

# Board of Crawford County Commissioners

## Commissioners' Journal

2017, FORTY-FOURTH MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM

Girard, KS Tuesday, June 13, 2017, 10:00 AM

The Crawford County Board of Commissioners met pursuant to Kansas Statutes

Annotated Chapter 19, Article 2, Section 18 in due and regular session with open doors.

Commissioner Carl Wood served as the presiding officer.

Commissioners Tom Moody and Jeff Murphy were in attendance.

County Clerk Don Pyle and County Counselor Jim Emerson were seated with the Board.

Chairman Wood led the pledge of allegiance.

### EXECUTIVE SESSION

**Item One:** Commissioner Wood requested an executive session to discuss matters involving Non-Elected Personnel.

**On motion (17-207)** of Commissioner Wood and the second of Commissioner Moody to recess this open session and go into a closed executive session for a period of not more than 90 minutes to discuss matters involving Non-Elected Personnel and to include the Board of County Commissioners, candidates for the Road & Bridge Office Director's Position and County Counselor Jim Emerson.

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

The Commissioners went into Executive Session at 8:30 AM and reconvened the Open Session at 10:00 AM with no action taken except to go back into open session.

### UNDER THE HEADING BUSINESS FROM A PREVIOUS MEETING CONSENT AGENDA

**On motion (17-208)** of Commissioner Moody and the second of Commissioner Murphy that the consent agenda be approved including:

1. Approval of the June 9, 2017 minutes of the Board of County Commissioners.

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed and the consent agenda was approved.**

# Board of Crawford County Commissioners

## SIGNING OF MOTIONS

The County Clerk presented the following motions for Commissioners' signatures:

Motion 17	202	That the consent agenda be approved including: Approval of the June 6, 2017 minutes
Motion 17	203	To approve the Crawford County Conservation District 2018 Operations Fund Budget and authorize the Chairman to sign
Motion 17	204	To approve the Contract for Single Audit Services from Diehl Banwart Bolton for the audit for the year ending December 31, 2016 and authorize the Chairman to sign
Motion 17	205	To recess this open session and go into a closed executive session for a period of not more than 15 minutes to discuss matters involving Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson and John Macary, County Appraiser's Office
Motion 17	206	To recess this open session and go into a closed executive session for a period of not more than 15 minutes to discuss matters involving Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson and John Macary, County Appraiser's Office

### UNDER THE HEADING NEW BUSINESS

- PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS**
- MESSAGES FROM THE COUNTY LOCAL BOARD OF HEALTH**
- MESSAGES FROM OTHER GOVERNMENTAL ENTITIES**
- MESSAGES FROM THE PUBLIC**
- MESSAGES FROM APPOINTED OFFICIALS**
- MESSAGES FROM ELECTED OFFICIALS**
- PROCLAMATION AND ORDERS OF THE BOARD**
- NEW BUSINESS**

**Item One:** Mr. Don Pyle, County Clerk, stated that he has received the payment from Westar Energy for the easement at the Homer Cole Building and it was decided to deposit the money into the General Fund.

**Item Two:** Mr. Pyle discussed blinds for the windows in the Clerk's Office and Commission Room. He stated that it will keep down the heat infiltration in the summer and keep out the cold in the winter. Mr. Pyle explained the proposal amount for blinds for all the windows is \$1,950 with installation which is for 7 windows, 3 in the Clerk's Office, 2 in the Commission room and 2 in the County Clerk's Office. Mr. Wood asked about paying for the blinds out of the Clerk's Tech fund and Mr. Pyle stated that the blinds wouldn't qualify for the use of those funds.

**Item Three:** Mr. Pyle discussed preliminary values for all the entities in the county. He showed the Commissioners a spread sheet with a breakdown of the new 2017 values with the percentage differences from the 2016 values. He stated that overall the county value increased by 4.48%. Mr. Pyle discussed the increase in value and there a discussion the

## Board of Crawford County Commissioners

budget form for the tax lid calculation. Mr. Pyle showed the Commissioners the clerk's sheets that are sent to all the entities and explained the items on the sheets. Mr. Murphy stated that he commends the cities that did improvements which increases the value of the county. Mr. Emerson and Mr. Pyle discussed the law enforcement exemption. Mr. Pyle discussed the TIF district and Neighborhood Revitalization values. The Commissioners discussed the revenue from Kansas Crossing Casino and the Commissioners stated that they would like a monthly report on the revenue received from the Casino. Mr. Emerson will talk to Mr. Grisolano about the report.

**Item Four:** Mr. Jim Emerson, County Counselor stated he received a letter from Mr. Kenny Blair from Cook Flatt & Strobel about the KDOT Off-System Bridge Program for the Federal Fiscal Year 2019. There was a discussion on the contents of the grant. The Commissioners decided they will revisit the issue after speaking with Randy Chiartano.

**Item Five:** Mr. Emerson stated that he has 3 agreements from BNSF Railway Company.

Mr. Emerson presented the agreement between BNSF Railway Company, the County of Crawford, Kansas and the Secretary of Transportation of the State of Kansas, relative to the construction and maintenance of Highway Crossing Signals under Section 130, United States Code #23 for Project No. 19 X-3002-01; HSIP-X300 (201) at the intersection of 600<sup>th</sup> Avenue in Section 31, Township 29 South, Range 24 East, Crawford County, Kansas.

# Board of Crawford County Commissioners

"COUNTY'S ORIGINAL"

Agmt. No. 006173030

## A G R E E M E N T

BNSF Railway Company  
Crossing Signals and Gates

Project No. 19 X-3002-01  
HSIP-X300 (201)  
Crawford County, Kansas

Agreement between the BNSF Railway Company, the County of Crawford, Kansas and the Secretary of Transportation of the State of Kansas, relative to the construction and maintenance of Highway Crossing Signals under Section 130, United States Code 23.

\* \* \* \* \*

This agreement, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the BNSF Railway Company, a corporation, hereinafter referred to as the "Company", the County of Crawford, Kansas, hereinafter referred to as the "County", and the Secretary of Transportation of the State of Kansas, hereinafter referred to as the "Secretary".

### WITNESSETH:

**WHEREAS**, the Secretary proposes to submit to the Federal Highway Administration of the United States Department of Transportation a project providing for the installation of railway-highway crossing signals, flashing light straight post type and gates at a grade crossing (DOT #669879N) on 600 Avenue, Crawford County, Kansas, said project to be known and designated as Project No. 19 X-3002-01; HSIP-X300 (201) and more particularly described as follows:

at the intersection of 600 Avenue and the Company's tracks approximately 100 feet east of the Northwest Corner of Section 31, Township 29 South, Range 24 East, in Crawford County, Kansas,

and will recommend its approval for construction under Section 130, United States Code 23 and amendments thereto, and

**WHEREAS**, the locations for the warning devices were determined by a diagnostic team consisting of representatives of the Company, the County, and the Secretary, and

**NOW, THEREFORE**, in consideration of the premises and the mutual covenants herein contained, and subject to the approval of the Federal Highway Administration, it is hereby agreed by the parties hereto:

1. The total cost of the project will be funded one-hundred percent (100%) using Federal Section 130 Funds, including preliminary engineering, construction, sales tax, users tax and such other items as are properly chargeable to the project under Section 130, United States Code 23 and amendments thereto.

- 1 -

**On motion (17-209) of Commissioner Moody and the second of Commissioner Wood to approve the agreement between BNSF Railway Company, the County of Crawford, Kansas and the Secretary of Transportation of the State of Kansas, relative to the construction and maintenance of Highway Crossing Signals under Section 130, United States Code #23 for Project No. 19 X-3002-01; HSIP-X300 (201) at the intersection of 600<sup>th</sup> Avenue in Section 31, Township 29 South, Range 24 East, Crawford County, Kansas and Authorize the Chairman to sign.**

## Board of Crawford County Commissioners

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

Mr. Emerson presented the agreement between BNSF Railway Company, the County of Crawford, Kansas and the Secretary of Transportation of the State of Kansas, relative to the construction and maintenance of Highway Crossing Signals under Section 130, United States Code #23 for Project No. 19 X-3003-01; HSIP-X300 (301) at the intersection of 570<sup>th</sup> Avenue in Section 18, Township 30 South, Range 24 East, Crawford County, Kansas.

# Board of Crawford County Commissioners

"COUNTY'S ORIGINAL"

Agmt. No. 006173031

## A G R E E M E N T

BNSF Railway Company  
Crossing Signals and Gates

Project No. 19 X-3003-01  
HSIP-X300 (301)  
Crawford County, Kansas

Agreement between the BNSF Railway Company, the County of Crawford, Kansas and the Secretary of Transportation of the State of Kansas, relative to the construction and maintenance of Highway Crossing Signals under Section 130, United States Code 23.

\* \* \* \* \*

This agreement, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the BNSF Railway Company, a corporation, hereinafter referred to as the "Company", the County of Crawford, Kansas, hereinafter referred to as the "County", and the Secretary of Transportation of the State of Kansas, hereinafter referred to as the "Secretary".

### WITNESSETH:

**WHEREAS**, the Secretary proposes to submit to the Federal Highway Administration of the United States Department of Transportation a project providing for the installation of railway-highway crossing signals, flashing light straight post type and gates at a grade crossing (DOT #669883D) on 570 Avenue, Crawford County, Kansas, said project to be known and designated as Project No. 19 X-3003-01; HSIP-X300(301) and more particularly described as follows:

at the intersection of 570 Avenue and the Company's tracks approximately 1400 feet east of the Northwest Corner of Section 18, Township 30 South, Range 24 East, in Crawford County, Kansas,

and will recommend its approval for construction under Section 130, United States Code 23 and amendments thereto, and

**WHEREAS**, the locations for the warning devices were determined by a diagnostic team consisting of representatives of the Company, the County, and the Secretary, and

**NOW, THEREFORE**, in consideration of the premises and the mutual covenants herein contained, and subject to the approval of the Federal Highway Administration, it is hereby agreed by the parties hereto:

1. The total cost of the project will be funded one-hundred percent (100%) using Federal Section 130 Funds, including preliminary engineering, construction, sales tax, users tax and such other items as are properly chargeable to the project under Section 130, United States Code 23 and amendments thereto.

- 1 -

**On motion (17-210)** of Commissioner Moody and the second of Commissioner Wood to approve the agreement between BNSF Railway Company, the County of Crawford, Kansas and the Secretary of Transportation of the State of Kansas, relative to the construction and maintenance of Highway Crossing Signals under Section 130, United States Code #23 for Project No. 19 X-3003-01; HSIP-X300 (301) at the intersection of 570<sup>th</sup> Avenue in Section 18, Township 30 South, Range 24 East, Crawford County, Kansas and authorize the Chairman to sign.

Yeas: Commissioners Moody, Murphy and Wood

## Board of Crawford County Commissioners

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

Mr. Emerson presented the agreement between BNSF Railway Company, the County of Crawford, Kansas and the Secretary of Transportation of the State of Kansas, relative to the construction and maintenance of Highway Crossing Signals under Section 130, United States Code #23 for Project No. 19 X-3004-01; HSIP-X300 (401) at the intersection of 540<sup>th</sup> Avenue in Section 31, Township 30 South, Range 24 East, Crawford County, Kansas.

# Board of Crawford County Commissioners

Agmt. No. 006173032

"COUNTY'S ORIGINAL"

## A G R E E M E N T

BNSF Railway Company  
Crossing Signals and Gates

Project No. 19 X-3004-01  
HSIP-X300(401)  
Crawford County, Kansas

Agreement between the BNSF Railway Company, the County of Crawford, Kansas and the Secretary of Transportation of the State of Kansas, relative to the construction and maintenance of Highway Crossing Signals under Section 130, United States Code 23.

\* \* \* \* \*

This agreement, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, by and between the BNSF Railway Company, a corporation, hereinafter referred to as the "Company", the County of Crawford, Kansas, hereinafter referred to as the "County", and the Secretary of Transportation of the State of Kansas, hereinafter referred to as the "Secretary".

### WITNESSETH:

**WHEREAS**, the Secretary proposes to submit to the Federal Highway Administration of the United States Department of Transportation a project providing for the installation of railway-highway crossing signals, flashing light straight post type and gates at a grade crossing (DOT #669887F) on 540 Avenue, Crawford County, Kansas, said project to be known and designated as Project No. 19 X-3004-01; HSIP-X300(401) and more particularly described as follows:

at the intersection of 540 Avenue and the Company's tracks approximately 2300 feet west of the Northeast Corner of Section 31, Township 30 South, Range 24 East, in Crawford County, Kansas,

and will recommend its approval for construction under Section 130, United States Code 23 and amendments thereto, and

**WHEREAS**, the locations for the warning devices were determined by a diagnostic team consisting of representatives of the Company, the County, and the Secretary, and

**NOW, THEREFORE**, in consideration of the premises and the mutual covenants herein contained, and subject to the approval of the Federal Highway Administration, it is hereby agreed by the parties hereto:

1. The total cost of the project will be funded one-hundred percent (100%) using Federal Section 130 Funds, including preliminary engineering, construction, sales tax, users tax and such other items as are properly chargeable to the project under Section 130, United States Code 23 and amendments thereto.

- 1 -

**On motion (17-211) of Commissioner Moody and the second of Commissioner Wood to approve the agreement between BNSF Railway Company, the County of Crawford, Kansas and the Secretary of Transportation of the State of Kansas, relative to the construction and maintenance of Highway Crossing Signals under Section 130, United States Code #23 for Project No. 19 X-3004-01; HSIP-X300 (401) at the intersection of 540<sup>th</sup> Avenue in Section 31, Township 30 South, Range 24 East, Crawford County, Kansas and Authorize the Chairman to sign.**



## Board of Crawford County Commissioners

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

**Item Six:** Mr. Murphy gave an update on the work being done at the Fairgrounds and stated that Radell Construction should be there today to begin working on laying the pipe. He also discussed the installation of the sewer pumps.

**Item Seven:** Mr. Murphy asked about a new law on executive sessions and Mr. Emerson answered that it mainly states that the motions for the executive sessions need to be in the meeting minutes and executive sessions for attorney client privilege session should have a subject noted in the minutes also. Mr. Emerson explained that this will go into effect July 1, 2017.

**Item Eight:** Mr. Murphy discussed the progress on the bridge project on Centennial. Mr. Wood will follow up on this and get a report from the inspector. Mr. Murphy would like the inspector on the project to report directly to the Commissioners.

**Item Nine:** Mr. Murphy discussed the chip & sealing of a road that is co-owned by the County and the City of Girard. Mr. Wood stated that he has issues with the City of Girard with the rates and amounts the County is charged for city utilities. The Commissioners had a lengthy discussion on issues with the city utilities and assisting the City of Girard with the work on the city roads.

**Item Ten:** Mr. Moody asked about the status of the budget requests and Mr. Pyle stated they are getting completed.

**Item Eleven:** Mr. Wood discussed the health insurance and would like IMA Consulting to give a presentation. Mr. Pyle stated that a representative with Gallagher Group plans on attending the Commission meeting next Tuesday.

### UNDER THE HEADING OLD BUSINESS

**Item One:** Mr. Murphy asked about work sessions on the entire county budget and Mr. Pyle suggested trying for Friday, June 23, 2017 if all the information needed can be completed. There was a discussion on getting all the information prepared for the budget.

**Item Two:** Mr. Wood asked about the City of Girard attending a meeting. Mr. Pyle will contact the Chris Weiner, City Manager and see if can attend the meeting on Friday. There was a discussion on all the issues that need to be discussed with Mr. Weiner.

The Commissioners decided to take a 10-minute recess.

**On motion (17-212)** of Commissioner Moody and the second of Commissioner Murphy to recess this open session for a period of 10 minutes.

Yeas: Commissioners Moody, Murphy and Wood

Nays:

## Board of Crawford County Commissioners

Present but not voting:

Absent or not voting:

**The motion prevailed.**

The meeting was recessed at 11:50 AM and reconvened at 12:00 PM.

### **EXECUTIVE SESSION con't**

**Item Two:** Commissioner Wood requested an executive session to discuss matters involving Non-Elected Personnel.

**On motion (17-213)** of Commissioner Wood and the second of Commissioner Murphy to recess this open session and go into a closed executive session for a period of not more than 30 minutes to discuss matters involving Non-Elected Personnel and to include the Board of County Commissioners, a candidate for the Road & Bridge Office Director's Position and County Counselor Jim Emerson.

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

The Commissioners went into Executive Session at 12:05 PM and reconvened the Open Session at 12:30 PM with no action taken except to go back into open session.

Commissioner Wood stated that he contacted the inspector on the Centennial bridge project and all updates and emails will now go to Mr. Emerson.

### **UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS**

#### **FUTURE BUSINESS:**

**Item One: June 16, 2017** – Budget Work Sessions with Mr. Rick Pfeiffer beginning at 9:00 AM.

**Item Two: June 20, 2017 – 8:30 AM to 9:00 AM** Budget Work Session with Sheriff Dan Peak.

**Item Three: June 20, 2017 – 9:00 AM to 10:00 AM** Work Session with Live Well Crawford County Director Brad Stroud to discuss the Watco Trail.

**Item Four: June 20, 2017 – 10:00 AM to 10:20 AM** Budget Work Session with Maintenance Supervisor Robert Gorentz.

**Item Five: June 20, 2017** – The Regular Session will begin at 10:20 AM.

#### **ANNOUNCEMENTS:**

### **UNDER THE HEADING MOTION TO ADJOURN**

#### **MOTION TO ADJOURN**

**Item One:** Adjournment

## Board of Crawford County Commissioners

**On the motion** of Commissioner Moody and the second of Commissioner Murphy to adjourn the [June 13, 2017](#) meeting of the Board of Crawford County Commissioners at 12:35 PM and to reconvene at the next regularly scheduled time with open doors.

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

**In Testimony whereof, I have hereunto set my hand and caused to be affixed my official seal and submitted these minutes for the approval of the Board of Crawford County Commissioners.**

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**Don Pyle**

County Clerk

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**This submission completed at the Crawford County Courthouse in Girard.**

[Taken BKW 06/13/2017 12:35 PM/amended BKW 6/15/17 1:00 PM](#)