

MINUTES FOR NOVEMBER 28, 2016
BOARD OF CHEROKEE COUNTY COMMISSIONERS
CHEROKEE COUNTY, KANSAS

CONVENE

Chairman Myers 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, November 28, 2016 in the Commission Room, #109 of the Cherokee County Courthouse located at 110 W Maple St., Columbus, Kansas. Commissioners Robert Myers, Pat Collins, Charles Napier, County Counselor Barbara Wright and County Clerk Rodney Edmondson were present.

Members of the press present: Larry Hiatt and Jordan Zabel

A motion was made by Commissioner Collins to approve the Minutes of the November 21, 2016 BOCC meeting as written. The motion was seconded by Commissioner Napier. The motion carried 3-0.

Louis Schreiner - County Lot Supervisor

He appeared before the Board on routine county road business. He reported that they are currently paying \$300 per month for rental of the oxygen and acetylene bottles. He has found someone that will provide them for \$600 per year. He is going to make the switch next week.

A motion was made by Commissioner Myers to enter an Executive Session with the Board, Counselor Wright, and Louis Schreiner for the purpose of Non-Elected Personnel for a period of 10 minutes. The motion was seconded by Commissioner Collins. The motion carried 3-0 at 9:24 AM.

The meeting reconvened at 9:34 AM.

No action was taken during the Executive Session.

Attorney Gene Barrett provided a draft resolution authorizing a real estate tax foreclosure sale for the Board to review. The resolution is for 337 tracts to be included in a tax foreclosure sale.

A motion was made by Commissioner Collins to approve Resolution 28-2016 authorizing real estate tax foreclosure on an emergency basis due to the delinquency and the time that it has taken to be put together. The motion was seconded by Commissioner Myers. The motion carried 3-0.

A motion was made by Commissioner Myers to enter an Executive Session with the Board and Counselor Wright for the purpose of Attorney/Client Privilege for a period of 30 minutes. The motion was seconded by Commissioner Napier. The motion carried 3-0 at 9:45 AM.

The meeting reconvened at 10:15 AM.

No action was taken during the Executive Session.

Attorney Gene Barrett appeared before the Board to update them on the tax foreclosure sale. He anticipates filing the petition with the court next week. After filing, all taxes, penalties, interest, and fees must be paid in order to have the property removed from the sale. He estimates six more months before the actual sale would take place. There are 50 or 60 additional properties that have been researched that could be added to the list.

A motion was made by Commissioner Napier to take a 10 minute recess to reconvene at 10:45 AM. The motion was seconded by Commissioner Myers. The motion carried 3-0.

A motion was made by Commissioner Myers to enter an Executive Session with the Board and Counselor Wright for the purpose of Attorney/Client Privilege for a period of 20 minutes. The motion was seconded by Commissioner Napier. The motion carried 3-0 at 10:51 AM.

The meeting reconvened at 11:11 AM.

No action was taken during the Executive Session.

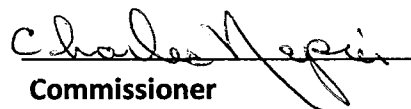
A motion was made by Commissioner Collins to make the contract attorney appointments in January when all other appointments by the Board are made. The motion was seconded by Commissioner Myers. The motion carried 3-0.

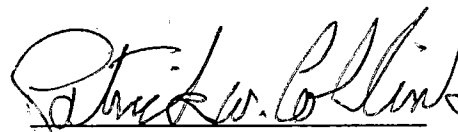
Commissioner Collins made a motion to adjourn until the next meeting set for Monday, December 5, 2016 at 9:00 AM. The motion was seconded by Commissioner Myers. The motion carried 3-0 at 11:19 AM.

ATTEST: Resolved and ordered this 5th day of December, 2016


Cherokee County Clerk


Commissioner


Commissioner


Commissioner

RESOLUTION NO. 28-2016

AUTHORIZING REAL ESTATE TAX FORECLOSURE

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

1. K.S.A. 79-2801 provides that in all cases in which real estate has been or shall be sold and bid in by the County at any delinquent tax sale and shall remain unredeemed on the first day of September of the second year after such sale, or any extension thereof as provided by subsection (b) of K.S.A. 79-2401a, the Board of County Commissioners shall order the County Attorney or the County Counselor to institute an action in the District Court having appropriate jurisdiction, in the name of the Board of County Commissioners, against the owners or supposed owners of such real estate and all persons having or claiming to have any interest therein or thereto said properties by filing a petition with said Clerk of the District Court, and the Board may provide for special legal and other assistance necessary to secure the performance of these duties.

2. The Board of Commissioners of Cherokee County, Kansas, has been advised by the Cherokee County Treasurer that there are approximately 337 or more tracts which have been sold and bid in by Cherokee County at previous delinquent tax sales and which have remained unredeemed on the first day of September of the second year after such sale and which are and currently remain unredeemed.

3. The Cherokee County Counselor be and is hereby ordered to institute an action in the District Court of Cherokee County in the name of the Board of Commissioners of Cherokee County, Kansas against the owners or supposed owners of such real estate and all persons having or claiming to have any interest therein or thereto, by filing a petition with the Clerk of said Court to enforce the lien for unpaid taxes of Cherokee County, Kansas, and by using such special legal and other assistance necessary to secure the performance of these duties.

ADOPTED, this 28th day of November, 2016.

BOARD OF COMMISSIONERS OF
CHEROKEE COUNTY, KANSAS

Robert Myers
Robert Myers, Commissioner

Patrick W. Collins
Patrick W. Collins, Commissioner

Charlie Napier
Charlie Napier, Commissioner

ATTEST:

Rodney Edmondson
Rodney Edmondson, Cherokee County Clerk

(SEAL)

FUND BALANCES 11/23/2016						
FUND	FUND #	Balance 2016	November A/P	November P/R	BALANCE	
County No-Fund Warrants	99	\$ -	\$ -	\$ -	\$ -	
CO GEN	100	\$ 4,774.77	\$ -	\$ -	\$ 4,774.77	
County Equipment Reserve	102	\$ 99,956.86	\$ -	\$ -	\$ 99,956.86	
TECHNOLOGY FUND	103	\$ 32,111.23	\$ -	\$ -	\$ 32,111.23	
Treasurer Technology Fund	104	\$ 5,909.62	\$ -	\$ -	\$ 5,909.62	
Clerk Technology Fund	106	\$ 7,432.31	\$ -	\$ -	\$ 7,432.31	
STATE LINE ROAD PROJECT	105	\$ 260.97	\$ -	\$ -	\$ 260.97	
Jail Salestax	107	\$ 278,217.18	\$ -	\$ -	\$ 278,217.18	
Law Enforcement Center	108	\$ -	\$ -	\$ -	\$ -	
RD BRIDGE	110	\$ 1,408,105.99	\$ -	\$ -	\$ 1,408,105.99	
EX COUNCIL	120	\$ 30,321.14	\$ -	\$ -	\$ 30,321.14	
NOXIOUS WEED	130	\$ 22,995.23	\$ -	\$ -	\$ 22,995.23	
SEVERE WEATHER EQUIPMENT	135	\$ -	\$ -	\$ -	\$ -	
HEALTH	140	\$ 1,267,111.10	\$ -	\$ -	\$ 1,267,111.10	
Clean Up Illegal Dump	142	\$ -	\$ -	\$ -	\$ -	
TRI CO WIC	145	\$ -	\$ -	\$ -	\$ -	
FAIR	150	\$ 3,718.52	\$ -	\$ -	\$ 3,718.52	
ELECTION	160	\$ 23,711.41	\$ -	\$ -	\$ 23,711.41	
COMM COLLEGE	170	\$ 2,028.62	\$ -	\$ -	\$ 2,028.62	
SOIL CONSERV	180	\$ 3,657.77	\$ -	\$ -	\$ 3,657.77	
SPECIAL BRIDGE	190	\$ 452,520.98	\$ -	\$ -	\$ 452,520.98	
MENTAL HEALTH	200	\$ 16,691.56	\$ -	\$ -	\$ 16,691.56	
MENTAL RETARD	210	\$ 16,683.24	\$ -	\$ -	\$ 16,683.24	
FAM LIFE CENTER BOND & INT	216	\$ -	\$ -	\$ -	\$ -	
AMBULANCE	220	\$ 134,129.24	\$ -	\$ -	\$ 134,129.24	
CHEROKEE COUNTY 911	224	\$ 294,372.71	\$ -	\$ -	\$ 294,372.71	
FEMA PUBLIC ASSISTANCE GRANT	227	\$ -	\$ -	\$ -	\$ -	
APPRAISAL	230	\$ 81,295.36	\$ -	\$ -	\$ 81,295.36	
COUNTY BLDG	250	\$ -	\$ -	\$ -	\$ -	
EMPL. BENE	260	\$ (97,244.61)	\$ -	\$ -	\$ (97,244.61)	
PAYROLL W/HOLD	265	\$ 35.03	\$ -	\$ -	\$ 35.03	
SPECIAL (TORT) LIABILITY	290	\$ -	\$ -	\$ -	\$ -	
ELDERLY	300	\$ 15,200.23	\$ -	\$ -	\$ 15,200.23	
DESIGNATED DV & SA PROSEC	301	\$ -	\$ -	\$ -	\$ -	
CDBG-Grant Family Life	302	\$ -	\$ -	\$ -	\$ -	
08LEPC PLAN/TRAIN GRANT	303	\$ -	\$ -	\$ -	\$ -	
SPIDER PROGRAM	304	\$ 112.61	\$ -	\$ -	\$ 112.61	

<u>FUND</u>	<u>FUND #</u>	<u>Balance 2016</u>	<u>November A/P</u>	<u>November P/R</u>	<u>BALANCE</u>
<u>E/P GRANT</u>	<u>306</u>	\$ -			\$ -
<u>COPS GRANT</u>	<u>307</u>	\$ -			\$ -
<u>JUVENILE BLOCK GRANT</u>	<u>309</u>	\$ -	\$ -		\$ -
<u>LANDFILL</u>	<u>310</u>	\$ 1,270.00	\$ -		\$ 1,270.00
<u>REMODEL GRANT</u>	<u>313</u>	\$ -			\$ -
<u>INVESTIGATOR GRANT</u>	<u>314</u>	\$ -			\$ -
<u>GALENA MINE CLOSURE</u>	<u>317</u>	\$ -			\$ -
<u>EMERG SHELTER GRANT</u>	<u>338</u>	\$ -			\$ -
<u>SEWER DIST #1 BOND & INT</u>	<u>320</u>	\$ 5,542.84			\$ 5,542.84
<u>SEWER DIST #1 OPER & MAINT</u>	<u>330</u>	\$ 32,344.20	\$ -	\$ -	\$ 32,344.20
<u>SHELTERED WORKSHOP BD & IN</u>	<u>340</u>	\$ -			\$ -
<u>SPECIAL HIGHWAY IMPROVEMT</u>	<u>360</u>	\$ 1,264.20			\$ 1,264.20
<u>SPECIAL ROAD MACHINERY</u>	<u>370</u>	\$ 100.00			\$ 100.00
<u>COUNTY BOND & INTEREST</u>	<u>390</u>	\$ -			\$ -
<u>PROS ATTORN TRAIN</u>	<u>410</u>	\$ 2,327.79			\$ 2,327.79
<u>ELECTRONIC MONITORING</u>	<u>412</u>	\$ 910.00			\$ 910.00
<u>ATTORNEY APPLICATION FEE</u>	<u>413</u>	\$ 11,157.38			\$ 11,157.38
<u>DIVERSION SUPERVISION FEE</u>	<u>414</u>	\$ 5.00			\$ 5.00
<u>ADMINISTRATION FEE BAD CKS</u>	<u>415</u>	\$ 88.81			\$ 88.81
<u>SPECIAL PARKS & RECREATION</u>	<u>430</u>	\$ (653.37)			\$ (653.37)
<u>SPEC ALCOHOL</u>	<u>440</u>	\$ -	\$ -		\$ -
<u>TOURISM</u>	<u>450</u>	\$ (28.00)	\$ -		\$ (28.00)
<u>VINS</u>	<u>460</u>	\$ 17,108.15			\$ 17,108.15
<u>INFORMATION NETWORK OF KS</u>	<u>465</u>	\$ -			\$ -
<u>BANKRUPTCY FUND</u>	<u>470</u>	\$ 1,865.21			\$ 1,865.21
<u>CONCEALED WEAPON APPS</u>	<u>489</u>	\$ 3,625.05			\$ 3,625.05
<u>SPECIAL LAW ENFORC TRUST</u>	<u>490</u>	\$ 32,595.80	\$ -		\$ 32,595.80
<u>DRUG TAX STAMP FUND</u>	<u>491</u>	\$ 2,323.25			\$ 2,323.25
<u>CO ATTY SPEC LAW ENFORC</u>	<u>492</u>	\$ 628.56			\$ 628.56
<u>Drug Forfeiture Fund</u>	<u>493</u>	\$ 1,080.06			\$ 1,080.06
<u>Justice Assistance Grant</u>	<u>494</u>	\$ -			\$ -
<u>DRUG FREE GRANT 91-03</u>	<u>495</u>	\$ -			\$ -
<u>RURAL WATER #8 GRANT</u>	<u>505</u>	\$ 246.00			\$ 246.00
<u>FLOOD PURCHASE AGREEMENT</u>	<u>513</u>	\$ -			\$ -
<u>FLOOD BUYOUT PROG 1997</u>	<u>517</u>	\$ -			\$ -
<u>SIREN</u>					\$ -
<u>NSP</u>	<u>353</u>	\$ -			\$ -
			\$ -	\$ -	

