

**SEWARD COUNTY BOARD OF COMMISSION**

**DATE:** January 21, 2014  
**TIME:** 5:30 p.m.  
**CALL TO ORDER:** Chair Linenbroker  
**PLEDGE OF ALLEGIANCE:** Chair Linenbroker  
**INVOCATION:** Rex Petty (Liberal Ministerial Alliance)  
**LOCATION:** 515 N. Washington  
Commission Chambers  
Liberal, KS 67901

**PRESENT**  
**COMMISSIONERS:** Ada Linenbroker  
Jim Rice  
Doug LaFreniere  
CJ Wettstein

**COUNTY ADMINISTRATION:** April Warden  
**CLERK'S OFFICE:** Stacia D. Long

**ABSENT**  
**COMMISSIONERS:** Randy Malin

**CITIZEN COMMENTS:** None

**1. APPROVE AGENDA: ADDITION/DELETIONS**

**Commissioner LaFreniere moved to add the Yucca Ridge Cereal Malt Beverage application to the agenda as item number 17b. Commissioner Rice seconded the motion; motion carried 4-0 with Commissioner Malin absent.**

**Commissioner LaFreniere moved to approve the agenda as amended. Commissioner Rice seconded the motion; motion carried 4-0.**

**2. CONSENT AGENDA**

<b>ITEMS</b>	<b>DATE</b>	<b>AMOUNT</b>	<b>NUMBERS</b>
Minutes	January 6, 2014	N/A	N/A
Payroll	January 17, 2014	\$299,398.02	N/A
Payroll (Sage/OK)	January 17, 2014	\$ 17,150.71	N/A

Vouchers (2013)	January 21, 2014	\$483,032.12	154418-154663
Vouchers (2014)	January 21, 2014	\$721,642.54	154664-154834
Abates	January 21, 2014	\$11,109.12	N/A
Escapes	January 21, 2014	\$3,696.24	NA
Crossing Permits	January 21,2014	N/A	2014-01

## REQUISITIONS

DEPARTMENT	ITEM	VENDOR	AMOUNT	LINE ITEM
County Equipment	2 Sofa Sleepers 2 Recliners	Furniture Mart	\$2556.00	4-330-31100-480
Co Technology	Rack Mount KVM-1	Web Creations	\$1,112.96	3-100-31166-250
County Technology	Primary Domain Controller -1	Web Creations	\$4,600.00	3-100-31166-250
Rural Fire ER	Move Ladder Storage Labor	Mobile Radio	\$1,000.00	4-225-32410-245

April Warden, County Administrator, spoke to the Commission regarding the Sheila McGhee voucher in the amount of \$2,500.00 and the Stillwater Technical Solutions voucher in the amount of \$1,000.00.

**Commissioner LaFreniere moved to approve the Consent Agenda. Commissioner Rice seconded the motion; motion carried 4-0.**

### 3. NEW EMPLOYEES

None Present

### 4. ELECTION ENCUMBRANCE

Crystal Clemens, Deputy County Clerk requested permission to Encumber 2013 funds for the purchase of new Electronic Poll Books.

In 2007, when we purchased the Express Poll 5000 we were able to program from a conversion data base created specifically for our county, but over time and with changes in the State's Election Voter Information System, the programming became impossible. This left us no option, but to utilize ES&S for poll book programming at an average of \$750.00 per election. New poll books would eliminate the cost of programming and conversion.

There are no local vendors for this purchase so the Clerk is requesting a waiver of the County's Purchasing Policy. Bids included in the packet were obtained by the Secretary of State's Office.

**Commissioner Rice moved waive the purchasing policy and allow the County Clerk to Encumber \$9,340.00 from the 2013 Election Budget to purchase the 9 Poll Pad Units from Knowink. The price includes delivery, setup, training and software license. Commissioner LaFreniere seconded the motion; motion carried 4-0 with Commissioner Malin absent.**

## **5. DISTRICT COURT PETTY CASH FUND**

In an effort to reduce the amount of cost and labor to issue individual juror checks through the Accounts Payable process, District Court Clerk Koleen Nosekabel is requesting permission to create a Petty Cash drawer for the purpose of paying Juror Fees. The drawer will be balanced after each trial and the Auditors will be notified for auditing purposes. She is requesting \$1,000 for the drawer.

**Commissioner LaFreniere moved to approve a petty cash fund for District Court in the amount of \$1,000.00. Vice Chair Wettstein seconded the motion; motion carried 4-0 with Commissioner Malin absent.**

## **6. DISTRICT COURT ENCUMBRANCE**

Koleen Nosekabel, District Court Clerk requested permission to encumber \$52,000 from the 2013 Contractual/Commodities District Court Budget for the following;

8- times 2 filing cabinets  
2-computers  
8-monitors  
5-security screens for monitors  
1-printer  
Microfilming Project

**Vice Chair Wettstein moved to approve the requested encumbrance not to exceed \$52,000 to come from the 2013 District Court contractual/commodities funds following purchasing policy and bidding procedures. Commissioner LaFreniere seconded the motion; motion carried 4-0 with Commissioner Malin absent.**

## **7. CHAMBER UPDATE**

Rozelle Webb presented an update to the Commission.

## **8. HEALTH DEPARTMENT OFFICE PANEL SYSTEM**

As published in the High Plains Daily Leader on January 9<sup>th</sup> and 12<sup>th</sup>, 2014. At 2:00pm on Thursday, January 16, 2014, bids for office system panels were opened in the County Clerk's Office. One bid was turned in for consideration

Martha Brown, Health Department Supervisor requested permission to purchase the Office System Panels from Southern Office Supply in the amount of \$28,423.20 from the Health Department CIP (fund 125) Budget.

**Vice Chair Wettstein moved to approve the purchase of the office system panels from Southern Office Supply in the amount of \$28,423.20 to be taken from the Health Department CIP (fund 125) budget. Commissioner LaFreniere seconded the motion; motion carried 4-0 with Commissioner Malin absent.**

## **9. 2014 CRACK SEALING PROJECT**

Tony Herrman, Road & Bridge Supervisor advised that there is currently a vendor doing crack Sealing within the City of Liberal. In an effort to save money he would like permission to utilize this company for maintenance on asphalt roads within the County.

**Vice Chair Wettstein moved to approve the \$17,500 for chip and crack sealing to be taken out of the Road and Bridge operation budget, and waive the purchasing policy due to single source vendor. Commissioner Rice seconded the motion; motion carried 4-0 with Commissioner Malin absent.**

## **10. IT SERVER ROOM & COMMUNICATIONS PROJECT**

Christian Knipp with Knipp Equipment of Wichita Kansas spoke to the Commission regarding the server room project and issues with the 911 Communications Center. Knipp Equipment is a TCPN State vendor.

**Commissioner LaFreniere moved to approve Mitsubishi ductless split system for the IT Server room in the amount of \$14,644.00 to be taken from the County Building line. Vice Chair Wettstein seconded the motion; motion carried 4-0 with Commissioner Malin absent.**

The Commission asked Knipp Equipment to present a proposal and design for the 911 Communications Center.

## 11. MAINTENANCE ENCUMBRANCE

April Warden presented on behalf of the Maintenance department their request to encumber 2013 funds for the purchase of a Welder/Generator from Westlake Ace Hardware in the amount of \$3,299.99.

**Vice Chair Wettstein moved to approve the request to encumber 2013 funds in the amount of \$3,299.99 for the purchase of a Welder/Generator from Westlake Ace Hardware. Commissioner Rice seconded the motion; motion carried 4-0 with Commissioner Malin absent.**

## 12. COMMISSION ENCUMBRANCE

April Warden advised that \$50,000 had been budgeted in the 2013 budget for a youth project. Since a project had not been completed in 2013, she is requesting permission to encumber the funds and transfer them to the General Fund “Juvenile Grants” as approved and published in 2013.

**Vice Chair Wettstein moved to encumber \$50,000.00 from the 2013 youth project budget. Commissioner LaFreniere seconded the motion; motion carried 4-0 with Commissioner Malin absent.**

## 13. REGISTER OF DEEDS TECHNOLOGY FUND

Karen Warden, Seward County Register of Deeds informed the Board that during the 2013 Calendar year, her office received Technology fees in the amount of \$23,780.00 which was deposited in the Register of Deeds Technology fund pursuant to K.S.A. 28-115a

The balance of the Technology fund at the end of the 2013 calendar year exceeds \$50,000 and she advised that \$30,000 is not needed by her office for the technology purposes. K.S.A. 28-115a provides the County Commission authority to transfer those funds to the Technology Surplus Fund to be used by the Board for other offices for equipment or technology services relating to the land or property records filed or maintained by the County.

## 14. MORTGATE FEE RESOLUTION

After discussion participated in by all of the Commission the following motion was made.

**Commissioner Rice moved to approve Resolution 2014-02, a resolution urging the Kansas Legislature and Governor Sam Brownback to retain the mortgage registration fee, as provided in K.S.A. 79-3102, and reject any or all legislative proposals abolishing such fee. Vice Chair Wettstein seconded the motion; motion carried 3-1 with Commissioner LaFreniere voting against and Commissioner Malin absent.**

To see Resolution 2014-02 in its entirety, see page 8.

## **15. GREAT PLAINS SEMI-ANNUAL REPORT**

A Semi-Annual update was given to the Board on the Great Plains Development grants in Seward County.

## **16. APPROVAL OF COUNTY FEE SCHEDULE**

**Commissioner Rice moved to approve the Fee Schedule for 2014. Commissioner LaFreniere seconded the motion; motion carried 4-0 with Commissioner Malin absent.**

To see the Fee Schedule in its entirety, see page 10.

## **17. SOUTHWEST REGIONAL DETENTION CENTER APPT.**

**Commissioner Rice moved to appoint C.J. Wettstein to the Southwest Regional Juvenile Detention Center Advisory Board. Commissioner LaFreniere seconded the motion; motion carried 4-0 with Commissioner Malin absent.**

## **18. PORTFOLIO REPORTS**

The Commission discussed the portfolio reports, action will be taken at the next meeting.

## **19. ADMINISTRATION COMMENTS**

April Warden, County Administrator presented an update to the Commission.

## **20. COMMISSION COMMENTS**

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

## **21. SUGGESTION CARDS**

There were no suggestion cards.

**ADJOURN**

**Commissioner Rice moved to adjourn. Commissioner LaFreniere seconded the motion; motion carried 4-0 with Commissioner Malin absent.**

The meeting adjourned at 8:00 p.m.

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Ada Linenbroker, Chairperson  
Seward County Commission

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Stacia D. Long  
Seward County Clerk

RESOLUTION 2014-02

*A resolution of the Board of Seward County Commissioners urging the Kansas Legislature and Governor Sam Brownback to retain the mortgage registration fee, as provided in K.S.A. 79-3102, and reject any or all legislative proposals abolishing such fee.*

**Whereas**, in 1925, the Kansas Legislature enacted a law (K.S.A. 79-3102) providing that, before any mortgage of real property is filed with the County Register of Deeds, the individual or entity filing the mortgage pay a mortgage registration fee; and

**Whereas**, the Legislature has revisited the policy of the mortgage registration fee and enacted changes thereto on various occasions since 1925;

**Whereas**, the current fee is a one-time payment of 0.26% of the principal debt securing the mortgage; and

**Whereas**, the process of recording mortgages with the Register of Deeds is an important County function to ensure free and clear transactions involving land deals, giving potential landowners assurance that a property is unencumbered by liens; and

**Whereas**, a mortgage is enforceable only upon payment of the mortgage registration fee; and

**Whereas**, the 25/26<sup>th</sup> of the mortgage registration fee is deposited in a county's general fund, where it is used to finance basic operation of county government and 1/26<sup>th</sup> of the fee is remitted to the State Treasurer to finance the Heritage Trust Fund which helps preserve historic structures.

**Now, therefore, be it resolved, by the Board of County Commissioners of Seward County, Kansas**, that the mortgage registration fee is an important revenue source for counties, and is one of a very few revenue streams counties have to finance essential county services; and

**Be it further resolved** that, in the budget years 2010, 2011, and 2012, Seward County received and deposited \$135,905.79 (2010 amount); \$170,950.15 (2011 amount); and \$187,665.46 (2012 amount) from the mortgage registration fee in the general fund, respectively; and that absent such fees and no change in county services, county property taxpayers would have experienced increased mill levies of .434 mill(s); .504 mill(s); and .601 mill(s), in 2010, 2011, and 2012 respectively; and

**Be it further resolved** that it would be profoundly unfair to counties and most of all, county property taxpayers in general, for counties to lose the revenue generated by the mortgage registration fee without the Legislature identifying and authorizing a revenue measure of equal or greater significance; and



**Be it further resolved** that in the absence of an identified, authorized substitute revenue source, that we urge the Kansas Legislature and Governor Sam Brownback to retain the current mortgage registration fee, as provided in K.S.A. 79-3102, and reject any or all legislative proposals abolishing such fee; and

**Be it further resolved** that a copy of this resolution be sent to members of the Kansas Senate and House of Representatives representing this County; to Governor Sam Brownback; to all newspapers, radio and television stations serving this County, and to the Kansas Association of Counties.

Adopted this 21<sup>st</sup> day of January, 2014, in an open meeting of the Board of Seward County Commissioners.

BOARD OF COUNTY COMMISSIONERS:  
SEWARD COUNTY, KANSAS

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Ada Linenbroker, Chair

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C.J. Wettstein, Vice-Chair

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Randy Malin, Member

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Doug LaFreniere, Member

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Jim Rice, Member

ATTEST: \_\_\_\_\_  
Stacia D. Long, Seward County Clerk