

MINUTES FOR NOVEMBER 14, 2018
BOARD OF CHEROKEE COUNTY COMMISSIONERS
CHEROKEE COUNTY, KANSAS

CONVENE

Chairman Cory Moates called the regular session of the Cherokee County Board of Commissioners (The Board), to order at 9:00 a.m. on Wednesday, November 14, 2018 in the Commission Room, #109 of the Cherokee County Courthouse located at 110 W Maple St., Columbus, Kansas. Commissioner Anderson opened the meeting with prayer followed by the Pledge of Allegiance. Commissioners Cory Moates, Pat Collins, Neal Anderson, County Counselor Barbara Wright, and County Clerk Rodney Edmondson were present.

The Board of County Commissioners convened at 9:00 a.m. as the Board of Canvassers for the purpose of canvassing the General Election that was held on Tuesday, November 6, 2018. Appearing from the County Clerk & Election Office was County Clerk & Election Officer Rodney Edmondson, Deputy Clerk Paula Cheney, and Susan Jones for the purpose of taking the minutes. County Counselor Barbara Wright was also present.

Edmondson and Cheney presented reports detailing the vote totals from Election Day, Early Voters, and Advance by Mail for the Board to review.

Edmondson and Cheney presented 180 provisional ballot envelopes for consideration to the Board of Canvassers. 140 envelopes were recommended to be accepted, while 40 envelopes were recommended to be rejected. Edmondson and Cheney provided a list of reasons and explanations for the recommendations.

A motion was made by Commissioner Moates to accept 140 provisional envelopes and to reject 40 envelopes as recommended. The motion was seconded by Commissioner Anderson. The motion carried 3-0.

At 9:11 a.m. the Board convened in the office of the County Clerk & Election Officer to run the accepted provisional ballots through the M100 ballot tabulation machine for counting. The Special Board consisting of Supervising Judge Marcia Trease, Judge Geneva Grubbs, Vickie Hess, and Shannon Perry, opened the sealed provisional ballot envelopes, removed the ballots, and inserted them into the M100 for tabulation. The same Special Board also tabulated by hand the write-in ballots that were included in the provisional ballots. The results were added to the final totals.

At 10:17 a.m. the Board reconvened in the Commission room to review the final election results as presented by Edmondson and Cheney. A total of 7,065 ballots were cast and counted. Edmondson presented one write-in total that affected the election results. In the Columbus Ward 1 City Council race, write-in candidate Randy Coble will be certified as the top vote getter with 79 votes while the candidate on the ballot John Paradee received 68.

Edmondson stated to the Board that the results were a true and accurate account of the ballot count and vote totals in the General Election held on November 6, 2018.

A motion was made by Commissioner Anderson to certify the November 6, 2018 General Election. The motion was seconded by Commissioner Moates. The motion carried 3-0.

A motion was made by Commissioner Moates to adjourn as the Canvassing Board. The motion was seconded by Commissioner Anderson. The motion carried 3-0 at 10:30 a.m.

At 10:40 a.m. the Board of County Commissioners convened for regular business.

A motion was made by Commissioner Anderson to approve the minutes from the November 5, 2018 BOCC meeting as written. The motion was seconded by Commissioner Collins. The motion carried 3-0.

Counselor Wright presented the draft resolution for the Veterans Memorial Committee for a second read.

A motion was made by Commissioner Moates to approve Resolution 25-2018 accepting ownership of the Veterans Memorial and establishing the volunteer Veterans Memorial Committee. The motion was seconded by Commissioner Anderson. The motion carried 3-0.

Counselor Wright presented a draft resolution to reflect the actions taken by the Board at their last meeting in regards to the demolition of a property located at 6444 SE 70th St.

A motion was made by Commissioner Moates to approve Resolution 26-2018 as presented. The motion was seconded by Commissioner Anderson. The motion carried 3-0.

Commissioner Moates presented a lease agreement for a FEMA property for consideration. Jeff Scott is requesting the renewal of the lease that he currently has with the Board for the flood property.

A motion was made by Commissioner Moates to renew the lease to Jeff Scott. The motion was seconded by Commissioner Anderson. The motion carried 3-0.


Commissioner Moates stated that he has been working with the county lot to clear up the record keeping discrepancy for the expenses for asphalt. They should have accurate numbers next Monday.

The Board set Monday, December 10th for the Courthouse Christmas Dinner. The Commissioners agreed to supply the meat and drinks and employees will be asked to bring side dishes and desserts.

Commissioner Moates stated that he will be out of town and unable to attend the December 3rd BOCC meeting. The Board agreed to move the department head meeting scheduled that day to Monday, December 10th at 10:00 a.m.

Commissioner Moates made a motion to adjourn until the next regular meeting set for Monday, November 19, 2018 at 9:00 a.m. The motion was seconded by Commissioner Anderson. The motion carried 3-0 at 11:05 a.m.

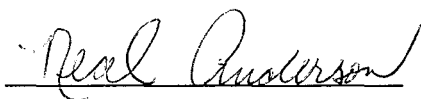
ATTEST: Resolved and ordered this 19th day of November, 2018



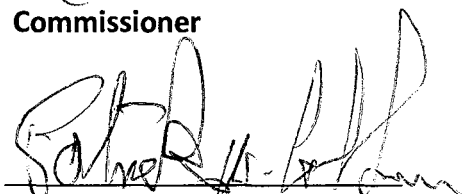
Cheokee County Clerk



Commissioner



Commissioner



Commissioner

RESOLUTION NO. 25-2018

A RESOLUTION ACCEPTING OWNERSHIP AND DEVOTING THE VETERANS MEMORIAL, LOCATED ON THE CHEROKEE COUNTY COURTHOUSE LAWN IN COLUMBUS, KANSAS, CHEROKEE COUNTY, KANSAS, AS A PUBLIC SYMBOL OF RESPECT AND APPRECIATION TO ALL MILITARY SERVICE MEMBERS, PAST, PRESENT AND FUTURE.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHEROKEE COUNTY, KANSAS, THAT THE FOLLOWING RESOLUTION BE ADOPTED:

SECTION 1. GENERAL AUTHORITY. K.S.A. 19-101, *et. seq.*, and K.S.A. 19-212 authorize the Board of County Commissioners of Cherokee County, Kansas, 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.

SECTION 2. SCOPE AND APPLICATION. The County is hereby authorized and accepts ownership of the Veterans Memorial, located on the northeast section of the lawn of the Cherokee County Courthouse, located in Columbus, Cherokee County, Kansas, and devotes the property as a public symbol of respect and appreciation to all military service members, past, present and future. The ad hoc Veterans Memorial Committee has issued its request for said action by the County in its letter dated October 26, 2018, which is attached.

SECTION 3. ADVISORY ADMINISTRATION. The Board of County Commissioners hereby establishes the volunteer Veterans Memorial Committee for the purpose of advising the County and for administration of maintenance and additions to the Veterans Memorial site.

SECTION 4. APPOINTMENTS. The Board of County Commissioners appoints Sonja Duley, Athena McColm and Margaret McColm as volunteer charter members of the Veterans Memorial Committee to serve indefinitely and for as long as members are willing and able to serve.

SECTION 5. FUNDING. Funds for future maintenance have been placed with the Columbus Community Foundation and shall be available as reimbursement to the County for maintenance or additions, as deemed necessary or recommended by the Veterans Memorial Committee or the Board of County Commissioners.

SECTION 6. All resolutions and parts thereof in conflict herewith are hereby expressly repealed in so far as they conflict herewith.

SECTION 7. This resolution shall be in full force and effect from and after passage and publication in the official County newspaper.

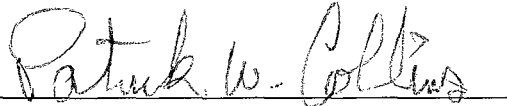
PASSED AND APPROVED this 14 day of November, 2018, by the Board of County Commissioners of Cherokee County, Kansas.



Cory Moates, Chairman
Cherokee County Commissioner

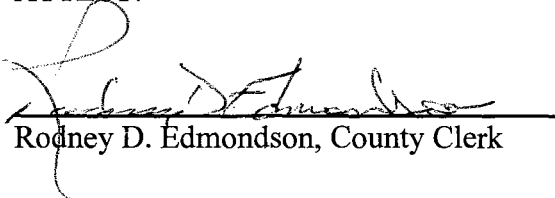


Neal Anderson
Cherokee County Commissioner



Patrick Collins
Cherokee County Commissioner

ATTEST:



Rodney D. Edmondson, County Clerk

SEAL

RESOLUTION NO. 26-2018

A RESOLUTION FINDING THAT THE STRUCTURES LOCATED AT 6444 SE 70th STREET, RIVERTON, CHEROKEE COUNTY, KANSAS, COMMENCING AT A POINT 363 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18 IN TOWNSHIP 34 SOUTH OF RANGE 25 EAST OF THE 6TH PRINCIPAL MERIDIAN, CHEROKEE COUNTY, KANSAS, THEN NORTH 100 FEET, WEST 208 FEET, SOUTH 100 FEET, EAST 208 TO PLACE OF BEGINNING; EXCEPT THE HIGHWAY RIGHT-OF-WAY AND THE REAL ESTATE DESCRIBED IN THAT RIGHT-OF-WAY DEED DATED OCTOBER 19, 1967, RECORDED JANUARY 3, 1968, TO WIT:

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 34 SOUTH, RANGE 25 EAST OF THE 6TH P.M., DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE, 363.0 FEET NORTH OF THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 81 DEGREES 12 MINUTES WEST, 50.6 FEET; THENCE NORTH 100.0 FEET TO A POINT 50.3 FEET WEST OF SAID EAST LINE; THENCE EAST, 50.3 FEET TO SAID EAST LINE; THENCE SOUTH 08 DEGREES 47 MINUTES EAST, 100.0 FEET ALONG SAID EAST LINE TO THE PLACE OF BEGINNING. THE ABOVE CONTAINS 1,045 SQUARE FEET, MORE OR LESS, EXCLUSIVE OF THE EXISTING HIGHWAY,

IS UNSAFE AND DANGEROUS, AND DIRECTING THAT THE STRUCTURES AND DEBRIS BE REMOVED AND THE PREMISES MADE SAFE AND SECURE.

WHEREAS, the Enforcing Officer of Cherokee County, Kansas, did on the 24th day of September, 2018, file with the Governing Body, the Board of County Commissioners of Cherokee County, Kansas, a statement in writing that a certain blue, single-story residential structure, deck, carport and surrounding buildings described above, are dilapidated, unsafe and dangerous and, with the surrounding brush and debris, create a blight upon the neighborhood and the County; and,

WHEREAS, by its Resolution No. 21-2018, the Governing Body established the time and place of a hearing at which the owners, his or her agent, and lienholders, any occupants and all other parties of interest of such structure could appear and show cause why such structure should not be condemned and ordered demolished, and provided for giving notice thereof as provided by law; said hearing was scheduled for November 5, 2018, 10:00 a.m., and,

WHEREAS, Resolution No. 21-2018 was published in the official County newspaper on the 28th day of September, 2018, and on the 5th day of October, 2018, and a copy of said Resolution was served upon all persons entitled thereto as provided by law; and,

WHEREAS, on the 5th day of November, 2018, the Governing Body did conduct the hearing and took evidence from the enforcement officer. There were no other appearances.

NOW, THEREFORE, ON THIS 5th DAY OF NOVEMBER, 2018, BE IT RESOLVED BY THE GOVERNING BODY OF CHEROKEE COUNTY, KANSAS, THAT:

1. The Governing Body hereby finds that the structures located at: at a point 363 feet North of the Southeast Corner of the Southeast Quarter of the Northeast quarter of Section 18 in Township 34 South of Range 25 East of the 6th Principal Meridian, Cherokee County, Kansas, then North 100 feet, West 208 feet, South 100 feet, East 208 to place of beginning; EXCEPT the highway right-of-way and the real estate described in that right-of-way deed dated October 19, 1967, recorded January 3, 1968, to wit:

A tract of land in the Southeast Quarter of the Northeast Quarter of Section 18, Township 34 South, Range 25 East of the 6th P.M., described as follows: BEGINNING at a point on the East line, 363.0 feet North of the Southeast corner of said Quarter Section; thence South 81 degrees 12 minutes West, 50.6 feet; thence North 100.0 feet to a point 50.3 feet West of said East line; thence East, 50.3 feet to said East line; thence South 08 degrees 47 minutes East, 100.0 feet along said East line to the place of beginning. The above contains 1,045 square feet, more or less, exclusive of the existing highway, are unsafe and dangerous and directs that such structures and debris are to be removed and the premises made safe and secure.

2. The owner of such structure is hereby directed to commence the removal of her property and materials from the structure within fourteen days (14) days from the date of this hearing, not later than November 19, 2018, and to complete the removal of her property and materials from the structure not later than December 5, 2018.

3. The Governing Body will cause the structure to be razed and removed and the property made safe and secure after October 24, 2018, without further notice to the owner. The costs of razing and removing, less salvage, if any, shall be collected in the manner provided by K.S.A. 12-1,115, and amendments thereto, or shall be assessed as a special assessment against the lot or parcel of land upon which the structure is located or by both, all as provided by law.


BE IT FURTHER RESOLVED, that the County Clerk shall cause this Resolution to be published once in the official County newspaper and mail a copy to the owners, agents, lienholders, occupants and other parties in interest.

Adopted this 14 day of November, 2018.


APPROVED:



Cory Moates, Chair
Cherokee County Commissioner

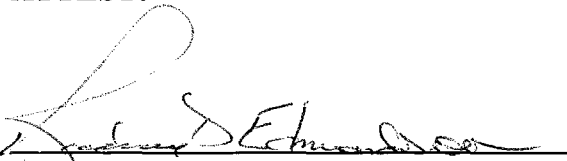


Patrick Collins
Cherokee County Commissioner



Neal Anderson
Cherokee County Commissioner

ATTEST:



Rodney Edmondson
Cherokee County Clerk
Executed: November, 14, 2018,
by the Board of County Commissioners