

MINUTES FOR SEPTEMBER 10, 2018
BOARD OF CHEROKEE COUNTY COMMISSIONERS
CHEROKEE COUNTY, KANSAS

CONVENE

Chairman Cory Moates called the regular session of the Cherokee County Board of Commissioners (The Board), to order at 9:00 a.m. on Monday, September 10, 2018 in the Commission Room, #109 of the Cherokee County Courthouse located at 110 W Maple St., Columbus, Kansas. Jim Tunnel opened the meeting with prayer followed by the Pledge of Allegiance. Commissioners Cory Moates, Pat Collins, Neal Anderson, County Counselor Barbara Wright, and County Clerk Rodney Edmondson were present.

Members of the press present: Larry Hiatt

A motion was made by Commissioner Collins to approve the minutes of the August 27, 2018 BOCC meeting as written. The motion was seconded by Commissioner Anderson. The motion carried 3-0.

A motion was made by Commissioner Moates to approve the payroll for the period ending August 31, 2018. The motion was seconded by Commissioner Anderson. The motion carried 3-0.

A motion was made by Commissioner Collins to approve the accounts payable for the period ending on September 5, 2018. The motion was seconded by Commissioner Moates. The motion carried 3-0.

A motion was made by Commissioner Collins to approve the purchase of a desk and credenza for Shelli. The motion was seconded by Commissioner Anderson. The motion carried 3-0.

Leonard Vanatta, County Road Supervisor and Louis Schreiner, County Lot Supervisor appeared before the Board on county road business. Leonard stated that they are working on the roads after the recent rains which have caused numerous washouts. He presented two proposals for the purchase of new backhoes for review. The Board took it under advisement. Commissioner Moates stated that Fabick Caterpillar is offering a \$5,000 discount on road grader rebuilds during the fourth quarter of this year. The Board took no action.

Counselor Wright presented the Neighborhood Revitalization Program Inter-Local Agreements from participating cities and schools for the Board to approve. The agreements were revised at the direction of the Kansas Attorney General. She also presented a draft resolution accepting the Inter-Local Agreements. Counselor Wright asked the Board to waive the two read rule and pass the resolution upon the first read.

A motion was made by Commission Moates to approve Resolution 20-2018 adopting the Neighborhood Revitalization Program Inter-Local Agreements on a first read. The motion was seconded by Commissioner Anderson. The motion carried 3-0.

A motion was made by Commissioner Moates for a 10 minute recess. The motion was seconded by Commissioner Anderson. The motion carried 3-0 at 9:47 a.m.

The meeting reconvened at 9:57 a.m.

Christopher McElgunn of the Klenda Austerman Law Firm appeared before the Board regarding his ability to perform tax foreclosure sales. They have been conducting sales for Sedgwick County for over 25 years. They work with other counties as needed. They began working with Haskell County and Kingman County this year, and Chautauqua County last year. He stated that they have developed a system over the years that works very well. In addition to him and a partner, there are three non-lawyer staff that handles the day to day actions of the tax foreclosure sales. Their system transfers the cost of collection away from the county budget. Costs of the actions are paid from redemption fees and tax sale proceeds. If there is not enough funds from those, then they reduce their fees to the amount available. Once the delinquent list is generated, those properties on the list are assessed a fee for collection and the action begins. The goal is to generate a delinquent tax list in September or October and to get the first case on file in December. They anticipate getting to a judgement within 90 days, then schedule the sale date in approximately 30 days. A July sale date would be expected. The County would need to sign an engagement letter outlining the scope of services, costs, a timeline, and the terms of the agreement to begin the process. The agreement is done year-to-year and can be changed as desired. McElgunn recommends passing a resolution and could provide a template if desired. A separate agreement with a title company or someone to do the parcel research would be needed and their costs would be paid from redemptions and sale proceeds as well.

A motion was made by Commissioner Moates to have him send a letter to Counselor Wright to move forward with the agreement process. The motion was seconded by Commissioner Anderson. The motion carried 2-1 with Commissioner Collins voting no. Commissioner Collins stated that he wasn't against the agreement, he just wanted time to think about it.

Department Heads - Monthly Reports

Officials 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; Jacob Conard, County Attorney; Janet Miller, Economic Development; Art Mallory, Emergency Management; Logan Grant, Noxious Weeds; Mark Hixon, Appraiser; Raven Elmore, Treasurer; Rodney Edmondson, Clerk & Election; and Wayne Elliott, 911 Addressing & Mapping.

Betha Elliott stated that October 2nd will be the drive-thru flu clinic. The Board agreed to offer flu shots to county employees at no cost. The cost of the vaccine will be paid from the Employee Benefit Fund. The Board approved her request to allow an employee to sell two weeks of vacation time due to a family emergency.

David Groves reminded everyone of the Weir Homecoming this weekend and Scammon's next week.

Jacob Conard stated that they filed 65 Cases in July and 29 cases in August.

Janet Miller stated that the quarterly business meeting will be at the Monarch Pharmacy in Baxter Springs.

Art Mallory presented a property in Riverton for the Board to review for possible clean up or demolition. He stated that research for liens on the property needs to be completed. He also stated that they are in the process of researching grants for storm shelters.

Logan Grant stated that he attended the summer conference to obtain credits for recertification. He will present the yearly survey to the Board for approval soon.

Raven Elmore presented a General Ledger Recap Report for the Board to review.

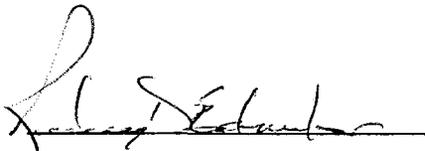
Wayne Elliott stated that they issued two new addresses, sold \$150 in maps, and made 22 new street signs.

A motion was made by Commissioner Collins for an executive session for the discipline of non-elected personnel with the Board and Counselor Wright for a period of 10 minutes. The motion was seconded by Commissioner Anderson. The motion carried 3-0 at 12:00 p.m.

The meeting reconvened at 12:10 p.m.

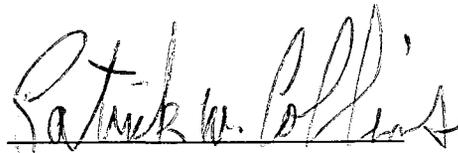
Commissioner Moates made a motion to adjourn until the next regular meeting set for Monday, September 17, 2018 at 9:00 a.m. The motion was seconded by Commissioner Anderson. The motion carried 3-0 at 12:13 p.m.

ATTEST: Resolved and ordered this 17th day of September, 2018


Cherokee County Clerk


Commissioner


Commissioner


Commissioner

RESOLUTION NO. 20-2018

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF
CHEROKEE COUNTY, KANSAS, ADOPTING NEIGHBORHOOD
REVITALIZATION PROGRAM INTERLOCAL AGREEMENTS.**

**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 AND ADMINISTRATION. The Board of County Commissioners of Cherokee County, Kansas, pursuant to the Kansas Neighborhood Revitalization Act, K.S.A. 12-17,114, *et. seq.*, as amended, having published the requisite notice, conducted a public hearing on February 5, 2018, to consider the proposed Neighborhood Revitalization Plan. The Board hereby adopts the Neighborhood Revitalization Plan for the purpose of development and revitalization of Cherokee County, Kansas, by creating incentives that stimulate new construction, rehabilitate, conserve and redevelop real estate in Cherokee County, Kansas, in order to promote and protect the public health, safety and welfare of the citizens of Cherokee County, Kansas.

SECTION 3. SCOPE OF THE PROJECT. The Governing Body requested that all taxing entities located within Cherokee County participate in the Neighborhood Revitalization Program as a comprehensive approach to economic development and revitalization within the County.

SECTION 4. The Board of County Commissioners hereby adopts and incorporates Neighborhood Revitalization Program Interlocal Agreements, officially enacted by the following participating Kansas public agencies, boards and governing bodies and attached hereto:

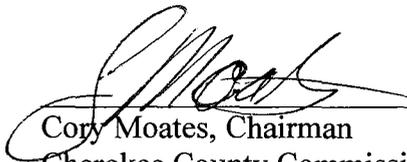
City of Baxter Springs, Kansas
City of Columbus, Kansas
City of Galena, Kansas
City of Weir, Kansas

Board of Education, Baxter Springs District # 508
Board of Education, Chetopa - St. Paul District #505
Board of Education, Columbus District #493
Board of Education, Galena District #499
Board of Education, Pittsburg District #250
Board of Education, Riverton District #404
Board of Education, Southeast District #247

SECTION 5. PUBLICATION. This Resolution shall be effective upon passage. The County Clerk shall cause this resolution to be published in the official County Newspaper.

SECTION 6. CONFLICT. That all resolutions, County policies or parts thereof in conflict herewith are hereby repealed insofar as they conflict herewith.

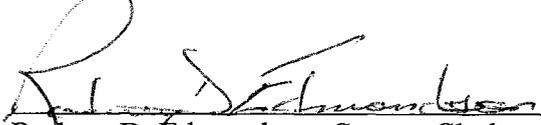
PASSED and APPROVED by the Board of County Commissioners of Cherokee County, Kansas, this 10th day of September, 2018.


Cory Moates, Chairman
Cherokee County Commissioner


Neal Anderson
Cherokee County Commissioner


Patrick Collins
Cherokee County Commissioner

ATTEST:


Rodney D. Edmondson, County Clerk

(Seal)