

MINUTES FOR JANUARY 9, 2017
BOARD OF CHEROKEE COUNTY COMMISSIONERS
CHEROKEE COUNTY, KANSAS

CONVENE

Chairman Myers 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, January 9, 2017 in the Commission Room, #109 of the Cherokee County Courthouse located at 110 W Maple St., Columbus, Kansas. Commissioners Robert Myers, Pat Collins, Charles Napier, County Counselor Barbara Wright, and County Clerk Rodney Edmondson were present.

Members of the press present: Larry Hiatt, Jordan Zabel, and Frances Secrist

A motion was made by Commissioner Napier to approve the Minutes of the December 19, 2016 BOCC meeting. The motion was seconded by Commissioner Myers. The motion carried 3-0.

A motion was made by Commissioner Collins to approve the Minutes of the December 29, 2016 BOCC meeting as written. The motion was seconded by Commissioner Napier. The motion carried 2-0. Commissioner Myers abstained.

Department Heads - Monthly Reports

They met with the Board for their routine monthly meeting for the purpose of updating the Board on happenings within each department, with the following Department Heads present: Barbara Bilke, Register of Deeds; Betha Elliott, Health Department; David Groves, Sheriff; Deana Randall, Human Resources; Logan Grant, Noxious Weeds; Mark Hixon, Appraiser; Jacob Conard, Attorney; Ralph Houser, Maintenance; Rodney Edmondson, Clerk/Election; Janet Miller, Economic Development; and Wayne Elliott, 911 Addressing & Mapping.

Barbara Bilke - She provided a report and stated that her office processed 100 passports for the year, the most ever.

David Groves - He provided statistics for 2016 which included 39,000 calls for service, 9,200 911 calls, 72,000 non-emergency calls, and 425,736 radio transmissions. He stated that burglaries and animal related car crashes were down, but injury accidents were up. He stated that he is working with the schools and the County Attorney's Office on the new Juvenile Justice Reform Bill.

Deana Randall - She is making the transition to 26 pay periods for 2017 and each department needs to turn in reports on Monday instead of Tuesdays.

Logan Grant - He stated that he is working on the annual report and should be done by next week.

Jacob Conard - He stated that 2017 looks to be a busy year with five or six trials already set. He is also working with the Sheriff's Office and schools on education programs.

Rodney Edmondson - He reported on legislative concerns with the moving of the spring elections to November. Fixes will be presented to the legislature in hopes of correcting as many as six issues. There are several areas of concern to Clerks and Election Officers that the association is watching very closely during this legislative session.

Wayne Elliott - He reported that they made 10 different signs, issued two new addresses, and sold \$63 in maps to customers.

Janet Miller - She stated that they are preparing for the 3rd Annual Youth Entrepreneur Fair on March 1st and that they are working on several other projects.

Mark Hixon - He provided a written report. He stated that valuations must be updated by January 1st, and property owners notified by March 1st. He stated that all property owners will get a valuation notice this year.

Betha Elliott - She stated that they are no long doing a WIC Program in Montgomery County. They have added Galena and Oswego as a result. She stated that there are transportation issues since there is not a grocery store in Galena to accept WIC Vouchers, so they are looking into options to get citizens to Baxter Springs or Columbus.

A motion was made by Commissioner Myers to enter an Executive Session with the Board, and Counselor Wright for a period of 10 minutes for the purpose of Attorney/Client Privilege. The motion was seconded by Commissioner Napier. The motion carried 3-0 at 10:27 AM.

The meeting reconvened at 10:37 AM.

No action was taken during the Executive Session.

A motion was made by Commissioner Myers to approve Resolution 01-2017, the Annual Waiver from GAAP. The motion was seconded by Commissioner Napier. The motion carried 3-0.

A motion was made by Commissioner Myers to approve Resolution 02-2017, allocating the distribution of Economic Development Funds for 2017. The motion was seconded by Commissioner Collins. The motion carried 3-0.

A motion was made by Commissioner Napier to recess until noon at which time the swearing-in ceremony for newly elected officials will be held in the District Courtroom. The motion was seconded by Commissioner Myers. The motion carried 3-0 at 10:40 AM.

The Board convened at 1:30 PM for the Annual Reorganization of the Board of County Commissioners for 2017 with Commissioners Patrick Collins, Neal Anderson, and Cory Moates present.

During the swearing-in ceremony held at noon, Neal Anderson was sworn-in to replace Charles Napier as District 2 Commissioner and Cory Moates was sworn-in to replace Robert Myers as District 3 Commissioner.

A motion was made by Commissioner Moates to appoint Commissioner Collins as Chairman of the Board for 2017. The motion was seconded by Commissioner Anderson. The motion carried 2-0 with Commissioner Collins abstaining.

A motion was made by Commissioner Anderson to appoint Commissioner Moates as Vice-Chairman of the Board for 2017. The motion was seconded by Commissioner Collins. The motion carried 2-0 with Commissioner Moates abstaining.

A motion was made by Commissioner Collins to appoint Leonard Vanatta as the Cherokee County Road & Bridge Supervisor for 2017. The motion was seconded by Commissioner Anderson. The motion carried 3-0.

A motion was made by Commissioner Collins to appoint Louis Schreiner as the Cherokee County Lot Supervisor for 2017. The motion was seconded by Commissioner Moates. The motion carried 3-0.

A motion was made by Commissioner Anderson to appoint Logan Grant as the Cherokee County Noxious Weed Director for 2017. The motion was seconded by Commissioner Moates. The motion carried 3-0.

A motion was made by Commissioner Collins to designate the American Bank of Baxter Springs, Columbus, and Galena as the official working bank for Cherokee County for 2017, with all other banks to be recognized as depositories. The motion was seconded by Commissioner Anderson. The motion carried 3-0.

A motion was made by Commissioner Collins to designate the Sentinel Times as the Official Newspaper of Cherokee County for 2017. The motion was seconded by Commissioner Moates. The motion carried 3-0.

A motion was made by Commissioner Collins to appoint Jason Allison as the Cherokee County Emergency Management Coordinator for 2017. The motion was seconded by Commissioner Moates. The motion carried 3-0.

A motion was made by Commissioner Collins to appoint Betha Elliott as the Director of the Cherokee County Health Department for 2017. The motion was seconded by Commissioner Anderson. The motion carried 3-0.

A motion was made by Commissioner Collins to appoint the Mense CPA Firm, LLC as the Official Auditing Firm of Cherokee County for 2017. The motion was seconded by Commissioner Moates. The motion carried 3-0.

A motion was made by Commissioner Collins to take up the contract attorney appointments on January 23rd. The motion was seconded by Commissioner Anderson. The motion carried 3-0.

Clerk Edmondson updated the Board on the financing for the Sewer Project. He stated that the holdup is with the title insurance. The Board set the item on the agenda for January 23rd.

A motion was made by Commissioner Collins to enter an Executive Session with the Board for a period of 20 minutes for the purpose of Non-Elected Personnel. The motion was seconded by Commissioner Moates. The motion carried 3-0 at 1:44 PM.

The meeting reconvened at 2:04 PM.

Emergency Management Coordinator Jason Allison appeared before the Board to get approval to issue the checks for the flood buyout payments on four properties that were previously approved. The money has been received from the State for the payment.

A motion was made by Commissioner Moates to issue the checks to disburse the flood buyout funds. The motion was seconded by Commissioner Anderson. The motion carried 3-0.

Allison also presented an updated list of LEPC Memberships for the Board to consider.

A motion was made by Commissioner Anderson to approve the LEPC members as presented. The motion was seconded by Commissioner Moates. The motion carried 3-0.

Clerk Edmondson presented for a first read a map and draft resolution for the redistricting of County Commissioner Districts for the Board to review as required by law every three years. The only proposed change is to move the Spring Valley/Spring Valley Voting Precinct from Commissioner District 2 into Commissioner District 3. The change is recommended to keep the districts as compact and equal in population as possible. The Board will review the proposal and set it on the agenda for January 23rd.

A motion was made by Commissioner Anderson to enter an Executive Session with the Board, Clerk Edmondson, and Counselor Wright for a period of 15 minutes for the purpose of Attorney/Client Privilege. The motion was seconded by Commissioner Moates. The motion carried 3-0 at 2:11 PM.

The meeting reconvened at 2:26 PM.

No action was taken during the Executive Session.

The Board discussed the need to have a lead person in the Courthouse to handle activities with Stronghold Data.

A motion was made by Commissioner Moates to appoint Rodney Edmondson to be the person of contact with Stronghold Data for the County. The motion was seconded by Commissioner Anderson. The motion carried 3-0.

The Board discussed the use of Facebook by the Emergency Management Department.

A motion was made by Commissioner Collins to reinstate Facebook for the Emergency Management Department. The motion was seconded by Commissioner Moates. The motion carried 3-0.

A motion was made by Commissioner Collins to enter an Executive Session with the Board, and Counselor Wright for a period of 10 minutes for the purpose of Attorney/Client Privilege. The motion was seconded by Commissioner Anderson. The motion carried 3-0 at 2:38 PM.

The meeting reconvened at 2:48 PM.

No action was taken during the Executive Session.

Clerk Edmondson presented two Cereal Malt Beverage Applications for Lightning Creek Bait & Tackle for the Board to review.

A motion was made by Commissioner Moates to place the item on the agenda for review on January 23rd. The motion was seconded by Commissioner Anderson. The motion carried 3-0.

A motion was made by Commissioner Collins to enter an Executive Session with the Board for a period of 10 minutes for the purpose of Non-Elected Personnel. The motion was seconded by Commissioner Anderson. The motion carried 3-0 at 2:51 PM.

The meeting reconvened at 3:01 PM.

No action was taken during the Executive Session.

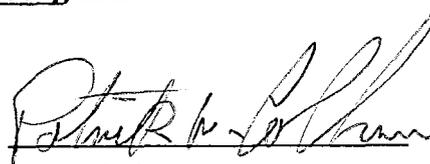
Commissioner Anderson made a motion to adjourn until the Special Meeting set for Wednesday, January 11, 2017 at 11:00 AM for the purpose of approving the Payroll and Accounts Payable. The motion was seconded by Commissioner Moates. The motion carried 3-0 at 3:05 PM.

The Board will not meet on Monday January 16, 2017 due to the observance of Martin Luther King Jr. Day.

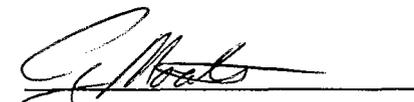
The Board will meet in Regular Session on Monday, January 23, 2017.

ATTEST: Resolved and ordered this 23rd day of January, 2017


Cherokee County Clerk


Commissioner


Commissioner


Commissioner

Business and Community Development
1000 S.W. Jackson St., Suite 100
Topeka, KS 66612-1354



Phone: (785) 296-5298
Fax: (785) 296-3490 TTY: 711
buscomdev@kansascommerce.com
KansasCommerce.com

Antonio J. Soave, Secretary

Sam Brownback, Governor

December 30, 2016

The Honorable Robert Myers
Chairman, Cherokee County Commission
PO Box 14
Columbus, KS 66725

RE: Small Cities CDBG Number 16-PF-014
Change of Work Scope Request

Dear Chairman Myers:

Your request for a change of work scope amendment for Cherokee County, Small Cities CDBG Grant Number 16-PF-014, has been approved as requested.

I trust that this amendment will assist you with the completion of the County's community improvement project. If you have any questions, please contact your Field Representative, Le Ann Thurman, at (785) 296-4100.

Sincerely,

Debbie Beck
CDBG Specialist

DB:LT:cav
Enclosure

**INSTRUCTIONS: SUBMIT TO COMMERCE TWO ORIGINALLY SIGNED COPIES WITH
COVER LETTER CONTAINING REASON(S) FOR REQUEST.**

CONTRACT AMENDMENT/REQUEST #1

Grantee Name: Cherokee County Grant #: 16-PF-014
 Address, City, Zip: PO Box 14, Columbus, 66725-0140

Date of Request: 12/12/2016
 Contract Award Date: 3/1/2016
 Current Completion Date: 2/28/2018

Check as Applicable:
 Time Extension
 Budget Amendment
 Work Scope

If requesting time extension, indicate amount of time needed to complete the project and give explanation below. Additional _____ months needed. New completion date _____.

For budget change(s), enter each line item -- **regardless of whether budget item changed or not.** If approved, this new project budget will supersede any previous budget(s).

No.	Activity Item	Existing Grant Budget	Revised Grant Budget	% Change
TOTALS				

RECEIVED
DEC 22 2016
CDBG

Explanation of Request (attach additional sheets, if needed):

Cherokee County would like to add, as an alternative, the milling of the two (2) approaches to the current Cherokee County - Bridge Reconstruction Phase II project. The current plan calls for 5" of old asphalt to be milled from the bridge deck, followed by resurfacing with 1.5" of asphalt. Milling the two (2) approaches would provide a smooth transition on and off the bridge by making them level with the bridge once it is resurfaced.

The amendment shall become effective on _____, 20____. All other terms and conditions of the contract or any amendments thereto, shall remain unchanged. IN WITNESS WHEREOF, the parties hereto execute this agreement.

Robert Myers
 Authorized Signature – Chief Elected Official
 Robert Myers, Chairman
 Typed Name and Title

 Date 12/13/16

Kansas Department of Commerce
Darla Pucci
 CDBG Program

 Date 12/29/16

Memo

DATE: January 6, 2017

TO: Cherokee County Board of Commissioners

FROM: J. Mark Hixon, CKA, RMA, Cherokee County Appraiser 

RE: Monthly Department Manager Report

The county appraiser is required to update all real property values as of January 1 of each year and notify property owners of their current and previous year's value on or before March 1st. Last year, there were only 7,640 properties with changes in value and we received authorization from the state to only mail valuation notices for those properties. This year, we are updating and notifying all property owners of their 2017 valuation. It is anticipated that very few values will remain unchanged from last year.

We have completed the process of calculating preliminary values and are in the final review phase. We expect to have all the values reviewed and finalized by February 10th. I will then run quality control reports to help identify and correct any errors. Then we will begin printing valuation notices to be mailed on March 1st.

I feel the need to let you know that we have discovered some anomalies in appraised values of vacant land. Although the number of affected parcels is not large, the dramatic increase in values will surely result in several property owners being upset with their new appraised values.

What we found were several vacant properties not being use for agricultural purposes have been appraised for substantially less than what similar properties of that type are selling for in the open market. For instance, an 8.5 acre parcel of vacant land was appraised at \$180. Not \$180/acre, even that would be egregiously too low. It was valued at \$180 for the whole 8.5 acres or \$21.18/acre.

This issue came to my attention when a 94.2 acre parcel of non-agricultural land sold for \$188,000. The county's appraised value was \$950. I made the assumption that this might not be an isolated instance and found that it was not.

As I said, relatively speaking, there are not that many parcels like the above examples, but my staff and I have been working to remedy these inequities and we have also been meeting with a great deal of resistance from some property owners. Therefore, I wanted to give you a heads up that this may be something you hear about from your constituents. If you do, please feel free to refer them to me and I will make every effort to explain how we arrived at the new appraised value and ensure that they are treated fairly and equitably.

RESOLUTION NO. _____

**A RESOLUTION ADJUSTING CHEROKEE COUNTY COMMISSION DISTRICT
LINES FOR CHEROKEE COUNTY, KANSAS**

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
CHEROKEE COUNTY, KANSAS, THAT THE FOLLOWING RESOLUTION BE
ADOPTED:**

SECTION 1. GENERAL AUTHORITY. K.S.A. 19-101, *et. seq.*, and K.S.A. 19-212 authorize the Board of County Commissioners of Cherokee County, Kansas, to transact all County business and perform all powers of local legislation deemed appropriate, and to make all contracts and do all other acts in relation to the property and concerns of the County necessary to the exercise of its corporate or administrative powers.

SECTION 2. LEGISLATIVE ACTION. Pursuant to K.S.A. 19-204, "The board of county commissioners, on the day of the organization of the board or as soon thereafter as may be possible, shall meet and divide the county into three commissioner districts or such number of districts as is prescribed by resolution of the board, as compact and equal in population as possible, and number them. Such districts shall be subject to alteration at least once every three years."

SECTION 3. COUNTY COMMISSION DISTRICT ADJUSTMENTS. While maintaining internal precinct lines, and adjusting the Cherokee County district lines, according to the latest census, and in compliance with the requirement that the County Commission districts be compact and equal, the Board of County Commissioners of Cherokee County, Kansas, adopts the district lines of the three County Commission districts, as adjusted, numbered and reflected on the map, Attachment "A", dated _____, hereinafter incorporated by reference as the official Cherokee County Commission District Map.

SECTION 4. PUBLICATION. The County Clerk shall cause this resolution to be published in the official County Newspaper.

SECTION 5. CONFLICT. All resolutions, County policies or parts thereof, in conflict herewith are hereby expressly repealed insofar and they conflict herewith.

SECTION 6. EFFECTIVE DATE. This resolution shall be effective upon passage.

PASSED AND APPROVED this _____ day of _____, 2017, by the Board of County Commissioners of Cherokee County, Kansas.

Corey Moates
Cherokee County Commissioner

Neal Anderson
Cherokee County Commissioner

Patrick Collins
Cherokee County Commissioner

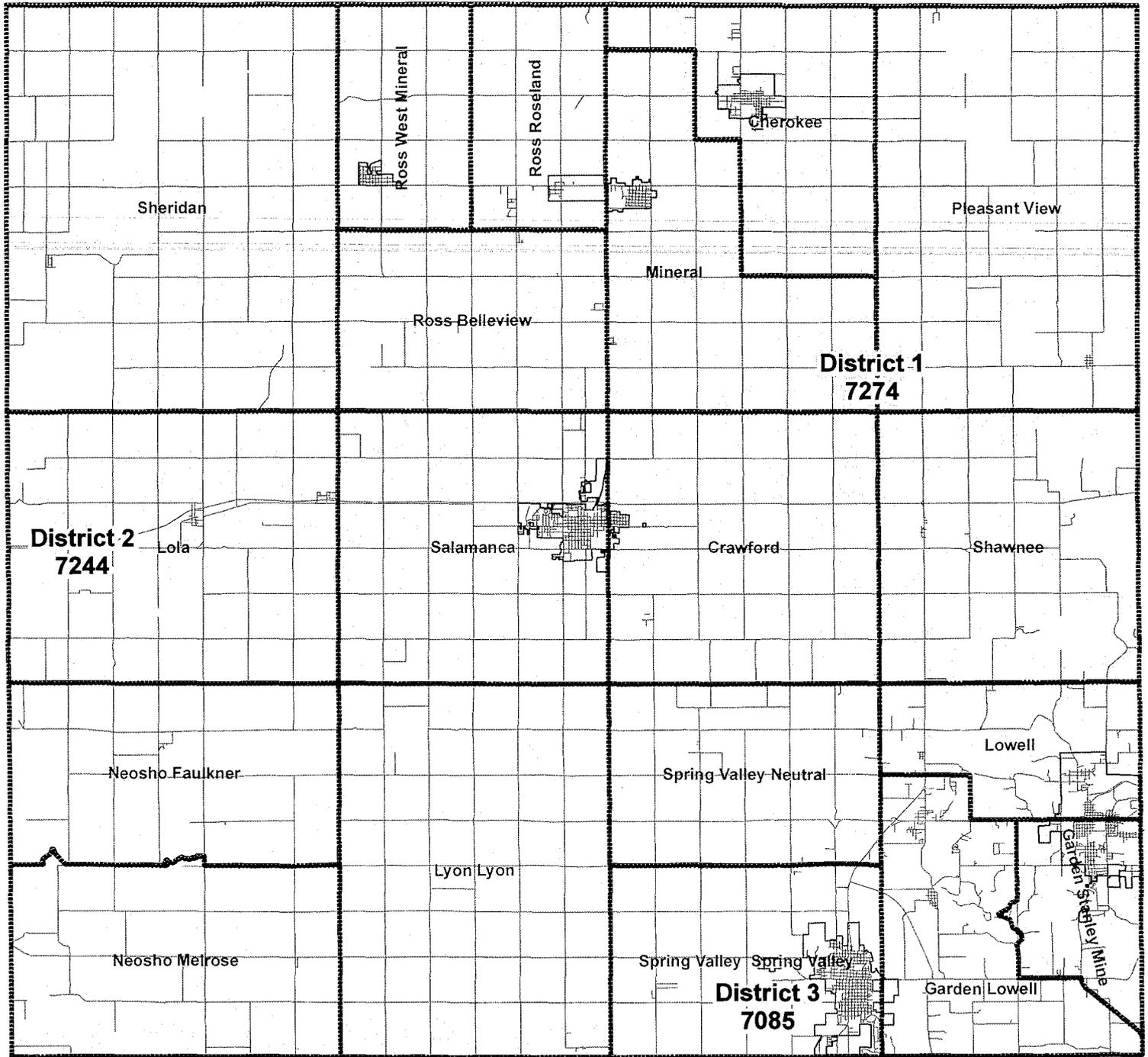
ATTEST:

Rodney D. Edmondson, County Clerk

SEAL

DRAFT

Commissioner Districts - Adopted



Legend

Voting_Precincts

Commissioner_Districts_Proposed

COMMDIST

1

2

3

Chairman
Commissioner
Commissioner

Resolution 01-2017

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

WHEREAS, the Commissioners of Cherokee County, Kansas, has determined that the financial statements and financial reports for the year ending December 31, 2017 to be prepared in conformity with the requirements of K.S.A. 75-1120a(a) are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the Commissioners or the members of the general public of the County of Cherokee and

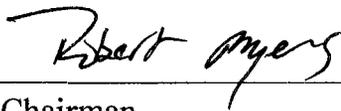
WHEREAS, there are no revenue bond ordinances or other ordinances or resolutions of the municipality which require financial statements and financial reports to be prepared in conformity with K.S.A. 75-1120a(a) for the year ending December 31, 2017.

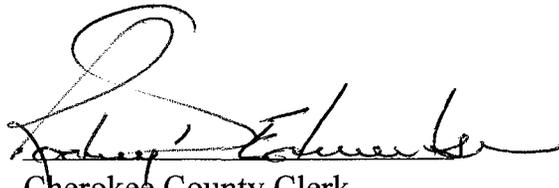
NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Cherokee County, Kansas, in regular meeting duly assembled the 23rd day of January, 2017 that the Commissioners requests the Director of Accounts and Reports to waive the requirements of K.S.A. 75-1120a(a) as they apply to the County of Cherokee for the year ending December 31, 2017.

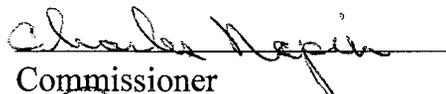
BE IT FURTHER RESOLVED that the Commissioners shall cause the financial statements and financial reports of the County of Cherokee to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this State.

Adopted January 23, 2017

Cherokee County Board of County Commissioners


Chairman


Cherokee County Clerk


Commissioner


Commissioner

RESOLUTION NO. 2-2017

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF
CHEROKEE COUNTY, KANSAS, ESTABLISHING PROCEDURE FOR
DISBURSEMENT OF BUDGETED ECONOMIC DEVELOPMENT FUNDS FOR
THE YEAR 2017.**

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

SECTION 1. GENERAL AUTHORITY. K.S.A. 19-101, *et. seq.*, and K.S.A. 19-212 authorize the Board of County Commissioners of Cherokee County, Kansas, to transact all County business and perform all powers of local legislation deemed appropriate, and to make all contracts and do all other acts in relation to the property and concerns of the County necessary to the exercise of its corporate or administrative powers.

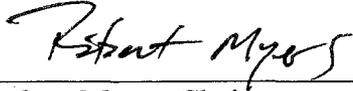
SECTION 2. PROJECT. The Board of County Commissioners of Cherokee County, Kansas, has levied and budgeted Forty-five thousand dollars (\$45,000.00) for the Cherokee County economic development program for the year 2017.

SECTION 3. ADMINISTRATION. Upon receipt of paid invoices from the Director of Economic Development for Cherokee County, Kansas, or from the Cherokee County Economic Development Corporation, the Board of County Commissioners shall review the expenses for reimbursement of fifty percent (50%) of each invoice, up to the total amount budgeted for 2017, Forty-five thousand dollars (\$45,000.00)

SECTION 4. PUBLICATION. This Resolution shall be effective upon passage. The County Clerk shall cause this resolution to be published in the official County Newspaper.

SECTION 5. CONFLICT. That all resolutions, County policies or parts thereof in conflict herewith are hereby repealed insofar as they conflict herewith.

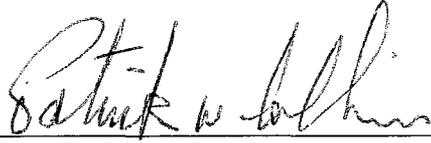
PASSED and APPROVED by the Board of County Commissioners of Cherokee County, Kansas, this 9th day of Jan, 2017.



Robert Myers, Chairman
Cherokee County Commissioner



Charles Napier
Cherokee County Commissioner



Patrick Collins
Cherokee County Commissioner

ATTEST:



Rodney D. Edmondson, County Clerk

(Seal)

