

**MINUTES FOR JULY 1, 2019**

**BOARD OF CHEROKEE COUNTY COMMISSIONERS**

**CHEROKEE COUNTY, KANSAS**

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, July 1, 2019 in the Commission Room, #109 of the Cherokee County Courthouse located at 110 West Maple, Columbus, Kansas. Commissioner Myra Carlisle Frazier opened the meeting with prayer followed by the Pledge of Allegiance. Commissioners Cory Moates, Neal Anderson, Myra Carlisle Frazier, County Counselor Barbara Wright, and County Clerk Rodney Edmondson were present.

Members of the press present: Larry Hiatt

A motion was made by Commissioner Anderson to approve the Minutes of the June 24, 2019 BOCC meeting as written. The motion was seconded by Commissioner Frazier. The motion carried 3-0.

Commissioner Moates stated that the County has received a check in the amount of \$115,630 from KDOT for the Federal Fund Exchange Program to be used for road & bridge projects.

Leonard Vanatta, County Road Supervisor appeared before the Board on county road business.

Tonny Bailey appeared before the Board regarding flooding on his property on Quaker Rd. Leonard stated that he has a 6' pipe ordered to add beside the current culvert that will help carry the water. The Board and Leonard agreed to add another 36" pipe for reassurance. The Board discussed hiring for current vacancies for the highway department and decided to advertise the positions that are available.

A motion was made by Commissioner Moates to approve the payroll for the period ending June 21, 2019. The motion was seconded by Commissioner Anderson. The motion carried 3-0.

A motion was made by Commissioner Anderson to approve the accounts payable for period ending June 26, 2019. The motion was seconded by Commissioner Frazier. The motion carried 3-0.

Under-Sheriff Terry Clugston and Mike Millings from the USDA appeared before the Board regarding a grant for Ambulance Districts 1 & 2. Billings stated that USDA Rural Development grant funds have been earmarked for Cherokee County. He provided a Letter of Conditions for the Board to review for acceptance. The grant would provide 35% of the expected costs of the project not to exceed \$30,600. The total project is estimated at \$87,480 for power cots and a power load system. The Board signed the documents to secure the grant funds for the ambulance service.

**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; Deana Randall, Human Resources; Janet Miller, Economic Development; Mark Hixon, Appraiser; Raven Elmore, Treasurer; Rodney Edmondson, Clerk & Election; and Rebecca Brassart, 911 Addressing & Mapping.

The Board considered a written request from Angie Rippel to be appointed to the vacancy on the judicial nominating committee.

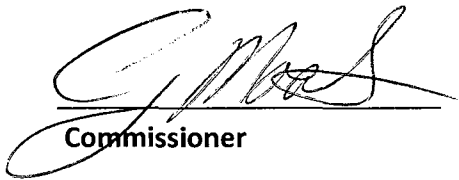
A motion was made by Commissioner Frazier to nominate Angie Rippel to the judicial nominating committee. The motion was seconded by Commissioner Moates. The motion carried 3-0.

A motion was made by Commissioner Moates to recess until 1:00 p.m. The motion was seconded by Commissioner Frazier. The motion carried 3-0 at 12:07 p.m.


The meeting reconvened at 1:00 p.m.

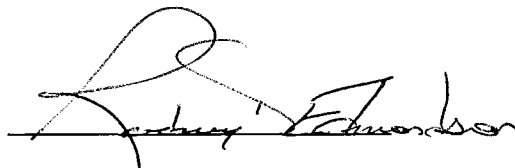
Commissioner Moates made a motion to adjourn until the next regular meeting set for Monday, July 8, 2019 at 9:00 a.m. The motion was seconded by Commissioner Anderson. The motion carried 3-0 at 4:47 p.m.

**ATTEST:** Resolved and ordered this 8<sup>th</sup> day of July, 2019

  
Commissioner

\_\_\_\_\_  
Commissioner

  
Commissioner

  
County Clerk



July 1, 2019

Cherokee County Commissioners

Ck Co Courthouse

Columbus, KS 66725

Angie Rippel

6694 NE Belleview Rd

Scammon, KS 66773

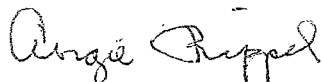
To whom it may concern,

Upon hearing of Chuck Sweeton's resignation from the Judicial nominating committee I would like to be considered as his replacement. Researching and vetting our district judges is an important undertaking and should not be a selection of the most popular or a rising star wanting a life long political career at tax payer expense.

I would do my best to vet anyone perusing this position for our State. Making a difference at the local level is one of my passions.

Thank you for your consideration.

Sincerely

A handwritten signature in cursive script that reads "Angie Rippel".

Angie Rippel



Division of Environment  
Curtis State Office Building  
1000 SW Jackson St., Suite 400  
Topeka, KS 66612-1367



Phone: 785-296-1535  
Fax: 785-559-4264  
[www.kdheks.gov](http://www.kdheks.gov)

Lee A. Norman, M.D., Secretary

Laura Kelly, Governor

June 28, 2019

Mr. Rodney Edmondson  
Cherokee County Clerk  
P.O. Box 14  
Columbus, KS 66725

Re: 2019 Cherokee County Solid Waste Management Plan Approval

Dear Mr. Edmondson,

The 2019 Cherokee County Solid Waste Management Plan Annual Review has been reviewed and approved. The 2020 Cherokee County Annual Review will be due by June 9, 2020.

If you require assistance or have any questions, feel free to contact me at 785-291-3764 or [Jeff.Walker@ks.gov](mailto:Jeff.Walker@ks.gov)

Sincerely,

A handwritten signature in black ink that reads "Jeff Walker". The signature is fluid and cursive.

Jeff Walker, Environmental Specialist  
Waste Reduction and Local Assistance

C. Cherokee County Solid Waste File







July 1, 2019

Cory Moates, Board Chairman  
110 West Maple  
Columbus, KS 66757

SUBJECT: Cherokee County, KS  
CF Project – Letter of Conditions – Power Cots and Power Load System

Dear Chairman Moates:

This letter establishes conditions that must be understood and agreed to by you before further consideration may be given to the application and which must be met before the grant can be closed. Any changes in project costs, source of funds, scope of services or any other significant changes (this includes significant changes in the Borrower's financial condition, operation, organizational structure or executive leadership) in the project or applicant must be reported to and approved by USDA Rural Development, by written amendment to this letter. **Any changes not approved by USDA Rural Development shall be cause for discontinuing processing of the application.**

This letter is not to be considered as grant approval or as representation as to the availability of funds. The docket may be completed on the basis of a grant not to exceed \$30,600. The grant will be considered approved on the date a signed copy of Form RD 1940-1, "Request for Obligation of Funds," is mailed to you.

Enclosed is Form RD 3570-3, "Agreement for Administrative Requirements for Community Facilities Grants," for your review. You will be required to execute a completed form at the time of grant closing. The grant will be considered closed on the obligation date.

Any applicant contribution shall be considered as the first funds expended. After providing for all authorized costs, any remaining USDA Rural Development project funds will be considered to be program grant funds and refunded to USDA Rural Development.

Prior to grant approval, you will certify to providing a drug-free workplace. Form AD-1049, "Certification Regarding Drug-Free Workplace Requirements (Grants) Alternative I – For Grantees Other than Individuals," will be executed to meet this requirement.

You will be required to execute Form AD-1047, "Certification Regarding Debarment, Suspension, and Other Responsibility Matters—Primary covered Transactions."

USDA Rural Development funds will be disbursed through the Electronic Funds Transfer (EFT) System. Form SF 3881, "ACH Vender/Miscellaneous Payment Enrollment Form" will be utilized for this process. Agency funds will not be disbursed until the County has provided evidence to the Area Specialist that the County's contribution is available for the project.

Rural Development • Kansas

**Hays Office**  
2715 Canterbury Drive  
Hays, KS 67601  
Phone: (785) 628-3081, Ext. 4  
Fax: (877) 470-3801

**Iola Office**  
202 W. Miller Road  
Iola, KS 66749  
Phone: (620) 365-2901, Ext. 4  
Fax: (877) 470-3801

**Newton Office**  
1405 South Spencer Road  
Newton, KS 67114  
Phone: (316) 283-0370, Ext. 4  
Fax: (877) 470-3801

**Topeka Office**  
1303 SW First American Pl, Ste 100  
Topeka, KS 66604  
Phone: (785) 271-2700  
Fax: (877) 470-3801

USDA is an equal opportunity provider, employer, and lender.

Please complete and return the attached Form RD 1942-46, "Letter of Intent to Meet Conditions," if you desire that further consideration be given to your application.

If the conditions set forth in this letter are not met within 120 days from the date hereof, USDA Rural Development reserves the right to discontinue the processing of your application.

The approval of your grant will be considered subject to the following conditions:

A. Conditions to be Met Before Bid Letting:

1. Submit proof of incorporation. KS 1942 Guide 03a may be used for this.
2. You will acquire and maintain the appropriate licenses, permits, etc. necessary to own and operate the proposed equipment.
3. You will provide evidence that you are in compliance with all state statutes governing the equipment being financed by USDA Rural Development.
4. Complete all grant docket information as required by USDA Rural Development.
5. 

<u>Project Costs:</u>	<u>Total Budgeted:</u>
Ambulance Equipment	<u>\$87,480</u>
<b>Total Project Cost</b>	<b><u>\$87,480</u></b>
6. 

<u>Project Funding Source:</u>	<u>Funding Amount:</u>
USDA Rural Development Grant	<u>\$30,600</u>
Applicant Contribution	<u>\$56,880</u>
<b>Total Project Funding</b>	<b><u>\$87,480</u></b>
7. When authorized by USDA Rural Development, you may solicit bids for the project. A formal bid advertisement is not required; however, bids should be taken in a manner to ensure maximum open and free competition. The bid should be awarded to the lowest bidder unless there are circumstances that would justify not doing so. USDA Rural Development is to be consulted before award of the bid.
8. Adequate fidelity bond coverage must be maintained for the position of officials entrusted with the receipt and disbursement of funds and custody of property. The County shall observe its regular fidelity bond requirements and practices.
9. If the project cost exceeds \$87,480 and cannot be reduced by negotiations, redesign, use of bid alternatives, rebidding or other means, USDA Rural Development will consider subsequent funding. Such requests will be contingent on the availability of funds.
10. During the equipment acquisition you shall disburse project funds out of the project account in a manner consistent with RD Instruction 1942-A, Section 1942.17(p). All bills and vouchers must be reviewed and accepted by USDA Rural Development prior to disbursement of funds. Form RD 1924-18, "Partial Pay Estimate," shall be used for documenting disbursement of funds.
11. It is necessary that this project be coordinated with all state and local agencies. You must comply with special laws and regulations and pollution control standards.
12. Your County Clerk will maintain adequate records to reflect the financial transactions and conditions of the County.

13. The facility must be operated in compliance with Title III of "The Americans with Disabilities Act of 1990". Accommodations to the public must be accessible to the handicapped.
14. You will operate your facility in compliance with RD Instruction 1942-A, Section 1942.17(k)(7)(8)(9), "Section 504 of the Rehabilitation Act of 1973," the "Age Discrimination Act of 1975," and "Title IX of the Education Amendments of 1972."
15. You will be subject to and the facility must be operated in compliance with, "Title VI of the Civil Right Act of 1964". Form RD 400-4, "Assurance Agreement," must be completed.
16. You should obtain a Legal Services Agreement from your attorney. USDA Rural Development concurrence in the agreement is required.
17. You must provide evidence of the insurance requirements set out in the next section by grant closing or the start of equipment acquisition, whichever occurs first.
18. Before the grant is closed or prior to the start of acquisition, whichever comes first, a written agreement is to be made with a bookkeeper, administrator, or manager to establish a system of record keeping that will adequately reflect all the financial transactions for the County. The agreement and record keeping system are to be reviewed and approved by USDA Rural Development.
19. The grantee understands that any property acquired or improved with Federal grant funds may have use and disposition conditions which apply to the property as provided by 2 CFR Part 200, in effect at this time and as may be subsequently modified.
20. The grantee understands that any sale or transfer of property is subject to the interest of the United States Government in the market value in proportion to its participation in the project as provided by 2 CFR Part 200, in effect at this time and as may be subsequently modified.

**B. Conditions to be Met at Grant Closing:**

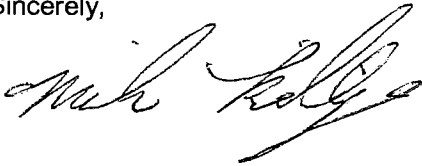
1. You will adopt and execute Form RD 3570-3, "Agreement for Administrative Requirements for Community Facilities Grants".
2. You will deliver to USDA Rural Development a policy of insurance which will provide maximum liability and comprehensive coverage on the equipment being funded by USDA Rural Development. You should consult with your insurance provider to establish the proper amount of insurance coverage. A copy of the policy should be provided to USDA Rural Development.
3. You must agree to comply with all requirements made by the State Director for USDA Rural Development in their grant closing instructions. You will be provided the instructions prior to grant closing.
4. You will carry suitable Workers' Compensation Insurance for all your employees, in accordance with the State laws.
5. Your attorney will complete an Opinion of Counsel on grant closing and deliver the same to USDA Rural Development.

**C. Conditions to be Met After Grant Closing:**

1. After the grant is closed and the equipment is operational, you will:

- a) Grantees who are not required to submit an annual audit will, within 60 days following the end of the fiscal year in which any grant funds were expended, furnish USDA Rural Development with annual financial statements, consisting of a verification of the County's balance sheet and statement of income and expenses report signed by an appropriate official or other documentation as determined appropriate by Rural Development. You may utilize Form RD 442-2, "Statement of Budget, Income and Equity," and Form RD 442-3, "Balance Sheet," for this requirement or the County may provide their own balance sheet and statement of income and expense report signed by an appropriate official.
- b) The audit requirements apply only to the years in which grant funds are expended. Audits will be conducted in accordance with 2 CFR part 200 subpart F, as adopted by USDA through 2 CFR part 400. It is not intended that audits required by this part be separate and apart from audits performed in accordance with State and local laws. To the extent feasible, the audit work should be done in conjunction with those audits. The audit is to be supplied within the earlier of 30 calendar days after receipt of the auditor's report(s), or nine months after the end of the audit period, unless a different period is specified in a program-specific audit guide.
- c) Retain financial records, supporting documents, statistical records, and all other records pertinent to the grant for a period of at least three years after grant closing except that the records shall be retained beyond the three-year period if audit findings have not been resolved.

Sincerely,



MIKE BILLINGS  
Area Specialist

Attachments A/S