

MINUTES FOR DECEMBER 16, 2019
BOARD OF CHEROKEE COUNTY COMMISSIONERS
CHEROKEE COUNTY, KANSAS

Chairman Cory Moates called the regular session of the Cherokee County Board of Commissioners (The Board), to order at 9:00 a.m. on Monday, December 16, 2019 in the Commission Room, #109 of the Cherokee County Courthouse located at 110 West Maple, Columbus, Kansas. Commissioner Neal Anderson opened the meeting with prayer followed by the Pledge of Allegiance. Commissioners Cory Moates, Neal Anderson, Myra Carlisle Frazier, County Counselor Barbara Wright, and County Clerk Rodney Edmondson were present.

Members of the press present: Larry Hiatt

Leonard Vanatta, County Road Supervisor and Louis Schreiner, County Lot Supervisor appeared before the Board on county road business.

A motion was made by Commissioner Anderson to approve the payroll for the period ending December 6, 2019. The motion was seconded by Commissioner Frazier. The motion carried 3-0.

A motion was made by Commissioner Moates to use \$87,366.05 from his asphalt budget for District 3 to purchase a new John Deere backhoe. The motion was seconded by Commissioner Anderson. The motion carried 3-0. It will replace a Caterpillar backhoe that will be assigned to the Riverton area for the sewer district to use.

Commissioner Moates stated that the balance of that fund, \$87,078 can be used to put screening down on the roads. The Board also discussed purchasing a quarter frame trailer from the unused funds at an estimated cost of \$43,000.

A motion was made by Commissioner Frazier to remove the \$50 invoice payable to Louis Schreiner for the safety meeting from the accounts payable. The motion was seconded by Commissioner Moates. The motion carried 2-1 with Commissioner Anderson voting no.

A motion was made by Commissioner Anderson to approve the minutes of the December 9, 2019 BOCC meeting. The motion was seconded by Commissioner Frazier. The motion carried 3-0.

Matt Napier appeared before the Board regarding the sewer district. He outlined the current state of the system and the needed repairs or improvements. Commissioner Moates stated that there is \$21,000 left in the sewer fund for 2019. Commissioner Moates asked him to get bids for the top priority repairs to the main lift station and the Lowell lift station.

A motion was made by Commissioner Moates to approve the accounts payable for the period ending December 10, 2019 with the removal of the \$50 invoice to Louis Schreiner. The motion was seconded by Commissioner Anderson. The motion carried 3-0.

Jason Rincker of Stronghold Data appeared before the Board. He provided a quick outline of the services that are available under the current contract. He would like to schedule another cyber training for county employees since it's been a couple of years and personnel has changed. It was agreed to set a training date in January.

Counselor Wright reported to the Board that he has had no contact with attorney Robert Myers regarding a tax sale.

A motion was made by Commissioner Moates to move forward with giving the list of parcels on Mr. Myers tax sale list to the Wichita law firm. The motion was seconded by Commissioner Anderson. The motion carried 3-0.

Counselor Wright reported that a January 23, 2020 date has been set for the tax sale with Gene Barrett.

Counselor Wright presented a draft resolution adopting the final plat for the Shawnee Green Acres subdivision for a second read.

A motion was made by Commissioner Moates to adopt Resolution 17-2019 approving the final plat for the Shawnee Green Acres subdivision. The motion was seconded by Commissioner Frazier. The motion carried 3-0.


The Board discussed the contracts with Cintas and Clean with Counselor Wright. Neither contract was signed by the Board, but they were signed by a supervisor at the county lot. She stated that Clean is demanding \$5,851.17 to get out of their contract. Counselor Wright will draft a letter to Cintas and report back to the Board.

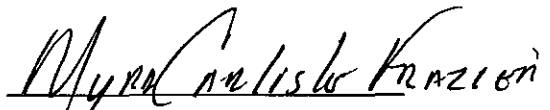
A motion was made by Commissioner Moates for an attorney client executive session for a policy matter with the Board, Counselor Wright, and County Appraiser Mark Hixon. The meeting will reconvene in the commission room at 11:32 a.m. The motion was seconded by Commissioner Anderson. The motion carried 3-0 at 11:16 a.m.

The meeting reconvened at 11:32 a.m.

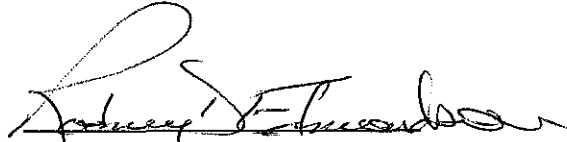
Commissioner Frazier made a motion to adjourn until the next regular meeting set for Monday, December 23, 2019 at 9:00 a.m. The motion was seconded by Commissioner Anderson. The motion carried 3-0 at 11:41 a.m.

ATTEST: Resolved and ordered this 23rd day of December, 2019


Commissioner


Commissioner


Commissioner


County Clerk

Book: 554 Page: 490-491

Receipt #: 39519

Total Fees: No Charge

Pages Recorded: 2

Cashier Initials: VICKIE

Date Recorded: 12/16/2019 3:25:10 PM
0055400490

RESOLUTION NO. 17-2019

**A RESOLUTION APPROVING THE FINAL PLAT OF SHAWNEE GREEN ACRES AS
A SUBDIVISION LOCATED WITHIN A PORTION OF THE NORTHEAST QUARTER
OF SECTION 18, TOWNSHIP 34 SOUTH, RANGE 25 EAST.**

**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 Board of County Commissioners of Cherokee County, Kansas, approves the Final Plat of Shawnee Green Acres, being developed on property in an unincorporated area within Cherokee County, Kansas, described as follows, per Survey by Tri-State Engineering, dated 04-24-2003:

All that part of the South Half (S/2) of the Northeast Quarter (NE/4) of Section 18, Township 34 South, Range 25 East in Cherokee County, Kansas; commencing at the Southeast Corner of said Northeast Quarter (NE/4); thence S 88°29'52" W along the South line of said South Half (S/2), 1210.73 feet; thence N 01°30'08" W, 25.00 feet to the point of intersection of the West right-of-way of US Highway 400 and the North right-of-way of Quakervale Road, said point also being the Point of Beginning; thence along said North right-of-way line the following calls; thence S 88°33'59" W, 300.15 feet; thence N 77°38'53" W, 112.85 feet; thence S 87°58'05" W, 259.70 feet; thence S 62°04'21" W, 42.39 feet; thence N 03°05'08" W, leaving said North right-of-way line, 631.09 feet, thence N 88°27'52" E, 578.66 feet; thence N 01°59'09" W, 128.69 feet; thence N 88°29'54" E, 808.84 feet to a point on a non-tangent curve to the right having a radius of 2764.79 feet and a chord bearing and distance of S 36°42'00" W, 472.06 feet, said point being on the West right-of-way line of US Highway 400; thence along said curve and right-of-way a distance of 472.63 feet; thence S 41°35'52" W, 540.99 feet to the Point of Beginning.

Total acreage: 16.76 acres.

SECTION 3. All roads, alleys, streets, rights-of-way, parks, easements and improvement of public facilities within the Shawnee Green Acres Subdivision shall be constructed and maintained by the property owners and registered as subdivision covenants .

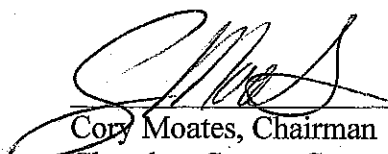
SECTION 4. All roads and streets within the Shawnee Green Acres Subdivision shall be named in compliance with Cherokee County regulations and 911 mapping.


SECTION 5. All resolutions and parts thereof in conflict herewith are hereby expressly repealed in so far as they conflict herewith.


SECTION 6. This resolution shall be in full force and effect from and after passage and publication in the official County newspaper.

SECTION 7. The Shawnee Green Acres Subdivision Plat shall be effective after formal approval by the Board of County Commissioners of Cherokee County, Kansas, and upon filing with the Cherokee County Register of Deeds.


PASSED AND APPROVED this 16th day of December, 2019, by the Board of County Commissioners of Cherokee County, Kansas.


Cory Moates, Chairman
Cherokee County Commissioner


Neal Anderson
Cherokee County Commissioner


Myra Carlisle Frazier
Cherokee County Commissioner

ATTEST:


Rodney D. Edmondson, County Clerk

SEAL

