

MINUTES FOR DECEMBER 16, 2013
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 led all in attendance in the Pledge of Allegiance at 9:00 AM on Monday, December 16, 2013 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, Patrick Richardson, Machel Smith

A motion was made by Commissioner Collins to enter an Executive Session with the Board for a period of 30 minutes for the purpose of Non/Elected Personnel. The motion was seconded by Commissioner Napier. The motion carried 3-0 at 9:05 AM.

The meeting reconvened at 9:35 AM.

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

A motion was made by Commissioner Collins to present to the Board, the name of Kristin Seal to be hired as Interim Noxious Weed Employee to replace Director Cecil Brown upon his retirement at the end of December, 2013. She will be paid \$10/hour until she is trained. The motion was seconded by Commissioner Hilderbrand. The motion carried 3-0 with all voting yes.

Janet Miller - Executive Director of Economic Development

She appeared before the Board to present the Lease Agreement for the new office located at 104 S Kansas Ave. in Columbus. The Board will have Mr. Cure review the agreement.

A motion was made by Commissioner Collins to approve the Minutes of the December 9, 2013 BOCC Meeting as written. The motion was seconded by Commissioner Napier. The motion carried 3-0 with all voting yes.

A motion was made by Collins to approve the Payroll for the month of December, 2013. The motion was seconded by Commissioner Napier. The motion carried 3-0 with all voting yes.

A motion was made by Commissioner Collins to approve the Accounts Payables for the month of December, 2013. The motion was seconded by Commissioner Napier. The motion carried 3-0 with all voting yes.

Kevin Cure - County Counselor

He appeared before the Board on legal matters concerning Cherokee County.

Empire District Electric is requesting an extension on the weight limit variance on the road and bridge near Varck Road in Lowell. The Board is okay with an extension and Mr. Cure will prepare a resolution to allow the extension.

He will have a draft resolution to consider for the new Equipment Reserve Fund to review next week.

He presented Resolution 34-2013, a resolution transferring property to Dale Myers, for the Board to consider. It is county owned vacant lots near his business. Dale Myers appeared before the Board.

A motion was made by Commissioner Collins to pass Resolution 34-2013 to sell property, Lots 33-37 in Block 4 Original Plat to the Town of Galena to Dale Myers for the sum of \$1.00. The motion was seconded by Commissioner Napier. The motion carried 3-0 with all voting yes.

A motion was made by Commissioner Collins to sign a Quit Claim Deed to Dale Myers for the sum of \$1.00 in conjunction with Resolution 34-2013. The motion was seconded by Commissioner Napier. The motion carried 3-0 with all voting yes.


A motion was made by Commissioner Collins to pass Resolution 35-2013 vacating a portion of Myers Street and Alleys in the West Weir Subdivision. The motion was seconded by Commissioner Napier. The motion carried 3-0 with all voting yes.

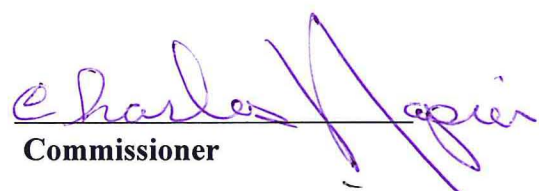
A motion was made by Commissioner Collins to set a Public Hearing on December 30, 2013 at 10:30 AM for the purpose of amending the 2013 the County General and Road & Bridge Budgets. The motion was seconded by Commissioner Napier. The motion carried 3-0 with all voting yes.

A motion was made by Commissioner Napier to adjourn until the next regularly scheduled meeting set for December 23, 2013 at 9:00 AM. The motion was seconded by Commissioner Collins. The motion carried 3-0 with all in attendance voting yes at 12:10 PM.

ATTEST: Resolved and ordered this day, December 23, 2013


Cherokee County Clerk


Commissioner


Commissioner


Commissioner

RESOLUTION NO. 34 - 2013

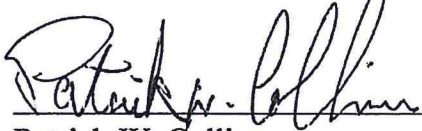
BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
CHEROKEE COUNTY, KANSAS:

WHEREAS, the Board of County Commissioners of Cherokee County, Kansas, upon due consideration of the matter finds the real property described below is no longer required and deems it advisable and finds it in the best interests of Cherokee County, Kansas, to convey to Dale Myers, for the sum of \$1.00, consistent with the Notice of Intent to Sell or Dispose of Property duly published once in the official county newspaper, the property legally described as follows, to-wit:

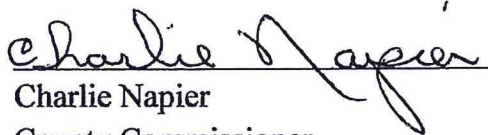
**Lots 33 through 37, in Block 4, Original Plat to the Town of Galena,
according to the recorded plat thereof, all in Cherokee County, Kansas;**

BE IT RESOLVED that the above described real property shall be conveyed to Dale Myers by quitclaim deed.

This resolution was passed by majority vote of the Board of County Commissioners of Cherokee County, Kansas, on December 16, 2013.



Patrick W. Collins
County Commissioner



Charlie Napier
County Commissioner



Richard J. Hildebrand
County Commissioner

ATTEST:



Rodney Edmondson
County Clerk of Cherokee County,
Kansas

Prepared by:
Kevin Cure, Attorney

RESOLUTION NO. 35 - 2013

A RESOLUTION VACATING A STREET AND ALLEYS.

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

WHEREAS, the Board of County Commissioners of Cherokee County, Kansas, upon due consideration of the matter finds that enacting this legislation would provide for the vacating of the following street and alleys in Cherokee County, Kansas. The street to be vacated is described as follows: Myers Street, specifically, only that portion of Myers Street that is located between Lot 5, in Block 1, and Lot 6, in Block 2, in the West Weir Subdivision, such street being bounded on its northern edge by North Main Street, which is also designated as KS-103, according to the recorded plat thereof, all in Cherokee County, Kansas. The alleys to be vacated are described as follows: the alleys that are located in Block 1 and Block 2, in the West Weir Subdivision, according to the recorded plat thereof, all in Cherokee County, Kansas.

WHEREAS, such street and alleys are no longer a public utility by reason of neglect, nonuse, or inconvenience or from some other cause such street and alleys have become practically impassable and the necessity for such street and alleys as a public utility does not justify the expenditure of the necessary funds to repair such street and alleys or put the same in condition for public travel and use.

WHEREAS, the Board of County Commissioners of Cherokee County, Kansas, meeting in regular session, this 16th day of December, 2013, does hereby resolve as follows:

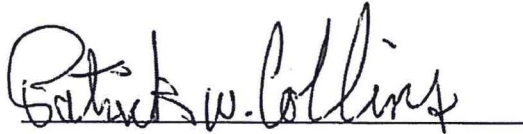
Section 1. Vacating of Street and Alleys. The following street is hereby vacated: Myers Street, specifically, only that portion of Myers Street that is located between Lot 5, in Block 1, and Lot 6, in Block 2, in the West Weir Subdivision, such street being bounded on its northern edge by North Main Street, which is also designated as KS-103, according to the recorded plat thereof, all in Cherokee County, Kansas. The following alleys are hereby vacated: the alleys that are

located in Block 1 and Block 2, in the West Weir Subdivision, according to the recorded plat thereof, all in Cherokee County, Kansas.

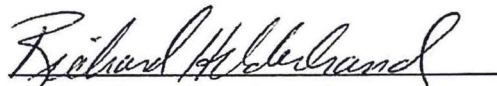
Section 2. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this resolution, or the application thereof to any circumstances, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this resolution.

Section 3. Effective Date. This resolution shall take effect and be in full force from and after its passage and publication once in the official county newspaper.

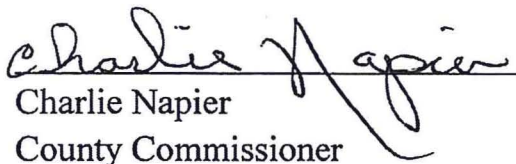
Adopted this 16th day of December, 2013, by the Board of Commissioners of Cherokee County, Kansas.



Patrick W. Collins
County Commissioner



Richard J. Hilderbrand
County Commissioner



Charlie Napier
County Commissioner

ATTEST:



Rod Edmondson
County Clerk of Cherokee County,
Kansas
Resolution No. 35 - 2013

Prepared by:
Kevin Cure, Attorney
