

# Board of Crawford County Commissioners

## Commissioners' Journal

2017, **EIGHTY-SIXTH** MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM

Girard, KS **Friday, November 17, 2017**, immediately after the meeting of the Board of County Canvassers

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.

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

**On motion (17-380)** of Commissioner Moody and the second of Commissioner Murphy that the consent agenda be approved including:

1. Approval of the **November 13, 2017** minutes of the Board of County Commissioners, and
2. Approval of the November 13, 2017 minutes of the Board of County Canvassers, and
3. Approval of the accounts payable warrant numbers **577874 to 578203 dated November 15, 2017 in the total amount of \$284,373.95**, and
4. Authorizing the Chairman to sign the previous week's vouchers.

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting:

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

**(MOTIONS 17-378 AND 17-379 WERE USED BY THE BOARD OF COUNTY CANVASSERS)**

### **SIGNING OF MOTIONS**

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

## Board of Crawford County Commissioners

Motion 17	373	To accept the recommendations of the County Election Officer for acceptance and rejection of the provisional ballots voted in the 2017 General Election held on November 7, 2017 in Crawford County and to allow Chief Election Officer Don Pyle to proceed with counting the Provisional Ballots that are accepted
Motion 17	374	To Recess the Meeting of the Board of Canvassers and allow the Final Results to be tabulated
Motion 17	375	To accept the final results report of the 2017 General Election held on November 7, 2017 in Crawford County with the exception of the tied races and to recess the <a href="#">November 13, 2017</a> meeting of the Board of Crawford County Canvassers until November 17, 2017, at 10:00 AM
Motion 17	376	That the consent agenda be approved including: Approval of the November 3, 2017 minutes
Motion 17	377	To approve the Off-System Bridge Program Agreement for bridge number 205 located at 580 <sup>th</sup> Avenue between 20 <sup>th</sup> Street and 30 <sup>th</sup> Street in Crawford County

### UNDER THE HEADING NEW BUSINESS

#### PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS MESSAGES FROM THE COUNTY LOCAL BOARD OF HEALTH MESSAGES FROM APPOINTED OFFICIALS

**Item One:** Mr. Rick Pfeiffer, Executive Director and Ms. Heather Spaur, Director of Personnel and Marketing, Crawford County Mental Health presenting Mental Health Advocacy Award. Mr. Wood presented the award to Mr. George Shoemaker. Mr. Pfeiffer stated that this is the 1<sup>st</sup> Mental Health Award and this award will be put on display in the Commission Room. Mr. Shoemaker expressed his appreciation for the award.

#### MESSAGES FROM THE PUBLIC

**Item One:** Representative Monica Murnan gave an update on the legislative session. She stated that a comprehensive tax policy was passed which put a few more dollar in the schools but did not include Medicaid expansion. She said that she has 3 main focuses and explained the focuses to the Commissioners. She explained that the 1<sup>st</sup> focus is on budget and tax reform, 2<sup>nd</sup> focus is on school funding and the 3<sup>rd</sup> focus is Medicaid expansion. Ms. Murnane stated that she would like to hear from anyone with concerns and she will be happy to speak with them. Mr. Murphy addressed mental health and state hospitals and juvenile detention and rule changes. The Commissioners and Ms. Murnane discussed Highway 69 in Crawford County.

**Item Two:** Representative Adam Lusker praised Ms. Murnan and the work she does in the legislature. He discussed the schedule in the legislative session. He explained the tax bill passed in 2012 and why the tax bill was passed and what the effect it has had over the last few years. He also spoke about the welfare system in Kansas. The Commissioners and Mr. Lusker discussed private industry. Mr. Lusker also spoke about T-Works projects and 69 Highway. Mr. Lusker stated how well Mr. Bill Brady works with the legislator and how informed Mr. Brady is. He spoke about Governor Brownback leaving and Lieutenant Governor Colyer taking over.

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The Commissioners thanked Representative Murnan and Representative Lusker for coming today.

**Item Three:** Mr. Bill Brady, Capitol Strategies stated this is the 3<sup>rd</sup> year working with Crawford County as their lobbyist. He spoke about Lieutenant Governor Jeff Colyer. He also spoke about the candidates that are running for governor. He talked about what will be addressed in the upcoming legislative session and the main concerns. Mr. Brady and the Commissioners discussed the mental health issues and the juvenile detention issues. Mr. Rick Pfeiffer also spoke about the Mental Health issues in the County and State.

### MESSAGES FROM OTHER GOVERNMENTAL ENTITIES

**Item One:** Ms. Johanna Winter, Girard City Administrator introduced herself to the Commission.

### MESSAGES FROM ELECTED OFFICIALS PROCLAMATION AND ORDERS OF THE BOARD NEW BUSINESS

**Item One:** County Counselor Jim Emerson presented Resolution#2017-029, a Resolution terminating Crawford County's participation in the Southeast Kansas Solid Waste Authority and the Unanimous Consent Resolution. He stated that the Southeast Kansas Waste Authority was started in the 1990's and over the years grant monies have fallen off so no projects have been done. Mr. Emerson explained that the State recommended dissolving the regional authority but Crawford County will remain responsible at the county level. He said that each county in the regional authority will need to approve and sign the Unanimous Consent Resolution.

# Board of Crawford County Commissioners

BOARD OF COUNTY COMMISSIONERS  
CRAWFORD COUNTY COURTHOUSE  
GIRARD, KANSAS

RESOLUTION 2017 - 029

A RESOLUTION TERMINATING CRAWFORD COUNTY'S PARTICIPATION IN THE  
SOUTHEAST KANSAS SOLID WASTE AUTHORITY

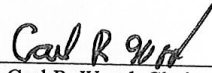
WHEREAS, Crawford County currently participates in the Southeast Kansas Solid Waste  
Authority (SEK SWA) along with other counties; and

WHEREAS, Crawford County and the other participating counties desire to dissolve the SEK  
SWA and maintain their solid waste programs individually on a county by county basis;

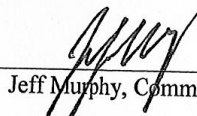
NOW THEREFORE, be it resolved by the Board of County Commissioners as following:

That Crawford County does hereby terminate its participation in the SEK SWA and consents to  
its full dissolution. It is further resolved that the Unanimous Consent Resolution attached shall be  
signed by the Chairman and submitted to KDHE.

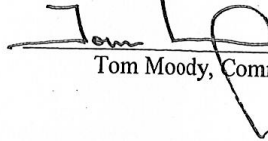
RESOLVED THIS \_\_\_ DAY OF November, 2017



Carl R. Wood, Chairman

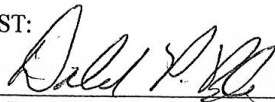


Jeff Murphy, Commissioner



Tom Moody, Commissioner

ATTEST:



Donald P. Pyle, County Clerk

# Board of Crawford County Commissioners

## ***UNANIMOUS CONSENT RESOLUTION***

The undersigned, being all of the Directors of Southeast Kansas Regional Solid Waste Authority, Inc. ("Regional Authority"), do hereby unanimously consent to the action set forth in the resolutions below. This Consent is adopted in lieu of holding a special meeting of Directors and by signing this Consent, the undersigned Directors do hereby waive any requirement for such meeting or notice thereof.

The following resolutions are adopted:

**WHEREAS**, the Regional Authority was formed pursuant to an Interlocal Agreement and General Plan for Solid Waste Management adopted DATE, ("Interlocal Agreement") by the Regional Authority Members, being Allen, Bourbon, Cherokee, Crawford, Labette, Neosho, Wilson, and Woodson Counties in Kansas; and

**WHEREAS**, pursuant to the Interlocal Agreement, the Counties established a not-for-profit corporation known as the Southeast Kansas Regional Solid Waste Authority, Inc., which was duly organized on DATE, by the filing of Articles of Incorporation with the Kansas Secretary of State; and

**WHEREAS**, thereafter in furtherance of the Interlocal Agreement the Regional Authority, created a Regional Solid Waste Management Committee, adopted By-Laws, and elected Directors for the Regional Authority; and

**WHEREAS**, since said time, the Regional Authority has acted on behalf of all of the Counties with respect to solid waste management matters, including initial efforts to create a Regional Solid Waste Landfill for the use by all of the Counties; and

**WHEREAS**, subsequent to initiating efforts to create a Regional Solid Waste Landfill, changes in regulations by the Kansas Department of Health & Environment ("KDHE") made it more practical and possible for the separate Counties to maintain their own landfills thereby eliminating the necessity for a Regional landfill; and

**WHEREAS**, the requirements of KDHE for regional solid waste organizations require annual and other periodic filings and plans creating significant amounts of work on behalf of the Region that are no longer of any significant or material benefit to the Counties because most of their solid waste efforts are done on a localized basis or through cooperative agreements with third parties that don't require Region approval; and

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WHEREAS, KDHE has indicated to the Regional Authority that it would be acceptable to KDHE for it to disband as a Region and thereafter to comply with KDHE rules and regulations with respect to solid waste management on a county by county basis which will be simpler and more cost effective to each of the Counties; and

WHEREAS, each of the Counties acting by and through their Board of County Commissioners have adopted resolutions authorizing the termination of the Interlocal Agreement and directing that the Regional Authority be dissolved.

NOW, THEREFORE, BE IT RESOLVED by the Directors of the Regional Authority and as authorized and empowered by the Interlocal Agreement and the Counties that the Regional Authority should be and hereby is voluntarily dissolved by the unanimous written consent of its Directors effective the date signed by the last Director.

BE IT FURTHER RESOLVED, that all expenses due and owing by the Regional Authority should be paid in accordance with the terms of the Interlocal Agreement.

BE IT FURTHER RESOLVED, that all assets belonging to the Regional Authority should be liquidated and distributed in accordance with the Interlocal Agreement, the actions of the Regional Authority and its By-laws as soon as practicable.

BE IT FURTHER RESOLVED, that \_\_\_\_\_, as its President, is hereby appointed as representative of the Regional Authority for the purpose of making all filings necessary to effectuate the dissolution of the Regional Authority and to do all other things reasonably necessary to complete the dissolution and liquidation and all such actions may be taken by him without the necessity of further authorization or consent by the Directors; provided, all payments made for expenses, all sales of assets of the Regional Authority, and all distributions of funds to the respective County members shall require action of the Directors in accordance with the By-laws.

BE IT FURTHER RESOLVED, this Unanimous Consent Resolution may be signed in counterparts by the Directors and proof of the execution of this Unanimous Consent Resolution may be made by the forwarding of an electronic or facsimile copy by any Director to Jim Emerson; jime@ckt.net.

BE IT FURTHER RESOLVED, that a copy of this Unanimous Consent Resolution, together with the signatures of all Directors shall be placed and held in the Regional Authority's records.

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## CERTIFICATION

The undersigned, being all of the Directors of Southeast Kansas Regional Solid Waste Authority, Inc., certify that the foregoing resolutions are duly recorded in the records of the Corporation; that the signatures set above their respective names shown below are their true and genuine signatures; and that they are all of the Directors of Southeast Kansas Regional Solid Waste Authority, Inc., and are duly authorized to adopt and execute this Unanimous Consent Resolution.

  
\_\_\_\_\_  
Allen County

\_\_\_\_\_  
Bourbon County

\_\_\_\_\_  
Cherokee County

  
\_\_\_\_\_  
Crawford County

\_\_\_\_\_  
Labette County

\_\_\_\_\_  
Neosho County

\_\_\_\_\_  
Wilson County

\_\_\_\_\_  
Woodson County

**On motion (17-381)** of Commissioner Moody and the second of Commissioner Wood to adopt Resolution#2017-029, a Resolution terminating Crawford County's participation in the Southeast Kansas Solid Waste Authority and to authorize the Chairman to sign the Unanimous Consent Resolution.

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

## UNDER THE HEADING OLD BUSINESS

### EXECUTIVE SESSION

**Item One:** Commissioner Moody requested an executive session for a period of not more than 30 minutes to discuss matters involving Non-Elected Personnel.

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**On motion (17-382)** of Commissioner Moody and the second of Commissioner Wood 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, County Counselor Jim Emerson and Sheriff Dan Peak.  
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 11:38 AM and reconvened the Open Session at 12:04 PM with no action taken except to go back into open session.

### **NEW BUSINESS continued**

**Item Two:** The Commissioners discussed the Thanksgiving holiday and it was decided to close the courthouse on Thursday, November 23, 2017 and Friday, November 24, 2017. It was also decided to add the 4<sup>th</sup> Friday in November as a holiday in the Employee Policy Manual.

**On motion (17-383)** of Commissioner Moody and the second of Commissioner Wood to close the Courthouse for Thanksgiving on November 23 and 24, 2017 and to add the day after Thanksgiving (4<sup>th</sup> Friday in November) as a holiday in the Employee Policy Manual.

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

**The Commission had a conference call with IMA Consulting concerning health insurance options.**

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

#### **FUTURE BUSINESS:**

**Item One: November 21, 2017** – Chief Deputy Anthony Picher explaining ALICE training.

#### **ANNOUNCEMENTS:**

**Item One: November 23 & 24, 2017** – The Courthouse will be closed in observance of the Thanksgiving Holiday.

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



## Board of Crawford County Commissioners

### Item One: Adjournment

**On the motion** of Commissioner Moody and the second of Commissioner Wood to adjourn the [November 17, 2017](#) meeting of the Board of Crawford County Commissioners at 11:35 AM 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 11/17/17 4:00 PM/amended BKW 11/20/17 3:00 PM](#)