

MINUTES FOR FEBRUARY 8, 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, February 8, 2016 in the Commission Room, #109 of the Cherokee County Courthouse located at 110 W Maple St., Columbus, Kansas. Commissioners Charles Napier, Pat Collins, Robert Myers, County Counselor Barbara Wright, and County Clerk Rodney Edmondson were present.

Members of the press present: Larry Hiatt, Jordan Zabel, and Sarah Okeson

John Tullis - Home Pro

He appeared before the Board regarding the water leaks around the windows and other areas of the courthouse. He used a video presentation to show the actual damage that is occurring in several areas of the courthouse that include brick faces and mortar deterioration. He stated that the courthouse is in pretty good shape, but some maintenance needs to be done. He stated that there are many areas that do not have caulking in them. There are also loose bricks that need to be addressed. He stated that after repairs are made, the entire building would need to be sealed and a maintenance program put in place to maintain it going forward. They will provide a proposal to address the problems. The Board took it under advisement and will consider a bid process in the future for the repair of the courthouse.

Leonard Vanatta - County Road Supervisor

Gen Langerot - County Lot Supervisor

They appeared before the Board on routine county road business.

Gene provided information from The Rental Store in Joplin for a new lawn mower. They currently use an 11 year old Snapper ZTR to mow the Sheriff's Office lawn and some cemeteries. He recommends a Ferris 61" cut mower at a cost of \$7,672.32. He stated that Ferris is built by Snapper. Ferris is approximately \$1,000 more than the Snapper, but provides additional suspension for added comfort. The Board took it under advisement.

The Board discussed the award of a CDBG Grant for the Galena Viaduct Bridge Project. The County is required to send a representative to Hutchinson on February 24th and 25th for mandatory training.

A motion was made by Commissioner Napier to send County Clerk Edmondson to Hutchinson for the training for the CDBG Grant. The motion was seconded by Commissioner Myers. The motion carried 3-0.

A motion was made by Commissioner Napier to take a 10 minute recess to reconvene at 9:55 AM. The motion was seconded by Commissioner Myers. The motion carried 3-0.

The meeting reconvened at 9:55 AM.

County Counselor Barbara Wright presented a resolution for the Board to consider that would return right-of-way back to previous owners. The easement isn't being used as a roadway.

A motion was made by Commissioner Napier to pass Resolution 02-2016 to return right-of-way back to previous owners since it isn't being used as a roadway. The motion was seconded by Commissioner Collins. The motion carried 3-0.

Counselor Wright stated that she has provided publications on the notices of sealed bids for the sale of the Galena properties that were discussed at a previous meeting. The bids will be opened at the BOCC meeting on February 22, 2016 at 10:00 AM.

A motion was made by Commissioner Collins to approve the Minutes of the BOCC meeting for February 1, 2016. The motion was seconded by Commissioner Napier. The motion carried 3-0.

A motion was made by Commissioner Myers to enter an Executive Session with the Board for the purpose of Non/Elected Personnel for a period of 20 minutes. The motion was seconded by Commissioner Napier. The motion carried 3-0 at 10:04 AM.

The meeting reconvened at 10:24 AM.

No action was taken as a result of the Executive Session.

Health Department Director Betha Elliott informed the Board that she is conducting interviews for the position of WIC Clerk. She asked the Board for approval to present a new employee to the Board for consideration at its Special Meeting on Wednesday, February 10, 2016. The Board approved her request.

Commissioner Myers read an e-mail addressed to the County Clerk from residents in Overland Park regarding their receipt of excellent assistance from Wayne Elliott in the Mapping Office.

County Counselor Barbara Wright provided an update on the casino litigation. She stated that she has spoken with Special Counsel on the phone. They expect the next step to take about 6 weeks.

The Board discussed with Counsel a letter presented to the Board from Timothy Intessimone regarding property at 1222 E 21st Street in Galena. Intessimone and his wife have recently purchase her family property at that location. The property, however, is several years delinquent in real estate taxes. He is asking the Board to consider a payment plan on the taxes and to have the property removed from the current list of properties for the next tax foreclosure sale. Counselor Wright stated that the Board would have the discretion to have it removed from the tax sale.

A motion was made by Commissioner Collins to have the property removed from the tax sale and allow Intessimone to make payments for the taxes owed on the property. Commissioner Myers asked that the Board consider the item at a later date after he has time to review the paperwork. Commissioner Collins withdrew his motion. The Board will address the issue at its next regular meeting on Monday, February 22nd.

A motion was made by Commissioner Collins to amend the agenda for Trish Carroll and Janet Miller from 11:00 AM to 10:42 AM. The motion was seconded by Commissioner Myers. The motion carried 3-0.

Trish Carroll & Janet Miller - Cherokee County Economic Development

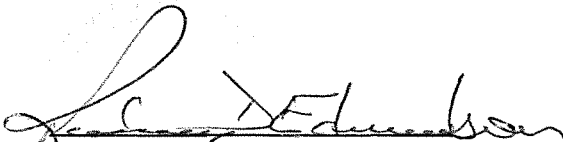
They appeared before the Board regarding the contract for Janet Miller as Director of Economic Development. Janet Miller stated that she has confirmed that there are no cities in Cherokee County currently contributing to the Joplin Regional Partnership. She stated that JRP stated that it was by design, to move the funding from the public sector to the private sector. They discussed the \$11,000 cost of participating in the Joplin Regional Partnership. When asked, Miller stated that she could not name one business or industry that JRP has brought to Cherokee County. They discussed the original plan that the Cherokee County Economic Development group would be self-sufficient in two years, but that hasn't happen. Miller stated that it would be a challenge to become self-sufficient, and that there were mixed messages about the funding from the time she started as Director. Miller and Carroll stated JRP markets all available properties in Cherokee County and that there is a value there that they would hate to lose. Commissioner Myers stated that he is concerned with spending \$350,000 and budgeting a total of \$553,000 over the last two years. Commissioners Collins and Napier expressed the need to make it more self-sufficient. Miller provided the Board with a copy of the Strategic Plan that was put in place prior to her becoming Director. The Board took the issue under advisement.

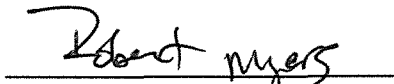
Commissioner Napier made a motion to adjourn until the Special Meeting set for Wednesday, February 10, 2016 at 9:00 AM. The motion was seconded by Commissioner Collins. The motion carried 3-0 at 11:18 AM.

There will be no meeting on Monday, February 15, 2016 in observance of President's Day.


The Board will meet in Regular Session on Monday, February 22, 2016.

ATTEST: Resolved and ordered this 22nd day of February, 2015


Cherokee County Clerk


Commissioner


Commissioner


Commissioner

(First Published in the Columbus News Report February 10, 2016)

RESOLUTION NO. 02-2016

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS, CHEROKEE COUNTY, KANSAS, VACATING AND ABANDONING THE 5' ROADWAY EASEMENT / RIGHT-OF-WAY, LOCATED IN A PORTION OF THE NORTH HALF (N1/2) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 30, TOWNSHIP 33 SOUTH, RANGE 24 EAST OF THE 6TH PRINCIPAL MERIDIAN IN CHEROKEE COUNTY, KANSAS.

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

Section 1: That the roadway easement / right-of-way consists of:

A strip of land 5 feet wide off the North and West sides of the following: A portion of the North Half (N 1/2) of the Southeast Quarter (SE 1/4) of Section 30, Township 33 South, Range 24 East of the 6th Principal Meridian, described as follows: Commencing at the Southeast corner of said N1/2 SE1/4, thence North 00 degrees East (assumed bearings) along the East line of said SE1/4 a distance of 958 feet; thence South 90 degrees West perpendicular to said East line a distance of 415 feet to the point of beginning; thence continuing South 90 degrees West a distance of 390 feet; thence South 00 degrees West parallel with the East line of said SE1/4 a distance of 324.86 feet; thence South 89 degrees 46 minutes 36 seconds East parallel with the South line of said N1/2 SE1/4 a distance of 390 feet; thence North 00 degrees East parallel with said East line a distance of 326.38 feet to the point of beginning.

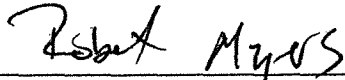
Section 2: That the aforementioned roadway easement / right-of-way shall revert to the owners of real estate adjacent thereto.

Section 3. This resolution shall take effect and be in force from and after passage and publication in the official county newspaper.

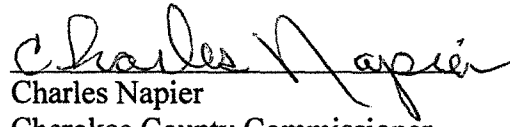
Section 4. Immediately after this Resolution becomes effective, the County Clerk shall file a certified copy of this Resolution in the Office of the County Clerk and in the Office of the Register of Deeds of Cherokee County, Kansas, to be entered in the transfer records and in the deed records, respectively, of Cherokee County, Kansas.

PASSED AND APPROVED this 8 day of February, 2016, by the Governing Body of Cherokee County, Kansas.

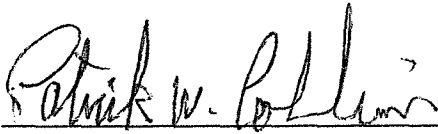
APPROVED:



Robert E. Myers, Chair
Cherokee County Commissioner

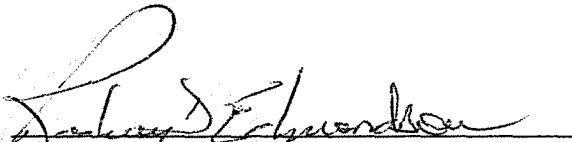


Charles Napier
Cherokee County Commissioner



Pat Collins
Cherokee County Commissioner

ATTEST:



Rodney Edmondson
Cherokee County Clerk

Executed: February 8, 2016.
by the Board of County Commissioners

Capitol Building
Room 241-South
300 SW 10th Street
Topeka, KS 66612



Phone: (785) 296-3232
Fax: (785) 368-8788
governor@ks.gov

Sam Brownback, Governor

January 26, 2016

The Honorable Charles Napier
Chairman, Cherokee County Commission
PO Box 14
Columbus, KS 66725

RE: Grant No. 16-PF-014
CFDA #14.228

Dear Chairman Napier:

I am pleased to award Cherokee County a Community Improvement grant of \$193,836 through the Kansas Small Cities Community Development Block Grant program. This award will provide the needed financing for your bridge project.

The CDBG funds you are being awarded are contingent upon our receipt of funds from the U.S. Department of Housing & Urban Development.

The Department of Commerce will be contacting you to outline the necessary steps for completing the grant agreement between the County and State. This award is contingent upon successful completion of these particular steps.

The Community Development Block Grant program has been successful in meeting community needs for more than 25 years. This program has provided more than \$450,000,000 in awards to Kansas communities in the last decade. Last year alone over \$15,000,000 dollars were used for needed community projects. Congratulations on developing a fine project that will help your community prosper!

Sincerely,


Sam Brownback
Governor of the State of Kansas

SB:SD:cav

January 28, 2016

The Honorable Charles Napier
Chairman, Cherokee County Commission
PO Box 14
Columbus, KS 66725

Re: Grant No. 16-PF-014

Dear Chairman Napier:

Congratulations on being selected to receive a 2016 Small Cities Community Development Block Grant (CDBG) Community Improvement grant in the amount of \$193,836, which will fund a bridge project. Added to the local contribution of \$193,837, the total estimated project cost will be \$387,673.

A grantee workshop will be held February 24-25, 2016, at the Atrium Hotel and Conference Center, 1400 North Lorraine, Hutchinson, to provide you with contracts and information on how to begin the grant administration process. Registration will begin at 8:30 a.m. **The grantee is required to attend the entire training.** Please bring the original LMI survey's along with the supporting code sheet, if applicable.

Until Commerce has approved the recipient's request for release of funds and environmental certification, neither the recipient nor any participant in the development process, including public or private nonprofit or for-profit entities, or any of their contractors, may commit HUD assistance to the project or a project activity. Further, no participant in the development process, including contractors, may commit non-HUD funds on or undertake an activity or project if the activity or project would have an adverse environmental impact or limit the choice of reasonable alternatives. Choice limiting activities include acquisition of real property, demolition, construction, conversion, leasing, repair or rehabilitation activities. Environmentals shall be cleared within 6 months from contract start date.

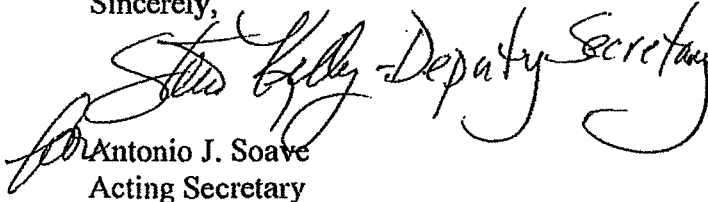
You are reminded that should a contract not be made with the state, any cost incurred toward the project would be borne by the recipient. **The CDBG funds you are being awarded are contingent upon our receipt of funds from the U.S. Department of Housing & Urban Development.**

The Honorable Charles Napier
Chairman, Cherokee County Commission
January 28, 2016
Page 2

Contracting between the City/County and the State must occur within 90 days of the grantee workshop. The contract start date of this award is March 1. The construction contract must be awarded within one year from contract start date. Failure to meet this deadline may result in withdrawal of this grant.

The Department looks forward to assisting you in the implementation of the project. If you have any questions on the contracting process, please contact Le Ann Thurman of the CDBG staff at (785) 296-4100.

Sincerely,

A handwritten signature in black ink that reads "Antonio J. Soave Deputy Secretary". The signature is written in a cursive style with a large, sweeping flourish at the end.

Antonio J. Soave
Acting Secretary

AS:SD:cav

From:
Timothy and Ashley Intessimone
207 Camden Drive
Rogers, Ar 72756

To:
Cherokee County Kansas Commission
C/o Cherokee County Clerk's Office
P.O. Box 14
Columbus, Ks 66725

Date: February 2, 2016

Re: Property 1222 East 21st Street Galena, Kansas

Dear Cherokee County Commission Members-

I would like to begin this letter with a short apology for not being able to address the committee in person. After speaking to both Commissioner Pat Collins and Cherokee County Legal Counselor Barbara Wright I am nothing short of impressed from the wonderful conversations I have had with each and I look forward to meeting each member of the Commission.

To make a lengthy story short, I am hoping to work with the Commission to; set a payment plan, in order to repay the delinquent tax owed on the 1222 East 21st St., Galena, Ks property. My wife and I became the deed holder of said property on January 28, 2016, which included taking responsibility for the delinquent tax amount. On January 28, 2016 I made a payment in hopes of showing good faith to the County in my plans to repay this amount. I also have remained in contact with the Collectors office in an effort to pay any amount owed.

It would be relevant to explain that I did not just buy this property on a whim; rather this particular piece of land has belonged to my wife's family, "The Hopkins," for many years. While I am not from Galena Kansas, my wife has always called Galena here hometown and the property means a great deal to her. In 2003 I became a part of the Hopkins family when I met my now wife. It was not until a year later when we were expecting our son that I had the pleasure of meeting Allan.--I wish I could speak to the Commission in person, because those who know Allan would know that Allan was not the type of man who responded well to some kid off of the street telling him he was about to become a grandfather.- Needless to say it took him a while to warm up to me. I also met Virginia Hopkins, who was one of the sweetest women I had every meet, and of course I got to know the rest of the Hopkins family.

Allan Hopkins received the property from Virginia in 2000, Virginia continued to pay the property taxes on the home until her passing. Shortly after Virginia passed away Allan suffered some health problems and as Allan's health became an issue the property deteriorated and nobody paid the property tax due. For the past several years the taxes went unpaid, since Virginia had always been the one who handled them. When Allan passed away in 2013 Marsha moved to Missouri, in the duplex she intended to share with Allan, while he continued to rehab. During this time the property sat vacant, but neither my wife nor I were aware that the taxes had not been paid in such a long time.

Last year we decided to look into the property and the possibility of constructing a home, it was then that I became aware of the situation and the serious delinquency. We quickly called the county collector and we had my wife added to the tax mailings. We talked with Marsha, who was unable to pay, and we made the decision to ask her if we could take over the property so that it would not be lost and sold. As I mentioned my wife grew up there and the thought of losing the property really bothered her. We received the deed January 28, 2016 and I made a payment on the taxes, which was the first in several

years. I was also told that the property was being researched to go onto the sale list, at which time I would need to pay the entire amount, or lose the property. I come now before this Honorable Commission to respectfully ask for the property to be removed from the research list temporarily, so that I may pay out the amount due. Currently the amount is \$6,475.00 with \$4,615.00 needed to pay up until the 2012 tax year. I would like to pay this amount, but with two children, a wife who works as a group teacher in a public school system and myself being in law school and working PRN on the local ambulance that much money is difficult to come up with all at once. I can assure the Commission that the amount will be paid, if I am given the opportunity to make payments.

As for the property, I have already spent many days working in an effort to revitalize the area. I will be adding a new roof to the garage area, have already began replacing broken, deteriorated wood trusses and have plans to have the entire property brush hogged, and the brush and debris cleared. As a former firefighter I know the danger of having a vacant property and I know that for the City of Galena and Cherokee County a property like this is undesirable and has an effect on the value of even nearby homes and business. I plan to continue working on the property and making it inhabitable again in the very near future.

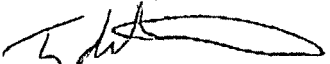
I apologize again for my absence, I hope to meet each of you in the future and as I mentioned earlier it was truly a pleasure speaking to Ms. Wright and Mr. Collins.

Attached I have included a copy of the deed registered January, 28, 2016 and a copy of my driver's license. I can also be reached via telephone at 417.496.5058, my wife can be reached at 417.622.1061, and my email address is tintessi@uark.edu Please feel free to contact me at any time.

Thank You,

Respectfully Submitted,

Timothy Intessimone

 2-2-16

