

SEWARD COUNTY BOARD OF COMMISSION

DATE: May 6, 2013
TIME: 5:30 p.m.
CALL TO ORDER: Chair Linenbroker
PLEDGE OF ALLEGIANCE: Chair Linenbroker
INVOCATION: Commissioner Randy Malin
LOCATION: 515 N. Washington
Commission Chambers
Liberal, KS 67901

PRESENT
COMMISSIONERS: Ada Linenbroker
Doug LaFreniere
Randy Malin
Jim Rice
CJ Wettstein

COUNTY ADMINISTRATION: April Warden
CLERK'S OFFICE: Vanessa Reeve
CITIZEN COMMENTS: NONE

1. APPROVE AGENDA: ADDITION/DELETIONS

There were no additions or Deletions to the Agenda.

**Vice Chair LaFreniere moved to approve the Agenda.
Commissioner Malin seconded the motion; motion carried 5-0.**

2. CONSENT AGENDA

ITEMS	DATE	AMOUNT	NUMBERS
Minutes	April 1, 2013	N/A	N/A
Minutes	April 15, 2013	N/A	N/A
Payroll	April 29, 2013	\$294,823.63	N/A
Payroll(Sage/OK)	April 29, 2013	\$21,471.75	N/A
Vouchers	May 6, 2013	\$421,915.40	149590-149859
Abates	May 6, 2013	\$29,768.15	N/A
Escapes	May 6, 2013	\$879.52	N/A
Crossing Permits	May 6, 2013	N/A	13-06

REQUISITIONS

DEPARTMENT	ITEM	VENDOR	AMOUNT	LINE ITEM
Road & Bridge	Ice Machine w/bin	Shortorder.com	\$2,296.00	3-205-35110-487

Commissioner Rice moved to approve the Consent Agenda. Vice Chair LaFreniere seconded the motion; motion carried 5-0.

3. NEW EMPLOYEES

David E. Douthit, Jr. Landfill-Kansas
Keith A. Bridenstine Sheriff's Department

4. RESOLUTION 2013-05 2ND AMENDMENT PROTECTION ACT

Vice Chair LaFreniere moved to adopt Resolution 2013-05, a resolution Supporting the 2nd Amendment Protection Act with the following statement be added as advised by Legal Counsel at the end of statement A on the resolution "that the State determines is unconstitutional;" Commissioner Malin seconded the motion; motion carried 5-0.

To see Resolution 2013-05 in its entirety, see page 5.

5. SALE OF COUNTY PROPERTY

Commissioner Wettstein moved to sell vacant lot located at 722 Ohio Street, to Lourders Serrano in the amount of \$4,000.00. Commissioner Malin seconded the motion; motion carried 5-0.

6. EMPLOYEE COMMITTEE SCHOLARSHIP AWARDS

Mary Eastman, Employee Committee President, presented two \$400.00 scholarships to Rachelle Keene and Elizabeth Maxwell.

7. TRUANCY PRESENTATION

Ivanhoe Love provided an update on the Truancy Program as well as introduced the Truant Officers and three of the students they worked with that were graduating from the Truancy Program. The students shared how the Truancy Program has not only improved their attendance and grades, but provided them with the guidance to make better decisions and the confidence to set goals for their future.

8. MENTAL HEALTH INITIATIVE

Dr. Leslie Bissell, SW Guidance Center Director, gave an update on the FY 2014 Mental Health Initiative.

9. SPRINGFIELD CEMETERY

Tony Whisenant asked the Board to help maintain Springfield Cemetery.

The Board of Commissioners took no action but stated that they will work to maintain Springfield Cemetery.

10. COUNTY CELL PHONE SERVICE

Jeff Renner with United Wireless gave an update of the cell phone service.

The Board of Commissioners took no action but stated that the service is getting better.

11. LANDFILL COMPACTED LINER REQUEST PROPOSAL

Upon the recommendation of Mike Tabor, Commissioner Wettstein moved to accept the bid from Stoppel Dirt Construction at \$3.57 per cubic yard plus \$1,500.00 mobilization charge, with the total amount based on total yds installed, with money to come out of Landfill Capital Equipment budget. Vice Chair LaFreniere seconded the motion; motion carried 5-0.

12. APPOINTMENT OF COUNTY APPRAISER

Commissioner Rice moved to adopt Resolution 2013-06 to approve the hiring of Angela Eichman as the Seward County Appraiser beginning July 1, 2013. Commissioner Malin seconded the motion; motion carried 5-0.

To see Resolution 2013-06 in its entirety, see page 7.

13. COURTHOUSE ROOF VAULT AREA

Commissioner Malin moved to table this item until the next meeting. Commissioner Rice seconded the motion; motion carried 5-0.

14. ADMINISTRATOR COMMENTS

April Warden provided the Commissioners with an update of activities for the past two weeks.

15. COMMISSION COMMENTS

Each of the commissioners had an opportunity to report on liaison meetings they had attended during the last two weeks.

16. SUGGESTION CARDS

NONE

ADJOURN

Commissioner Malin moved to adjourn. Vice Chair LaFreniere seconded the motion; motion carried 5-0.

The meeting adjourned at 7:25 p.m.

Ada Linenbroker, Chairperson
Seward County Commission

Stacia D. Long
Seward County Clerk

RESOLUTION NO. 2013-05

A RESOLUTION SUPPORTING THE 2ND AMENDMENT PROTECTION ACT

WHEREAS, the 2nd Amendment to the Constitution of the United States reads as follows, "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."; and

WHEREAS, Section Four of the Bill of Rights for the State of Kansas reads as follows, "A person has the right to keep and bear arms for the defense of self, family, home and state, for lawful hunting and recreational use, and for any other lawful purpose; but standing armies, in time of peace, are dangerous to liberty, and shall not be tolerated, and the military shall be in strict subordination to the civil power."; and

WHEREAS, on April 16, 2013, Governor Sam Brownback signed into law Senate Bill 102, the 2nd Amendment Protection Act, which affirmed that "The second amendment to the constitution of the United States reserves to the people, individually, the right to keep and bear arms as that right was understood at the time that Kansas was admitted to statehood in 1861, and the guaranty of that right is a matter of contract between the state and people of Kansas and the United States as of the time that the compact with the United States was agreed upon and adopted by Kansas in 1859 and the United States in 1861."; and

WHEREAS, the Board of County Commissioners of Seward County, Kansas affirms its support for the 2nd Amendment Protection Act by confirming that the 2nd Amendment to the Constitution of the United States, as understood at the time that Kansas entered the union in 1861, did not authorize the federal government to enact any laws, orders, rules or regulations, whatsoever, regarding the right to keep and bear arms; and

WHEREAS, the 2nd Amendment Protection Act makes state law that federal acts in violation of the 2nd Amendment to the Constitution shall not be enforced, reading "Any act, law, treaty, order, rule or regulation of the government of the United States which violates the second amendment to the constitution of the United States is null, void and unenforceable in the state of Kansas."; and

WHEREAS, the Board of County Commissioners of Seward County, Kansas is committed to upholding the 2nd Amendment to the Constitution of the United States, Section Four of the Kansas Bill of Rights and the 2nd Amendment Preservation Act signed into law by Governor Brownback on April 16, 2013.

BE IT FURTHER RESOLVED, that the Board of County Commissioners of Seward County, Kansas:

UNENFORCEABLE FEDERAL ACTS.

(A) No agency of the Board of County Commissioners of Seward County, Kansas, or person in the employ of Seward County, Kansas shall enforce, provide material support

for, or participate in any way in the enforcement of any act, law, treaty, order, rule or regulation of the government of the United States regarding personal firearms, firearm accessories, or ammunition within the boundaries of the Seward County; that the State determines is unconstitutional;

(B) Any person residing in the jurisdiction of Seward County, Kansas may file a complaint with the County Attorney if the person offers evidence to support an allegation that the Board of County Commissioners of Seward County, Kansas has adopted a rule, order, ordinance, or policy under which the Board of County Commissioners of Seward County, Kansas requires the enforcement or any material aid or other participation in the enforcement of any federal act, law, treaty, order, rule or regulation described by Subsection (A) or that, by consistent actions, requires the enforcement or any material aid or other participation in the enforcement of any federal act, law, treaty, order, rule or regulation described by Subsection (A). The person must include with the complaint the evidence the person has that supports the complaint.

This Resolution was approved and adopted this 6th day of May, 2013.

BOARD OF COUNTY COMMISSIONERS:
SEWARD COUNTY, KANSAS

Ada Linenbroker, Chair

Doug LaFreniere, Vice-Chair

C.J. Wettstein, Member

Randy Malin, Member

Jim Rice, Member

ATTEST: _____
Stacia D. Long, Seward County Clerk

RESOLUTION 2013-06

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SEWARD
COUNTY APPOINTING A COUNTY APPRAISER**

NOW, on this 6th day of May, 2013, the Board of County Commissioners of Seward County, Kansas, meets in regular session in the Commissioner's Chambers of the Seward County Administration Building, in Liberal, Kansas, with Chair Ada Linenbroker presiding and Commissioners C.J. Wettstein, Randy Malin, Doug LaFreniere and Jim Rice present.

WHEREAS, the Board of County Commissioners, pursuant to K.S.A. 19-430 and amendments thereto, is directed on July 1, 1993, and on July 1 of each fourth year thereafter, to appoint a county appraiser to a term of four (4) years and until a successor appointed; and

WHEREAS, the Board of County Commissioners finds that Angela J. Eichman is an eligible Kansas Appraiser, listed pursuant to K.S.A. 1992 Supp. 19-432, [currently certified or licensed pursuant to article 41 of chapter 58 of the Kansas Statutes Annotated, and amendments thereto], by the director of property valuation and is qualified to be appointed as the Appraiser of Seward County, Kansas.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEWARD COUNTY, KANSAS, that Angela J. Eichman be appointed effective July 1, 2013 as County Appraiser of Seward County, Kansas, for the term of office ending June 30, 2017.

DATED THIS 6th day of May, 2013.

BOARD OF COUNTY COMMISSIONERS
OF SEWARD COUNTY

Ada Linenbroker, Chairman

Attest:

Stacia D. Long, County Clerk