

MINUTES FOR DECEMBER 3, 2018
BOARD OF CHEROKEE COUNTY COMMISSIONERS
CHEROKEE COUNTY, KANSAS

CONVENE

Vice-Chairman Neal Anderson called the regular session of the Cherokee County Board of Commissioners (The Board), to order at 9:00 a.m. on Monday, December 3, 2018 in the Commission Room, #109 of the Cherokee County Courthouse located at 110 W Maple St., Columbus, Kansas. Jim Tunnell opened the meeting with prayer followed by the Pledge of Allegiance. Commissioners Pat Collins, Neal Anderson, County Counselor Barbara Wright, and County Clerk Rodney Edmondson were present. Chairman Cory Moates was absent.

Members of the press present: Larry Hiatt

Brenda Clugston presented personnel documents for the Board's approval. The Board approved the request as presented by the Health Department.

Leonard Vanatta, County Road Supervisor, appeared before the Board on county road business. Leonard reported that they should finish the cleanup on the dump site near Lawton today. Counselor Wright provided Leonard a list of the three properties that are ready for demolition.

The Board discussed reducing the speed limit on SW 20th St. adjacent to the Crossland Park. Leonard recommended 20 mph for the first ¼ mile south of the highway, then 30 mph on south to Maple St. The Board requested children present signs also. Counselor Wright will draft a resolution for the Board to review next week.

A motion was made by Commissioner Collins to approve the minutes of the November 19, 2018 BOCC meeting as written. The motion was seconded by Commissioner Anderson. The motion carried 2-0.

A motion was made by Commissioner Collins to approve the payroll for the period ending November 23, 2018. The motion was seconded by Commissioner Anderson. The motion carried 2-0.

A motion was made by Commissioner Collins to approve the accounts payable for the period ending November 28, 2018. The motion was seconded by Commissioner Anderson. The motion carried 2-0.

A motion was made by Commissioner Collins to recess for 10 minutes and to reconvene at 10:00 a.m. The motion as seconded by Commissioner Anderson. The motion carried 2-0.

At 10:00 a.m. Vice-Chairman Anderson opened the public hearing for the condemnation of properties located at 8931 SE 72nd Ter., and 8793 SE 71st Ter. Counselor Wright stated that the property located at 8931 SE 72nd Ter. has seen activity, but nothing substantial.

A motion was made by Commissioner Anderson to proceed with the drafting of a resolution for the demolition of a structure at 8931 SE 72nd Ter. The motion was seconded by Commissioner Collins. The motion carried 2-0.

Counselor Wright stated that regarding the property located at 8793 SE 71st Ter., she has spoken with Leonard Vanatta and he is going to make contact with Mr. Wheeler regarding his progress on cleaning up the property. She stated that no action is needed by the Board at this time.

Vice-Chairman Anderson closed the public hearing at 10:03 a.m.

Clerk Edmondson presented a draft amended budget prepared by Gene Mense for the Road & Bridge Department for the Board to consider. The amendment is based on actual and estimated expenses for the remainder of 2018. The amendment sets a public hearing on December 17th at 10:00 a.m. for public comments.

A motion was made by Commissioner Collins to approve the public hearing for the amended Road & Bridge Department's 2018 budget and set the hearing for December 17th at 10:00 a.m. The motion was seconded by Commissioner Anderson. The motion carried 2-0.

Counselor Wright presented draft resolutions setting public hearings on three properties for demolition as recommended by Art Mallory for the Board to consider.

A motion was made by Commissioner Collins to approve Resolution 27-2018 setting January 14, 2019 as the date for public hearing regarding condemnation proceedings for a structure located at 8681 SE 71st St., Baxter Springs, Kansas. The motion was seconded by Commissioner Anderson. The motion carried 2-0.

A motion was made by Commissioner Anderson to approve Resolution 28-2018 setting January 14, 2019 as the date for public hearing regarding condemnation proceedings for a structure located at 10576 NE 30th St., Weir, Kansas. The motion was seconded by Commissioner Collins. The motion carried 2-0.

A motion was made by Commissioner Anderson to approve Resolution 29-2018 setting January 14, 2019 as the date for public hearing regarding condemnation proceedings for a structure located at 342 NE Lawton, Rd., Columbus, Kansas. The motion was seconded by Commissioner Collins. The motion carried 2-0.

A motion was made by Commissioner Anderson to enter an attorney client executive session with the Board, Counselor Wright, and Clerk Edmondson for litigation purposes for a period of 10 minutes, to reconvene in the Commission room at 10:25 a.m. The motion was seconded by Commissioner Collins. The motion carried 2-0 at 10:15 a.m.

The meeting reconvened at 10:25 a.m.

No action was taken during the executive session.

Larry Hiatt presented a full page advertisement for the Christmas edition of the News Report for the Board to consider.

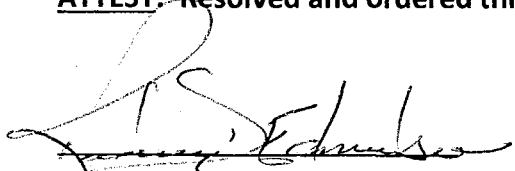
A motion was made by Commissioner Anderson to approve the advertisement. The motion was seconded by Commissioner Collins. The motion carried 2-0.

Clerk Edmondson informed the Board that all State offices will be closed on Wednesday, December 5th for a national day of mourning for the passing of President George H.W. Bush.


A motion was made by Commissioner Collins to close the courthouse and all administrative offices on Wednesday, December 5th in honor of President George H.W. Bush. The motion carried 2-0.

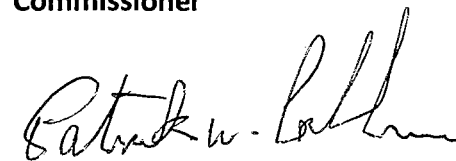
Commissioner Anderson made a motion to adjourn until the next regular meeting set for Monday, December 10, 2018 at 9:00 a.m. The motion was seconded by Commissioner Collins. The motion carried 2-0 at 10:38 a.m.

ATTEST: Resolved and ordered this 10th day of December, 2018


Cherokee County Clerk


Commissioner


Commissioner


Commissioner

RESOLUTION NO. 27-2018

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF A HEARING BEFORE THE BOARD OF COUNTY COMMISSIONERS OF CHEROKEE COUNTY, KANSAS, AT WHICH THE OWNER, HIS OR HER AGENT, LIENHOLDERS OF RECORD, OCCUPANTS AND OTHER PARTIES IN INTEREST OF STRUCTURES LOCATED WITHIN SAID COUNTY AND DESCRIBED HEREIN, MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS UNSAFE OR DANGEROUS STRUCTURES.

WHEREAS, the Enforcing Officer of Cherokee County, Kansas, did on the 19th day of November, 2018, file with the Governing Body, the Board of County Commissioners of Cherokee County, Kansas, a statement in writing that the structures described as a single-story residential structure and surrounding buildings are dilapidated, unsafe and dangerous and, with the surrounding brush and debris, create a safety hazard and a blight upon the County.

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

That a hearing will be held on the 14th day of January, 2019, before the Board of County Commissioners of Cherokee County, Kansas, at 10:00 o'clock a.m., at Cherokee County Courthouse, 1st floor Commission Room, 110 West Maple, Columbus, Kansas 66725, at which the owner, his or her agent, any lienholders of record, any occupant and any other parties in interest, as that term is defined by law, of the structure(s) located at:

8681 SE 71st Street, Baxter Springs, Cherokee County, Kansas, Lot Eight (8), Block twelve (12), Original Plat of the Town of Lowell, according to the recorded plat thereof,


may appear and show cause why such structure(s) should not be condemned as unsafe or dangerous and ordered repaired or demolished and the debris removed.

BE IT FURTHER RESOLVED, that the County Clerk shall cause this resolution to be published and shall give notice of the aforesaid hearing in the manner provided by law.

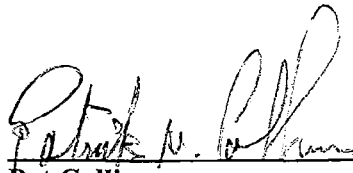
PASSED AND APPROVED this 3rd day of December, 2018, by the Board of County Commissioners of Cherokee County, Kansas.

APPROVED:

Cory Moates, Chair
Cherokee County Commissioner

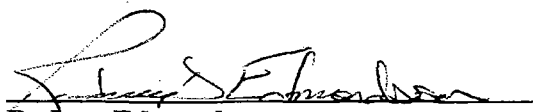


Neal Anderson
Cherokee County Commissioner



Pat Collins
Cherokee County Commissioner

ATTEST:



Rodney Edmondson
Cherokee County Clerk
Executed: Dec. 3rd, _____, 2018,
by the Board of County Commissioners

RESOLUTION NO. 28-2018

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF A HEARING BEFORE THE BOARD OF COUNTY COMMISSIONERS OF CHEROKEE COUNTY, KANSAS, AT WHICH THE OWNER, HIS OR HER AGENT, LIENHOLDERS OF RECORD, OCCUPANTS AND OTHER PARTIES IN INTEREST OF STRUCTURES LOCATED WITHIN SAID COUNTY AND DESCRIBED HEREIN, MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS UNSAFE OR DANGEROUS STRUCTURES.

WHEREAS, the Enforcing Officer of Cherokee County, Kansas, did on the 19th day of November, 2018, file with the Governing Body, the Board of County Commissioners of Cherokee County, Kansas, a statement in writing that the structure described as accessory residential and support structures are dilapidated, unsafe and dangerous and, with the surrounding brush and debris, create a safety hazard and a blight upon the County.

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

That a hearing will be held on the 14th day of January, 2019, before the Board of County Commissioners of Cherokee County, Kansas, at 10:00 o'clock a.m., at Cherokee County Courthouse, 1st floor Commission Room, 110 West Maple, Columbus, Kansas 66725, at which the owner, his or her agent, any lienholders of record, any occupant and any other parties in interest, as that term is defined by law, of the structure(s) located at:

10576 NE 30th Street, Weir, Kansas, S21, T31, R24, BEG 330N SE COR SE4 NE4 TH N75 W396 S75 E396 TO POB, LESS R/W


may appear and show cause why such structure(s) should not be condemned as unsafe or dangerous and ordered repaired or demolished and the debris removed.

BE IT FURTHER RESOLVED, that the County Clerk shall cause this resolution to be published and shall give notice of the aforesaid hearing in the manner provided by law.


PASSED AND APPROVED this 3rd day of December, 2018, by the Board of County Commissioners of Cherokee County, Kansas.

APPROVED:

Cory Moates, Chair
Cherokee County Commissioner




Neal Anderson
Cherokee County Commissioner



Pat Collins
Cherokee County Commissioner

ATTEST:



Rodney Edmondson
Cherokee County Clerk
Executed: December, 3, 2018,
by the Board of County Commissioners

RESOLUTION NO. 29-2018

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF A HEARING BEFORE THE BOARD OF COUNTY COMMISSIONERS OF CHEROKEE COUNTY, KANSAS, AT WHICH THE OWNER, HIS OR HER AGENT, LIENHOLDERS OF RECORD, OCCUPANTS AND OTHER PARTIES IN INTEREST OF A STRUCTURE LOCATED WITHIN SAID COUNTY AND DESCRIBED HEREIN, MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS AN UNSAFE OR DANGEROUS STRUCTURE.

WHEREAS, the Enforcing Officer of Cherokee County, Kansas, did on the 19th day of November, 2018, file with the Governing Body, the Board of County Commissioners of Cherokee County, Kansas, a statement in writing that the structure described as a single-wide manufactured structure is dilapidated, unsafe and dangerous and, with the surrounding brush and debris, create a safety hazard and a blight upon the County.

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

That a hearing will be held on the 14th day of January, 2019, before the Board of County Commissioners of Cherokee County, Kansas, at 10:00 o'clock a.m., at Cherokee County Courthouse, 1st floor Commission Room, 110 West Maple, Columbus, Kansas 66725, at which the owner, his or her agent, any lienholders of record, any occupant and any other parties in interest, as that term is defined by law, of the structure(s) located at:

342 NE Lawton Road, Columbus, Kansas, Block Two (2), Lot Two - Five (2 - 5), Stippville MI,


may appear and show cause why such structure(s) should not be condemned as unsafe or dangerous and ordered repaired or demolished and the debris removed.

BE IT FURTHER RESOLVED, that the County Clerk shall cause this resolution to be published and shall give notice of the aforesaid hearing in the manner provided by law.

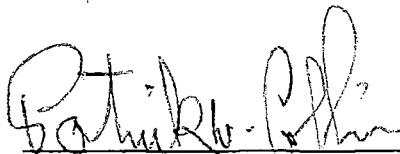
PASSED AND APPROVED this 3rd day of December, 2018, by the Board of County Commissioners of Cherokee County, Kansas.

APPROVED:

Cory Moates, Chair
Cherokee County Commissioner

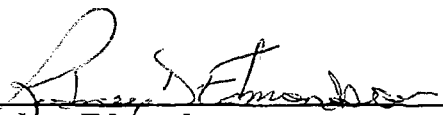


Neal Anderson
Cherokee County Commissioner



Pat Collins
Cherokee County Commissioner

ATTEST:



Rodney Edmondson
Cherokee County Clerk
Executed: December, 3, 2018,
by the Board of County Commissioners