup>rd</sup> day of June, 2014)

RESOLUTION NO. 2014-15

A RESOLUTION ADOPTING CHEROKEE COUNTY'S ELECTRONIC MEDIA AND COMMUNICATION SERVICES POLICY AND THE USE OF COUNTY PROPERTY GUIDELINES

WHEREAS, the Board of County Commissioners of the County of Cherokee, Kansas wishes to find better and more efficient ways to serve the public by increasing use of electronic forms of communication and information exchange; and

WHEREAS, Cherokee County takes justifiable pride in the electronic media and communication services provided to its employees; and

WHEREAS, employees have access to one or more forms of electronic media and communication services (computers, e-mail, telephones, voice-mail, fax machines, copy machines, external electronic bulletin boards, wire services, on-line services, the Internet, and the World Wide Web); and

WHEREAS, the Board of County Commissioners of the County of Cherokee, Kansas encourages the use of these electronic media and communication services to serve the public better and more efficiently, because they make communication more efficient and effective, and because they are valuable sources of information; and

WHEREAS, with the rapidly changing nature of electronic media, and the etiquette which is developing among users of external on-line services and the Internet, this policy cannot lay down rules to cover every possible situation. Instead, it expresses the County's philosophy and sets forth the general principles to be applied to the use of electronic media and services; and

WHEREAS, electronic media and services provided by the County are the County's property, and their purpose is to facilitate County business; and

WHEREAS, it is unlawful and against County policy to use any County property for unreasonable personal use;

NOW, THEREFORE, The Board of County Commissioners of the County of Cherokee, Kansas, sitting in regular session on this 23rd day of June, 2014, does hereby resolve as follows;

1.0 ELECTRONIC MEDIA AND COMMUNICATION SERVICES

1.1 The following procedures apply to all electronic media and communication services, which are:

- Accessed on or from County premises.

or group, or which are obscene or X-rated communications, or are of a defamatory or threatening nature, or for "chain letters," or for any other purpose which is illegal or against County policy or contrary to the County's interest. **Nor shall electronic media be used to download copyrighted materials that are not related to performing the employee's duties to the county.**

- 2.2 Electronic media and communication services are primarily for County business use. Limited, occasional or incidental use of electronic media or communication services (sending or receiving) for personal, non-business purposes is understandable and acceptable - as is the case with personal phone calls. However, employees need to demonstrate a sense of responsibility and may not abuse the privilege.
- 2.3 Electronic information created or communicated by an employee using e-mail, word processing, utility programs, spreadsheets, voice-mail, telephones, Internet access, etcetera, will not generally be monitored by the County, and we respect our employees' wish to work without "Big Brother" looking over their shoulder. However, the following conditions should be noted:
- 2.31 The County may routinely monitor usage patterns for both voice and data communications (e.g., number called or site accessed; call length; times of day calls). Reasons include cost analysis/allocation and the management of County technological voice/data resources.
- 2.32 Requests to monitor pattern use for voice and data communications may be made by the head of department and must be authorized by the legal counsel to the Board of County Commissioners.
- 2.33 The County also reserves the right, in its discretion, to review any employee's electronic files and messages and usage to the extent necessary to ensure that electronic media and communication services are being used in compliance with the law and with this and other County policies.
- 2.34 Employees should therefore not assume electronic communications are totally private and confidential and each head of department shall have authority to determine that department's policy regarding transmission of highly sensitive information.
- 2.4 Employees must respect the confidentiality of other people's electronic communications. Examples of unauthorized acts include, but are not limited to:
- Attempting to read, "hack" into other systems or other people's logins;

- 2.5 Each employee who uses any security measures on County-supplied electronic media must provide the employee's head of department or the head of department's designee with a sealed hard copy record of all of the employee's passwords and encryption keys (if any) for County use if required. **unless such disclosure is prohibited by law.** This hard copy record shall be retained in a secure location and shall be used in cases when the employee is not available.
- 2.6 No e-mail or other electronic communications shall be knowingly sent which attempt to hide the identity of the sender, or represent the sender as someone else or from as someone not representing the County.
- 2.7 Electronic media and communication services should not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the system.
- 2.8 Anyone obtaining electronic access to outside sources' or individuals' materials must respect all copyrights and may not copy, retrieve, modify or forward copyrighted materials except as permitted by the copyright owner or utilize a single copy for reference use only.
- 2.9 Any messages or information sent by an employee to one or more individuals via an electronic network (e.g., bulletin board, on-line service, or Internet) are statements identifiable and attributable to the County. While some users may include a personal "disclaimer" in electronic messages, it should be noted that there would still be a connection with the County, and the statement might still be legally imputed to the County. All communications sent by employees via a network must comply with this and other County policies, and may not disclose any confidential or proprietary County information.
- 2.10 Network services and World Wide Web sites can and do monitor access and usage and can identify at least which County department - and often which specific individual- is accessing their services. Thus accessing a particular bulletin board or Website leaves County-identifiable electronic "tracks" even if the employee merely reviews or downloads the material and does not post any message.
- 2.11 Proper use of Internet access includes, but is not limited to the following:
- Downloading job-related information;
  - Sending and receiving job-related email messages and file attachments;
  - Making business arrangements;
  - Searching job-related
  - Using the Internet for occasional, brief personal

3.0 USE OF COUNTY PROPERTY

3.1 County property is primarily for County business use. Limited, occasional or incidental use of County property for personal, non-business purposes is understandable and acceptable. However, employees need to demonstrate a sense of responsibility and may not abuse the privilege. Abuse of the privilege shall be against County policy.

3.2 Heads of department are authorized to use their discretion in determining what is reasonable personal use of County property.

3.3 The prohibitions under this Resolution extend to all County property, except as expressly provided in any applicable collective bargaining agreement between Cherokee County and any of the unions representing County employees.

4.0 DISCIPLINE

4.1 Anyone found in violation of this Resolution may be subject to appropriate discipline as determined by the head of department and consistent with applicable collective bargaining agreements, up and including termination, depending upon the severity of the violation.

5.0 APPLICABILITY OF PROVISIONS

This policy statement and guidelines are not intended, nor shall they be construed as being inconsistent with any resolution adopting the County's Personnel Rules and Regulations and Procedure Manual for Cherokee County Employees. Moreover, for purposes of this Resolution, reasonable personal use of County property shall be defined as use that is limited in scope and insubstantial in nature and not in the furtherance of employees' private enterprise or business.

5.2 This policy statement and guidelines do not intend to unilaterally change the terms and conditions of employment negotiated with the several labor unions representing County employees. Therefore, if any of the terms of this policy and guidelines are in conflict with the terms and conditions of employment in any of the collective bargaining agreements between the Board of County Commissioners of Cherokee County and any of the unions representing its employees, the terms of the collective bargaining agreement will prevail over the terms of this policy and guidelines statement as to the employees covered by any such agreement.

5.3 **Nothing herein shall be construed to limit law enforcement officials from conducting investigations related to the functions of their office or position, including but not limited to, the investigation of online solicitation by pedophiles or persons seeking or offering prostitution services and the investigation of child pornographers.**

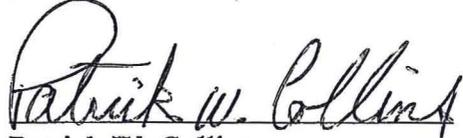
6.0 MISCELLANEOUS PROVISIONS

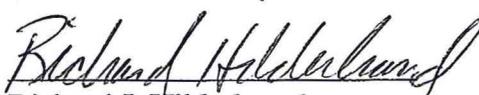
All current County employees and employees hired after the date this Resolution becomes effective shall be required to read this Resolution and sign acknowledgment that they read and fully understand the contents and

~~7.0~~  
~~8.0~~ INCONSISTENT PROVISIONS

~~7.1~~  
8.1 The provisions in this Resolution shall take precedence over any inconsistent provision in any prior County Resolution, except as provided in Section 5, above.

Adopted this 23rd day of June, 2014, by the BOARD OF COMMISSIONERS OF CHEROKEE COUNTY, KANSAS.

  
Patrick W. Collins  
County Commissioner

  
Richard J. Hilderbrand  
County Commissioner

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Charlie Napier  
County Commissioner

ATTEST  
  
Rodney Edmondson  
County Clerk of Cherokee County,  
Kansas  
Resolution No. \_\_\_\_ - 2014

Prepared by:  
Kevin Cure, Attorney