

Minutes for March 16, 2020
County Board of Cherokee Commissioners
Cherokee County, Kansas

Chairperson Frazier called the regular session of the Cherokee County Commissioners to order at 9:00 a.m. Monday, March 16, 2020 in Commission room # 109, Cherokee County Courthouse, located at 110 West Maple, Columbus, Kansas. County Clerk Kyle Rennie opened with prayer and Pledge of Allegiance. Commissioners Myra Frazier, Neal Anderson, Cory Moates, County Counselor Barbara Wright, and County Clerk, Rennie were present. Members of the press present Larry Hiatt.

Judge Samuel Marsh presented information to the Commissioners on COVID-19. (The Corona Virus)

Commissioner Anderson moved to accept and approve the amended March 9, 2020 minutes Commissioner Frazier 2nd, motion passed 3-0.

Commissioner Moates moved to accept and approve the March 9, 2020 minutes. Commissioner Anderson 2nd, motion passed 3-0.

Commissioner Anderson moved to accept and approve the March 4th, 2020 Fence Viewing minutes. Commissioner Frazier 2nd, motion passed 2-1. Commissioner Moates abstained.

Road & Bridge Supervisor, Leonard Vanatta presented a contract with RFB Construction Company for construction to the approach to railroad crossing at Neutral. The contract cost of \$ 101,471.00 comes at no cost to Cherokee County. Cost will be covered by State and Federal. Commissioner Anderson moved to approve and sign contract RFB. Commissioner Moates 2nd, motion passed. 3-0.

County lot Supervisor Louis Schreiner reported he is waiting for a tire and parts for a ditcher.

Commissioner Frazier moved to go into executive session at 9:23 a.m. with non-elected personnel Leonard Vanatta and Louis Schreiner for employee discipline and to reconvene at 9:35 a.m. Commissioner Moates 2nd, motion passed 3-0. Meeting reconvened at 9:35 a.m.

Commissioner Frazier moved to approve an hourly wage increase for Cherokee County Lot employees John Kloer, Dennis Boyes and Rick Mosler. Commissioner Anderson 2nd, motion passed 3-0.

Commissioner Moates moved to approve an hourly wage increase for County Lot employee Chris Martin. Commissioner Anderson 2nd, motion passed 3-0.

Stacy Manbeck with Spring River Mental Health presented the annual 2020 budget contract renewal for signatures. Commissioner Frazier moved to approve and sign Spring River Mental Health annual contract. Commissioner Anderson 2nd, motion passed 3-0.

Commissioner Moates moved to go into executive session at 9:52 a.m. with elected personnel Sheriff Groves for security, and to reconvene at 10:00 a.m. Commissioner Anderson 2nd the motion. Motion passed 3-0. Meeting reconvened at 10:00 a.m. No action taken.

Sheriff Groves presented and opened sealed bids for the lowest interest rate from four county banks. Exchange State Bank bid 2.3 % interest, Labette Bank bid 2.65 % interest, American Bank bid 1.95 % interest, and CBW of Weir bid 2.00 % interest. Commissioner Moates moved to approve the proposed

loan for \$ 82,000.00 dollars with a 60-month term, at 1.95 % interest rate bid being awarded to the American Bank, for security system upgrades to the Cherokee County Law Enforcement Center. Commissioner Anderson 2nd, motion passed 3-0.

Judge Lynch and Judge Marsh reported they may postpone all court dockets with the exception of the most essential cases, depending on outcome of the COVID-19 VIRUS. Discussion was held by Department heads concerning the Corona Virus.

Commissioner Moates moved to adopt Resolution 8-2020 Covid-19 Public Emergency Resolution. Commissioner Anderson 2nd, motion passed 3-0.

County Counselor, Barbara Wright presented Resolution 9-2020, a continuation of the ½ cent sales tax that is due to end December 31, 2020. This continuation would carry through until December 31, 2032. Commissioner Moates moved to adopt Resolution 9-2020. Commissioner Anderson 2nd, motion passed 3-0.

Commissioner Frazier moved to adopt Resolution 10-2020, Riverton Pride Program. Commissioner Anderson 2nd, motion passed 3-0.

Commissioner Moates moved to adopt Resolution 11-2020, repealing resolution 16-2019 and resolution 05-2020 Commissioner Anderson 2nd, motion passed. 3-0.

Commissioner Anderson moved to go into executive session at 10:56 a.m. with Attorney/Client, for policy, and to reconvene at 11:05 a.m. Commissioner Moates 2nd, motion passed 3-0. Meeting reconvened at 11:05 a.m.

Commissioner Anderson moved to sign the findings and orders of the Mooney/Radlund fence viewing case, Commissioner Frazier 2nd, motion passed 3-0.

Commissioner Moates moved to go into executive session 11:23 a.m. with Attorney/client, for contract services, and to reconvene at 11:35 a.m. Commissioner Frazier 2nd, motion passed 3-0.

Informal recess was taken at 11:35 a.m. Meeting reconvened at 12:00 p.m.

Commissioner Frazier moved to go into executive session 12:00 p.m. with Donnie Carter for Applications for non-elected personnel and to reconvene at 12:25 p.m. Commissioner Moates 2nd, motion passed 3-0. Meeting reconvened at 12:25 p.m. No action taken.

Commissioner Frazier moved to go into executive session at 12:28 p.m. with Tom LaTurner for Applications for non-elected personnel, and to reconvene at 12:55 p.m., Commissioner Moates 2nd, motion passed 3-0. Meeting reconvened at 12:55 p.m. No action taken.

Commissioner Frazier moved to go into executive session at 12:57 p.m. with Cody Zook for Applications for non-elected personnel and to reconvene at 1:20 p.m., Commissioner Anderson 2nd, motion passed 3-0. No action taken.


Commissioner Frazier moved to go into executive session at 1:25 p.m. with Scott Bennett for Applications for non-elected personnel and to reconvene at 1:45 p.m., Commissioner Moates 2nd, motion passed 3-0. No action taken.

Commissioner Frazier moved to go into executive session at 1:48 p.m. with Jared Glover for Applications for non-elected personnel and to reconvene at 2:15 p.m., Commissioner Moates 2nd, motion passed 3-0. Meeting reconvened at 2:15 p.m. No action taken.

Commissioner Frazier moved to adjourn, Commissioner Anderson 2nd, motion passed 3-0. Meeting adjourned until the next regular session March 23, 2020. Meeting adjourned at 2:42 p.m.

ATTEST: Resolved and ordered this 23rd day of March 2020


Cherokee County Clerk


Commissioner


Commissioner


Commissioner



Book: 557 Page: 508-509

Receipt #: 40167 Total Fees: No Charge
Pages Recorded: 2
Cashier Initials: KAREN
Date Recorded: 3/16/2020 12:58:05 PM
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RESOLUTION NO. 09-2020

A RESOLUTION TO SUBMIT TO THE QUALIFIED ELECTORS OF CHEROKEE COUNTY, KANSAS, THE PROPOSITION OF LEVYING A ONE-HALF OF ONE PERCENT (.5%) RETAILERS' SALES TAX IN CHEROKEE COUNTY, KANSAS, TO BE IN EFFECT FROM JANUARY 1, 2021, THROUGH DECEMBER 31, 2032.

WHEREAS, K.S.A. 19-101 *et. seq.*, and K.S.A. 19-212 authorize the Board of County Commissioners 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.

WHEREAS, under the power of counties granted by the Kansas Constitution, Article 12, Section 5(b), and K.S.A. 12-187, the Governing Body may submit to the qualified electors the question of levying a retail sales tax with said tax to be collected by the State Department of Revenue, with the revenue therefrom returned to this County.

WHEREAS, the Governing Body of Cherokee County, Kansas, has determined that the continuation of the sales tax revenue is necessary to finance ambulance services within the County; to finance renovations and maintenance of County buildings and facilities; and to finance any other projects within the County deemed necessary by the Governing Body; and that property tax increases should be avoided if possible.

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

Section 1. A special question election shall be held in the manner prescribed by law on Tuesday, the 3rd day of November, 2020, for the purpose of submitting to the qualified electors of Cherokee County, Kansas, the question of levying a retailers' sales tax in Cherokee County, Kansas, in the amount of one-half of one percent (.5%), such tax to take effect on January 1, 2021, through December 31, 2032, if approved by a majority of the electors voting therein.

Section 2. If approved by a majority of the electors voting thereon, such tax shall be subject to all applicable state laws and administrative rules and regulations of the Kansas Department of Revenue. The services of the Department of Revenue shall be utilized to administer, enforce and collect such tax.

Section 3. The County Clerk and County Election Officer shall cause notices to be published of this special question election, as provided by law.


Section 4: That all resolutions, County policies or parts thereof in conflict herewith are hereby repealed insofar as they conflict herewith.

BE IT FURTHER RESOLVED that this resolution shall be published once in the official county newspaper.

PASSED AND ADOPTED this 16th day of March, 2020, by the Board of County Commissioners of Cherokee County, Kansas.

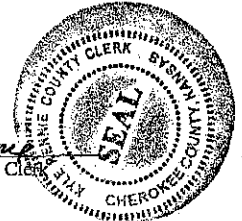

Cory Moates
Cherokee County Commissioner


Myra Carlisle Frazier, Chair
Cherokee County Commissioner


Neal Anderson
Cherokee County Commissioner

ATTEST:


Kyle Rennie, Cherokee County Clerk



(SEAL)

Book: 557 Page: 510-511

Receipt #: 40187

Total Fees: No Charge

Pages Recorded: 2

Cashier Initials: KAREN

Date Recorded: 3/16/2020 12:58:06 PM
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RESOLUTION NO. 10-2020

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF
CHEROKEE COUNTY, KANSAS, ESTABLISHING 2020 ENTRY INTO THE
KANSAS PRIDE PROGRAM.**

WHEREAS, K.S.A. 19-101 *et. seq.*, and K.S.A. 19-212 authorize the Board of County Commissioners 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.

WHEREAS, the Governing Body of Cherokee County, Kansas, has a responsibility to develop the capacity to undertake a viable community development effort; and

WHEREAS, community development needs and problems can best be determined and solved through a cooperative effort between elected officials and those citizens they represent; and

WHEREAS, the Kansas PRIDE Program, co-administered by the Kansas Department of Commerce and K-State Research and Extension, has been reviewed and found to be a means to improve our community; and

WHEREAS, the County Commission does herewith pledge their full support, endorsement, and cooperation in carrying out the requirements of the Kansas PRIDE Program.

NOW, THEREFORE, BE IT RESOLVED that the community of Riverton in Cherokee County, Kansas, urges its citizens to join this effort and hereby declares this community to be an official entrant in the PRIDE Program for the year of 2020..

PASSED AND ADOPTED this 16th day of March, 2020, by the Board of County Commissioners of Cherokee County, Kansas.


Cory Moates
Cherokee County Commissioner

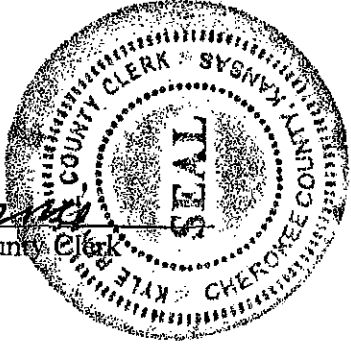

Myra Carlisle Frazier, Chair
Cherokee County Commissioner

Official Record of Cherokee County, Georgia

Neal Anderson
Neal Anderson
Cherokee County Commissioner

ATTEST:

Kyle Rennie, Cherokee County Clerk



(SEAL)

Book: 557 Page: 512-513

Receipt #: 40187

Total Fees: No Charge

Pages Recorded: 2

Cashier Initials: KAREN

Date Recorded: 3/16/2020 12:58:07 PM

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RESOLUTION NO. 11-2020

A resolution by the Board of County Commissioners of Cherokee County, Kansas, adopting the Interlocal Agreement between the Cherokee County, Kansas, and the City of Baxter Springs, Kansas, repealing and replacing Resolution 16-2019 and Resolution 05-2020.

WHEREAS, the Neighborhood Revitalization Plan established in 2015 by the City of Baxter Springs, Kansas, creates incentives for new construction, rehabilitation, and redevelopment of real estate that promote the public health, safety and welfare of local citizens.

NOW THEREFORE, be it resolved by the Board of County Commissioner of Cherokee County, Kansas, that through its taxing authority, Cherokee County shall participate in the Baxter Springs Revitalization Plan by adopting the 2015 Neighborhood Revitalization Program Interlocal Agreement.

NOW THEREFORE, This Resolution shall be effective upon passage subject to the approval of the Interlocal Agreement and this Resolution by the Attorney General of Kansas.

NOW THEREFORE, all resolutions, Board 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 16 day of March, 2020.

Cherokee County Board of County Commissioners

Myra Carlisle Frazier
Myra Carlisle Frazier, Chair

ATTEST:

Kyle D. Rennie
Kyle Rennie, Cherokee County Clerk

(Seal)

