

**MINUTES FOR MARCH 1, 2010**

**COLUMBUS, KANSAS, CHEROKEE COUNTY**

**OFFICE OF THE COUNTY CLERK**

**CRYSTAL L. GATEWOOD**

The Cherokee County Commission met March 1, 2010. The meeting was called to order by Commissioner Hilderbrand and those present were Commissioners Garner and Collins, and the Pledge of Allegiance was said by all. Commissioner Garner made a motion to accept the minutes for February 22, 2010 as presented by County Clerk Crystal Gatewood, his motion was seconded by Commissioner Collins and all voted in favor. It is noted by the County Clerk that Commissioner Collins had a meeting in the afternoon in Galena, so he was not in attendance during the afternoon session.

**EXECUTIVE SESSIONS**

**Commissioner Collins made a motion to go into Executive Session for five minutes for Personnel/Non Elected with himself, Commissioners Garner and Hilderbrand, Leonard Vanatta and Gene Langerot, his motion was seconded by Commissioner Garner and all voted in favor. They went in at 10:24 AM and returned at 10:30 AM.**

**Commissioner Collins made a motion to go into Executive Session for five minutes for Personnel/Non-Elected with himself, Commissioners Garner and Hilderbrand and Sheriff David Groves, his motion was seconded by Commissioner Garner and all voted in favor. They went in at 11:14 AM and returned at 11:24 AM.**

**Commissioner Collins made a motion to go into Executive Session for five minutes for Attorney/Client Privilege with himself, Commissioners Garner and Hilderbrand, and County Counselor Kevin Cure, his motion was seconded by Commissioner Garner and all voted in favor. They went in at 11:54 AM and returned at 12:00 PM.**

**Register of Deeds Christy Grant came before the commission and requested Executive Session for Personnel/Non Elected. Commissioner Garner made a motion to go into Executive Session for five minutes for Personnel/Non-Elected with himself, Commissioner Hilderbrand, County Counselor Kevin Cure, and Register Of Deeds Christy Grant, his motion was seconded by Commissioner Hilderbrand and all voted in favor. They went in at 1:40 PM and returned at 1:48 PM.**

**OTHER BUSINESS**

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

*Handwritten initials and date: CLG, P, G, 3/1/10*

Citizen Paul Nolan came before the commission to discuss the upcoming tax sale regarding his property. The commission referred him over to County Counselor Kevin Cure for review and the commission said they will get back to him on the matter at the next meeting after County Counselor Kevin Cure has time to look at the legal details concerning Mr. Nolan's request.

Citizen Bill Handshy came before the commission to discuss cleaning out his ditch along the roadway near his house. Commissioner Garner said they would be doing it in the spring and Mr. Handshy agreed.

Citizen Sara James came before the commission asking the county to come onto her property to fill in two cisterns. The commission said they would look into it, but the commissioners also explained the county cannot go onto private property.

Citizen James Bean came before the commission to discuss the Sheriff's list for towing services, he was asking the commissioners to check into the Sheriff's Department on their rotation schedule because his company had been removed from the list. Commissioner Collins said that the commission tries to stay out of the Sheriff's business. They asked Mr. Bean to submit a paper in writing voicing his complaint and the commission would give it to the Sheriff.

Under Sheriff Terry Clugston, Art Mallory, and Wayne Elliott came before the commission to use the county's '911 Line Item' to purchase new radios for the Sheriff's Department for communication with dispatch. Commissioners Hilderbrand and Garner both agreed to let them purchase the radios with the 911 Funds (Line #225).

County Counselor Kevin Cure discussed the process for getting Sunday beer sales and 'Liquor-by-the-Drink' on the August 2010 ballot. Commissioners Collins, Garner, and Hilderbrand agreed to moving forward on the process and County Counselor Kevin Cure will proceed with the legal process. The commission agreed to hold a public hearing on April 12, 2010 at 11:00 AM in the Commission Room for public comment on this issue. Counselor Kevin Cure also gave an update on several issues dealing with the county.

Citizen Kathy Rakestraw came before the commission to discuss Sunday beer sales at the Pittsburg Truck & Travel Center in Cherokee County. She wanted to know when the commissioners were going to allow them to sell beer on Sundays. She explained she had come in and no decisions were made in 2006 by the commission, and the commission in 2006 told her they would get back to her. She said no one contacted her during the time between 2006 through 2010. The commission is working on this issue currently because other businesses in the county have asked to sell beer on Sundays.

Citizen Raymond Griffith came before the commission and gave some legal papers to Commissioner Garner to keep and said he was done trying to get anything done on the legal problem of the past because the commissioners would not do anything.

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## DEPARTMENT HEADS/ELECTED OFFICIALS MEETING

### **Supervisor of Road & Bridge Leonard Vanatta and Gene Langerot of the County Lot**

Both Leonard and Gene reported that the county workers are continuing road improvements. They also reported FEMA was supposed to be in the county on March 15, 2010, the declaration for disaster is not official but is forthcoming for the county. Leonard Vanatta discussed asphalt with the commissioners and said the ideal temperature of the ground should be at 55 degrees, so by the first of April they should be getting started using asphalt in the county. Commissioner Garner asked about recycling asphalt and Leonard said he would get back to the commission when he found out more information on the quality. Gene Langerot suggested to the commission the use of Freightliner Dump Trucks for the county because of their Cummins Engines, they meet federal guidelines, and are also mechanic friendly. He also suggested the leaf spring suspension and automatic transmission because of less future maintenance. Commissioners Hilderbrand, Garner, and Collins agreed to have Leonard check out a Track Loader for the county and to get back to the commission when he finds out more. The commission, Leonard, and Gene discussed the possibilities of selling old equipment to buy a Track Loader. Leonard also reported an individual interested in selling the county river rock. Commissioner Hilderbrand nominated Commissioner Garner to represent the commission for the river rock negotiations along with Leonard Vanatta of Road & Bridge, his nomination was seconded by Commissioner Collins and all voted in favor.

### **Cherokee County Emergency Preparedness Director Jason Allison**

Jason reported the 911 Reverse System is continuing to progress. He also reported the safety plan is ready but some new things need to be discussed with everyone present. He said the plan meets KCAMP requirements. Also, Nancy Lamb recently attended a FEMA meeting for updating standards.

### **Cherokee County Attorney John Bullard**

John reported everything is going good in his office. He also thanked Sheriff Groves and Ralph Houser for moving items in the office. He also reported the County Personnel Manual would be ready for the commission to go over in about 30 days. The Department Heads' meetings to work on this item for the county is during lunch and he asked the commission if they would pay for the working lunches, no decision was made by the commission.

### **Cherokee County Health Department Director Betha Elliott**

Betha reported they had received a small grant from the federal government for the state issuance of the Chicken Pox Vaccine in the amount of \$1,729.00. Free vaccinations will be available for children between the ages of 11-18. Currently this vaccination is not mandatory but it could be later.

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### **Cherokee County 911 Director Wayne Elliott**

Wayne reported everything is going good and he gave a financial update to the commissioners.

### **Cherokee County Register of Deeds Christy Grant**

Christy reported that employee Judy Grant of the Register of Deeds' Office has retired from the county. She said her office was busy with the deeds and records needed for the tax sale.

### **Cherokee County Sheriff David Groves**

David reported 100 cases for the month of February. He also gave a financial report to the commission and gave an update on the jail population.

### **Cherokee County Appraiser Nancy Herrenbruck**

Nancy reported they are in their final review and it should be complete by mid-March. Personal Property Renditions are slow but they are to be in by March 15, 2010, then a penalty will apply.

### **Cherokee County Courthouse Maintenance Director Ralph Houser**

Ralph reported things were going fine. The commissioners ask him about the transition to air conditioning and he said we would have to wait and see.

### **Cherokee County Treasurer Juanita Hodgson**

Juanita reported the vehicle department has been busy due to Heavy Truck, Trailer, and the deadline for tags. She also noted that in April all tags starting with the letter C will be replaced with a new design until the entire alphabet is completed. Real Estate sent out delinquent notices on taxes and the Sheriff Tax Warrant goes out next month if the taxes are not paid. Juanita asked the commission and County Counselor Kevin Cure if they could meet with her to discuss the upcoming tax sale. She asked the commission if having Jack Garner to be the auctioneer would be a conflict of interest because the commissioners are the ones foreclosing on the properties on the tax sale. Commissioner Hilderbrand said they had spoken with County Counselor Kevin Cure and he said it was all right. Commissioner Garner would do the auctioneering at no charge to the county. Commissioner Collins said he would like to let businesses or individuals that owe \$10,000.00 or more pay a partial payment of at least \$10,000. Treasurer Hodgson thought that businesses and individuals are equal and should be treated equal. Treasurer Hodgson said she wants all correspondence in writing concerning the sale. Commissioner Collins said he would get with County Counselor Kevin Cure and then get back to her.

### **Cherokee County Environmental Director Carl Hayes**

Carl reported the cost of the roll-off dumpsters in the county. The cost increase is due to having to take them to Galena to the transfer station. Commissioner Collins referred him over to County Counselor Kevin Cure. Carl also reported he has submitted a request to the Governor to be appointed to the Neosho River Basin Advisory Board and the commission wished him the best.

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**Cherokee County Clerk Crystal Gatewood**

Crystal reported that her office is busy working on the upcoming city elections in Columbus, West Mineral, and Baxter Springs on April 6, 2010. She also reported that they are still busy doing Homesteads and Food Sales. Also, she has just completed the Title 6 Report for Cherokee County. Everything is going very smoothly in her office.

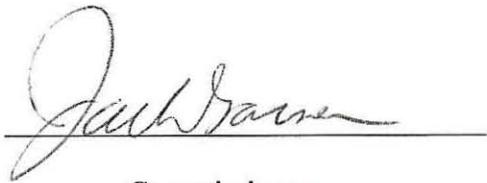
**ADJOURNMENT**

Commissioner Hilderbrand made the motion to adjourn, his motion was seconded by Commissioner Garner and all voted in favor. The next Cherokee County Commission Meeting will be held March 8, 2010 at 9:00 AM in the Cherokee County Courthouse in Columbus, Kansas.

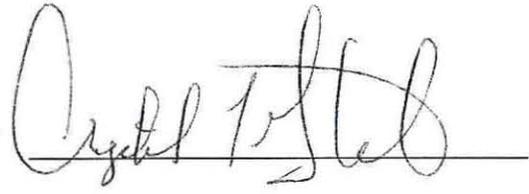
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Resolved and ordered this day:

March 8th, 2010



Commissioner



Cherokee County Clerk



Commissioner



Commissioner