

MINUTES FOR MARCH 26, 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 Monday, March 26, 2018 in the Commission Room, #109 of the Cherokee County Courthouse located at 110 W Maple St., Columbus, Kansas. Commissioner Neal 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.

Members of the press present: Larry Hiatt, Jordan Zabel

Raven Elmore, County Treasurer, appeared before the Board regarding county investments. She stated that the certificate of deposit at the Exchange Bank, in the amount of \$1 million, is currently paying 0.4% with investments at other banks paying over 1%. The certificate has been renewing automatically since 2013 with the interest rate decreasing. She has spoken with Exchange and they are willing to renew the investment, which matures this week, at a rate of 1%. The Board asked her to shop for the best rate for the investment.

A motion was made by Commissioner Collins to approve the payroll for the period ending March 16, 2018. The motion was seconded by Commissioner Anderson. The motion carried 3-0.

A motion was made by Commissioner Anderson to approve the accounts payable for the period ending March 21, 2018. The motion was seconded by Commissioner Collins. The motion carried 3-0.

A motion was made by Commissioner Moates to approve the minutes of the March 19, 2018 BOCC meeting as written. The motion was seconded by Commissioner Anderson. The motion carried 3-0.

Genie Baylor appeared before the Board requesting consideration for children playing signs in the area of NW 30th St. & Belleview Rd. The Board stated that they would look into it.

Leonard Vanatta, County Road Supervisor and Louis Schreiner, County Lot Supervisor appeared before the Board regarding county road business. Commissioner Moates stated that he has spoken with the E.P.A. and they have been in touch with Teeters Paving regarding W North 10th St. They are anticipating doing that project the second week of April. Leonard stated that they are hoping to start asphaltting for the County the first part of April.

Commissioner Collins asked for all to stand for a moment of silence in honor of former County Commissioner Charlie Napier who passed away suddenly on Saturday. Collins stated that Charlie did a lot for this community as a businessman, County Commissioner, and most importantly as a family man.

Audy Holman and Mike Cantrell of Fabick Caterpillar appeared before the Board to provide estimates on equipment as requested by the Board. They provided pricing and specifications on a skid loader that can be purchased through a contractor's special program that is a better price than through the government program. They also provided a quote for a 12M road grader to be used to compare the cost of

rebuilding one of the current graders. The estimated cost of a new grader is \$271,000 and the cost to rebuild one of the current graders is \$182,000. The Board took the information under advisement.

Clerk Edmondson stated that he would prepare a budget timeline to present to the Board and all department heads next week and asked the Board to review their calendars this week in preparation.

Counselor Wright presented the draft resolution for a second read concerning the fire district proposal and the outcome of the public hearing held on March 12, 2018. The resolution would take the matter under advisement with further consideration after review of the township budgets in June or July.

A motion was made by Commissioner Moates to adopt Resolution 10-2018. The motion was seconded by Commissioner Anderson. The motion carried 3-0.

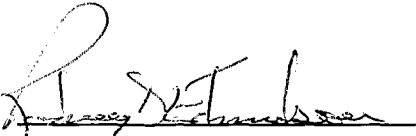
Counselor Wright presented a draft resolution for the sale of personal property and the sale of real property that are owned by the County and set for auction on May 7, 2018. She recommends passing the resolution today on first read to allow the notice to be published for three consecutive weeks. The resolution also set a public hearing date on April 30, 2018.

A motion was made by Commissioner Collins to pass Resolution 11-2018. The motion was seconded by Commissioner Anderson. The motion carried 3-0.


The Board approved the contract for services with Jason Youngblood for services maintaining the county's sanitation system at a contract rate of \$30,000 per year with an additional \$5,000 per year as reimbursement for travel expense. The contract shall continue for one year, subject to renewal March 1, 2019. The Board also approved the sale of the sewer districts' lawn mower and trailer at a cost of \$1,000 to Youngblood.

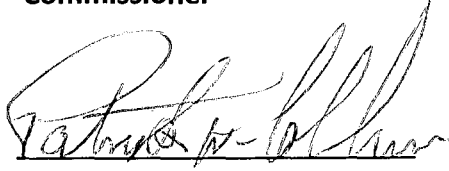
Commissioner Anderson made a motion to adjourn until the next regular meeting set for Monday, April 2, 2018 at 9:00 a.m. The motion was seconded by Commissioner Collins. The motion carried 3-0 at 9:50 a.m.

ATTEST: Resolved and ordered this 2nd day of April, 2018


Cherokee County Clerk


Commissioner


Commissioner


Commissioner

RESOLUTION NO. 10-2018

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF
CHEROKEE COUNTY, KANSAS, CHEROKEE COUNTY, KANSAS,
REGARDING THE FIRE DISTRICT PROPOSAL AND PUBLIC HEARING
HELD MARCH 12, 2018.**

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

WHEREAS, the proposal to establish fire districts in thirteen townships within Cherokee County, Kansas, was introduced by the Governing Body, the Cherokee County Board of County Commissioners, by its Resolution No. 05-2018, on February 5, 2018. A public hearing was scheduled for March 12, 2018.

WHEREAS, a public hearing was conducted by the Cherokee County Board of County Commissioners on March 12, 2018, with interested residents attending and participating.

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. PROJECT AND ADMINISTRATION. The fire departments within Cherokee County require adequate funding in order to provide necessary equipment and resources in support of firefighters who respond to the emergencies occurring within Cherokee County. Funding responsibilities should be appropriately and fairly shared throughout the County utilizing the tax levy process available to the governing bodies of incorporated and unincorporated municipalities within Cherokee County.

SECTION 3. SCOPE OF THE PROJECT. It is the intention of the Governing Body that the proposal to establish formal fire districts shall be taken under advisement and a final decision continued for further consideration after review in June or July, 2018. The Governing Body shall review: (1) all township budgets, certified for the 2019 fiscal year, addressing taxes levied in support of responding fire departments; (2) written agreements between townships and the respective incorporated municipalities reflecting the terms and conditions of township funds budgeted as contributions to municipalities' responding fire departments; and (3) mutual aid

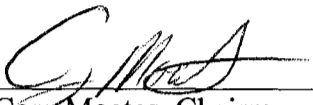
agreements among fire departments serving Cherokee County.

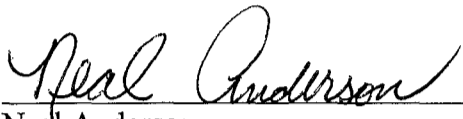
SECTION 4. PUBLICATION. This Resolution shall be published in the County's official newspaper.

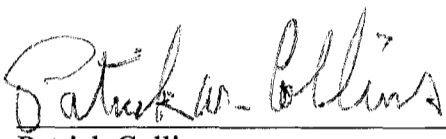
SECTION 5. CONFLICT. That all resolutions, County policies or parts thereof in conflict herewith are hereby repealed insofar as they conflict herewith.

PASSED and APPROVED by the Board of County Commissioners of Cherokee

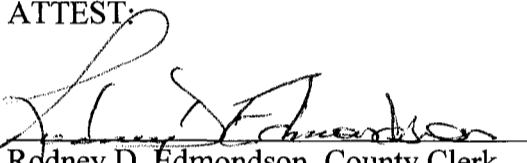
County, Kansas, this 26 day of March, 2018.


Cory Moates, Chairman
Cherokee County Commissioner


Neal Anderson
Cherokee County Commissioner


Patrick Collins
Cherokee County Commissioner

ATTEST:


Rodney D. Edmondson, County Clerk

(Seal)

LEGAL SERVICES

AGREEMENT BETWEEN JASON YOUNGBLOOD, AND THE BOARD OF COUNTY COMMISSIONERS OF CHEROKEE COUNTY, KANSAS, FOR SERVICES MAINTAINING THE COUNTY'S SANITATION SYSTEM.

THIS AGREEMENT, dated the 26th day of March, 2018, is made between the Board of County Commissioners of Cherokee County, Kansas, (hereinafter the County), and Jason Youngblood, an independent contractor, (hereinafter the Contractor), for the purpose of providing services to maintain the County's sanitation system.


1. LEGAL SERVICES TO BE PROVIDED. Jason Youngblood agrees to provide maintenance and repair services necessary to the operation of the County's sanitation system.

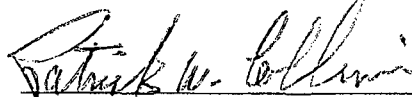
2. COMPENSATION.

- a. Services provided by the Contractor under this agreement will be compensated at a contract rate of \$30,000.00 per year, paid proportionally on a bi-weekly basis.
- b. The County will compensate the Contractor \$5000.00 per year as reimbursement for travel expense, paid proportionally on a bi-weekly basis.
- c. The County will not provide retirement benefits, health, dental or vision insurance benefits to the Contractor.

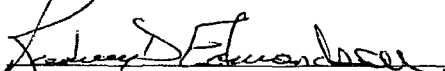
3. MODIFICATION TO AGREEMENT. The Agreement may only be modified upon written mutual consent of the parties.

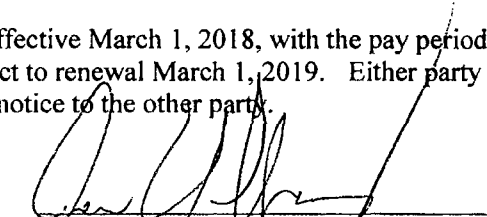
4. TERM OF AGREEMENT. This Agreement is effective March 1, 2018, with the pay period ending March 14, 2018, and shall continue for one year, subject to renewal March 1, 2019. Either party may terminate this Agreement by first giving 30 days written notice to the other party.

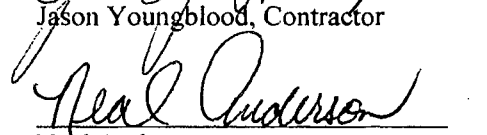

Cory Moates, Chairman
Cherokee County Commissioner


Patrick Collins
Cherokee County Commissioner

ATTEST:


Rodney D. Edmondson, County Clerk


Jason Youngblood, Contractor


Neal Anderson
Cherokee County Commissioner

(SEAL)

RESOLUTION NO. 11-2018

A RESOLUTION AND NOTICE OF PUBLIC HEARING BY THE BOARD OF COUNTY COMMISSIONERS OF CHEROKEE COUNTY, KANSAS, AUTHORIZING SALE OF COUNTY-OWNED SURPLUS OFFICE FURNITURE, EQUIPMENT AND MISCELLANEOUS ITEMS, AND COUNTY-OWNED REAL ESTATE

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

WHEREAS, County owned surplus personal property and real estate that are no longer used or cannot be prudently used for public purposes of the County should be offered for sale by public auction.

SECTION 1. GENERAL AUTHORITY. K.S.A. 19-101, *et. seq.*, and K.S.A. 19-212 *et. seq.*, 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. PROJECT AND ADMINISTRATION. The Board of County Commissioners of Cherokee County, Kansas, will offer for sale at auction, personal property consisting of surplus office furniture, equipment and miscellaneous items, and forty-six (46) parcels of County-owned real estate, all of which are no longer used or cannot be prudently used for public purposes of the County.

SECTION 3. The personal property auction shall be held on Monday, May 7, 2018, at 3:30 p.m. in the south parking lot of the Cherokee County Courthouse at 110 W. Maple, Columbus, Kansas. The Auction List is attached as Exhibit "A".

SECTION 4. The real estate auction shall be held on Monday, May 7, 2018, at 5:30 p.m. in the District Courtroom of the Cherokee County Courthouse at 110 W. Maple, Columbus, Kansas. The Auction List is attached as Exhibit "B".

SECTION 5. SPECIFICATIONS. The terms of the auctions shall be cash payment or check, with proper identification. Buyers shall obtain pre-approval from the Cherokee County Treasurer's Office beginning April 2, 2018, through May 1, 2018. Real estate shall be conveyed by Quit Claim Deed, preserving lesser property rights for public utilities, rights-of-way and easements for public service which are in existence and in use across the properties.

SECTION 6. PUBLICATION. This Resolution shall be published in the County's official newspaper of general circulation for three (3) consecutive weeks.

SECTION 6. NOTICE OF HEARING. Publication of this Resolution serves as **NOTICE OF PUBLIC HEARING.** A public hearing shall be conducted in consideration of this proposal to offer for sale at auction the aforementioned personal and real property by the Board of County Commissioners of Cherokee County, Kansas, on the 30th day of April, 2018, at 10:00 a.m., at the Cherokee County Courthouse, 110 W. Maple, 1st Floor Commission Meeting Room, Columbus, Kansas.

SECTION 7. CONFLICT. That all resolutions, County policies or parts thereof in conflict herewith are hereby repealed insofar as they conflict herewith.

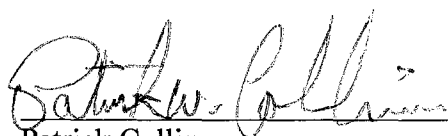
PASSED and APPROVED by the Board of County Commissioners of Cherokee County, Kansas, this 26th day of March, 2018.



Cory Moates, Chairman
Cherokee County Commissioner




Neal Anderson
Cherokee County Commissioner



Patrick Collins
Cherokee County Commissioner

ATTEST:


Rodney D. Edmondson, County Clerk

(Seal)

NOTICE - AUCTION OF SURPLUS OFFICE FURNITURE
AND MISCELLANEOUS ITEMS

MAY 7, 2018, 3:30 P.M.

CHEROKEE COUNTY COURTHOUSE SOUTH PARKING LOT
110 W. MAPLE, COLUMBUS, KANSAS
Col. Jack Garner, Auctioneer

The Board of County Commissioners of Cherokee County, Kansas, will offer the following surplus items at auction:

4 -- 8' folding tables
3 -- office work stations
5 -- metal office desks
35 -- metal chairs
10 -- metal chairs with arm rests
File cabinets -- 2 drawer and 4 drawer
Various office tables, desks and chairs
Dozens of used ceiling tiles
Exterior door with jams
Interior door with jam
Miscellaneous office equipment
Snapper riding mower - 42"
HP Design Jet 5500 42" plotter

EXHIBIT "A"

May 7, 2018, 5:30 p.m.		AUCTION
		CHEROKEE COUNTY-OWNED PROPERTIES
PARCEL NUMBER	ADDRESS / DESCRIPTION	
1	011-028-28-0-00-01-020.00-0	00000 W REDWOOD ST, WEIR, KS; S28, T31, R24, BEG 876W & 1178 N SE COR NE4 W2 12 S102 E212 N102 TO POB
2	011-028-34-0-20-21-012.00-0	00000 W SYCAMORE, WEIR, KS; VOGEL ADD WR, BLOCK 7, LOT 26 & W/2 VAC POLK AVE ON E SIDE
3	011-081-01-0-30-01-024.00-0	00000 E ROSELAND BLVD, SCAMMON, KS; S01, T32, R23, BEG NE COR SE4 SE4 SW4 W210 S
4	011-086-24-0-00-01-034.00-0	00000 NW NEW CASTLE LN, SCAMMON, KS; S24, T32, R23, BEG 1230S & 373 SW NE COR SE4 S116 W200 N116 E TO POB LESS R/W
5	011-093-07-0-00-01-004.00-0	00000 E DIVISION ST, SCAMMON, KS; S07, T32, R24, BEG INTER N LI SW4 & E LN RR R/W **
6	011-099-30-0-20-01-001.00-0	00000 NE 1ST TERR, COLUMBUS, KS; TURK MI, BLOCK 1, LTS 1-2 BLK 1 & S/2 ADJ VAC
7	011-103-06-0-00-00-007.00-0	00000 NE SCAMMON RD, WEIR, KS; S06, T32, R25, E16.5 S/2 SW4 16.5 X 1329.1 (S) EC **
8	011-136-13-0-20-03-002.00-0	00000 N MINNESOTA AVE, COLUMBUS, KS; HAYES ADD CO, BLOCK 1, LOT 6-7
9	011-141-12-0-40-10-001.00-0	00000 NW 63RD ST, COLUMBUS, KS; SHERWIN LA, BLOCK 6, LOT 3 LESS R/W
10	011-201-11-0-30-07-004.00-0	00000 W FOREST AVE, GALENA, KS; ORIGINAL PLAN (EMPIRE CITY) GA, LOT 57
11	011-204-19-0-00-00-001.00-0	00000 SE 70TH ST, RIVERTON, KS; S19, T34, R25, ACRES 1.4, BEG NE COR SE4 TH S443 N310 N ELY316.95 NELY 165.09 N26.52 E98.98 TO POB LESS R/W **
12	011-205-22-0-00-00-011.00-0	00000 SE 90TH ST, GALENA, KS; S22, T34, R25, BEG 200 N SW COR NW4 NW4 TH E25 0 N20 W250 S20 TO POB LESS R/W
13	011-206-13-0-20-08-005.00-0	00000 BELLEVUE ST, GALENA, KS; BRINKERHOFF'S ADD GA, BLOCK 8, LOT 10-12
14	011-206-14-0-10-01-015.00-0	00000 E SPARKS ST, GALENA, KS; EMPIRE TOWN CO 4TH GA, LOT 183-188
15	011-206-14-0-10-01-016.00-0	00000 E SPARKS ST, GALENA, KS; EMPIRE TOWN CO 4TH GA, LOT 196
16	011-206-14-0-10-01-017.00-0	00000 E SPARKS ST, GALENA, KS; EMPIRE TOWN CO 4TH GA, LOT 197
17	011-206-14-0-10-06-002.00-0	00000 E VINE ST, GALENA, KS; EMPIRE TOWN CO 4TH GA, LOT 159-160
18	011-206-14-0-10-03-003.00-0	00000 JEFFERSON ST, GALENA, KS; EMPIRE EAST SUB-DIV GA , Lot 103 - 108
19	011-206-14-0-10-04-003.00-0	00000 JEFFERSON ST, GALENA, KS; EMPIRE TOWN CO 4TH GA, LOT 99-102 LESS R/W
20	011-206-14-0-10-07-006.00-0	00000 JEFFERSON ST, GALENA, KS; EMPIRE TOWN CO 4TH GA, LOT 109 LESS R/W
21	011-206-14-0-10-07-007.00-0	00000 JEFFERSON ST, GALENA, KS; EMPIRE TOWN CO 4TH GA, LOT 108 LESS R/W
22	011-206-14-0-10-24-001.00-0	00000 PROSPECT ST, GALENA, KS; BRINKERHOFF'S ADD GA, BLOCK 19 S ALLEY & N MKT RR
23	011-206-14-0-10-24-002.00-0	00000 PRSPECT ST, GALENA, KS; BRINKERHOFF'S ADD GA, BLOCK 19 S ALLEN& N MKT RR
24	011-206-14-0-20-13-006.00-0	00000 JEFFERSON ST, GALENA, KS; EMPIRE EAST SUB-DIV GA , Lot 86 - 90
25	011-206-14-0-20-15-003.00-0	00000 COLUMBUS ST, GALENA, KS; EMPIRE TOWN CO 1ST GA , Lot 1 - 3
26	011-206-14-0-20-15-007.00-0	00000 W COLUMBUS ST, GALENA, KS; EMPIRE TOWN CO 1ST GA, LOT 8-12
27	011-206-14-0-20-15-008.00-0	00000 W SPARKS ST, GALENA, KS; EMPIRE TOWN CO 1ST GA, LOT 37-38
28	011-206-14-0-20-21-003.00-0	00000 GRANT ST, GALENA, KS; EMPIRE TOWN CO 5TH GA, LOT 41-45
29	011-206-14-0-20-21-004.00-0	00000 GRANT ST, GALENA, KS; EMPIRE TOWN CO 5TH GA, LOT 70-74
30	011-206-14-0-20-22-002.00-0	00000 W SPARKS, GALENA, KS; EMPIRE TOWN CO 1ST GA , LOTS 39 & 40 E09 PB TPI PG 156 & LOTS 44 & 45 W10 PB1 PG 62
31	011-206-14-0-20-22-005.00-0	00000 COLUMBUS ST, GALENA, KS; WINDSOR LEAD & ZINC CO ADD GA, LOT 63-65
32	011-206-14-0-20-25-001.00-0	00000 MURPHY ST, GALENA, KS; WINDSOR LEAD & ZINC CO ADD GA, LOT 38
33	011-206-14-0-20-25-002.00-0	00000 W WINDSOR ST, GALENA, KS; WINDSOR LEAD & ZINC CO ADD GA, LOT 46-47
34	011-206-14-0-20-25-004.00-0	00000 W WINDSOR ST, GALENA, KS; WINDSOR LEAD & ZINC CO ADD GA, LOT 55-62
35	011-206-14-0-30-02-003.00-0	00000 SCHERMERORN RD, GALENA,KS; S14, T34, R25, ACRES 1.8, N400 OF E200 SW4 SW4 **
36	011-206-14-0-40-01-003.00-0	00000 E FRONT ST, GALENA, KS; GALENA TOWN CO GA, LOT 373-374 **
37	011-206-14-0-40-01-006.00-0	00000 E 1ST ST, GALENA, KS; GALENA TOWN CO GA, LOT 375-376
38	011-206-14-0-40-01-007.00-0	00000 E 1ST ST, GALENA, KS; GALENA TOWN CO GA, LOT 378
39	011-206-14-0-40-01-012.00-0	00000 E 2ND, GALENA, KS; GALENA TOWN CO GA, LOT 379-380
40	011-206-14-0-40-05-002.00-0	00000 N MAIN, GALENA,KE; S14 , T34 , R25 , BEG NE COR LOT 410 G07 N42.6 W 100 S42.6 E TO POB
41	011-206-14-0-40-05-004.00-0	00000 W FRONT ST, GALENA, KS; S14 , T34 , R25 , BEG 10W SW COR LOT 403 GALENA TOWN CO ADD TH N99.5 W120 N56. 6 TO RR R/W SWLY ALG R/W TO W LN OF SE4 TH S130.1 E98 N34.9
42	011-206-14-0-40-06-002.00-0	00000 W FRONT ST, GALENA, KS; ORIGINAL PLAT GA, S14, T34, R25, BLOCK 4, Lot 38 - 40
43	011-206-23-0-40-03-009.00-0	00000 E 16TH ST, GALENA, KS; S23, T34, R25, BEG 205S & 115E NW COR NE4 SE4 TH S175 E115 N109.25 NW ALONG RD TO PT 134 DIR N OF BEG S TO POB **
44	011-206-24-0-20-19-005.00-0	00000 CHICAGO AVE, GALENA, KS; MOELLER GARNER & SMITH 2ND GA, LOT 131-132
45	011-206-24-0-20-29-004.00-0	00000 E 13TH, GALENA,KS; SMITH & MOELLER 3RD GA, LOT 7
46	011-232-03-0-00-00-009.00-0	00000 SW HWY 166, COLUMBUS, KS; STEBBIN'S ADD LY , BLOCK 3 , Lot 12

MONDAY, MAY 7, 2018, 5:30 P.M.

CHEROKEE COUNTY COURTHOUSE - DISTRICT COURTROOM

110 W. MAPLE, COLUMBUS, KANSAS

COL. JACK GARNER, AUCTIONEER

** Flood Plain

~ Interested bidders must pre-qualify by applying at the Cherokee County Treasurer's office beginning April 2 thru May 1, 2018

~ Quit claim deeds will be issued to successful bidders/buyers. Buyers will be responsible for fees to file their deeds with the Register of Deeds.

~ Additional information / map location available in Cherokee County Mapping office, Cherokee County Courthouse ground floor, 110 W. Maple, Columbus, KS and on the Cherokee County website: www.cherokeecountyks.gov

~ Terms: cash or check with proper identification and pre-approval from Treasurer's office.

EXHIBIT "B"