

MINUTES FOR APRIL 1st, 2013
BOARD OF CHEROKEE COUNTY COMMISSIONERS
CHEROKEE COUNTY, KANSAS

CONVENE

Chairman Richard Hilderbrand called the regular session of the Cherokee County Board of Commissioners to order and led all in attendance in the Pledge of Allegiance at 9:00 A.M. on Monday, April 1st, 2013 in the Commission Room, #109 of the Cherokee County Courthouse. Commissioners Pat Collins, Charles Napier, and Richard Hilderbrand were present.

Members of the press present: Larry Hiatt, Patrick Richardson, and Machel Smith

A motion was made by Commissioner Collins to pass the Minutes of the March 25th, 2013 Commission Meeting as written. It was second by Commissioner Napier. The motion carried 3-0 with all voting yes.

Leonard Vanatta - Road & Bridge Supervisor

Gene Langerot - Lot Supervisor

They reported to the Board that they had looked at the Culvert at 70th & Varck and it will need to be replaced. Commissioner Napier informed them that 3 miles of road on 100th St. near Hallowell needs to be improved where the curve is near the highway. Commissioner Napier also made note that Clem Road will need to be resurfaced, possibly next year. Commissioner Hilderbrand asked that they look at 78th St. near Boone Lake Road. Gene reported to the Board that it will take only about \$400 to repair Jason Allison's Emergency Management vehicle.

Sean Krokroskia - RWI Benefits

Sean appeared before the board regarding his interest to be including in the future bidding process to provide employee benefits (Health Insurance) for Cherokee County. He stated that they would provide an annual open enrollment and would provide the Board with continuous updates concerning "Obama Care". He believes he can have quotes available by October 1st and would like to come back in a couple of months with more updates. He will work with Human Resources to obtain the needed information.

Department Heads - Monthly Reports

Barbara Bilke, Register of Deeds - provided the Board with a quarterly report. Her office is doing a lot of photos for passports and concealed weapon applications. She reported to the Board that she didn't like Senator LaTurner's proposed bill that would limit the amount they could charge for copies.

Betha Elliott, Health Dept. - reported that she has staff that will be attending the WIC and Governor's Health conferences.

David Groves, Sheriff - provided a written report of activity by his office. He has seen an increase in concealed weapon permit applications. He also reported that he caught a couple of people damaging a parking lot and asked if the commissioners wanted to press charges against them. The Board said yes.

RK

Deana Randall, Human Resources - Cutoff dates are April 4th and April 17th at noon both days.

Jason Allison, Emergency Preparedness - reported that he has a meeting tomorrow to arrange Emergency Preparedness Sessions in the county. Commissioner Collins asked Jason to approach the new Mayor of Columbus about the thought of Hospitals and Nursing Facilities to have emergency generators in the event of a power outage.

Juanita Hodgson, Treasurer - reported that the renewal of the maintenance contract on the AS400 computer system is ready for signatures. Her office will begin printing 2nd half tax statements that are due May 10th.

Nancy Herrenbruck, Appraiser - reported that valuation notices have been mailed. Residents have 30 days to respond.

Nathan Coleman, Attorney - reported that Kansas Attorney General Derick Schmidt will be here on September 6th for a conference with area Prosecutors.

Ralph Houser, Courthouse Maintenance - nothing new to report

Rodney Edmondson, Clerk - not present, is out with his staff setting up all 11 polling places today. He submitted an activity report in writing to the Board.

Wayne Elliott, 911/Mapping & Address - reported that his department issued only 1 new address last month. He will be going to Crawford County to look at their old sign maker, as they have gotten a new one. Commissioner Collins posed the idea of setting up a county wide sign shop and getting the cities included. He believes it would be advantageous for the county and cities. Wayne said he would compare the cost of a new sign maker with the cost and condition of buying the used machine from Crawford County.

Commissioner Hilderbrand informed the officials that the county auditor, Mr. Gene Mense, will be here on April 8th at 1:00 PM if anyone needs to visit with him.

Deana Randall asked for a 10 minute Executive Session with the commissioners for the purpose of Non/Elected Personnel.

Commissioner Collins made a motion for an Executive Session with Deana Randall, Human Resources Director for the purpose of Non/Elected Personnel for a period of 10 minutes. It was second by Commissioner Hilderbrand. The motion carried 3-0 with all voting yes at 10:26 AM.

The meeting reconvened at 10:35 AM.

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

At 11:00 AM, the Public Hearing concerning the vacating of the remaining streets in Treece was opened. County Counselor Kevin Cure, along with Bill Morin and Betty McBride, filed a petition to vacate all of the rest of the streets in Treece, KS, with the exception of one street. The one exception is the one that the Busby's live on. They also reported that there are 4 tracts that they want on the Tax Sale this year. Mr. Cure is waiting on title work to be completed before a sale date is set. They are having trouble locating the descendants of the property owners.

Mr. Cure presented Resolution No. 08-2013 for approval by the Board.

RK

Commissioner Napier made a motion to pass Resolution No. 08-2013, vacating the streets in Treece, KS. It was second by Commissioner Hilderbrand. The motion carried 3-0 with all voting yes.

Mr. Cure stated that next week he was going to provide the Board with a revised resolution for the Lola Fire District Resolution that passed recently. He said the Board might want to consider holding back the bond and eminent domain issues from the earlier resolution.

At 11:38 AM, the Board closed the sale of property owned by Jay and Louis O'Brien located at 403 County Road. The property is located next to the Cherokee County Lot and will be used by the Cherokee County Lot.

Mr. Cure asked the Board for a motion for the following, "Upon receipt of the certified Resolution of O'Brien Ready Mix by the county, that authorizes the sale to the county of the property of 403 Country Road, a check in the amount of \$60,000 be mailed to the seller".

Commissioner Collins made a motion restating Mr. Cure's quote. It was second by Commissioner Napier. The motion carried 3-0 with all voting yes.

A check in the amount of \$5,000 for a down payment was presented by the Board to the O'Brien's.

Commissioner Collins made a motion to accept the exemption application from taxes on the property owned by the County located at 403 Country Road. It was second by Commissioner Napier. The motion carried 3-0 with all voting yes.

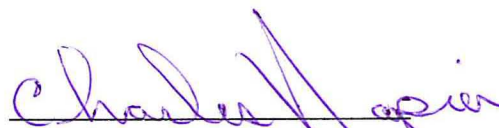
Commissioner Hilderbrand made a motion to adjourn until the next regularly scheduled meeting set for April 8th, 2013. It was second by Commissioner Napier, and the motion carried 3-0. The motion passed at 12:00 PM.

ATTEST:

Resolved and ordered this day, April 8th, 2013


Cherokee County Clerk


Commissioner


Commissioner


Commissioner

RESOLUTION NO. 8 2013

A RESOLUTION VACATING ROADS AND ALLEYS.

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

WHEREAS, the Board of County Commissioners of Cherokee County, Kansas, upon due consideration of the matter finds that enacting this legislation would provide for the vacating of the roads and alleys located in the former City of Treece, Cherokee County, Kansas, described as follows:

The following roads and alleys in the Original Plat of Picher and Chubb's First Addition to Picher Now Treece, according to the recorded Plats thereof:

Columbus Avenue, Washington Avenue, Park Avenue, Lucky Avenue, Kansas Avenue and Prospect Avenue, all running north and south between Line Street on the South and Grove Road on the North;

Line Street, Main Street, Picher Street and Mound Street, all running east and west between Columbus Avenue on the East and Prospect Avenue on the West; and

All alleys or other thoroughfares located within Blocks 1 through 16 in the Original Plat of Picher, and within Blocks 1 through 4 in Chubb's First Addition to Picher Now Treece, as shown on the recorded Plats thereof.

WHEREAS, as part of a federal/state buyout of contaminated property, such roads and alleys have been removed or made largely impassable. The continued public use of such roads and alleys is no longer necessary, and the cost and expense to repair and maintain the same in a condition suitable for public travel cannot be justified.

WHEREAS, the public will suffer no loss nor inconvenience as a result of vacating said roads and alleys, nor will any private rights be injured or endangered thereby. Notice of this hearing has been given by publication as required by law.

WHEREAS, the Board of County Commissioners of Cherokee County, Kansas, meeting in regular session, this 1st day of April, 2013, does hereby resolve as follows:

Section 1. Vacating of Roads and Alleys. The following roads and alleys in The Original Plat of Picher and Chubb's First Addition to Picher Now Treece, both in Cherokee County, Kansas, are hereby vacated:

Columbus Avenue, Washington Avenue, Park Avenue, Lucky Avenue, Kansas Avenue and Prospect Avenue, all running north and south between Line Street on the South and Grove Road on the North;

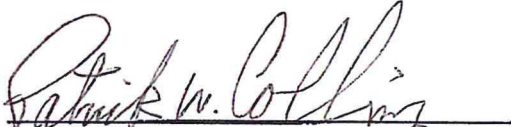
Line Street, Main Street, Picher Street and Mound Street, all running east and west between Columbus Avenue on the East and Prospect Avenue on the West; and

All alleys or other thoroughfares located within Blocks 1 through 16 in the Original Plat of Picher, and within Blocks 1 through 4 in Chubb's First Addition to Picher Now Treece, as shown on the recorded Plats thereof.

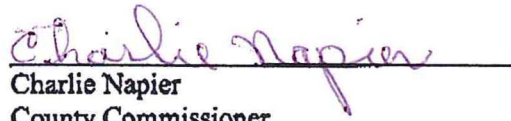
Section 2. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this resolution, or the application thereof to any circumstances, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this resolution.

Section 3. 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 1st day of April, 2013, by the BOARD OF COMMISSIONERS OF CHEROKEE COUNTY, KANSAS.


Patrick W. Collins
County Commissioner


Richard J. Hilderbrand
County Commissioner


Charlie Napier
County Commissioner

ATTEST:


Rodney Edmondson
County Clerk, Cherokee County, Kansas

Approved By:


Kevin Cure, Cherokee County Counselor

Cherokee County - Barbara Bilke
Records Management Report

Activity Report between 3/1/2013 12:00 AM to 3/31/2013 11:59 PM

Recording Fees & Taxes

Fee Code	Description	# of Filings	Indebtedness (\$)	Filing Fees (\$)
Recording Fees:				
/CONT	Ucc Continuation Filing Fee	1		\$15.00
/FS	Financing Statement Filing Fee	1		\$15.00
/L.FTL	NOTICE OF FEDERAL TAX LIEN UCC	2		\$40.00
/L.STL	STATE TAX LIEN UCC	1		\$0.00
/TERM	Ucc Termination Filing Fee	3		\$45.00
AF.	Affidavit Filing Fee	3		\$22.00
AF.EI A	Affidavit Of Equitable Interest Filing Fee	3		\$24.00
AG.	Agreement Filing Fee	10		\$218.00
AS.LR	Assignment Of Leases And Rents Filing Fee	1		\$20.00
CT.DOD	Certified Copy Of Decree Of Divorce Filing Fee	1		
CT.JE	Certified Copy Of Journal Entry Filing Fee	5		
D.C	Correction Deed Filing Fee	1		\$8.00
D.CWD	Corporation Warranty Deed Filing Fee	1		\$8.00
D.E.PERP	Perpetual Easement (deed) Filing Fee	1		\$234.00
D.JTWD	Joint Tenancy Warranty Deed Filing Fee	26		\$200.00
D.KSJTQC	Kansas Joint Tenancy Quitclaim Deed Filing Fee	2		\$12.00
D.QCD	Quit Claim Deed Filing Fee	21		\$154.00
D.SD	Sheriff's Deed Filing Fee	2		\$20.00
D.TODD	Transfer On Death Deed Filing Fee	7		\$42.00
D.TR WD	Trustee's Warranty Deed Filing Fee	2		\$18.00
D.WD	Warranty Deed Filing Fee	32		\$260.00
DEATH CT	Death Certificate Filing Fee	12		\$96.00
E.	Easement Filing Fee	7		\$60.00
M.AS	Assignment Of Mortgage Filing Fee	7		\$35.00
M.M	Filing Fee	39	\$3,288,573.91	\$1,100.00
M.PAR R	Partial Release Of Mortgage Filing Fee	2		\$10.00
M.REL	Release Of Mortgage Filing Fee	50		\$250.00
MDR	Military Discharge Record Filing Fee	1		\$0.00
Notice	Notice	4		\$20.00
PA.	Power Of Attorney Filing Fee	4		\$38.00
RESOL	Resolution Filing Fee	2		\$0.00
TECHFUND	Technology Fund	245		\$2,050.00
Recording Fees Totals:				\$5,014.00
Recording Fees [Less Special Fund Fees]:				\$2,964.00
Special Fund Fees:				\$2,050.00
Document Fees:				
CSH*	County Share	36		\$8,221.44
HTF*	Heritage Trust Fund	36		\$328.84
MAMTC	Mortgage Registration Tax	36		\$8,550.28
Document Fees Totals:				\$8,550.28

Recording Totals: 254 \$3,288,573.91 \$13,564.28

Cherokee County - Barbara Bilke Records Management Report

@ 25 4200

Activity Report between 3/1/2013 12:00 AM to 3/31/2013 11:59 PM

Service Fees

Service Code	Description	Quantity	Service Fee (\$)
CH-COPY	CHARGED COPY	76.00	\$38.00
COPY	Photocopies	93.00	\$46.50
FAX	Faxing	40.00	\$30.00
MTG REG	MONTHLY MTG REG COPIES	1.00	\$60.00
PASSCTYFEE	COUNTY FEE PASSPORT	6.00	\$150.00
PASSPIC	PASSPORT PICTURE	13.00	\$130.00
RENTAL CCA	COPY MACHINE RENTAL SPACE	4.00	\$100.00
RENTAL GB	COPY MACHINE RENTAL SPACE	1.00	\$25.00
Service Fees Totals:			\$579.50

- 169.00 } 842.50

Total Recording & Service Fees: \$14,143.78

Total Recording & Service Fees [Less Document & Special Fees]:	\$3,543.50
Total Special Fund Fees:	\$2,050.00
Total Recording & Service Fees [Less Prepaid Activity]:	\$5,593.50

* - These item are not included in the Report Total. They are displayed for detail information only.

Activity Deposits

Cash [+]	\$426.51
Checks [+]	\$13,755.12
Electronic Transfer [+]	\$40.00
Check Overage [+]	(\$77.85)
Cash Drawer Deposit Total:	\$14,103.78
Reconciling Account Total:	\$0.00
Electronic Transfer [ACH] Total:	\$40.00
Credit Card Total:	\$0.00
Activity Deposit Total:	\$14,143.78

Cashier: _____	Drawer Opened: 3/26/2013 7:56AM
	Drawer Closed: 3/26/2013 4:34PM

Sheriff's Office Monthly Report

Reports taken during the month of March 2013

Domestic Battery – 2	Non-Injury Motor Vehicle Accidents – 13
Battery – 1	Injury Motor Vehicle Accidents – 6
Burglary – 4	Child in Need of Care – 3
Theft – 15	Offender Act Violations – 0
Traffic Arrests - 1	Sexual Based Crime - 2
Warrant Arrests – 3	Driving Under The Influence – 5
Death Investigations – 2	Recovered Stolen Property –3
Other Narcotic Cases – 3	Meth Lab Seizures – 1

Concealed carry applications processed - 34

Total number of reports taken / cases worked for March 2013 is 95.