

**MINUTES FOR NOVEMBER 10, 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 Deputy Curtis Nida, an Army Veteran, lead all in attendance in the Pledge of Allegiance at 9:00 AM on Monday, November 10, 2014 in the Commission Room, #109 of the Cherokee County Courthouse located at 110 W Maple St., Columbus, Kansas. Commissioners Richard Hilderbrand, Charles Napier, Pat Collins, and County Clerk Rodney Edmondson were present.

Members of the press present: Larry Hiatt, Machele Smith, Jordan Zabel

The Board of County Commissioners convened at 9:00 AM as the Board of Canvassers for the purpose of canvassing the General Election that was held on Tuesday, November 4, 2014. Appearing from the County Clerk/Election office was County Election Officer Rodney Edmondson, Deputy Clerk Paula Cheney, and Susan Jones for the purpose of taking the minutes. Attorney Candace Gayoso appeared as counsel for the Board in the absence of County Attorney Nathan Coleman.

Edmondson and Cheney presented 130 provisional ballots for consideration to the Board of Canvassers. 100 ballots were recommended to be accepted, while 30 ballots were recommended to be rejected. After review by the Board of Canvassers, 100 ballots were accepted and 30 ballots were rejected by the Board.

A motion was made by Hilderbrand, seconded by Napier to accept four and to reject one ballot from Baxter Springs Ward 1. The motion carried 3-0.

A motion was made by Hilderbrand, seconded by Collins to accept nine ballots from Baxter Springs Ward 2. The motion carried 3-0.

A motion was made by Collins, seconded by Hilderbrand to accept 10 ballots from Baxter Springs Ward 3. The motion carried 3-0.

A motion was made by Hilderbrand, seconded by Napier to accept nine and to reject three ballots from Baxter Springs Ward 4. The motion carried 3-0.

A motion was made by Collins, seconded by Hilderbrand to accept six ballots from Spring Valley/Spring Valley. The motion carried 3-0.

A motion was made by Napier, seconded by Hilderbrand to accept one ballot from Columbus Ward 1. The motion carried 3-0.

A motion was made by Hilderbrand, seconded by Collins to accept two and to reject one ballot from Columbus Ward 3. The motion carried 3-0.

A motion was made by Napier, seconded by Hilderbrand to accept one ballot from Columbus Ward 5. The motion carried 3-0.

RH

A motion was made by Hilderbrand, seconded by Collins to accept 11 and to reject two ballots from Galena Ward 1. The motion carried 3-0.

A motion was made by Hilderbrand, seconded by Napier to accept three and to reject one ballot from Galena Ward 2. The motion carried 3-0.

A motion was made by Hilderbrand, seconded by Napier to accept five and to reject one ballot from Galena Ward 3. The motion carried 3-0.

A motion was made by Hilderbrand, seconded by Napier to accept 12 ballots and to reject six ballots from Garden Lowell. The motion carried 3-0.

A motion was made by Hilderbrand, seconded by Collins to accept one and to reject two ballots from Shawnee. The motion carried 3-0.

A motion was made by Collins, seconded by Hilderbrand to accept two ballots from Weir Ward 1. The motion carried 3-0.

A motion was made by Hilderbrand, seconded by Napier to accept two ballots from Weir Ward 2. The motion carried 3-0.

A motion was made by Collins, seconded by Napier to reject two ballots from Cherokee. The motion carried 3-0.

A motion was made by Hilderbrand, seconded by Collins to reject two ballots from Pleasant View. The motion carried 3-0.

A motion was made by Hilderbrand, seconded by Napier to reject two ballots from Sheridan. The motion carried 3-0.

A motion made by Hilderbrand, seconded by Napier to accept two ballots from Ross/West Mineral. The motion carried 3-0.

A motion was made by Collins, seconded by Hilderbrand to reject two ballots from Ross/Belleview. The motion carried 3-0.

A motion was made by Hilderbrand, seconded by Napier to accept one ballot from Scammon Ward 1. The motion carried 3-0.

A motion was made by Collins, seconded by Napier to accept two ballots from Mineral. The motion carried 3-0.

A motion was made by Hilderbrand, seconded by Napier to accept one ballot from Neosho/Faulkner, and to reject one ballot from Neosho/Melrose. The motion carried 3-0.

A motion was made by Collins, seconded by Hilderbrand to accept five ballots from Crawford. The motion carried 3-0.

A motion was made by Hilderbrand, seconded by Napier to accept one and to reject two ballots from Salamanca. The motion carried 3-0.

RA

A motion was made by Collins, seconded by Napier to accept one ballot from Lola. The motion carried 3-0.

A motion was made by Hilderbrand, seconded by Collins to accept two and to reject one ballot from Spring Valley/Neutral. The motion carried 3-0.

A motion was made by Collins, seconded by Hilderbrand to accept five and to reject one ballot from Garden/Stanley Mines. The motion carried 3-0.

A motion was made by Napier, seconded by Hilderbrand to accept two ballots from Lowell. The motion carried 3-0.

At 9:56 AM the Board convened in the office of the County Clerk/Election Officer to run the accepted provisional ballots through the M100 ballot tabulation machines for counting. The Special Board consisting of Supervising Judge Shannon Perry, Mamie Houser, Geneva Grubbs, and Heather Godfrey opened the sealed provisional ballot envelopes, removed the ballots, and inserted them into the M100 for tabulation. The results were added to the final totals.

At 10:48 AM the Board reconvened in the Commission Room to review the final election results as presented by Edmondson and Cheney. Edmondson stated to the Board that the results were a true and accurate account of the General Election held on November 4, 2014.

Edmondson stated that there was a write-in winner for the Neosho Township Clerk position, but the winner does not wish to accept and will submit notice in writing.

Chairman Hilderbrand made a motion to accept the final results of the election as presented. Commissioner Napier seconded the motion. The motion carried 3-0 with all voting yes at 10:50 AM.

The Board discussed one of the rejected provisional ballots on the basis that the person had voted early in the courthouse, but made an attempt to vote again at the polls. The Board will forward the information to the County Attorney for investigation of an election crime. Gayoso recommended that the name of the Provisional Voter not be released upon pending investigation by the County Attorney.

The Canvass concluded at 11:00 AM and the Board took a five minute recess.

At 11:05 AM the Board of County Commissioners convened.

A motion was made by Commissioner Hilderbrand to accept the Mid-Month Accounts Payables for November. The motion was seconded by Commissioner Napier. The motion carried 3-0.

A motion was made by Commissioner Collins to approve the Minutes of the November 3, 2014 BOCC Meeting as written. The motion was seconded by Commissioner Napier. The motion carried 3-0.

A motion was made by Commissioner Napier to enter an Executive Session with the Board for the purpose of Non/Elected Personnel for a period of 10 minutes. The motion was seconded by Commissioner Collins. The motion carried 3-0 at 11:16 AM.

The meeting reconvened at 11:26 AM.

RH

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

**Carl Hayes - Cherokee County Environmentalist**

He appeared before the Board to present a plan to expand the coverage area and the future financial sustainability of the Cherokee County Recycling Program.

Carl will look into options of having another recycling trailer built and will get an estimate of costs for the Board to consider.

**Property Tax Relief Applications - Baxter Springs Tornado**

The Board reviewed a Property Tax Relief Application for consideration of tax abatements to a homestead damaged as a result of the tornado in Baxter Springs on April 27, 2014, pursuant to K.S.A. 79-1613.

The Board reviewed the following application and made a determination as indicated.

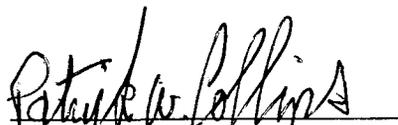
Judy Puckett and Dixie Rhoades, 1547 East Ave. - A motion was made by Hilderbrand, seconded by Collins to grant an 82.4% abatement. The motion carried 3-0.

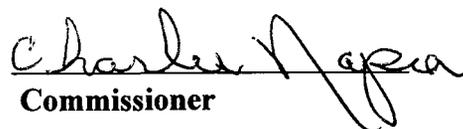
All properties are located within the city limits of Baxter Springs. The abatements granted are for tax year 2014. The approved abatements will apply to taxes assessed on structures only. Land values and taxes assessed on land are not affected.

Commissioner Collins made a motion to adjourn until the next regularly scheduled meeting set for November 17, 2014 at 9:00 AM. The motion was seconded by Commissioner Napier. The motion carried 3-0 with all voting yes at 11:47 AM.

**ATTEST: Resolved and ordered this day, November 17, 2014**

  
Cherokee County Clerk

  
Commissioner

  
Commissioner

  
Commissioner

## Cherokee County Recycling Program

The two major issues concerning our County's recycling program are actually pitting one against the other: an expansion of the coverage areas while also solidifying the financial sustainability of the program.

First, the success of this effort must be considered. Our program began with the purchase of a new 10 bin Alleycat recycling trailer (\$13,831.00) in the spring of 2010. Collections followed shortly after in late June, 2010 on a rotational basis in Columbus, Baxter Springs, Galena and the northern part of the County (placed near Scammon). One year later, we received another Alleycat recycling trailer from SEK Recycling at no cost as it had fairly extensive damage. After repairs, this trailer began service in August, 2011. As a result, this enabled us to improve the placement and duration for public availability.

Currently, one trailer remains in Columbus and the other continues the established rotation to service the communities of Baxter Springs, Galena and near Scammon. We are now also able to shorten the length of time the public doesn't have access to the mobile trailer in each community (currently two weeks vs. three weeks at the outset). However, to optimize the effectiveness of the program, the availability should be improved.

Since the program began, public usage has increased as quantified by the number of loads taken to SEK Recycling (Pittsburg, KS) for unloading and processing. The previous manager did not keep load records for the first 24 months of collections as SEK Recycling wanted to help us get our program established by not charging for processing. However, for the last 27 months, from July 2012 through September 2014, the collections have steadily increased from an average of 4.8 to 7.3 loads/month. This also represents an estimated total of 80,256 lbs. (40.13 tons) of recycled material that haulers did not have to transport to the transfer station and subsequently did not end up in a landfill (not including amounts for the first 24 months). The total processing cost of the entire program to date is \$12,325.00.

The electronic waste collection events have been equally successful. We have had a total of seven collections; the first three were paid by grants and the other four cost \$1794.00 (after \$743.00 in donations). The total amount of electronic waste collected for recycling was 145,245 lbs. (72.6 tons).

The program has to remain as a free service to County residents. Participation would diminish, if not cease, if individuals were charged a fee. However, a charge should be established for the participating communities since they actually benefit from the program. The amount of material recycled would reduce an equal amount collected by the municipal haulers. That in turn would reduce the number of trips to the transfer station and resultant tipping fees.

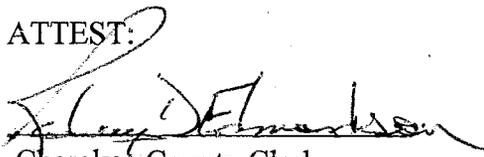
The program would continue as a County service, but the processing costs would be shared by Baxter Springs and Galena (if the Scammon site is retained, the County would pay that cost, as it "covers" the entire northern part of the County). A simple example would be for each town to pay a percentage of their processing cost with the County's contribution also including the transportation and personnel costs of transporting the trailers. The trailers could also be "adapted " to each site to maximize collections (ie. increase the number of plastic bins by reducing mixed paper bins) thereby minimizing transportation and processing.

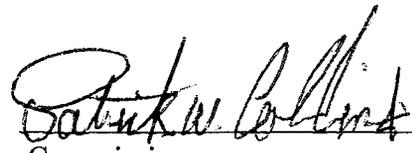
Submitted by:  
Carl I. Hayes  
Nov. 10, 2014

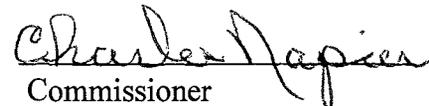
Upon a motion by Commissioner Hilderbrand, with a second by Commissioner Napier, and a vote of the full membership of the Board of County Commissioners of Cherokee County, Kansas, thereon of 3 in approval and none opposed, the results of the General Election on November 4, 2014 are certified as accurate and true after the canvassing of the results. The Board of Cherokee County Commissioners consisted of Commissioners Charles Napier, Pat Collins, and Richard Hilderbrand, and under the consultation with Counsel Candace Gayoso, determined that 130 Provisional Ballots were deemed reviewed. The final results were; of the provisional's, 100 ballots accepted and 30 ballots were rejected.

The accepted provisionals by the Canvassing Board were added to the vote count in their respective precincts in Cherokee County by Cherokee County Election Officer, Rodney D. Edmondson, on November 10, 2014. The document containing the final results was then submitted to the Commission on Monday, November 10, 2014 for signatures by the Cherokee County Board of County Commissioners, and Counsel Candace Gayoso.

ATTEST:

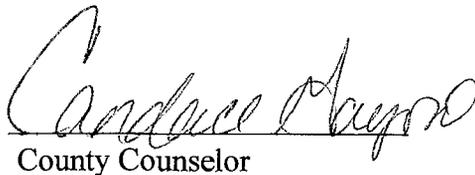
  
Cherokee County Clerk  
and Election Officer

  
Commissioner

  
Commissioner

  
Deputy County Clerk

  
Commissioner

  
County Counselor

\_\_\_\_\_  
County Attorney

11-10-14  
Date

