

MINUTES FOR JANUARY 3, 2011
COLUMBUS, KANSAS, CHEROKEE COUNTY
OFFICE OF THE COUNTY CLERK
CRYSTAL L. GATEWOOD

The Cherokee County Commissioners met January 3, 2011. Those present were Commissioners Jack Garner, Pat Collins and Richard Hilderbrand, the pledge was said by all present. Commissioner Collins made a motion to approve the minutes for December 27, 2010 as presented by Clerk Gatewood, his motion was seconded by Commissioner Garner, and Commissioners Garner, Collins and Hilderbrand voted in favor. Commissioner Hilderbrand made a motion to amend an attaché to the December 6, 2010 minutes, a correction to the December 6, 2010 minutes provided by Nancy Herrenbruck, his motion was seconded by Commissioner Collins, and Commissioners Collins, Hilderbrand and Garner voted in favor.

MOTIONS

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

EXECUTIVE SESSION

Commissioner Hilderbrand made a motion to go into EXECUTIVE SESSION for thirty minutes for Personnel, with himself and Commissioners Garner and Collins, his motion was seconded by Commissioner Garner, and all three commissioners voted in favor. They went in at 11:15 AM and returned 11:45 AM.

Commissioner Collins made a motion to go into EXECUTIVE SESSION for Attorney/Client Privilege for thirty minutes with himself, Commissioners Garner and Hilderbrand, and County Counselor Kevin Cure, his motion was seconded by Commissioner Garner, with Commissioners Collins, Garner, and Hilderbrand voting in favor. They went in at 1:35 PM and returned at 2:06 PM.

OTHER BUSINESS

Commissioners Garner, Hilderbrand, and Collins signed off on Voucher #9828 - Carpino Ford-\$11,800.00 for a Chevy Impala purchased by the Cherokee County Appraiser.

Commissioner Hilderbrand made a motion to approve and pass **RESOLUTION #1-2011 AS PRESENTED BY COUNTY COUNSELOR KEVIN CURE. RESOLUTION #1-2011 WOULD PROVIDE FOR THE COLLECTION AND DISBURSEMENT OF A BOOKING AND PROCESSING FEE AS COURT COSTS IN CHEROKEE COUNTY**, his motion was seconded by Commissioner Garner, with Commissioners Garner, Collins, and Hilderbrand voting in favor. Commissioners Garner, Collins and Hilderbrand, and County Clerk Crystal Gatewood signed off on the documentation. (Resolution #1-2011 is attached to the minutes.)

OK

Citizen Bill Handshy came before the commission and voiced his displeasure for the way the county was run.

Citizen Raymond Griffith came before the commission to discuss a drainage problem and personal issues regarding a former sheriff, Empire, and a mining company. Commissioner Collins said he needed to hire his own attorney.

David Nelson of the Galena Sentinel came before the commission to ask that his paper be taken in consideration for the Official County Paper for 2011. Mr. Nelson has owned and operated the Galena Sentinel in Cherokee County for 33 years and is located in Galena, Kansas. (His presentation is attached to the minutes.) The commission thanked him for coming in and said they would take it under consideration.

Jim Burton of the City of Columbus came before the commission to discuss the T-Works Program and asked the commission to consider the program for the possibilities of the City of Columbus receiving federal dollars through the State of Kansas for road and bridge projects. The city can only receive the funds if the county commission does the request for the entire county. The commission said they would look it over and get back to him later.

The Appointed Department Heads met; those present were Ralph Houser from Maintenance for the Courthouse, and the following:

Betha Elliott, Health Department Administrator, reported everything is going well and they are currently working on grants for the department.

Wayne Elliott, 911 Mapping, reported the address updates and everything else is going well.

Nancy Herrenbruck, County Appraiser, reported they were setting the values for 2011. Personal Property Renditions have been sent out in the mail. She is asking all those receiving them to look them over and if there are changes, the tax payer needs to update the information before returning the form signed.

Deana Randall of Human Resource reported she had sent out W-2's and W-9's for 2010. She also reported she will be on vacation next week and that vouchers can be processed by the Commissioner's secretary.

Elected Officials present were:

Register of Deeds, Christy Grant, reported they have had several inquiries regarding land resources and they were very busy.

Treasurer, Juanita Hodgson, reported her office was busy receipting tax payments that they had received prior to Dec. 20, 2010. She also said tax collections are up from 2009 and currently they have posted \$6,587,227.00. She also reported that heavy trucks need to be registered by February 28, 2011.

Sheriff David Groves reported no injury accidents over the holiday period in the county. They had also received a grant for \$195,593.00 to replace rescue start communication systems.

12/14

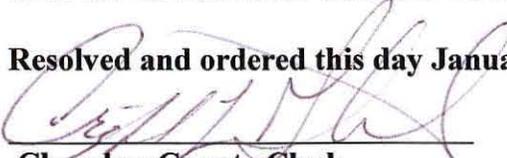
Cherokee County Clerk Crystal Gatewood reported that her office is very busy preparing for the 2011 City and School Board Elections to be held in April 2011. If anyone wishes to file for a City Office, they must go to the City Hall in their own city. And if citizens file for School Boards, they must come to the Cherokee County Clerk's Office. She also noted that the deadline to file is noon on January 25, 2011. Homestead and Food Sales filing is completely on line and citizens of Cherokee County may file in the County Clerk's Office starting January 3, 2011 until April 15, 2011. Citizens must bring a copy of their property tax receipt or if they rent a copy of their rent receipts with the name, address, and phone number of their landlord, along with all income - W-2's or any other forms received by them showing personal income. Her office has been very busy updating the voter file. Clerk Gatewood reminded everyone to turn in their 2010 inventory list by January 25, 2011. Clerk Gatewood also asked the commission to allow her to hire a 30 - 35 hour a week employee due to the increase of duties from the state with homestead and upcoming elections for 2011.

The commissioners thanked everyone for their hard work on last year's budget and the group had a discussion about the pay scale and supply room that Commissioner Hilderbrand wants to put in place.

ADJOURNMENT

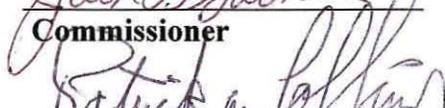
Commissioner Garner made a motion to adjourn at 3:00 PM, his motion was seconded by Commissioner Collins and all voted in favor. The next Cherokee County Commission meeting will be held January 10, 2011 at 9:00 AM in the Cherokee County Courthouse in Columbus, Kansas.

Resolved and ordered this day January 10, 2011


 Cherokee County Clerk


 Commissioner


 Commissioner


 Commissioner

RESOLUTION NO. 7 - 2011

A RESOLUTION PROVIDING FOR THE COLLECTION AND DISBURSEMENT OF A BOOKING AND PROCESSING FEE AS COURT COSTS

WHEREAS, K.S.A. 12-16,119 provides that Boards of County Commissioners are authorized to provide for a booking and processing fee not to exceed \$45.00 to be collected as separate court costs from any person convicted, adjudicated, or diverted under a pre-adjudication program pursuant to K.S.A. 22-2906 et seq., K.S.A. 38-1635 et seq., or K.S.A. 12-4414 et seq., and amendments thereto, of a misdemeanor or felony contained in Chapters 8, 21, 41, or 65 of the Kansas Statutes Annotated, and amendments thereto, where fingerprints are required pursuant to K.S.A. 21-2501, and amendments thereto;

WHEREAS, the Board of County Commissioners of Cherokee County, Kansas, is the governing body responsible for the funding of the Cherokee County Sheriff's Office that performs the booking and processing procedures in Cherokee County, Kansas.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHEROKEE COUNTY, KANSAS, that: a booking and processing fee of \$45.00 shall be collected as court costs from any person convicted, adjudicated, or diverted under pre-adjudication program pursuant to K.S.A. 22-2906 et seq., K.S.A. 38-1635 et seq., or K.S.A. 12-4414 et seq., and amendments thereto, of a misdemeanor or felony contained in Chapters 8, 21, 41, or 65 of the Kansas Statutes Annotated, and amendments thereto, where fingerprints are required pursuant to K.S.A. 21-2501, and amendments thereto. Such fees shall be disbursed by the Court to the general fund of Cherokee County.

Section 1. Booking and Processing Fee to be Assessed Against Inmates.

A booking and processing fee of \$45.00 shall be collected as court costs from any person convicted, adjudicated, or diverted under pre-adjudication program pursuant to K.S.A. 22-2906 et seq., K.S.A. 38-1635 et seq., or K.S.A. 12-4414 et seq., and amendments thereto, of a misdemeanor or felony contained in Chapters 8, 21, 41, or 65 of the Kansas Statutes Annotated, and amendments thereto, where fingerprints are required pursuant to K.S.A. 21-2501, and amendments thereto. Such fees shall be disbursed by the Court to the general fund of Cherokee County.

Section 2. 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 3. Repeal.

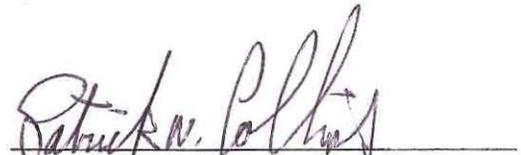
The provisions of any previously enacted resolution that are inconsistent herewith are repealed.

Section 4. 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.

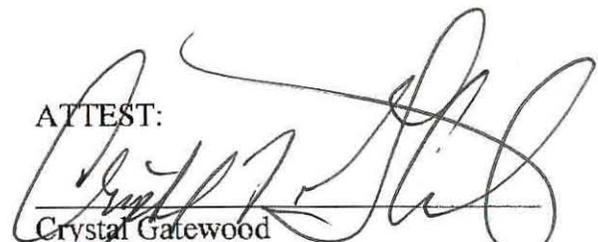
Adopted this 3rd day of January, 2011, by the BOARD OF COMMISSIONERS OF CHEROKEE COUNTY, KANSAS.


Richard J. Hilderbrand, Chairman
County Commissioner


Patrick W. Collins
County Commissioner


Jack G. Garner
County Commissioner

ATTEST:


Crystal Gatewood
County Clerk of Cherokee County, Kansas
Resolution 1 - 2011

CHEROKEE COUNTY APPRAISER'S OFFICE

P.O. BOX 352

COLUMBUS, KS. 66725

TELEPHONE: 620-429-3984

FAX: 620-429-1985

Jan 3, 2011

Correction on Dec. 6, 2010 minutes of Cherokee County Board of Commissioners' meeting.

County Appraiser reported she was going to bid a car and had conferred with Leonard Vanatta about cars and their respective merits for use for the County Appraiser's Office.

Her office is starting final review and setting values on all property, both real and personal. Values will probably follow last year's as most will hold steady or go down and a few will go up.



Nancy Herrenbruck
County Appraiser

Sentinel-Times

January 2, 2011

To: Cherokee County Commissioners:

Gentlemen,

As the publisher of the Sentinel-Times I'd like to point out a few facts that you may not know about our publication and our efforts to provide broad coverage to the Citizens of Cherokee County:

1. We offer continuous coverage of the Cherokee County Commission meetings, Galena, Baxter Springs and Columbus City Council meetings and Galena and Riverton School Board meetings.
2. We provide News Rack distribution throughout the county:
 - Galena:
We have one outside box and four inside racks.
The Sentinel-Times office, Galena Med-X, Casey's General Store and Quick Silver Convenience & Deli.
 - Riverton:
We have two inside racks.
Old Riverton Store and Riverton Quick Stop.
 - Baxter Springs:
We have two outside boxes and three inside racks.
Marvin's IGA, Baxter Foods, Café on the Route, Angels on the Route and Weston's Cafe.
 - Columbus:
We have one outside racks and one inside rack.
Apple Market and Casey's General Store
 - Weir:
We have one outside box at the Treasure Hunt (the old Simone's store).
3. We throw an additional 1,000 papers in the county on a regular basis.
Rotating coverage areas throughout the county.

4. Our goal is to cover a broad spectrum of the news throughout the county and believe we provide more local county news.
5. We are a member of the Kansas Press Association and on a regular basis send our staff to association conferences and training sessions in order to improve our publication.
6. We have increased our county-wide subscriptions base and continue to grow that segment of our subscription base.
7. We currently offer the lowest rates in the County for advertising.
8. We offer the lowest subscription rate and single issue price, within the County.
9. We are locally owned:
I have owned the publication for over 33 years and I've been dedicated to the improvement of Galena, Cherokee Count and Southeast Kansas. I have been and always will be committed to our communities and our county. Born and raised here in Kansas. We live two miles north of Riverton and have owned our home for over 20 years. My wife is a retired school teacher, having in Baxter Springs for over 30 years. Our son is attending Pittsburg State University.
10. We take pride in producing a quality printed newspaper, quality color, and quality pictures, whether in black and white or color. Perfectionist by nature, my goal has been to improve the quality of the publication through improvements in picture quality to the addition of color in the newspaper.
11. We don't charge for birth or obituaries announcements. I've always felt that we owed it to our readers to print their birth and death announcements as a public service and have vowed to never charge for those privileges.
12. We have delivered our newspaper via the newsstand and through the U.S. Postal Service, for well over 33 years.
13. We offer front page notices (Take Note) and Four State Calendar for free.
14. We are friends of the 4-H and have improved and expanded our coverage of their activities.
15. We covered extensive coverage of the Cherokee County Fair and provided free distribution of our newspaper at the fair.

January 2, 2011
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In closing, we have strived to improve our publication for the benefit of our community and our county. We made the decision last year to make our publication more recognizable to the county at large with the change in our publication name from the Galena Sentinel-Times to the Sentinel-Times. That change in no way meant that we were going to ignore our roots and our heritage in the Galena Community, but as an extension of the Galena community as we expanded our horizons and coverage.

I've included a copy of the Kansas Statute regarding legal publications in the state and note and highlighted a portion in the statute that states that changing our publication name does not invalidate our publication as a legal publication.

Sincerely,

David F. Nelson

David F. Nelson
Publisher and Owner
Publication: Sentinel-Times
Published by the Galena Sentinel-Times
dnelson@sentineltimes.com

Statute 64-101

Chapter 64.--PUBLICATIONS, BIBLIOGRAPHY AND CALENDAR

Article 1.--LEGAL PUBLICATIONS

64-101. Newspapers in which legal publications may be made. (a) The governing body of each city of the first class shall designate by resolution a newspaper to be the official city newspaper. Once designated, the newspaper shall be the official city newspaper until such time as the governing body designates a different newspaper.

No legal notice, advertisement or publication of any kind required or provided by any of the laws of the state of Kansas, to be published in a newspaper shall have any force or effect unless the same is published in a newspaper which:

- (1) Is published at least weekly 50 times a year and has been so published for at least one year prior to the publication of any official city publication;
 - (2) is entered at the post office as periodical class mail matter;
 - (3) has general paid circulation on a daily, weekly, monthly or yearly basis in the county in which the city is located and is not a trade, religious or fraternal publication; and
 - (4) is published in the county in which the city publishing the official publication is located.
- If there is no newspaper published in the county, the newspaper shall be published in Kansas and shall have general paid circulation in the county.

(b) The board of county commissioners of each county shall designate by resolution a newspaper to be the official county newspaper. Once designated the newspaper shall be the official county newspaper until such time as the board designates a different newspaper. The newspaper selected for the official publications of a county shall be a newspaper which:

- (1) Is published at least weekly 50 times each year and has been so published for at least one year prior to the publication of any official county publication;
- (2) is entered at the post office in the county of publication as periodical class mail matter, which county shall be located in Kansas;
- (3) has general paid circulation on a daily, weekly, monthly or yearly basis in the county and is not a trade, religious or fraternal publication; and
- (4) is published in the county publishing the official publication. If there is no newspaper published in the county, the newspaper shall be printed in Kansas and have general paid circulation in the county.

(c) Whenever the board of education of a school district is required to publish a legal notice, advertisement or other publication in a newspaper having general circulation in the school district, such newspaper shall be one which:

- (1) Is published at least weekly 50 times each year and has been so published for at least one year prior to the publication of any school district publication;
- (2) is entered at the post office in the school district of publication as periodical class mail matter;
- (3) has general paid circulation on a daily, weekly, monthly or yearly basis in the school district and is not a trade, religious or fraternal publication; and
- (4) is published in the school district publishing the official publication. If there is no newspaper published in the school district, the newspaper shall be published in Kansas and shall have general paid circulation in the school district.

(d) Nothing contained in this section shall invalidate the publication in a newspaper which has resumed publication after having suspended publication all or part of the time that the United States has been engaged in war with any foreign nation and six months next following the cessation of hostilities if such newspaper resumes publication in good faith under the same ownership as it had when it suspended publication. **Nothing in this section shall invalidate the publication in a newspaper which has simply changed its name** or moved its place of publication from one part of the county to another part, or suspended publication on account of fire, flood, strikes, shortages of materials or other unavoidable accidents for not to exceed 10 weeks within the year last preceding the first publication of the legal notice, advertisement or publication. All legal publications heretofore made which otherwise would be valid, that have been made in a newspaper which, on account of flood, fire, strikes, shortages of materials or other unavoidable accident, has suspended publication for a period of not exceeding 10 weeks, are hereby legalized.