

MINUTES FOR FEBRUARY 6, 2017
BOARD OF CHEROKEE COUNTY COMMISSIONERS
CHEROKEE COUNTY, KANSAS

CONVENE

Chairman Collins 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 6, 2017 in the Commission Room, #109 of the Cherokee County Courthouse located at 110 W Maple St., Columbus, Kansas. Commissioners Pat Collins, Neal Anderson, Cory Moates, County Counselor Barbara Wright, and County Clerk Rodney Edmondson were present.

Members of the press present: Larry Hiatt, Jordan Zabel, and Machel Smith

Jason Youngblood - Sewer District

He appeared before the Board to request new tires for the sewer district truck. The Board asked him to get with the County Lot for tires and service on the truck. He stated that K.R.W.A. is going to smoke test the Riverton sewer system this spring. The only cost will be for the oil used in the testing.

A motion was made by Commissioner Moates to approve the Minutes of the January 30, 2017 BOCC meeting as written. The motion was seconded by Commissioner Anderson. The motion carried 3-0.

Citizen Paul Starchman appeared regarding a county road in Rest-a-While. He stated that he is having a problem with a neighbor regarding the use of the road. He stated that it is a platted county road and he has used it for nearly 50 years. The neighbor is claiming that she owns the property that contains the road. Counselor Wright will work with the Register of Deeds and research the issue.

Leonard Vanatta - County Road Supervisor

Louis Schreiner - County Lot Supervisor

They appeared before the Board on routine county road business. Leonard stated that the short bridge project ½ mile east of SW 90th on Blackjack Rd. was started last week. Completion is expected to take 60 days. He stated that Teeters Asphalt is expecting to start the asphalt plant in March. He informed the Board that he has spoken with two pipe companies in the county and they do not make small pipes that the county uses.

Brian Hillier - Benefit Health Advisors

He appeared before the Board to provide an overview of the Health Insurance Plan and the role of the Insurance Committee. He explained, for the benefit of the new commissioners how the self-insured plan works for Cherokee County. He reminded everyone that the premium differential will begin for the wellness participation this year so it's hopeful that employees will take advantage of the program.

At 10:00 AM the Board conducted the opening of sealed bids on a parcel of county owned property. Clerk Edmondson opened the one and only bid received. The bid was submitted by Mike and Karen Langerot in the amount of \$167.65 for the property.

A motion was made by Commissioner Anderson to accept the bid from Mike and Karen Langerot in the amount of \$167.65 for the county owned property. The motion was seconded by Commissioner Moates. The motion carried 3-0.

Counselor Wright will prepare a Quit Claim Deed for the Boards approval next week.

Department Heads - Monthly Reports

They met with the Board for their routine monthly meeting for the purpose of updating the Board on happenings within each department, with the following Department Heads present: Barbara Bilke, Register of Deeds; Betha Elliott, Health Department; David Groves, Sheriff; Deana Randall, Human Resources; Jason Allison, Emergency Management; Logan Grant, Noxious Weeds; Mark Hixon, Appraiser; Jacob Conard, Attorney; Ralph Houser, Maintenance; Rodney Edmondson, Clerk & Election; and Wayne Elliott, 911 Addressing & Mapping.

Barbara Bilke - She reported that recording fees increased again this year. Her office processed over 100 passports last year.

Betha Elliott - She provided an overview of the Health Department operations for the new commissioners and previewed activities planned for this year. She reported that a workshop for a continuity of operations plan being is set for February. She stated that they were doing a "diaper drive" to be used as incentives for parents and encouraged other departments to challenge each other in donating to the cause.

David Groves - He stated that they will be hosting trainings in February and March related to drug identification and DUI training. He is currently working with a company on an insurance style program for inmate prescriptions that could potentially save \$20,000 to \$30,000 over current costs. He stated that they now have a dual purpose K-9 that is trained for narcotics as well as searches. He stated that it's been several years since we had a K-9. He stated that they have been awarded a grant in the amount of \$18,560 to be used for putting computers in the cars that are tied to the dispatch center.

Jacob Conard - He stated that they have filed 35 new cases in January. He is looking at moving toward electronic document storage as a result of the mandatory e-filing by the court. They currently file electronically, but don't have the ability to store those filings electronically and must print the documents and store the paper copy. He stated that the Diversion Fund would be available for use, but some of the money was transferred out last year to the General Fund. The Board stated they would work with him on the project.

Jason Allison - He reported that nine properties have been closed from the flood buyout. He stated that CDBG is sending the bids out for demo. He stated that the weather spotter class is set for March 2nd at 6:30 PM at the Columbus High School.

Logan Grant - He stated that the annual report has been filed and that he is currently working on the chemical inventory.

Mark Hixon - He stated that they are in the final stages of 2017 valuation and notices will be sent to property owners by March 1st. He provided a written report of activities.

Ralph Houser - He stated that the ice machine is not repairable and presented a bid for a new one in the amount of \$1,795.

Rodney Edmondson - He stated that he is watching several legislative bills that affect elections, as well as the four pending state or federal lawsuits. He reported that the new equipment for KDWPT licenses is expected to be delivered next week.

Wayne Elliott - He reported the sale of \$83 in maps, the making of 13 new streets signs, and added one new address last month.

Audy Holman and Mike Cantrell of Fabick Caterpillar stopped by to introduce themselves to the new commissioners.

Trish Carroll, Janet Miller - Cherokee County Economic Development

They appeared before the Board regarding the Economic Development Program. They provided a written update.

A motion was made by Commissioner Moates to enter an Executive Session with the Board, Counselor Wright, Janet Miller, and Trish Carroll for the purpose of Non-Elected Personnel for contractual issues for a period of 10 minutes. The motion was seconded by Commissioner Anderson. The motion carried 3-0 at 10:56 AM.

The meeting reconvened at 11:06 AM.

No action was taken during the Executive Session.

Old Business:

The Board reviewed the Columbus Transient Tax Agreement as presented last week. Counselor Wright stated that she has spoken with the Baxter Springs Chamber and provided them a copy of the Columbus agreement for reference. They stated that they would prepare an agreement.

A motion was made by Commissioner Anderson to accept the Columbus Tourism Grant Contract as presented. The motion was seconded by Commissioner Moates. The motion carried 3-0.

The Board review the Stockton Restoration Agreement that has been signed by Stockton. The Board asked to have Ralph review the final draft before approval today.

Counselor Wright stated that the Elk Drive dedication to a county road can be done by a county resolution. She will get with 911 Addressing and Mapping and the Post Office regarding the changing of the road name and addresses of residents.

Counselor Wright presented a proposed contract with Attorney Robert Myers for conducting future county tax sales for the Board to review. She stated that the contract is reviewable every year and includes the ability to opt out with a 60 day notice. The Board will review it for one week.

A motion was made by Commissioner Anderson to adjourn for lunch and reconvene at 1:15 PM. The motion was seconded by Commissioner Moates. The motion carried 3-0 at 11:30 AM.

The meeting reconvened at 1:15 PM.

Clerk Edmondson reported that Ralph had reviewed the Stockton agreement and was fine with it.

A motion was made by Commissioner Moates to enter the agreement with Stockton Restoration for repair to the Courthouse. The motion was seconded by Commissioner Anderson. The motion carried 3-0.

A motion was made by Commissioner Collins to purchase a new ice machine from Joe Harding at a cost of \$1,795. The motion was seconded by Commissioner Anderson. The motion carried 3-0.

A motion was made by Commissioner Collins to enter an Executive Session with the Board and Attorney Robert Myers for the purpose of Non-Elected Personnel for employee contracts for a period of 20 minutes. The motion was seconded by Commissioner Anderson. The motion carried 3-0 at 1:32 PM.

The meeting reconvened at 1:52 PM.

No action was taken during the Executive Session.

A motion was made by Commissioner Collins to enter an Executive Session with the Board and Attorney Melanie Bingham for the purpose of Non-Elected Personnel for employee contracts for a period of 20 minutes. The motion was seconded by Commissioner Anderson. The motion carried 3-0 at 1:54 PM.

The meeting reconvened at 2:14 PM.

No action was taken during the Executive Session.

A motion was made by Commissioner Collins to enter an Executive Session with the Board and Attorney Kevin Cure for the purpose of Non-Elected Personnel for employee contracts for a period of 20 minutes. The motion was seconded by Commissioner Moates. The motion carried 3-0 at 2:19 PM.

The meeting reconvened at 2:39 PM.

No action was taken during the Executive Session.

A motion was made by Commissioner Collins to enter an Executive Session with the Board and Attorney Candace Gayoso for the purpose of Non-Elected Personnel for employee contracts for a period of 10 minutes. The motion was seconded by Commissioner Moates. The motion carried 3-0 at 2:40 PM.

The meeting reconvened at 2:50 PM.

No action was taken during the Executive Session.

A motion was made by Commissioner Collins to enter an Executive Session with the Board and Attorney Tiana McElroy for the purpose of Non-Elected Personnel for employee contracts for a period of 15 minutes. The motion was seconded by Commissioner Anderson. The motion carried 3-0 at 2:55 PM.

The meeting reconvened at 3:10 PM.

No action was taken during the Executive Session.

A motion was made by Commissioner Collins to enter an Executive Session with the Board for the purpose of Non-Elected Personnel for employee contracts for a period of 10 minutes. The motion was seconded by Commissioner Anderson. The motion carried 3-0 at 3:11 PM.

The meeting reconvened at 3:21 PM.

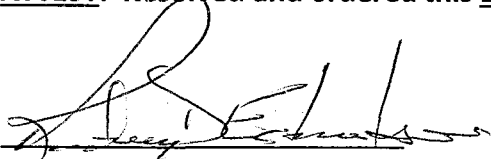
The Board tabled the contract attorney appointments until next week.

Counselor Wright informed the Board that she had spoken with Susan from the title company and she reported that nothing has happened regarding the Sewer Project property deed. Wright stated that she would contact Shawn Turner for an update.

Counselor Wright stated that a title problem has occurred from the 2011 Tax Sale on the old theater across the street. She stated that there is no record that the owner was served notice of the sale, and that there was a judgment lien on the property out of the District Court three years prior to the sale. The Board stated that they would assist in any way possible.

Commissioner Anderson made a motion to adjourn until the next regular meeting set for Monday, February 13, 2017 at 9:00 AM. The motion was seconded by Commissioner Moates. The motion carried 3-0 at 3:38 PM.

ATTEST: Resolved and ordered this 13th day of February, 2017



Cherokee County Clerk



Commissioner



Commissioner



Commissioner

Mike and Karen Langerot
420 North Highland
Columbus, KS 66725

Skidmore KS track at Lend

\$167.65



Mike Langerot

Opened 2/6/17
Public opening.

Memo

DATE: January 6, 2017
TO: Cherokee County Board of Commissioners
FROM: J. Mark Hixon, CKA, RMA, Cherokee County Appraiser
RE: Monthly Department Manager Report



The county appraiser is required to update all real property values as of January 1 of each year and notify property owners of their current and previous year's value on or before March 1st. Last year, there were only 7,640 properties with changes in value and we received authorization from the state to only mail valuation notices for those properties. This year, we are updating and notifying all property owners of their 2017 valuation. It is anticipated that very few values will remain unchanged from last year.

We have completed the process of calculating preliminary values and are in the final review phase. We expect to have all the values reviewed and finalized by February 10th. I will then run quality control reports to help identify and correct any errors. Then we will begin printing valuation notices to be mailed on March 1st.

I feel the need to let you know that we have discovered some anomalies in appraised values of vacant land. Although the number of affected parcels is not large, the dramatic increase in values will surely result in several property owners being upset with their new appraised values.

What we found were several vacant properties not being use for agricultural purposes have been appraised for substantially less than what similar properties of that type are selling for in the open market. For instance, an 8.5 acre parcel of vacant land was appraised at \$180. Not \$180/acre, even that would be egregiously too low. It was valued at \$180 for the whole 8.5 acres or \$21.18/acre.

This issue came to my attention when a 94.2 acre parcel of non-agricultural land sold for \$188,000. The county's appraised value was \$950. I made the assumption that this might not be an isolated instance and found that it was not.

As I said, relatively speaking, there are not that many parcels like the above examples, but my staff and I have been working to remedy these inequities and we have also been meeting with a great deal of resistance from some property owners. Therefore, I wanted to give you a heads up that this may be something you hear about from your constituents. If you do, please feel free to refer them to me and I will make every effort to explain how we arrived at the new appraised value and ensure that they are treated fairly and equitably.

TRANSIENT TAX AGREEMENT

This agreement is made and entered into this 30th day of January, 2017 between Cherokee County, KS here in after called "County" and the Columbus Chamber of Commerce, a non-profit corporation here in after called the "Chamber" acting herein the Executive, its duly authorized representative.

WHEREAS, the County Commission of the County of Cherokee enacted the Transient Guest Tax Resolution August 31, 1982, levying a tax upon hotel and motel transient guests within the County, said tax being currently effective.

WHEREAS, the county of Cherokee desires that the proceeds derived from the said hotel and motel Transient Guest Tax be used for the promotion, solicitation, encouragement and development of tourism and convention for Cherokee County, as provided for by KSA 12-1693 and KSA 1978 Supp. 12-1694 to 12-1698.

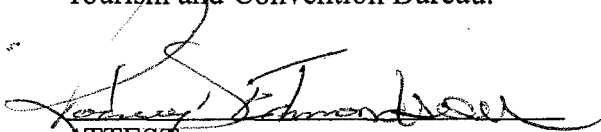
NOW THEREFORE, be it understood and agreed by and between the County and the Chamber that for and in consideration of payment of a sum of money raised by the two (2) percent Transient Guest Tax that said Chamber will provide those services necessary to carry out one year commencing the 1st day of January, 2017 and ending the 1st day of January 2018.

NOW BE IT FURTHER AGREED as follows:

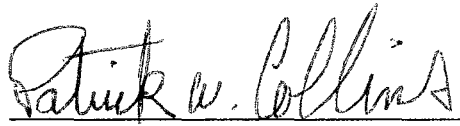
1. The Chamber will operate and manage a Convention & Tourism Bureau to render services hereinafter contemplated and to discharge its duties in accordance with terms and conditions hereinafter set forth.
2. The Chamber is hired and engaged as an independent contractor, and is not an officer, agent or employee of the county.
3. Advisory Committee. The Convention & Tourism Committee, as appointed by the County/Chamber as required by KSA 12-16, 101 shall perform, among others, the following functions: (a) promote tourism and conventions in Columbus; (b) recommend programs and expenditures for the promotion of tourism and conventions in Columbus; (c) to work as a liaison between motels and conventions.
4. The Chamber shall submit prior to July 1, to the Cherokee County Commissioners a proposed annual operation budget for the Convention and Tourism Bureau for the next fiscal year and by February 15, a written report of the previous year's activities and expenditures to be made by the Tourism & Convention Bureau, none of which shall be made until the annual budget has been approved by the County governing body. Such budget shall also include the program of work, projects and activities.

5. Payments. The County will transfer quarterly to the Chamber all funds as provided by the Transient Guest Tax Resolution.
6. The County Clerk or his designated representative may, upon reasonable notice, inspect all books and records of the Tourism and Convention Bureau.
7. It is expressly agreed by the parties that all Transient Tax Guest funds of the County shall be used solely for the propose of promoting travel, tourism and conventions within the area as provided by the Transient Guest Tax.
8. Either party may terminate this Agreement by giving the other party written notice sixty (60) days in advance of the proposed termination date.

Upon termination, unless it is subsequently reserved, the Chamber shall deliver to the County all Transient Guest Tax funds and any equipment purchased by use of said guest tax funds then remaining with the Chamber after payment of all budgeted expenses of the Tourism and Convention Bureau.



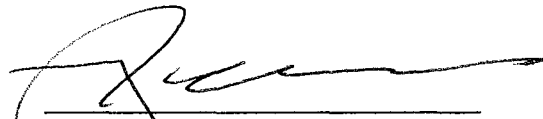
ATTEST:
County Clerk



COMMISSION CHAIRMAN
Cherokee County



ATTEST:
Director/Columbus Chamber of Commerce



PRESIDENT
Columbus Chamber of Commerce

CHEROKEE COUNTY COURTHOUSE RESTORATION PROJECT**CONTRACT**

This AGREEMENT, made and entered into this 10 day of February, 2017, by and between Stockton Restoration Company, hereinafter "Contractor" and the Board of County Commissioners of Cherokee County, Kansas, hereinafter, "County".

WHEREAS, the County is the owner of the Cherokee County Courthouse, located in Columbus, Cherokee County, Kansas, and

WHEREAS, the parties agree to a multiyear contract, beginning February, 2017, continuing through December 31, 2020, for the purpose of the Contractor providing restoration services for improvements and maintenance to the Cherokee County Courthouse located at 110 W. Maple Street, Columbus, Kansas, according to the following specifications:

1. Cut out all deteriorated, cracked, weathered and missing mortar joints to a depth of no less than 1/2 in (to include areas where previous work has been done, but does not match original).
2. Replace all cut out mortar with new mortar. All joints to be hand tooled to a smooth, concave, weatherproof joint. New mortar to match existing, as close as possible, in color and texture.
3. Clean all stone, brick and mortar joints in entirety, by means of high pressure washing.
4. Remove and re-lay bricks where movement exceeds 1 in. width.
5. Patch/replace broken or deteriorated bricks/stone.
6. Cut out all coping cap joints and expansion joints. Re-caulk using a high quality urethane caulk. Backer rod or bond breaker tape to be used, to avoid 3 sided adhesion.
7. Inspect all windows entry doors, caulk joints. Cut and re-caulk where needed.
8. Wash all window and door glass.
9. Waterproof brick and stone surfaces, in entirety, using high quality, transparent Prim-A-Pell waterproofing.

SCOPE OF WORK: The project includes the main building structure, stairways, planters, signs and flower beds. Work includes the equivalent of one side of the courthouse building each year for approximately four (4) years, starting January 1, 2017, through December 31, 2020. All work carries a 5 year guarantee; waterproof carries a 5 year manufacturer guarantee.

RISK MANAGEMENT: Contractor shall furnish all equipment, tools, materials and labor and operate in full compliance with OSHA rules and regulations. Contractor shall be fully insured for Workers Compensation and carry \$1,000,000 per occurrence,

\$2,000,000 aggregate liability insurance. The Contractor shall indemnify and hold harmless the County from all claims and actions arising from the Contractor's participation in the Courthouse maintenance project caused by the fault or negligence of the Contractor.

CONSIDERATION: County shall pay a total of Seventy-five thousand dollars (\$75,000.) over a four (4) year period in accordance with the above specifications, at the rate of Eighteen thousand, seven hundred fifty dollars (\$18,750.) per year. The County shall make a 25% down payment, in the amount of Four thousand, six hundred eighty-seven dollars and fifty cents (\$4687.50) in February, 2017. The remainder shall be paid on a yearly basis upon completion of each phase.


The prices do not include sales tax or amounts for any other tax, license fees or building permits for which the Contractor is responsible.


TERMINATION:

This Agreement may be terminated by any party, without cause, by providing thirty (30) days written notice to the other party, no later than the 30th day of November of any contract year.


ACCEPTANCE OF PROPOSAL: The above specifications and conditions are satisfactory and hereby accepted. The County authorizes the work as specified, and payments as outlined above.

BOARD OF COUNTY COMMISSIONERS OF CHEROKEE COUNTY, KANSAS.


Patrick Collins, Chairman
Cherokee County Commissioner


Neal Anderson
Cherokee County Commissioner


Corey Moates
Cherokee County Commissioner

ATTEST:

Rodney D. Edmondson, County Clerk

Feb. 6, 2017 Date

(SEAL)



Designated Officer / Manager
Stockton Restoration Company

2/2/17
Date




Quote

01/31/2017

Project:
Cherokee County Courthouse

From:
Joe Harding Sales & Service
Jim Onstot
515 N Rangeline
Joplin, MO 64801
417-624-3020

Job Reference Number: 546

Item	Qty	Description	Sell	Sell Total
1	1 ea	ICE CUBER WITH BIN  Manitowoc Model No. QM-30A Ice Maker with Bin, cube-style, air-cooled, self-contained condenser, 19-11/16"W x 22-11/32"D x 36"H, 60-lb/24 hours production, 30-lb. ice storage capacity, stainless steel finish, dice size cubes, 6" adjustable legs, NSF, cETLus	\$1,750.00	\$1,750.00
	1 ea	3 year parts & labor Commercial warranty		
	1 ea	(-161) 115v/60/1-ph, 5.3 amps, 6 ft cord with NEMA 5-15P		
			ITEM TOTAL:	\$1,750.00
			Merchandise	\$1,750.00
			Freight	\$45.00
			Total	\$1,795.00

Acceptance: _____ Date: _____
Printed Name: _____



Cherokee County, Kansas

Economic Development

"the corner of opportunity"

February 3, 2017

Dear Cherokee County Commissioners:

We appreciate your role in launching the Economic Development Corporation and supporting our efforts, and we look forward to continuing to work together to strengthen Cherokee County. In response to the issues raised in our meeting with you on January 23rd, we propose the following.

Short-Term

To help eliminate the potential liability issues facing the County, the Economic Development Corporation is willing to take responsibility for employing the Director and issuing payroll. We would propose a start date of March 1st to allow us time to make the necessary arrangements.

However, we request that the Commission rescind or replace Resolution #02-2017 to eliminate the requirement that the Economic Development Corporation pay all expenses upfront and then request reimbursement of 50%. The organization does not have the reserves necessary to make this work from a cash flow perspective, and it places an additional administrative burden on the organization.

Instead, we ask that the Commission provide the Economic Development Corporation with a regular allocation (monthly or quarterly) of the funds budgeted for economic development in 2017 (i.e., \$45,000 total minus the amount already expended for this purpose through February).

The Economic Development Corporation is willing to provide the Commission with reports and/or updates on a schedule of your choosing to keep you informed of our activities, how funds are being spent, etc.

The Economic Development Corporation is also willing to look into including the County as an additional insured on our insurance policies (Directors & Officers and Liability) if that would be beneficial.

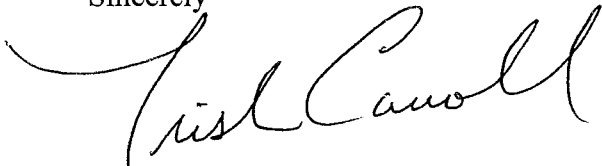
Longer-Term

Given the County's involvement in the creation of the Economic Development Corporation, the Corporation's bylaws tie the organization closely to the County Commission. We propose amending the bylaws to better separate the Economic Development Corporation from the County and revisiting our organizational structure to ensure that it is still the best fit. This will be a longer-term project that will require legal counsel and needs to be done with input from the Commission.

Sustaining the Economic Development Corporation for the long haul will require us to continue to grow our member base. It would assist our fundraising a good deal if the Commission would write a letter of support for our efforts on behalf of the County and/or otherwise encourage businesses and municipalities to become members.

Again, we value our continued partnership with the County and look forward to accomplishing great things together.

Sincerely

A handwritten signature in cursive script that reads "Trish Carroll". The signature is written in black ink and is positioned below the word "Sincerely".

Trish Carroll, Chairperson

Cherokee County Economic Development Corporation Board

Board of County Commissioners, Cherokee County, Kansas

Public Attendance Log: February 6, 2017

Printed Name	Phone Number	Address	Company or Organization
Jason Youngblood	417 8506705		
Don Imming		Galena	
Cindy Imming		Galena	
Jim Tunnell	620-848-9852		
Paul Starckman	620-783-2702	Rest-A-While (Galena P.O.)	
Trish Carroll	674-2297	224 S. Kansas	CK Co Eds
Aerby Ad	624-3010	5095 E 32nd Joplin	Fabick
MIKE CASTRELL	417-624-3010	5095 E. 32nd Joplin	FABICK CAT
Melanie Bingham	620 249 1988	Baxter Springs	Attorney
Kevin Cline	783 5070	603 S. Main, Galena	
Candace Haynes	(620) 230-5308	2949 Gaenswood Road	Attorney