

Board of Crawford County Commissioners

Commissioners' Journal

2017, [EIGHTEENTH MEETING](#)

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM
Girard, KS [Friday, March 10, 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.

UNDER THE HEADING BUSINESS FROM A PREVIOUS MEETING

CONSENT AGENDA

On motion (17-093) of Commissioner Moody and the second of Commissioner Murphy that the consent agenda be approved including:

1. Approval of the [March 7, 2017](#) minutes of the Board of County Commissioners, and
2. 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.

SIGNING OF MOTIONS

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

Motion 17	88	That the consent agenda be approved including: Approval of the March 3, 2017 minutes
Motion 17	89	To adopt Resolution #2017-010 and Proclamation, A Resolution and Proclamation of a State of Local Disaster Emergency for Crawford County, Kansas
Motion 17	90	To approve the February 2017 Clerk's Report as presented
Motion 17	91	To adopt Resolution #2017-009, a Municipal Lease Resolution of the County Commission of the State of Kansas authorizing the Execution and Delivery of a Municipal Lease Agreement (Labette Bank BANK LEASE) and Other Documents and Agreements in Connection Therewith and to Authorize the Chairman to Sign and the County Clerk to Attest

Board of Crawford County Commissioners

Motion 17	92	To adopt Resolution #2017-008, A Home Rule Resolution Adopting an Economic Development Tax Exemption Policy for the Unincorporated Areas of Crawford County, Kansas
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UNDER THE HEADING NEW BUSINESS

PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS MESSAGES FROM THE COUNTY LOCAL BOARD OF HEALTH EXECUTIVE SESSION

Item One: Commissioner Wood requested an executive session for a period of not more than 15 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship.

On motion (17-094) 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 15 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship and to include the Board of County Commissioners, County Counselor Jim Emerson and County Sheriff Dan Peak.

Yeas: Commissioners Moody, Wood and Murphy

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

The Commissioners went into Executive Session at 10:06 AM and reconvened the Open Session at 10:21 AM with no action taken except to go back into open session.

Item Two: Commissioner Wood requested an executive session for a period of not more than 10 minutes to discuss matters involving Non-Elected Personnel.

On motion (17-095) 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 10 minutes to discuss matters involving Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson and County Noxious Weed Director Ed Fields.

Yeas: Commissioners Moody, Wood and Murphy

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

The Commissioners went into Executive Session at 10:24 AM and reconvened the Open Session at 10:30 AM with no action taken except to go back into open session.

MESSAGES FROM THE PUBLIC

Item One: Mr. Jakob Stockton, Stockton Restoration Company addressed the Commissioners about building maintenance. Mr. Stockton stated that he was here in

Board of Crawford County Commissioners

April of 2016 with a maintenance contract proposal for restoration of the Courthouse. He stated that their company has now contracted with Cherokee County and would like to refresh the Commissioners about his company and also lower his proposal amount. He gave the Commissioners the lowered costs. Mr. Stockton explained what would be fixed and replaced under the contract and his findings when he inspected the Courthouse. He gave the Commissioners some background information on his company. He answered Mr. Moody that one side of the building should take approximately 2 weeks to complete and answered Mr. Murphy that his company is fully insured. Mr. Stockton stated that there are pictures of some of the work his company has done on their website and on their Facebook page. Mr. Wood stated that the Commissioners will discuss this with Mr. Gorentz, Project Manager and get back with Mr. Stockton hopefully within a month. The other Commissioners agreed.

MESSAGES FROM APPOINTED OFFICIALS

Item One: Ms. Liz Hart, Road & Bridge Coordinator addressed the 2017 Annual Bridge Inspection proposal. Ms. Hart stated she has a proposal from Cook, Flatt and Strobel Engineers for the inspection of 5 bridges. She explained that 5 bridges must be inspected every year per KDOT requirements and the bid is a lump sum fee of \$225 per bridge for a total of \$1,125.00. Mr. Wood requested that Mr. Randy Chiartano accompany CFS on the inspection.

Board of Crawford County Commissioners



ENGINEERS

One Vision. One Team. One Call.

2930 SW Woodside Drive
Topeka, Kansas 66614
(785) 272-4706 Office
(785) 272-4736 Fax

March 7, 2017

cfse.com

Other Offices:
Kansas City, Kansas
Lawrence, Kansas
Kansas City, Missouri
Branson, Missouri
Springfield, Missouri
Jefferson City, Missouri

Liz Hart, Office Manager
Crawford County
111 E. Forest
Girard, KS 66743

Re: 2017 Annual Bridge Inspection

Dear Liz:

Cook, Flatt & Strobel Engineers, P.A. is pleased to respond to the County's request for an engineering proposal for the completion of an annual bridge inspection update of 5 R.S. and Off-System bridges. The services will be provided in compliance with structure inventory and appraisal requirements of the County, KDOT, and FHWA. We completed the inspection for the County in the past which enables us to be thoroughly familiar with project requirements.

We propose to furnish the required services for a lump sum fee determined at \$225.00 per bridge for a total of \$1,125.00 with full payment to be due upon completion of the inspection and furnishing of the bound engineering reports to the County. If this proposal meets with the approval of the County, please indicated by signatures below and return the original of this letter to our office. We sincerely appreciate Crawford County's continued consideration.

Kenneth M. Blair, P.E.
Chairman

Robert S. Chambers, P.E.
President-Treasurer

Sabin A. Yañez, P.E.
Senior Vice President-Secretary

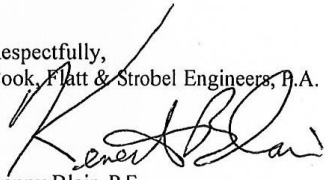
Kevin K. Holland, P.E.
Vice President

Daniel W. Holloway, P.E.
Vice President

Charles C. LePage, P.E.
Vice President

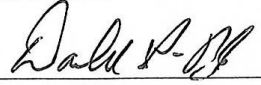
Lance W. Scott, P.E.
Vice President

Respectfully,
Cook, Flatt & Strobel Engineers, P.A.



Kenny Blair, P.E.

The above referenced proposal is accepted by Crawford County this 10th day of March, 2017.

ATTESTED:


County Clerk

CRAWFORD COUNTY, KANSAS
BOARD OF COMMISSIONERS


Chairman


Member


Member

On motion (17-096) of Commissioner Moody and the second of Commissioner Wood to approve the proposal from Cook, Flatt & Strobel Engineers for the 2017 Annual Bridge Inspection.

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting:

Board of Crawford County Commissioners

The motion prevailed.

Item Two: Ms. Hart presented Consent for Right of Entry from KDHE Mined Land Conservation for the Commissioners approval. Ms. Hart explained that KDHE Mine Reclamation is filling in a pit and moving it back 100 feet on Country Club Road (East 520th Avenue). Mr. Emerson stated that he has reviewed the document and has no problems with it. There was a discussion of a truck route for the hauling of rock or dirt.

PROJECT: Country Club Road (KS-0010)

NAME: Crawford County Road Dept.

CONSENT FOR RIGHT OF ENTRY

Pursuant to the Mined Land Conservation and Reclamation Act, K.S.A. 49-401 *et seq.*, the Kansas Department of Health and Environment (KDHE) proposes to undertake reclamation work necessitated by abandoned coal mining activity to protect the public health, safety and general welfare from the adverse effects of past coal mining.

To achieve this objective, it will be necessary for officers, agents, employees and contractors of KDHE to enter upon property owned by Crawford County, Kansas (and more particularly described as:)

The south right of way on East 520th Avenue from the intersection of East 520th Avenue and South 160th Street east to the half section line. This being between Sections 5 and 8, T31S, R24E. The purpose of this right of entry is to complete the backfilling of the abandoned mined land pit, remove existing guardrail and install new guardrail on the south side of the road at the two existing culverts. (See plans and diagram.)

NOW, THEREFORE, in consideration of the benefits which will inure to the Owner and to the general public, the Owner does hereby grant to KDHE, its employees, agents, contractors and subcontractors a right of entry into, over and upon the above-described property, including all necessary convenient rights of ingress, egress and regress, with all materials and equipment to conduct the proposed reclamation activities, and to do any and all things necessary and convenient to effectively carry on said activities, in a good and workmanlike manner, including but not limited to the temporary storage of equipment and materials and the construction of temporary roadways on the property. Said right of entry is granted for the time required to complete the reclamation activities subject to the Owners continued ownership and use of the property.

It is understood and agreed that KDHE has determined that no lien will be placed against the subject property for the reclamation work in accordance with K.S.A. 49-428 (b).

It is understood the work performed in the project area shall be done by contractors for KDHE and KDHE is without authority to assume the risk of injury to persons or damage to persons or property resulting from the action of the contractors.

Execution of this Consent for Right of Entry does not obligate KDHE to perform any part of the contemplated or proposed reclamation work.

By executing this Consent for Right of Entry neither the Owner nor KDHE waives any rights conferred by operation of the Mined Land Conservation and Reclamation Act, K.S.A. 49-401 *et seq.*, and other regulations promulgated thereto.

Board of Crawford County Commissioners

IN WITNESS WHEREOF, the Owner(s) or authorized representative have caused this Consent for Right of Entry to be executed this 10th day of March, 2017.
(PLEASE DATE ABOVE AND SIGN BELOW)

Carl R. Wood
Owner

Owner

ADDRESS: _____

PHONE: _____

The undersigned certifies that he/she has full authority to sign the Consent for Right of Entry on behalf of said corporation; that the Consent for Entry was duly signed for and in behalf of the corporation by authority of its governing body and is within the scope of its corporate powers.

WITNESS

Corporate Seal
if appropriate

BY: _____

Its: _____

REPRESENTATIVE ON BEHALF
OF KDHE

On motion (17-097) of Commissioner Moody and the second of Commissioner Wood to approve the Consent for Right of Entry from KDHE Mined Land Conservation and Authorize the Chairman to sign.

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Three: Mr. Mike Peak, Crawford County Sign Foreman presented the Commissioners with bids for fencing the County Barn and a map of the fenced area proposed. Mr. Emerson stated that he has looked over the bids. Mr. Wood discussed the area to be fenced. The Commissioners looked over the map of the proposed fenced location. Mr. Peak stated that the bid should be good for 30 days. The Commissioners decided to wait until the new building is finished before proceeding with the fencing. They would also like Mr. Emerson to contact County Surveyor Ron Albertini and have him survey the property.

Board of Crawford County Commissioners

Item Four: Mr. Peak spoke about the City of Hepler requesting 52 street signs. Mr. Peak asked for the Commissioners approval to make the signs and he stated that the City of Hepler will pay for all the materials. He also said that the City would like the County to install the signs as the City has no staff to do the work. Mr. Peak explained that the signs are approximately \$15.00 each, the brackets are \$5.00 each if it needs replaced and the posts are already in place. The Commissioners discussed the City of Hepler having the funds to pay for the signs. The Commissioners agreed that the county will make the signs and install them and the City of Hepler will pay for all the materials.

Item Five: Mr. Peak and the Commissioners discussed vehicles for the Sign Department.

MESSAGES FROM OTHER GOVERNMENTAL ENTITIES

MESSAGES FROM ELECTED OFFICIALS

PROCLAMATION AND ORDERS OF THE BOARD

NEW BUSINESS

Item One: County Clerk Don Pyle presented a Tax Roll Correction, correcting an error in the assessing of Personal Property owned by Carol Cook and to request an abatement in the amount of \$114.58 from the 2015 tax rolls. Mr. Pyle explained that the taxpayer had sold these items and they were not removed from the tax rolls.

Board of Crawford County Commissioners

Tax Year: 2015	TAX ROLL CORRECTION - PERSONAL PROPERTY AAELT013	Printed by / Date Time grountree 3/8/2017 2:20:57PM
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Tax Payer <u>COOK00039</u>	System Control # <u>2017000106</u>	Tax Year <u>2015</u>
<u>COOK CAROL</u>	User Control # <u>2017000106</u>	Doc # <u>60312</u>
<u>1805 N BROADWAY ST</u>	Cama # <u>-----</u>	
<u>PITTSBURG, KS - 66762-2809</u>	Tax Unit <u>11</u> <u>PITTSBURG USD 250</u>	
	Property Location <u>1805 N BROADWAY - Pittsburg, KS - 66762</u>	

APPRAISER SECTION (Value)				Mar 8 2017 8:16AM Carla Wood Approved		
Appraised Prior To Correction:		Appraised After Correction:				
Value	Penalty %	Value	Penalty %	Net Change		
2,020	25.00	0	25.00	-2,020		
Non-Watercraft Assessed Prior To Correction:		Non-Watercraft Assessed After Correction:				
Value	Penalty	Total	Value	Penalty	Total	
608	150	756	0	0	0	-756
Watercraft Only Assessed Prior To Correction:		Watercraft Only Assessed After To Correction:				
0	0	0	0	0	0	0
Exempt Value:	0	Exempt Value:	0			0
Comment: <u>TP HAD SOLD THESE ITEMS AND THEY WERENT REMOVED FROM THE TAXES</u>						

CLERK SECTION (Tax)				Mar 8 2017 2:20PM Gene Rountree-Garcia C				
Tax Prior To Correction:		Tax After Correction:						
Levy	151.528000	Gen Tax	114.58	Levy	0.00	Gen Tax	0.00	Net Change
		SB41 \$	0.00			SB41 \$	0.00	-114.58
Exempt Tax Dollars			114.58	Exempt Tax Dollars			0.00	0.00
Comment:								

TREASURER SECTION (Summary)			
Net Change in Assessed Value	-756	Type of Correction	Abate
Mill Levy	151.528000	Correction Code	CL
Net Change in Levied Tax Dollars	-114.58	Tax Statement #	29638
Net Change in Exempt Tax Dollars	0.00	Comments <u>TP HAD SOLD THESE ITEMS AND THEY WERENT REMOVED FROM THE TAXES</u>	
Net Change in Total Tax Dollars	-114.58		
Comment:			

Order of the Board of County Commissioners of CRAWFORD COUNTY, Kansas. March 10, 2017
 (Per K.S.A. 79-1475, 79-1701, 79-1701a, and 79-1702) (Date)

Approved by Commission: [Signature]

Attest by County Clerk: [Signature]

On motion (17-098) of Commissioner Moody and the second of Commissioner Wood to approve the Tax Roll Correction, correcting an error in the assessing of Personal Property owned by Carol Cook and to request an abatement in the amount of \$114.58 from the 2015 tax rolls and Authorize the Chairman to sign.

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Board of Crawford County Commissioners

Absent or not voting:

The motion prevailed.

Item Two: Mr. Pyle informed the Commissioners that there is a ground breaking ceremony to mark the beginning of construction on the expanded Fort Scott-Bourbon/Crawford Stretch of Highway 69 at the Cherry Grove Baptist Church on 69 Hwy at 9:00 AM on Monday.

Don/Joe/Jim,

Just FYI, we're working with KDOT to coordinate a ground breaking ceremony that will mark the beginning of construction on the expanded Fort Scott – Bourbon/Crawford County stretch of Highway 69. The ceremony will take place on March 13 at 9 a.m. at the Cherry Grove Baptist Church at U.S. 69 and Calvary Road in Bourbon County and we would love to have the county join us, as you've been a significant supporter of the Highway 69 effort. The church is two miles north of the Crawford/Bourbon county line on the east side of the highway, and parking is available on the west side and in front of the church. Again, the ceremony will begin at 9 am and will take no more than 30 minutes.

If it's raining we'll move inside the church.

Hope you and/or commissioners can join us. Thanks!

Sincerely,

Blake Benson
Pittsburg Area Chamber of Commerce

Item Three: Mr. Jim Emerson, County Counselor, stated that he has received a request from County Coroner Dr. Adam Paoni requesting the appointment of Mr. Scott Grasl as Deputy Coroner for Labette County and Mr. Ben Cochran as Death Investigator for Labette County. Mr. Emerson stated that since Crawford County is the home county for the Coroner, Crawford County has to approve the appointments.

On motion (17-099) of Commissioner Moody and the second of Commissioner Murphy to approve the appointment of Mr. Scott Grasl as Deputy Coroner for Labette County and Mr. Ben Cochran as Death Investigator for Labette County.

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Four: Mr. Emerson presented a letter from Ms. Angie Hadley, Program Coordinator for Restorative Justice Authority requesting that Ms. Martha Murphy be appointed to the Juvenile Corrections Advisory Board for another 3 year term ending 3/28/2020.

Board of Crawford County Commissioners

The Restorative Justice Authority



665 S. 69 Highway Pittsburg, KS 66762
(620) 235-7118 x 102 Phone (620) 235-7107 Fax

March 2, 2017

Board of Crawford County Commission
Crawford County Courthouse
Girard, Ks. 66743

RE: Board Extension


Dear Mr. Wood,

The following Juvenile Corrections Advisory Board (JCAB) member has agreed to extend their term for another three years:

Martha Murphy 3-28-20

If you have any questions, please feel free to contact me at the number and extension above.

Thank you,


Angie Hadley
Program Coordinator

This appointment is through the Board of County Commissioners, Carl Wood, Chairperson.


Carl Wood, Chair

3-10-17
Date

cc: Juvenile Services

On motion (17-100) of Commissioner Moody and the second of Commissioner Wood to appoint Ms. Martha Murphy to the Juvenile Corrections Advisory Board for another 3 year term ending 3/28/2020 and to Authorize the Chairman to sign.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting: Commissioner Murphy

Absent or not voting:

The motion prevailed.

Item Five: Mr. Murphy addressed Neighborhood Revitalization for the County. The Commissioners discussed whether to have a county wide plan or to target certain areas to start with. Mr. Emerson stated that he does have some sample plans to review. The Commissioners and Mr. Emerson discussed the pros and cons of having countywide versus targeted areas. They also had a discussion about the number of years and the

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percentages that could be rebated. Mr. Murphy suggested using the 2016 County building permits for an example of how neighborhood revitalization would affect these properties. The Commissioners scheduled a work session for March 17, 2017 at 9:00 AM to discuss this issue.

Item Six: Mr. Wood spoke about the new dump trucks and stated that he has an amendment to the contract and it is ready to be signed.

UNDER THE HEADING OLD BUSINESS

Item One: County Clerk Don Pyle stated that he has the Property Damage Final Settlement and Release from EMC Insurance on the grader that was damaged in a vehicle accident. Mr. Pyle stated that previously the Commissioners tabled signing this until it was determined that the grader was working properly. The Commissioners tabled any action on this until Tuesday.

Item Two: Mr. Wood stated that Mr. Emerson is going to check on the costs for the drug testing.

Item Three: Mr. Wood stated that the County Tanker is at the Freeto Building. The Commissioners discussed the City of Girard and the trouble with the city water lines.

Item Four: Mr. Troy Graham, Zoning Administrator addressed the tire pickup program through KDHE and stated that a date is ready to be set. He requested that the Commissioners discuss this and come up with a date on a Saturday to have the program and suggested sometime in April. The Commissioners stated that when a date is determined they would like Mr. Graham to put a notice in the paper and email the City Clerk's about the program. The Commissioners requested that Mr. Graham come to the meeting on Tuesday to discuss this further.

Item Five: Mr. Wood stated that he received a phone call from an individual concerned about the amount of trash and clutter on a piece of property on the 69 Bypass around Franklin. The Commissioners discussed the cleanup of the property and the different options for clean up.

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

FUTURE BUSINESS:

Item One: March 14, 2017 – Mr. Jim Hanni with AAA Insurance presenting the Platinum Award for Traffic Safety to the Crawford County Sheriff's Office.

Item Two: March 17, 2017 – 9:00 AM Work Session to discuss a County Neighborhood Revitalization Plan.

Item Three: March 20, 2017 – Meeting of the Board of Canvassers to canvass the votes for the 2017 USD 250 Bond Election.

ANNOUNCEMENTS:

Board of Crawford County Commissioners

Item One: March 16, 2017 – SEK Quarterly Meeting hosted by Labette County in Oswego. All three Commissioners may be in attendance.

Item Two: March 21, 2017 – The Regular Session on the Board of County Commissioners is cancelled.

UNDER THE HEADING MOTION TO ADJOURN

MOTION TO ADJOURN

Item One: Adjournment

On the motion of Commissioner Moody and the second of Commissioner Murphy to adjourn the [March 10, 2017](#) meeting of the Board of Crawford County Commissioners at 11:08 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.

Don Pyle

County Clerk

◇

This submission completed at the Crawford County Courthouse in Girard.

[Taken BKW 3/10/2017 11:08AM/amended BKW 3/13/17 10:30 AM](#)