

Board of Crawford County Commissioners

Commissioners' Journal

2019, [SIXTY-FIRST MEETING](#)

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM
Girard, KS **Friday, September 6, 2019 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 Tom Moody served as the presiding officer.

Commissioners Jeremy Johnson and Bruce Blair were in attendance.

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

Chairman Moody led the pledge of allegiance.

UNDER THE HEADING BUSINESS FROM A PREVIOUS MEETING CONSENT AGENDA

On motion (19-279) of Commissioner Johnson and the second of Commissioner Blair that the consent agenda be approved including:

1. Approval of the **August 30, 2019** minutes of the Board of County Commissioners, and
2. Authorizing the Chairman to sign the previous week's vouchers.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed and the consent agenda was approved.

SIGNING OF MOTIONS

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

Motion 19	275	That the consent agenda be approved including: Approval of the August 27, 2019 minutes
Motion 19	276	To approve the Second Amendment to Lease Agreement between Crawford County, Kansas and Kansas Crossing Casino LC to add additional space at the Freeto building at 667 and 669 S Highway 69, Pittsburg, Kansas and authorize the Chairman to sign
Motion 19	277	To approve the Lease Purchase Promissory Note between Community National Bank & Trust and the Board of County Commissioners for a 2003 Pierce Pumper Truck in the amount of \$99,350.00 at 2.710% interest for 6 years for Crawford County Fire District #3 and authorize the Chairman to sign

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Motion 19	278	To recess this open session and go into a closed executive session for a period of not more than 15 minutes to discuss Non-Elected Personnel and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 10:35 AM
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UNDER THE HEADING NEW BUSINESS

PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS

MESSAGES FROM CRAWFORD CO LOCAL BOARD OF HEALTH

MESSAGES FROM THE PUBLIC

MESSAGES FROM OTHER GOVERNMENTAL ENTITIES

MESSAGES FROM APPOINTED OFFICIALS

Item One: Mr. Troy Graham, Zoning Administrator presented a Motion of Recommendation to approve a plat to be known as “Prairie View Estates” and to rezone the property from Agriculture to Residential as recommended by the Crawford County Planning and Zoning Board. Mr. Graham stated that on August 15, 2019 at the monthly meeting of the Crawford County Zoning and Planning Board, a plat was submitted by Mr. John Humbar to subdivide approximately 45 acres east of Pittsburg into 10 lots for future development of houses. He stated that notification was sent to all adjacent landowners within 1000 feet of the proposed subdivision that the plat was going to be presented to the Zoning board and a press release was sent to the newspaper. He stated that there were some adjacent landowners present at the zoning meeting to discuss the plat. Mr. Graham stated that he notified everyone that was present at the zoning meeting that the Motion of Recommendation would be presented to the Board of County Commissioners today. He said that Mr. Rod Zinn from Cornerstone Surveying is present. Commissioner Moody stated he would like to address some concerns and stated that it was a 4 aye to 3 nay vote at the zoning board. Mr. Graham explained that the board members that voted nay were concerned with some of the lots being too small and he explained how the zoning laws work as far as lot sizes. He stated that the surveyor made adjustments to the plat and increased the lot size so the smallest lot is 2.6 acres which settled the concerns of the board members. Mr. Graham discussed the KDHE regulations for septic systems due to the pit area near the lots. He also discussed the restrictive covenants included with the plat and stated that the Zoning Board or Commissioners do not have to approve these covenants. He explained the restrictive covenants were also presented at the zoning meeting and they were amended at the zoning meeting to address the concerns of some neighboring landowners. It was discussed that the covenants are not enforceable by the Commissioners and are only enforceable by members of the homeowner’s association. Mr. Emerson stated that the county has rules that can be enforced. One of the adjacent landowners was concerned with pit usage and it was noted that would have to be civilly contended with. The road going into the subdivision will be private and gravel and will be maintained by the homeowners association in the subdivision. Mr. Moody stated he is concerned with Wildflower estates road in that same area. Mr. Graham stated that it would be up to the homeowner’s association to maintain that road. Cindy Hunt of 116 Wildflower Road, that lives along the north edge of this proposed development, stated that she is concerned since she lives in an area that was developed by the same individual. She stated that she purchased their land 10 years ago and the HOA rules were never enforced and that as soon as the lots are sold the developers are moving. Mr. Rick Hunt of 116 Woldflower Road has lived there 10 years

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and traffic has increased tremendously. Mr. Rod Zinn of Cornerstone Surveying stated that he has worked with a lot of developers and that banks should only allow loans on property that comply with the restrictive covenants. Commissioners Moody and Johnson had concerns with the previous HOA and were concerned that this development would not be any different. They both favored development in the county but want to protect the people already living in those areas. Mr. Johnson felt that the county should review their zoning regulations to see if they should be updated. Mr. Graham discussed working on an overlay for the current zoning rules. Mr. Graham felt that to make changes to the current zoning regulations would probably take 4 to 6 months. Mr. Emerson stated that the commissioners can approve the plat but add stipulations to the resolution to address the concerns of the commissioners and the neighboring landowners. Mr. Moody also is concerned with the condition of the road in Wildflower Estates. It was discussed that the HOA becomes the governing entity after 75% of the lots are sold. Mr. Johnson would like to have a plan in place before this is approved. Mr. Zen spoke again and stated that if developer is delayed any longer they will pull this plat. The commissioners discussed tabling the issue at this time to explore options and they could work on changes to the zoning rules. Mr. Hunt stated that he is not against this development but he does not want to see this end up like Wildflower Estates with several double wide manufactured homes.

On motion (19-280) of Commissioner Johnson and the second of Commissioner Moody to table the Motion of Recommendation to approve a plat to be known as “Prairie View Estates” and to address this issue again in the near future.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

MESSAGES FROM ELECTED OFFICIALS

Item One: Sheriff Danny Smith addressed the Commissioners and stated that he has quotes for 3 new Sheriff’s vehicles and would like to request that the County Counselor go out for bids for financing the vehicles. He explained that they sent out three sealed bid packets and received bids back from Molle Automotive and Mike Carpino Ford. He explained that Hatfield Vance did not bid as they could not get 2020 vehicle prices. He handed out the quotes and went through them with the Commissioners. Sheriff Smith stated that he would like to purchase three 2020 Ford F-150 Police Responder Package trucks from Mike Carpino Ford. He also discussed the trade allowances.

On motion (19-281) of Commissioner Johnson and the second of Commissioner Moody to approve the County Counselor to advertise for bids for the lease purchase of 3 new Sheriff’s vehicles.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

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PROCLAMATION AND ORDERS OF THE BOARD NEW BUSINESS

Item One: County Clerk Don Pyle presented the August 2019 Clerk's Report. Mr. Pyle stated that this report summarizes the total amounts spent by departments for payroll and bills during the month of August. Mr. Pyle also gave the Commissioners a copy of the July 2019 to August 2019 Clerk's Report of Changes in Expenditures for comparison. Mr. Pyle reviewed the changes with the Commissioners and discussed some of the reasons for the changes.

On motion (19-282) of Commissioner Moody and the second of Commissioner Johnson to approve the August 2019 Clerk's Report as presented.

On a Roll Call Vote.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

UNDER THE HEADING OLD BUSINESS

Item One: Mr. Pyle discussed the City/County Luncheon that will be hosted by the County to be held on September 17, 2019 at 12 Noon at the Girard Civic Center. He stated that he has been receiving quite a few RSVPs from the cities.

Item Two: Mr. Emerson addressed the County Health Insurance. He stated that the renewal has been presented by Blue Cross and Blue Shield and the Employee Benefits Committee have been researching different options to consider. He stated that the committee is recommending Option 3 which adds back in some coverages that were lost in the last few years. Mr. Emerson explained the changes to the Commissioners.

On motion (19-283) of Commissioner Moody and the second of Commissioner Johnson to approve the renewal of health insurance coverage for 2020 with Blue Cross and Blue Shield of Kansas using Option 3 as presented by the Employee Benefits Committee.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Three: Mr. Emerson discussed the HSA Accounts that are used by some employees as part of their health insurance coverage. He stated that Ms. Randi Ryan, Director of Fiscal Services requested that the HSA funds be deposited quarterly. Mr. Emerson explained that this will be helpful to employees that have health issues in the first couple of months of the new year. The Commissioners could see no problem with depositing the HSA funds quarterly.

Item Four: Commissioner Blair discussed the Hickory Creek Bridge.

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EXECUTIVE SESSION

Item One: Commissioner Tom Moody requested an executive session for 15 minutes to discuss Non-Elected Personnel.

On motion (19-284) of Commissioner Moody and the second of Commissioner Johnson to recess this open session and go into a closed executive session for a period of not more than 15 minutes to discuss Non-Elected Personnel and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 11:33 AM.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

The Commissioners went into Executive Session at 11:18 AM and reconvened the Open Session at 11:25 AM with no action taken except to go back into open session.

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS FUTURE BUSINESS:

Item One: September 13, 2019 – 8:30 AM Work Session to review and sign September mid-month bills and payroll vouchers.

Item Two: September 13, 2019 – 10:00 AM Public Hearing on Vacating Platted Streets and Alleys in the Girard Coal Company Original Town of Radley and in the Original Town of Radley.

ANNOUNCEMENTS:

Item One: September 17, 2019 – City/County Luncheon beginning at 12:00 Noon at the Girard Civic Center. All three Commissioners will be in attendance.

UNDER THE HEADING MOTION TO ADJOURN MOTION TO ADJOURN

Item One: Adjournment

On the motion of Commissioner Moody and the second of Commissioner Blair to adjourn the [September 6, 2019](#) meeting of the Board of Crawford County Commissioners at 11:26 AM and to reconvene at the next regularly scheduled time with open doors.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

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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.

Don Pyle
County Clerk

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This submission completed at the Crawford County Courthouse in Girard.
[Taken 9/6/19 11:26 AM/amended 9/9/19 DPP.](#)