

MINUTES FOR NOVEMBER 22, 2010
COLUMBUS, KANSAS, CHEROKEE COUNTY
OFFICE OF THE COUNTY CLERK
CRYSTAL L. GATEWOOD

The Cherokee County Commissioners met November 22, 2010. Commissioners Hilderbrand, Collins and Garner were present. The Pledge of Allegiance was said by all present. Commissioner Garner made a motion to approve the minutes for November 8, 2010 as presented by County Clerk Crystal Gatewood, his motion was seconded by Commissioner Collins, and all three commissioners voted in favor and signed off on the documentation. Commissioner Garner made a motion to approve the minutes as presented for November 12, 2010, his motion was seconded by Commissioner Collins, and all three commissioners voted in favor and signed off on the documentation. Commissioner Collins made a motion to approve and pay November 2010 Accounts Payables, his motion was seconded by Commissioner Garner and all three commissioners voted in favor. Commissioner Collins made a motion to approve and pay November 2010 Pay Roll, his motion was seconded by Commissioner Garner, and all three commissioners voted in favor. Commissioner Collins made a motion to approve the 2010 Mid-Month November Accounts Payables as presented by Clerk Gatewood, his motion was seconded by Commissioner Garner and all three commissioners voted in favor. Those signing off on the documentation were Commissioners Collins, Hilderbrand, and Garner, and County Clerk Gatewood. County Counselor Kevin Cure did not sign off on the documentation, but phoned and approved all documents.

MOTIONS MADE BY COMMISSION

Commissioner Garner made a motion for a break for fifteen minutes at 10:15 AM, his motion was seconded by Commissioner Collins, and all three commissioners voted in favor. They returned at 10:30 AM.

Commissioner Garner made a motion to help fund the Bridge Fund for the Columbus Community Ball Field, \$4,000.00 will come out of Line Item 190 (Special Bridge) and \$4,000.00 will come out of Line Item #430 (Special Parks and Recreation) making a total of \$8,000.00, his motion was seconded by Commissioner Collins and all three commissioners voted in favor. Darrel Spear had come before the commission to let the commission know that the City of Columbus was also donating \$5,000.00 to the Bridge Project.

Commissioner Collins made a motion to approve passage of **Resolution #15-2010** in which the Cherokee County Board of Commissioners are establishing a County Human Resource Department, which sets forth the guidelines for its formation and operation after it has been published one time in the County Paper (The Galena Sentinel). If there are no objections from



the public, it will be established November 24, 2010. His motion was seconded by Commissioner Hilderbrand and all three commissioners voted in favor and signed off on the documentation. It is also noted by Clerk Gatewood that the commission never discussed this with her. The commission will move the duties of Human Resource to another area in the courthouse to better serve the employees. Commissioner Hilderbrand was also asked how he would fund this new department, he said they would cut the Cherokee County Clerk's budget for 2011 and put that money in for the new department which the commission had created. The commissioners would have to amend the 2011 budget to do this. (Resolution #15-2010 is attached to the minutes)

Commissioner Garner made a motion to appoint Deana Randall the new Human Resource Director for Cherokee County, his motion was seconded by Commissioner Collins, and all three voted in favor.

Commissioner Hilderbrand made a motion for HCC as the RE-Insurance Carrier, his motion was seconded by Commissioner Garner, and all three commissioners voted in favor.

OTHER BUSINESS

Gene Langerot and Leonard Vanatta of Road and Bridge came before the commissioners to discuss general road and county maintenance. The commissioners and Leonard discussed a meeting in Little Rock, AR with Fabick CAT on December 8 and 9, 2010, they would leave at 1:00 PM on Wednesday and the commissioners and Leonard need to let Audy Holman of Fabick CAT know if they will be attending.

The Cherokee County Commission met with Brent Hillier of Meritain to discuss the Re-Insurance stop loss carrier to go with HCC. He also discussed the cost savings for the county. The Cherokee County appointed Health Committee meets at 1:00 PM today for further discussion.

Billy Charles of the Cherokee County Sheriff's Department came before the commission to get a signature from Commissioner Hilderbrand to purchase file cabinets from the State Surplus Supply. Commissioner Hilderbrand signed off on the voucher.

EXECUTIVE SESSIONS

Commissioner Hilderbrand made a motion to go into **EXECUTIVE SESSION** for Personnel/Non- Elected for ten minutes with himself and Commissioners Collins and Garner, his motion was seconded by Commissioner Garner, and all three voted in favor. They went in at 11:20 AM and returned at 11:30 AM.

Commissioner Collins made a motion to go into **EXECUTIVE SESSION** for Attorney/Client Privilege for five minutes with himself, Commissioners Garner and Hilderbrand, and County

JK

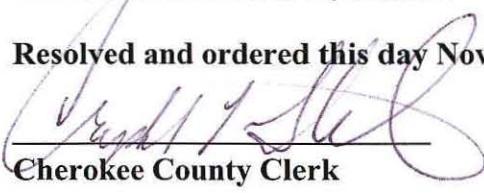
Counselor Kevin Cure, his motion was seconded by Commissioner Garner, and all three commissioners voted in favor. They went in at 11:40 AM and returned at 11:45 AM.

Commissioner Collins made a motion to go into **EXECUTIVE SESSION** for Attorney/Client Privilege for Personnel/Non-Elected for five minutes with himself, Commissioners Garner and Hilderbrand, employee Deana Randall, and County Counselor Kevin Cure, his motion was seconded by Commissioner Garner and all three commissioners voted in favor. They went in at 11:45 AM and returned at 11:55 AM.

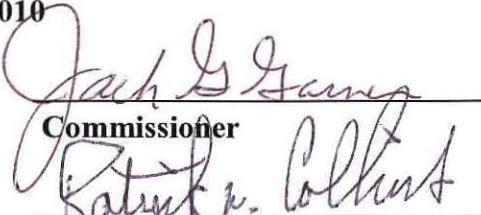
ADJOURNMENT

Commissioner Garner made a motion to adjourn at 12:35 PM, his motion was seconded by Commissioner Collins, and both commissioners voted in favor. The next Cherokee County Commission meeting will be held November 29, 2010 at 9:00 AM in the Cherokee County Courthouse in Columbus, Kansas.

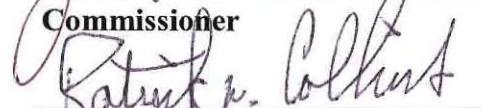
Resolved and ordered this day November 29, 2010



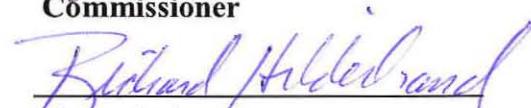
Cherokee County Clerk



Jack L. Garner
Commissioner



Patrick N. Collins
Commissioner



Richard Hilderbrand
Commissioner

(Published in the official county newspaper on the 22 day of
November, 2010)

RESOLUTION NO. 15 - 2010

**A RESOLUTION ESTABLISHING A COUNTY HUMAN RESOURCES
DEPARTMENT AND SETTING FORTH GUIDELINES FOR ITS FORMATION
AND OPERATION.**

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

WHEREAS, the County in the form of its duly elected governing body has the authority under K.S.A. § 19-101 to determine its local affairs and government, and;

WHEREAS, the County in the form of its duly elected governing body has the authority under K.S.A. § 19-212 to exercise control over the County's financial matters, and;

WHEREAS, the Board of County Commissioners of a County has, pursuant to K.S.A. § 19-229, exclusive control of all expenditures the County accrues, and;

WHEREAS, the duty to prepare payroll is not expressly listed as a statutorily mandated duty of the County Clerk listed in the general powers conferred upon the office in K.S.A. § 19-301 et seq., and;

WHEREAS, the responsibility for payroll preparation is or was previously delegated to departments other than that of the County Clerk in Johnson, Miami, Sedgwick, Saline, Leavenworth, Lyon, Franklin, and Seward Counties, and the Unified Government of Wyandotte County, and;

WHEREAS, Cherokee County should create a Human Resources Department in Resolution 04-63, and;

WHEREAS, the Board finds that the interests of Cherokee County employees are best served when the majority of employee-related matters are handled by a Human Resources Department, the employees of which can receive concentrated training and experience in human resources issues;

WHEREAS, the Board finds that the creation of the Human Resources Department will eventually provide the County with an employee or employees more suitable to undertake the preparation of payroll than the office of the County Clerk, and;

WHEREAS, the Board finds that the preparation of payroll could be performed more efficiently and more effectively if handled by the Human Resources Department,

WHEREAS, Cherokee County desires its human resources administration to be as skilled and efficient as possible, and;

WHEREAS, a Human Resources Department staffed with individuals specifically trained in the increasingly vital and demanding field of human resources management will add greater efficiency and more services to the employees of Cherokee County and the citizens the employees serve; and

WHEREAS, the Board of County Commissioners of Cherokee County, Kansas, meeting in regular session, this 22nd day of November, 2010, does hereby resolve as follows:

Section 1. Creation of Human Resources Department. The Cherokee County Human Resources Department is hereby created.

Section 2. Human Resources Department Duties. The Human Resources Department shall forthwith conduct the following duties:

- A.) Under the direction of the Board of County Commissioners administer Cherokee County personnel rules;
- B.) Administer the County's Employee Benefits Plan;
- C.) Administer the County's Employee Health Insurance Plan;
- D.) Identify and conduct all necessary salary and benefits surveys;
- E.) Assist all departments with the hiring, disciplinary and termination process, understanding any limitations imposed by law with respect to elected officials' autonomy in these areas;

- F.) Provide information necessary to assist Cherokee County in the defense or prosecution of any litigation concerning personnel issues;
- G.) Provide information to County Department Heads to insure compliance with all applicable federal and state laws as these directly relate to personnel matters;
- H.) The Human Resources Department shall also undertake the responsibility of preparing the payroll of county employees. This duty shall include but not be limited to: the collection of time worked by employees, the preparation of all payroll checks or deposits, except that all signatures required by statute to be placed upon the checks shall still be required by the proper party, the preparation of all necessary payroll reports for outside agencies, the preparation of all necessary W-2 forms, the management of all taxable reimbursements, the contact for all outside agencies regarding, KPERS, Department of Labor, pensions, employee benefits, and shall have the responsibility for ensuring county compliance with all applicable state and federal regulations;
- I.) It shall be the duty of the Human Resources Department to prepare a statement each time a payroll is complete detailing the amounts to be paid in compensation by each department and the line items from which funds are to be taken. This information is to be presented to the County Treasurer for the purpose of allowing the Treasurer to perform any necessary function expressly stated in K.S.A. § 19-501 et seq.;
- J.) All departments are directed to fully cooperate with the Human Resources Department regarding the undertaking of these duties. This includes: the providing of all payroll files and records, access to all payroll history and computer files, and timely responses to all inquiries regarding payroll; and,
- K.) In the event the County is audited by the United States Department of Labor, the Internal Revenue Service, or the Kansas Department of Labor, or any other entity having jurisdiction over issues relevant to the County's payroll, the County Clerk will be responsible for complying with all payroll information requests for

records or methodologies prior to the effective date of this Resolution; and,

J.) Perform all other duties assigned by the County Commissioners.

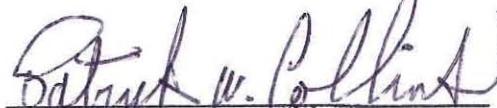
Section 3. County Records. All county records relating to personnel and personnel administration wherever held are to be provided to the Human Resources Department immediately upon request, unless such records are specifically authorized to be held by another department pursuant to Kansas statutes.

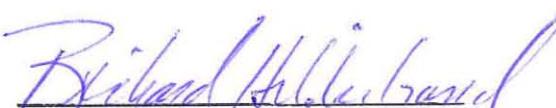
Section 4. Cooperation. All departments are to provide their full cooperation and support to the Human Resources Department.

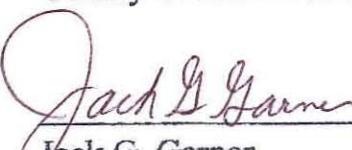
Section 5. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this resolution, or the application thereof to any circumstances, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this resolution.

Section 6. Effective Date. This resolution shall take effect and be in full force from and after its passage and publication once in the official county newspaper.

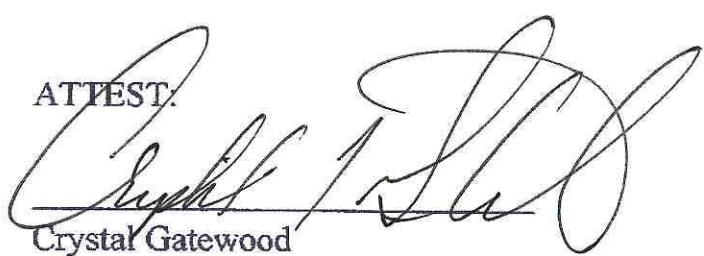
Adopted this 22nd day of November, 2010, by the BOARD OF COMMISSIONERS OF CHEROKEE COUNTY, KANSAS.


Patrick W. Collins
County Commissioner


Richard J. Hilderbrand
County Commissioner


Jack G. Garner
County Commissioner

ATTEST:



Crystal Gatewood

County Clerk of Cherokee County,

Kansas

Resolution No. 15 - 2010

Prepared by:

Kevin Cure, Attorney