

MINUTES FOR JANUARY 21, 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 at 9:00 AM on Tuesday, January 21, 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, Machel Smith

David Eddington - Cal Ripkin State Baseball Tournament

He appeared before the Board to announce that Columbus will be hosting the 12 and Under Cal Ripkin State Baseball Tournament July 9-13, 2014. The Columbus Cal Ripkin Program is just now beginning to raise funds to host the tournament. He provided a written plan of events for the tournament. The Board took the proposal under advisement.

Leonard Vanatta - County Road Supervisor

Gene Langerot - County Lot Supervisor

They appeared before the Board on routine county road business. They provided an estimate from Wisdom's Pump Service to upgrade the fuel pumps at the lot. Leonard advised that the bridge project on U166 should be finished in mid to late March according to KDOT.

A motion was made by Commissioner Collins to purchase the fuel distribution pumps and card readers from Wisdom's Pump Service Inc. at a cost of \$53,487 payable in 1/3 payments as agreed. 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 Minutes of the January 13, 2014 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 Commissioner Collins to approve Payroll for January, 2014. The motion was seconded by Commissioner Napier. The motion carried 3-0 with all voting yes.

A motion was made by Commissioner Napier to approve the Accounts Payables for January, 2014. The motion was seconded by Commissioner Collins. The motion carried 3-0 with all voting yes.

Reorganization:

Commissioner Collins made a motion to elect Commissioner Hilderbrand the Board Chair for 2014. The motion was seconded by Commissioner Napier. The motion carried 3-0 with all voting yes.

Commissioner Napier made a motion to elect Commissioner Collins the Board Vice-Chair for 2014. The motion was seconded by Commissioner Hilderbrand. The motion carried 3-0 with all voting yes.

RH

Commissioner Hilderbrand made a motion to designate the American Bank of Baxter Springs, Columbus, and Galena as the official working bank for Cherokee County for 2014, with all other banks to be recognized as depositories. The motion was seconded by Commissioner Collins. The motion carried 3-0 with all voting yes.

Commissioner Napier made a motion to designate the Columbus News Report as the Official County Newspaper for 2014. Commissioner Hilderbrand recommended that we continue the annual rotation basis with the Cherokee County News Advocate being up next. Commissioner Napier rescinded his motion. The Board will discuss the item with Mr. Cure and tabled the item until further notice. The Galena Sentinel will remain the Official County Newspaper until such time that another newspaper is named.

Commissioner Collins made a motion to appoint Kevin Cure as the Legal Counselor to the Board of Cherokee County Commissioners for 2014. The motion was seconded by Commissioner Napier. The motion carried 3-0 with all voting yes.

Commissioner Collins made a motion to appoint Leonard Vanatta as the Cherokee County Road & Bridge Supervisor and Gene Langerot as the Cherokee County Lot Supervisor for 2014. The motion was seconded by Commissioner Napier. The motion carried 3-0 with all voting yes.

Commissioner Collins made a motion to appoint Jason Allison as the Emergency Preparedness Director for Cherokee County for 2014. The motion was seconded by Commissioner Napier. The motion carried 3-0 with all voting yes.

Commissioner Hilderbrand made a motion to appoint Betha Elliott as the Director of the Cherokee County Health Department for 2014. The motion was seconded by Commissioner Napier. The motion carried 3-0 with all voting yes.

Commissioner Napier made a motion to appoint Mense, Churchwell, and Mense as the Official Auditing Firm for Cherokee County for 2014. The motion was seconded by Commissioner Collins. The motion carried 3-0 with all voting yes.

A motion was made by Commissioner Collins to appoint Melanie Bingham, Sam Marsh, Candace Gayoso, and Kevin Cure as Court Appointed Counsels for the District Court. The motion was seconded by Commissioner Napier. The motion carried 3-0.

Kevin Cure - County Counselor

He appeared before the Board on legal matters concerning Cherokee County. He presented a Resolution conveying county owned land to the Board for consideration.

A motion was made by Commissioner Collins to pass Resolution 03-2014 conveying county owned land to Galena Liberty Hall, LLC. The motion was seconded by Commissioner Napier. The motion carried 3-0 with all voting yes.

A motion was made by Commissioner Collins to have Chairman Hilderbrand sign and execute a Quitclaim Deed to Galena Liberty Hall, LLC in response to Resolution 03-2014. The motion was seconded by Commissioner Napier. The motion carried 3-0 with all voting yes.

A motion was made by Commissioner Hilderbrand to sign the 2014 agreement with Class LTD for Mental Retardation Services for Cherokee County. The motion was seconded by Commissioner Collins. The motion carried 3-0 with all voting yes.

Commissioner Collins has viewed the property at 604 N Hill St. in Scammon. It's a vacant lot that is ready to have a house built on it. He advised that the City of Scammon would accept the property from the County if they acquire it from Wells Fargo. The Board asked Counselor Kevin Cure to notify Wells Fargo that they will accept the property and to prepare a Deed to transfer the property from Cherokee County to the City of Scammon once the property is owned by the County.

A motion was made by Commissioner Collins to appoint Commissioner Hilderbrand to a one year term to the Shoal Creek Basin Regional Wastewater Authority. The term is from December 1 through Nov 30, 2014. The motion was seconded by Commissioner Napier. The motion carried 3-0 with all voting yes.

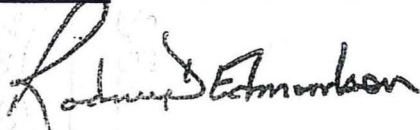
A motion was made by Commissioner Hilderbrand to appoint Commissioner Collins as Cherokee County's representative to the SEK Regional Juvenile Detention Center Board of Directors. The motion was seconded by Commissioner Napier. The motion carried 3-0 with all voting yes.

A motion was made by Commissioner Collins to approve Resolution 04-2014 urging the Kansas Legislature and Governor Sam Brownback to retain the mortgage registration fee, and reject any or all legislative proposals abolishing such fee. The motion was seconded by Commissioner Napier. The motion carried 3-0 with all voting yes.

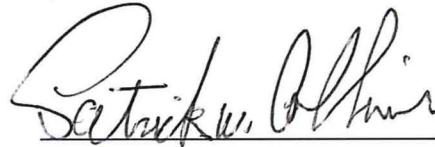
The Board discussed the options when appointing an Official County Newspaper. Counselor Kevin Cure advised that he will research the topic and report on it next Monday.

Commissioner Hilderbrand made a motion to adjourn until the next regularly scheduled meeting set for Monday, January 27, 2014 at 9:00 AM. The motion was seconded by Commissioner Napier. The motion carried 3-0 with all voting yes at 11:51 AM.

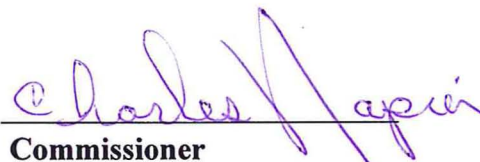
ATTEST: Resolved and ordered this day, January 27, 2013



Cherokee County Clerk



Commissioner



Commissioner



Commissioner

RESOLUTION NO. 3 - 2014

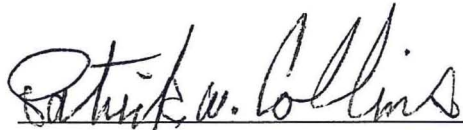
BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHEROKEE COUNTY, KANSAS:

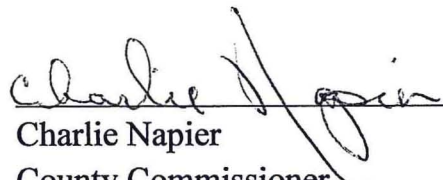
WHEREAS, the Board of County Commissioners of Cherokee County, Kansas, upon due consideration of the matter finds the real property described below is no longer required and deems it advisable and finds it in the best interests of Cherokee County, Kansas, to convey to Galena Liberty Hall, LLC, a Kansas corporation, 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:

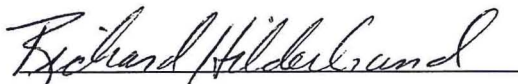
The West 25 feet of Lots 226 through 230, and all of Lots 223-225, in Block 17, Original Plat to the City of Galena, according to the recorded plat thereof, all in Cherokee County, Kansas.

BE IT RESOLVED that the above described real property shall be conveyed to Galena Liberty Hall, LLC, a Kansas corporation, by quitclaim deed.

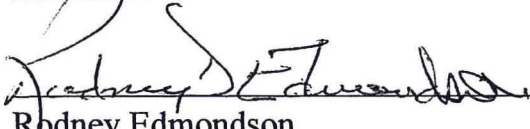
This resolution was passed by majority vote of the Board of County Commissioners of Cherokee County, Kansas, on January 21, 2014.


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. 4 - 2014

A resolution of the Board of Cherokee County Commissioners urging the Kansas Legislature and Governor Sam Brownback to retain the mortgage registration fee, as provided in K.S.A. 79-3102, and reject any or all legislative proposals abolishing such fee.

Whereas, in 1925, the Kansas Legislature enacted a law (K.S.A. 79-3102) providing that, before any mortgage of real property is filed with the County Register of Deeds, the individual or entity filing the mortgage pay a mortgage registration fee; and

Whereas, the Legislature has revisited the policy of the mortgage registration fee and enacted changes thereto on various occasions since 1925;

Whereas, the current fee is a one-time payment of 0.26% of the principal debt securing the mortgage; and

Whereas, the process of recording mortgages with the Register of Deeds is an important county function to ensure free and clear transactions involving land deals, giving potential landowners assurance that a property is unencumbered by liens; and

Whereas, a mortgage is enforceable only upon payment of the mortgage registration fee; and

Whereas, the 25/26th of the mortgage registration fee is deposited in a county's general fund, where it is used to finance basic operations of county government and 1/26th of the fee is remitted to the State Treasurer to finance the Heritage Trust Fund which helps preserve historic structures.

Now, therefore, be it resolved, by the Board of County Commissioners (Supervisors) of Cherokee County, Kansas, that the mortgage registration fee is an important revenue source for counties, and is one of a very few revenue streams counties have to finance essential county services; and

Be it further resolved that, in the budget years 2010, 2011, and 2012, Cherokee County received and deposited \$_144,332.23 \$_111,878.73 and \$_157,250.65 from the mortgage registration fee in the general fund, respectively; and that absent such fees and no change in county services, county property taxpayers would have experienced increased mill levies of 1.0mill(s); .77(mill(s); and 1.13 mill(s), in 2010, 2011 and 2012, respectively; and

Be it further resolved that it would be profoundly unfair to counties and most of all, county property taxpayers in general, for counties to lose the revenue generated by the mortgage registration fee without the Legislature identifying and authorizing a revenue measure of equal or greater significance; and

Be it further resolved that in the absence of an identified, authorized substitute revenue source, that we urge the Kansas Legislature and Governor Sam Brownback to retain the current mortgage

registration fee, as provided in K.S.A. 79-3102, and reject any or all legislative proposals abolishing such fee; and

Be it further resolved that a copy of this resolution be sent to members of the Kansas Senate and House of Representatives representing this county; to Governor Sam Brownback; to all newspapers, radio and television stations serving this county; and to the Kansas Association of Counties.

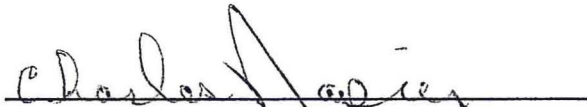
Adopted this 21st day of January, 2014 in an open meeting of the Board of Cherokee County Commissioners, on a vote of 3 ayes and 0 nays.

Approved:



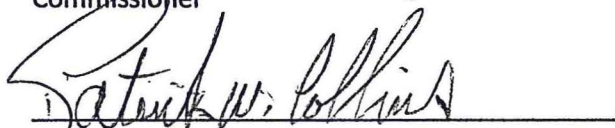
(Name)

Chair, Board of County Commissioners



(Name)

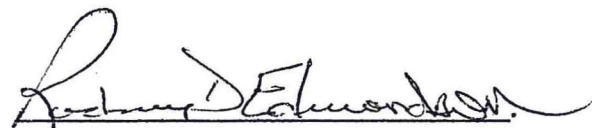
Commissioner



(Name)

Commissioner

Attest:



(Name)

Cherokee County Clerk

WISDOM'S PUMP SER. INC.
409 E N E
MIAMI, OKLA
918-540-2722

01/10/14

Ref: Cherokee County Highway Dept.
606 County Rd.
Columbus, Ks. 66725

We propose to upgrade current system with pressure system change out old island forms install sumps under dispensers for secondary containment remove all steel from ground replace with approved fiberglass piping. We will install day tanks in tank pit with submersible pressure pumps and new dispensers on island with new card system. In this bid we will be utilizing existing 2" fiberglass line & replacing the steel at both ends with fiberglass into containment boxes.

2-Gasboy Md. 9153 dual hose single produce dispensers
1-Gasboy Md 9153 single hose single produce dispenser
3-150 gal. day tanks
3-¾ hp Redjacket sub pumps
3-346 DI external fire valves
3-Redjacket leak detector adpt.
3-Redjacket FX IV leak detectors
3-Dispenser Sumps under islands
1-Transition Sump at containment wall
3-Island forms
3-Impack valves w/mounting hardware
3-1 1/2" x 18" SS Flex hoses
3-2" x 24" SS Flex hoses
1-Alarm system for sumps
9-2" Entry Boots for sec. containment -piping
8-¾ Entry Boots for sec. containment -electrical
All New hoses nozzles & breakaway valves
Misc. 2" Steel pipe & fittings for day tank hookup
Misc. Fiberglass pipe & fittings to hookup at dispensers
OPW AFC Fuel Control System, System includes,
Fuel island terminal, Factory direct telephone training service, Journal printer
Concrete for island forms only
Clerical
Freight
Labor
Mileage

Bid does not include backhoe work, backfill material, haul off if needed, electrical to sub pumps at tanks & under all dispensers & card reader

Bid is subject to approval by State Fire Marshals Office & KDHE. In the event of underground obstructions such as rock, plumbing, electrical lines, water or excess caving is encountered cost may be increased

We purpose hereby to furnish materials and labor --complete in accordance with the above specs. For the sum of _____ \$53,487.00

A payment of \$17,829.00 one third of total sum will be required on acceptance of bid, another payment of \$17,829.00 one third will be required on delivery of tank & materials to job site. Final payment \$17,829.00 is due upon completion of job.

This proposal is subject to change in cost after 02/10/14

Acceptance Signature

Date _____


Authorized Signature

12U CAL RIPKEN STATE BASEBALL TOURNAMENT (60 FT.)

NAME OF EVENT/PROJECT – 12U Cal Ripken State Baseball Tournament (60 ft.)

DATE OF EVENT – Wednesday, July 9th – Sunday, July 13th 2014

NAME OF SPONSORING ORGANIZATION – Columbus Cal Ripken Baseball Assoc.
CAL RIPKEN BASEBALL PRESIDENT - Clint Saporito (674-1840)
TOURNAMENT DIRECTOR - David Eddington (762-2820)

BRIEF DISCRIPTION EVENT/PROJECT – Columbus Cal Ripken Baseball won the bid to host the 12U Cal Ripken State Baseball Tournament. This is the premiere event in Cal Ripken Baseball. The four-day tournament will showcase eight of the top twelve-year old Cal Ripken baseball teams in the state of Kansas.

IS THIS A ONE-TIME EVENT OR AN ON-GOING PROJECT? EXPLAIN -

Columbus has a great baseball/softball complex. We have hosted several tournaments in the past and I can say that one of Columbus Cal Ripken's goals is to host more tournaments in the future.

TOURISM IN CHEROKEE COUNTY

ESTIMATED NUMBER OF EXPECTED ATTENDEES – 120 players and coaches,
Parents, and fans

ESTIMATED NUMBER OF ROOM NIGHTS GENERATED - 4 Nights

ESTIMATED NUMBER OF ATTENDEES THAT ARE DAY-TRIPPERS – See Attendees

WHERE WILL THEY STAY WHILE IN CHEROKEE COUNTY? – Players, parents, and fans will find lodging (hotels, motels, bed & breakfasts) within 45 minutes of the Columbus Community Ball Fields. This should benefit all of Cherokee County.

WHERE WILL VISITORS COME FROM? - Visitors will come from all over the state of Kansas.

HOW WILL THIS EVENT/PROJECT INCREASE TOURISM REVENUE IN CHEROKEE COUNTY? The 12 U Cal Ripken State Baseball Tournament will increase tourism in the area by bringing visitors to the community. When not playing, these visitors will be able to visit Big Brutus, Schermerhorn Park, area museums, and area parks for entertainment. I also see the tournament benefitting the community economically. Lodging, restaurants, the grocery store, convenience stores, and clothing sales should see revenue from the tournament.

TOURNAMNT EXPENSES

CAL RIPKEN BASEBALL	\$1,200.00
CITY POOL RENTAL	?????
BASEBALL UMPIRES (15 X \$35)	\$1050.00
RAWLINGS BASEBALLS	\$120.00
TEAM & PARENT DINNER (250 PEOPLE)	\$750.00
PLAYER & COACHES SOCIAL (GAMES)	?????
BALLPARK EXPENSES	?????
TOURNAMENT PROGRAM (100 COUNT)	?????

The 12U Cal Ripken State Baseball Tournament is a great opportunity for our Cal Ripken League, city of Columbus and Cherokee County. The tournament will not only benefit our athletes, but also help our community economically. Columbus Cal Ripken needs to raise over \$3,000.00 before the league can cover the expenses of the tournament. We are prepared to incur these expenses, but I have listed a couple ways you all could help. Please consider this opportunity. Any help would be greatly appreciated.

CAL RIPKEN BASEBALL -

I am sure you all are aware several Kansas communities have a Parks & Recreation Commission. Some communities even hire individuals to regulate this fund. They also coordinate area recreational activities and sporting events. I have visited with a few coordinators (Liberal, Lakin, Independence) about how their communities were able to fund tournaments such as the CAL RIPKEN STATE BASEBALL TOURNAMENT. Two of the coordinators I visited with said their city covered the Cal Ripken fee. Sponsorship, gate fees, and concessions covered the remainder of the costs.

- The city of Columbus has graciously committed to pay \$600.00 of the \$1200.00 necessary to host the state tournament.
- Cal Ripken asks that the County Commissioners consider helping sponsor a portion of the 12U Cal Ripken State Baseball Tournament for 2014.