

Minutes for February 3, 2020  
Board of Cherokee County Commissioners  
Cherokee County, Kansas

Chairman Frazier called the regular session of the Cherokee County Board of Commissioners to order at 9 a.m. Monday, February 2, 2020 in Commissioner Room #109, Cherokee County Courthouse, located at 110 West Maple, Columbus, Kansas. County Clerk Kyle Rennie led with prayer and the Pledge of Allegiance.

Commissioners Myra Frazier, Neal Anderson, Cory Moates, County Counselor Barbara Wright, and County Clerk, Kyle Rennie were present. Member of the press present, Larry Hiatt.

Agriculture Extension Agent Dale Helwig updated the Board on upcoming County Extension events. Farmers Accelerating Research in Materials Science will be held February 26-28 in Pittsburg Kansas, and other projects for 2020.

Commissioner Frazier moved to appoint Angela M. Rippel to the Eleventh District Judicial Nominating Commission. For the term March 2, 2020 through March 4, 2021. Commissioner Anderson 2<sup>nd</sup>, motion passed 3-0.

Commissioner Moates moved to approve the minutes for January 27, 2020. Commissioner Anderson 2<sup>nd</sup>, motion passed 3-0.

Commissioner Anderson moved to approve the 2020 Weed Management Plan. Commissioner Moates 2<sup>nd</sup>, motion passed. 3-0.

Commissioner Anderson moved to accept the resignation of Kathryn Howell, Treasurer, of Lowell Township. Commissioner Frazier 2<sup>nd</sup>, motion passed 3-0.

Commissioner Moates moved to accept the resignation of Kyle Rennie, Trustee of the Sheridan Township, because Rennie was appointed Cherokee County Clerk. Commissioner Frazier 2<sup>nd</sup>, motion passed 3-0.

Leonard Vanatta, Road and Bridge Supervisor updated The Board with a contract that needed to be signed with the State of Kansas for bridge replacement, one half mile East of 50<sup>th</sup> and NW Coalfield Road. Commissioner Anderson moved to accept and sign contract with the State of Kansas for bridge replacement, Commissioner Frazier 2<sup>nd</sup>, motion passed 3-0.

The second contract is with Schwab Eaton of Manhattan, Kansas, for bridge replacement at one half mile South of 110th and SW Lostine. Commissioner Moates moved to accept and sign contract with Schwab Eaton. Commissioner Anderson 2<sup>nd</sup>, motion passed 3-0.

Vanatta stated he needed to order 2 loads of assorted sized pipe and he also stated he has two positions open for mechanics. Vanatta reported KDOT inspected several bridges and recommended lowering the weight limit on a small number of bridges.

Jerry Martin presented a petition to Commissioner Moates, he said it would be discussed later in the meeting.

Mark Hixon, County Appraiser requested a wage increase, for Chelsea Pillar from \$12.99 to \$13.45, Commissioner Moates moved to approve requested increase, Commissioner Anderson 2<sup>nd</sup>, motion passed 3-0. County Appraiser also requested wage increase for Daisy Mooney, from \$15.97 to \$16.59. Commissioner Anderson moved to approve requested increase, Commissioner Frazier 2<sup>nd</sup>, motion passed 3-0.

Joe Mooney presented The Board with the requested permission letters from other adjoining landowners, concerning the fence issue at 10<sup>th</sup> and NW Coalfield.

Commissioner Anderson moved for the Board and Counselor Wright to view the fencing construction site at 10<sup>th</sup> and NW Coalfield on February 26<sup>th</sup> at 10 a.m. Commissioner Moates 2<sup>nd</sup>, motion passed 3-0.

Counselor Wright advised The Board to send a letter of notice to Margaret Radlund of the viewing at least two weeks in advance. Counselor Wright said she would write and send letter.

Barbara Hixenbaugh nominated Sena Howard to be appointed Treasurer for the Lowell Township. Commissioner Frazier indicated they would wait for a period to see if there are others who may be nominated.

Commissioner Moates submitted a signed petition, from a number of residents on Watermelon Lane requesting Watermelon Lane be adopted as a Minimum Maintenance Road. Discussion was held from those in attendance on the definition of a Minimum Maintenance Road. Commissioner Moates moved to adopt Watermelon Lane as a Minimum Maintenance Road, Commissioner Anderson 2<sup>nd</sup>, motion passed 2-1. Commissioner Frazier opposed.

Lorie Johnson, Chairman of the Cherokee County Republican Party, spoke in support of SB 294 stating the bill gives transparency to voters and the opportunity to vote on tax raises. While on the other hand the county will be burdened with cost of the notifications and ballot styles.

Jim Burton, County Waste Supervisor, stated he will be holding a meeting on February 20, 2020 with the cities of Baxter Springs, Galena, and Columbus to discuss details for the recycling trailers.

Department Head Report:

Health Dept: Betha reported her Dept is monitoring the Corona Virus in Kansas and Oklahoma.

Sheriffs Dept: Sheriff Groves reported his Dept. is in the process of replacing a hot water heater that is still within warranty and his Dept is working with Spring River Mental Health on mental health issues.

HR: Deana reported the new check printer has been ordered, and she is waiting its arrival.

County Atty: Jake Conard, reported 29 new cases, of which 22 are felony, and 12 pending trial. Jake reported 404 criminal cases for 2019.

Noxious weed Dept: Logan reported he sent his computer into Stronghold to be updated to windows 10.

Appraisers Dept: Mark reported he is waiting a new Workman Comp. quote.

County Treasure: Raven reported the tax sale is on schedule and will start at 10: a.m. February 25, 2020

County Clerk: Kyle reported he attended the KCCA Legislative reception in Topeka on January 28, and meetings at the Capitol on the 29<sup>th</sup>. The Clerk is waiting for quotes on 5 new computers for the Clerk's Office.

Tabitha Carlton from First American Title in Columbus, Kansas asked THE BOARD if the Tax Sale handled by Robert Myers has been officially dismissed. Tabitha reported one case has yet to be settled, County Counselor Wright stated Myers had been in contact with Chris an Attorney in Wichita about starting over and the court could force Myers to dismiss it. Counselor Wright stated the court may have to get involved.

Commissioner Moates opened discussion on 2<sup>ND</sup> AMENDMENT SANCTUARY, officially 2<sup>nd</sup> AMENDMENT PRESERVATION RESOLUTION. Commissioner Moates reported he had met with Sheriff Groves and Lorie Johnson, Chairman of the Cherokee County Republicans, to discuss such a resolution and had copies on hand to pass out. Sheriff Groves stated he supports said resolution and can comply with enforcement there-of.

Discussion went to Bump-stocks. Lorie Johnson stated Bump-stocks are legal in Kansas, Under the 2<sup>nd</sup> Amendment Protection Act.

Discussion from others in attendance was held on both issues.

Toni Spieth, concerned citizen, stated while she supports the 2<sup>nd</sup> Amendment, she does not support said resolution. Stating Kansas became a 2<sup>nd</sup> Amendment Sanctuary State in 2013 under the Brownback administration, and is not necessary to do so Cherokee County.

Lorie Johnson spoke on what was happening in the State of Virginia and restrictive legislation introduced in Oklahoma.

Robert Wood, with Gun Owners of America, and a Crawford resident spoke at length about the constitutionality of such a resolution and infringement.

Senator Hilderbrand called into the meeting and on speaker voiced his support for the resolution.

Commissioner Frazier asked Counselor Wright if she could get written opinion from the Attorney General, Derek Schmidt's office in Topeka on 2<sup>nd</sup> Amendment Preservation Resolution. Counselor Wright stated she would start at once to obtain said opinion.

Commissioner Moates moved to adopt the 2<sup>nd</sup> AMENDMENT PRESERVATION RESOLUTION in Cherokee County motion died, due to lack of a 2<sup>nd</sup>.

Paula Cheney, Deputy Clerk, announced a small number of County employees will receive Cherokee County KAC Service Awards during the regular session on Monday February 10, 2020 at 10:30 a.m.

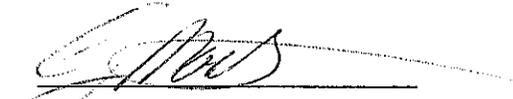
Commissioner Moats moved to adopt resolution 06- 2020 the Restricted Pit Bull Ban. Commissioner Anderson 2<sup>nd</sup>, motion passed 3-0.

Commissioner Moates moved to adjourn until the next regular session February 10, 2020. Commissioner Anderson 2<sup>nd</sup>, motion passed 3-0. Meeting adjourned at 12:12 p.m.

**ATTEST: Resolved and ordered this 10th day of February 2020**

  
Cherokee County Clerk

  
Commissioner

  
Commissioner

  
Commissioner