



Atchison County Commission Meeting

Emergency Operations Center

10443 US Hwy 59

Atchison, KS 66002

October 5, 2021

REGULAR MEETING AGENDA

Starting at 1:00 pm

Chairman Jack Bower, 1st District

Commissioner Eric Noll, 2nd District

Commissioner Casey Quinn, 3rd District

1. 1:00 P.M. ZOOM MEETING ID # 822 9546 3148
2. Call To Order
The County Commission is called to order by the Chairman
3. Pledge Of Allegiance
4. Public Comment
5. Reading And Approval Of Minutes
Approval of Minutes from Last commission meeting
- 5.1. Approved 10/05/2021 Atchison County Commission Meeting Minutes
Documents:
[10-05-2021.PDF](#)
6. Commissioner Comments And Committee Reports
7. Reports Of Elected Officials And Department Heads
8. New Business Before The Board
- 8.1. Maura Chambers, KCAMP Risk Manager
Risk Management Achievement Award
- 8.2. KAC Legislative Agenda
9. Old Or Unfinished Business Before The Board
10. County Counselor Updates
- 10.1. Patrick Henderson, County Counselor
2022 Tax Sale Update and Approval/Adoption of Tax Sale Resolution

Documents:

[20211005 TAX SALE RESOLUTION 2021.PDF](#)

11. Executive Sessions (Time Reserved For Executive Sessions)
12. Presentation And Approval Of Claims
13. Presentation Of Petitions, Memorials, And Remonstrances
14. Introduction And Consideration Of Resolutions
15. Notices And Communications
16. Public Comment
17. Adjournment
18. Zoom Details

Atchison County will be limiting public access to all Atchison County departments and offices to take preventative measures designed to reduce the spread of the Coronavirus illness. We are making arrangements to adjust services to be in the best interest of the employees and citizens of Atchison County and following the interim guidance as provided by KDHE and the CDC. The Atchison County Board of County Commission meetings will be utilizing Zoom to meet the Kansas Open Meetings Act. Members of the public can connect to the meetings via smart phone, or computer connections. The meeting ID number will be listed on the corresponding agenda. Members of the public can attend the BOCC meeting in-person; however, we urge and encourage all citizens to take active steps to prevent the spread of COVID-19. If you have any symptoms similar to the flu, including fever, cough or shortness of breath, please do not attend until symptoms have subsided and you have been fever-free for 24 hours.

Tuesday, October 5, 2021

Pursuant to the law, the Atchison County Commission Board met in Regular Session at 1:00 PM at the Emergency Operations Center, 10443 US Hwy 59 Atchison, KS. A link to the meeting was made available to the public prior to the meeting. In addition, public attendance was available for the Commission meeting at the Emergency Operations Center, 10443 US Hwy 59 Atchison. Chairman Jack Bower called the meeting to order with Commissioner Eric Noll and Commissioner Casey Quinn present for the meeting. County Counselor Patrick Henderson was present via the Zoom platform. County Clerk Michelle Phillips recorded the minutes.

The Board recited the pledge of allegiance to start the meeting.

***Public Comments:**

Jason Osterhaus, District Representative for Senator Jerry Moran appeared before the Board to introduce himself. He let the Board know he covers Atchison County.

***Reading and Approval of Minutes:**

Minutes of the September 28, 2021 meeting were reviewed with no corrections noted. Commissioner Noll made the motion to approve the minutes as presented. Commissioner Quinn seconded the motion. Chairman Bower called for a vote, all voted aye. The motion passed 3-0.

***Commissioner Comments and Committee Reports**

Commissioner Quinn offered condolences to the Smith family. She mentioned that the County will be affected by the loss of this fine young gentleman.

Commissioner Quinn expressed that all the Atchison County constituents would be impacted if the Board could not reach an interlocal agreement with the City of Atchison on the countywide Sales Tax before November. She asked that everyone reach out to their districts Commissioner to ask questions and talk to them about how they should proceed with this. Commissioner Quinn reviewed the history of the sales tax ballot question and how some of the County personnel are trying to work on an agreement to keep the sales tax option; therefore, keeping the funds from being replaced with a property tax and placing a burden on the taxpayers of the County.

Commissioner Noll shared his condolences to the Smith family also. He mentioned reading up on different assistance that the County Health Department could possibly provide in the future.

Commissioner Noll stated he had some meetings coming up this week: Northeast Kansas Area Agency on Aging meeting is going to be Thursday, October 7, 2021 in the morning. The Historical Society will be having a Social Hour and meeting on Monday,

October 10, 2021, starting at 6:00 pm. The Extension Board will be held Tuesday, October 5, 2021, at 6:00 pm at the Presbyterian Church in Atchison.

***New Business Before the Board:**

Maura Chambers, Kansas County Association Multi-Line Pool (KCAMP), appeared before the Board via the Zoom platform to inform the Board that Kalee Vanderweide, Atchison County Safety Committee secretary, has successfully submitted an application for the KCAMP Risk Management Excellence Award. Due to the Safety Committee meeting requirements, the County will receive a reimbursement of 1.34% of their 2020 contribution equaling \$2,204.62.

Chairman Bower mentioned that the Kansas Association of Counties (KAC) Conference will be held starting October 18, 2021. Some of the Elected and Appointed Officials of the county will be there. A business meeting for both KAC and KCAMP will be held during the conference. Commissioner Quinn made a motion to have the Chairman sign to name Michelle Phillips, County Clerk, as the Voting Delegate, and Jodi Moore, HR Director, as the Voting Delegate for KCAMP. Commissioner Noll seconded the motion. Chairman Bower called for a vote, all voted aye. The motion passed 3-0.

Chairman Bower presented the Kansas Association of Counties (KAC) 2022 Legislative Policy Statement with some noted changes that would be voted upon during the annual KAC meeting. Commissioner Noll made a motion to direct Michelle Phillips, County Clerk, KAC voting delegate to vote for approval of the updated 2022 Legislative Policy Statement. Commissioner Quinn seconded the motion. Chairman Bower called for a vote, all voted aye. The motion passed 3-0. Commissioner Noll wanted to clarify that each county in Kansas will only get one vote made by the named voting delegate. The vote offered, in accordance with the Board's direction, will further the Atchison County agenda.

***County Counselor Updates:**

Patrick Henderson, County Counselor, told the Board that they are to direct a tax sale per a requirement in the statute. A proposed resolution authorizing the commencement of a tax sale proceeding was included in the agenda for the meeting. Counselor Henderson mentioned that the tax sale case would be filed next week. Chairman Bower declared that a quorum was present. There was presented a Resolution entitled:

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ATCHISON COUNTY, KANSAS, CONCERNING JUDICIAL FORECLOSURE AND SALE OF REAL ESTATE TAX LIENS

Commissioner Quinn moved that the Resolution be adopted. The motion was seconded by Commissioner Noll. Chairman Bower called for a vote, all voted aye. The motion passed 3-0. Chairman Bower declared the Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2021-1488 and was signed by the Commissioners and attested by the County Clerk.

Counselor Henderson told the Board that there was a published notice of public hearing to be held during the meeting concerning extension of the Neighborhood Revitalization Program. The Neighborhood Revitalization Plan is on file, and a series of public hearings have been held for each of the entities that will be included in the revised plan. Chairman Bower opened the public hearing on the Atchison County Neighborhood revitalization at 1:24 pm. During the public hearing Counselor Henderson gave a brief overview of the rebate program currently in place, which expires in October 31, 2021; as well as, the proposed plan. The proposed plan would include the entities of Atchison County, Atchison City, Effingham City, Huron City, Muscotah City, Benton Township, Center Township, Grasshopper Township, Kapioma Township, Walnut Township, USD #377, and USD #409. Chairman Bower closed the public hearing at 1:27 pm. There were no comments.

Commissioner Noll made a motion to adopt the inter-local agreement. Commissioner Quinn seconded the motion. Chairman Bower called for a vote, all voted aye. The motion passed 3-0.

***Public Comment:**

There were no public comments.

Bills were presented to be signed.

Add, abate, escapes for real estate and personal property taxes were presented to be approved.

Commissioner Quinn made the motion to adjourn at 1:28 pm. Commissioner Noll seconded the motion. Chairman Bower called for a vote, all voted aye. The motion passed 3-0.

*Note: Once approved these minutes will be the official minutes of the Board of County Commissioners. Regular meetings of the Board of County Commissioners are video-recorded. The video of these meeting is generally available for supplementation of the minutes. The videos can be located under the Government tab at www.atchisoncountyks.org.

Attest: Michelle Phillips, County Clerk

RESOLUTION NO. 2021-1488

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF
ATCHISON COUNTY, KANSAS, CONCERNING JUDICIAL
FORECLOSURE AND SALE OF REAL ESTATE TAX LIENS**

WHEREAS, K.S.A. 79-1801, *et seq.*, sets forth the procedure by which a county must levy real property taxes, and K.S.A. 79-2001 *et seq.*, controls the collections of said taxes, and;

WHEREAS, pursuant to K.S.A. 79-2301 *et seq.*, if real property taxes are not timely paid and proper notice has been provided, the county will acquire the real property for which the taxes are unpaid in a delinquent tax sale for the amount of the taxes owed, and;

WHEREAS, numerous parcels of real estate have been sold and bid by the County at delinquent tax sales and have remained unredeemed on the first day of September of the second or third year after such sale; and

WHEREAS, numerous parcels of real estate containing an abandoned building or structure which has been unoccupied for a period of at least one year have been sold and bid by the County at delinquent tax sales and have remained unredeemed on the first day of September of the year after such sale; and

WHEREAS, the aggregate assessed valuation of all such real estate subject to sale in the boundaries of Atchison County, Kansas, is more than Ten Thousand Dollars (\$10,000); and

WHEREAS, the legislature has passed laws providing for the foreclosure of tax liens and the sale of real property in order to assist in the collection of delinquent taxes;

NOW, THEREFORE, BE IT RESOLVED that judicial foreclosure and sale of such liens shall be conducted, and the County Counselor of Atchison County, Kansas is hereby authorized and directed to prepare the necessary petition or petitions in order to effectuate judicial foreclosure of any real property which has been sold to the County for taxes and which has remained unredeemed as provided for in K.S.A. 79-2801, *et seq.*

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS of Atchison County, Kansas, this 5th day of October, 2021.

By: _____
Jack Bower, Chairman

ATTEST:

Michelle Phillips, Atchison County Clerk