

Board of Crawford County Commissioners

Commissioners' Journal

2017, TWENTY-NINTH MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM

Girard, KS Friday, April 21, 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 (17-146) of Commissioner Moody and the second of Commissioner Murphy that the consent agenda be approved including:

1. Approval of the April 18, 2017 minutes of the Board of County Commissioner, 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	139	That the consent agenda be approved including: Approval of the April 14, 2017 minutes and Approval of the accounts payable warrant numbers 573009 to 573264 dated April 14, 2017 in the total amount of \$328,933.65
Motion 17	140	To approve a donation of \$500 to the USD 247 Technology Student Association for expenses to the National Championship in Orlando Florida
Motion 17	141	To approve the Fiscal Year 2018 11 th Judicial District Community Corrections Comprehensive Plan Grant Application and Budget and Authorize the Chairman to sign

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Motion 17	142	To approve the 11 th Judicial Community Corrections Behavioral Health Grant Application for FY 2018 and Authorize the Chairman to sign
Motion 17	143	To approve the credit card application through Labette Bank for the Health Department and Authorize the Chairman to sign
Motion 17	144	To approve the Proclamation Proclaiming Wednesday, April 26, 2017 as Benevolent and Protective Order of Elks Pittsburg Lodge #412 Day in Crawford County, Kansas
Motion 17	145	To approve the Agreement for Services between the Board of County Commissioners of Crawford County Kansas and Class LTD in the amount of \$49,776.66 and Authorize the Chairman to sign

UNDER THE HEADING NEW BUSINESS

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

Item One: Mr. Randy Chiartano, Asphalt Foreman discussed the Chip & Seal Oil Bids. Mr. Chiartano stated that Vance Brothers bid \$1.88 per gallon, Coastal Energy Corp. bid \$1.77 per gallon and Wright Asphalt Products bid \$1.65 per gallon. He stated that he recommends the lowest bid from Wright Asphalt Products. Mr. Moody was answered that last year the cost was \$1.44 per gallon so it up 21 cents per gallon from last year and it is the same oil that has been used for the last 3 or 4 years. There was a discussion on how many miles are chipped and sealed and how much additional monies are needed with the increase in cost of the oil.

On motion (17-147) of Commissioner Moody and the second of Commissioner Murphy to approve the bid from Wright Ashpalt Products for Chip and Seal Oil for 2017.

Yeas: Commissioners Moody, Wood and Murphy

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Two: Mr. Chiartano spoke about the parking lot at the Homer Cole Community Center. Mr. Chiartano stated he attended the Center’s board meeting and it was agreed to have approximately 150 feet of the parking lot paved and the Center will pay for the materials out of their budget and the County will provide the labor. Mr. Wood questioned why the entire parking lot was not being done and Mr. Chiartano answered that cost was the issue for board. It was discussed that the County owns the property and the building is leased. Mr. Chiartano stated that he explained to the board that the county roads come first. Mr. Moody requested that Mr. Chiartano calculate the cost for the county to pave the rest of the parking lot with the Center paying the agreed amount for the 150 feet. Mr. Wood stated that the County will do the striping of the parking lot at no cost to the Center as the property is owned by the county. Mr. Wood stated that Mr. Chiartano needs to coordinate with Mr. Mike Peak to have the striping done. Mr. Murphy wanted to make

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sure that the drainage is okay and the new paving does not interfere with the drainage. Mr. Chiartano updated the Commissioners on when the road work will begin.

Item Three: Mr. Troy Graham, Zoning Administrator presented the proposed updated Zoning & Subdivision Regulations for Crawford County. Mr. Graham stated that the Crawford County Planning and Zoning Board meeting was April 6, 2017 and all changes were discussed. Mr. Graham handed out the unapproved minutes from that meeting and a listing of some of the focal points of the changes to the regulations. Mr. Graham stated that the Planning and Zoning Board wants to stay with the 40 acre minimum for agricultural lots and explained the reason for the change. There was a discussion on the 40 acres and the lot splits and Mr. Graham explained that the lots can be as small as the landowner wants as long as it meets waste water requirements but after 2 splits the land must be platted. Mr. Bob Gilmore Chairman of Planning & Zoning Board addressed the Commission and explained that these changes do not affect anything from the past it changes only what is moving forward. Mr. Graham stated that the Zoning Office will start working more closely with the deeds office to track the splits then if an illegal lot split is found a building permit will not be issued. Mr. Graham spoke about billboards and LED signage and stated that KDOT restricts all signage on state roads. Mr. Wood addressed the Codes Court and Mr. Moody asked about the issue of the property on 69 Bypass around Franklin. Mr. Graham will prepare a Resolution to adopt the updated Zoning Regulations and bring to the next Commission meeting for approval.

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CRAWFORD COUNTY, KANSAS
PLANNING AND ZONING BOARD
THURSDAY APRIL 6, 2017

Item I:
Meeting called to order with Flag Salute.

Zoning Admin. Graham introduces the newest member to the Board, Dexter Neisler.

Item II: Roll Call by Chairman Bob Gilmore.
Present: Kathy Flora, David Robinson, Dee Hough, Dexter Neisler, Bonnie Houk
Absent: Rusty Akins, Gary Edwards

Also present were Joe Gripka and Brian McIntosh of Lamar Outdoor Advertising.

Item III: Approval of Agenda and Minutes: No additions to the evenings agenda and no corrections to minutes. Motion to approve agenda and minutes was made by Bonnie H. Seconded by Dee H. Motion passed.

Item IV: Public Hearing- Update Zoning & Sub-Division Regulations. At this time, Zoning Admin. Graham gives the Board updates outlining the main changes being discussed;

AG Acreage 10 vs 40: When looking at just the zoned area of Crawford County, there is not many 40+ acres parcels left, meaning that 10 acres could provide more opportunity for growth, although possibly not a controlled growth. It is proposed that with 10 acres a one-time split would be allowed without any rezoning needed. Any additional splits over 10 acres do not require any platting, however anything under 10 acres will need to be platted. Forty (40) acres was recommended by the P&Z Consultant David Yearout, the reasoning behind 40 acres is to have a controlled growth, meaning that small acreage pieces will not be random, they would be in a platted sub-division. It was the consensus of the Board to recommend the AG District be no less than 40 acres, allowing a one-time split, then platting will be required.

New Proposed Zoning Districts:

AG 40+ acres
RR 10-40 acres
SR 3-10 acres
R1 No minimum size*

*these lots are areas where either public sewer service is available or smaller lots are previously established. (Chicopee, Franklin, Opolis, Brazilton, Radley, Ringo)

Subdivisions: Decided that the proposed "Homestead Agricultural Lot Splits" (located in article #3 of proposed Subdivision Regulations) would be removed. The "Homestead Agricultural Lot Splits" allowed for a split of an AG property, but required a covenant be place on the land stating no more splits allowed and this would be recorded in the

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Register of Deeds office. Also, that any new streets created in a sub-division will be private streets, no public streets unless brought to county specs at time of creation, once a private street, always a private street.

Article 13 (Sign Regulations): Most definitions are up to date; however, Crawford County does not currently allow LED or a "moving sign." Joe Gripka, Lamar Outdoor Advertising, stated that the signs they are looking to update follow current state regulations, which allow 8 seconds per message. Also, currently Crawford County only allows billboards on properties with an existing business, as well as the State of Kansas. It will be looked at in the future to allow billboards on some county roads with certain stipulations. It was decided to allow LED billboard with "static" messages at 8 seconds per message in Crawford County, following the current state regulations.

Article 16 (Conditional Land Uses): The criteria for a cellular tower in Crawford County has been updated to match the current regulations in place by the State of Kansas.

General Definitions: Decided that 6 or more dogs on a property will require a CLU for a kennel.

A dog is defined as any canine species over one year in age, Kathy F. would like to see a separation of the definition of dog and breedable dogs. The Board decided that a case-by-case review of each situation might be the best regarding number of dogs allowed.

The addition of the proposed "RV Park Recreational Vehicle Code" and "Manufactured Home Code" was tabled and will not be added until Codes Court is up and running.

A motion was made by Dee H. at this time to recommend the following to the Governing Body with the stipulation that changes and revisions may be made at a later date:

1. A minimum of 40 acres for the Agricultural District, with a one-time split allowed without rezoning. Any splits of the land after that time will require platting, however a case-by-case administrative approval will be allowed.
2. Article 13 will be updated to allow LED billboard signs with "static" messages for 8 seconds per message.
3. Six or more dogs on a property will require a CLU for a kennel, however a case-by-case administrative approval will be allowed.
4. Any new roads created in a sub-division will remain private roads unless created to county standards at the time of creation.

Seconded by David R. Ayes: 6 Nays: 0 Absent: 2 Motion carries.

Motion made by Kathy F. to retain current Chairman Bob Gilmore and Vice-Chairman David Robinson for the year 2017.

Seconded by Dee H. Ayes: 6 Nays: 0 Absent: 2 Motion Carries.

Motion to adjourn made by Dexter Neisler. Seconded by Dee H. Meeting Adjourned.

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Zoning and Subdivision Regulations Updates

Article 1 Title; Purpose; Definitions; District and General Regulations

Notes: Minor updates to language and cleaning up and clarifying of definitions section. Clearly defined districts within the zoned areas. Updates to the types of districts which are in the County. New districts are AG / SR / R1 / AO / FP / FRD. Old districts were AG / RR / R-1 / V-1 / AO / FP / FRD. The districts of RR and V-1 have been combined into a SR district for the new regulations.

Article 2 "AG" Agricultural District Regulations

Notes: New regulations would establish 40 acres as minimum for Agricultural District. Minimums would then change to 660 feet width with frontage on a public road with minimum 660 feet depth. There would also be allowed one-time split in compliance with Subdivision Regulations and single family dwellings along with normal accessory agricultural buildings and uses.

Article 3 "RR" Rural Residential District Regulations

Notes: Lots from 10 to 40 acres in size.

Article 4 "SR" Suburban Residential District Regulations

Notes: Lots from 3 to 10 acres in size.

Article 5 "R-1" Single Family Residential District Regulations

Notes: The new R1 district has engulfed the previous V-1 district. R-1 has no minimum lot size for existing lots and new lots will be required to be a size that meets minimum environmental sanitation needs.

Article 6 "AO" Airport Overlay District Regulations

Notes: Minor updates made to wording and layout.

Article 7 "FP" Floodplain Overlay District Regulations

Notes: Minor updates made to wording and layout.

Article 8 "FRD" Floodwater Retarding Dam Breach Impact District

Notes: Minor updates made to wording and layout.

Article 9 Plan Approval Guidelines

Notes: Minor updates made to wording and layout.

Article 10 Performance Standards

Notes: Minor updates made to wording and layout. Changes for the new and deleted Zoning Districts.

Article 11 Parking Regulations

Notes: Minor updates made to wording and layout.

Article 12 Off-Street Loading Regulations

Notes: Minor updates made to wording and layout.

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Article 13 Sign Regulations

Notes: Existing sign code was written over 15 years ago. There is new language to address LED signs and expands locations 'billboards' can be allowed without CUP approval.

Article 14 District Height, Area, and Bulk Regulations

Notes: Minor updates made to wording and layout.

Article 15 Supplementary Height, Area, and Bulk Regulations

Notes: Minor updates made to wording and layout.

Article 16 Supplementary Use Regulations; Conditional Uses; Accessory Uses; Prohibited Uses

Notes: Updates to this section including cell tower setbacks and approval, wind energy farms to be permitted with more specific standards and requirements.

Article 17 Nonconforming Uses

Notes: Minor updates made to wording and layout.

Article 18 Board of Zoning Appeals

Notes: Minor updates made to wording and layout.

Article 19 Administration

Notes: Minor updates made to wording and layout.

Article 20 Special Events

Notes: Minor updates made to wording and layout.

Article 21 Amendments

Notes: Minor updates made to wording and layout.

Article 22 Interpretation, Conflict, Remedies, and Penalty

Notes: Minor updates made to wording and layout.

Article 23 Miscellaneous

Notes: Minor updates made to wording and layout.

Subdivision Regulations

Notes: Remove the need for rezoning when a one-time lot split is completed on AG lots. All streets within a new platted subdivision are to be private streets unless brought up to County paving standards which will be noted on the approved plat.

Other Additional Items

Recreational Vehicle Code: Delay approval of this until we have a codes court in place for enforcement.

Manufactured Home Code: Delay approval of this until we have a codes court in place for enforcement.

Mr. Graham discussed the upcoming tire pickup program.

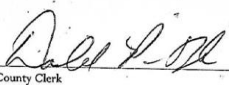


Item Four: Mr. Jason VanBecelaere, Emergency Management Director spoke about the state Emergency Management Grant Mr. Emerson handed out a spreadsheet and explained it to the Commissioners. He stated that the Emergency Management Grant was budgeted into the General Fund as revenue. Mr. Brett Rowe with the Kansas Dept. of Emergency Management had visited the county earlier in the week. Jason stated that they had spoken to Larissa Bowman and Don Pyle about how the money for the EM budget is handled. They were told that this is not a reimbursement grant and that it is designed to help the counties build up some funds to help fund future needs and programs. There was

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a discussion of putting Emergence Management into its own fund so that it is easier to keep track of for the federal agency and so that it can build up some funds outside of the general fund. It is currently part of the general fund but a separate department and any cash carryover just becomes part of the general fund. It was also discussed that this grant money cannot be included in the budget as revenue. It was discussed that the grant can be used for salary and that it should be moved out of the general fund. There should be no carry over for a couple of years due to the new truck that was purchased. They decided to leave it as it is for now and that it should be moved to its own fund later.

MESSAGES FROM OTHER GOVERNMENTAL ENTITIES MESSAGES FROM ELECTED OFFICIALS PROCLAMATION AND ORDERS OF THE BOARD NEW BUSINESS

Item One: County Clerk Don Pyle presented applications for 2017 Cereal Malt Beverage Licenses for Mirna H. Santana for "Lakeview Cafe" to allow them to sell cereal malt beverages for consumption on the premises and to allow them to sell cereal malt beverages in original and unopened containers and not for consumption on the premises. Mr. Pyle explained that both licenses are for the same premises. Mr. Pyle stated that notices have been sent to the Sheriff, Zoning Administrator, County Attorney and the Township Clerk and that they were given 10 days to respond and that no responses had been received.

Fee \$50.00	KEEP THIS LICENSE POSTED CONSPICUOUSLY AT ALL TIMES	No. 11
RETAIL		
DEALER'S 2017 LICENSE		
License is hereby granted to Mirna H Santana for " Lakeview Cafe " to sell at retail CEREAL MALT BEVERAGES		
For sale in original and unopened containers and not for consumption on premises, at #2 Lake Road, Farlington, KS 66734 in the Township of Sherman in Crawford County, Kansas. Application therefor, on file in the office of the County Clerk of said County, having been approved by the governing body of said Township, as provided by the Laws of Kansas, and the regulations of the Board of County Commissioners.		
This License will expire on December 31, 2017 , unless sooner revoked, is not transferable, nor will any refund of the fee be allowed thereon.		
Done by the Board of County Commissioners of Crawford County, Kansas, this twenty-first day of April, 2017.		
Attest:	 County Clerk	
	 Chairman	CRAWFORD COUNTY KANSAS

Board of Crawford County Commissioners


128807

Fee \$100.00 KEEP THIS LICENSE POSTED CONSPICUOUSLY AT ALL TIMES No. 10


RETAIL
DEALER'S 2017 LICENSE


License is hereby granted to **Mirna H Santana** for "**Lakeview Cafe**" to sell at retail
CEREAL MALT BEVERAGES


For consumption on the premises, at **#2 Lake Road, Farlington, KS 66734** in the Township of **Sherman** in Crawford County, Kansas. Application therefor, on file in the office of the County Clerk of said County, having been approved by the governing body of said Township, as provided by the Laws of Kansas, and the regulations of the Board of County Commissioners.

This License will expire on **December 31, 2017**, unless sooner revoked, is not transferable, nor will any refund of the fee be allowed thereon.

Done by the Board of County Commissioners of Crawford County, Kansas,
this twenty-first day of April, 2017.

Attest: 
County Clerk


Chairman


CRAWFORD COUNTY
KANSAS

On motion (17-148) of Commissioner Moody and the second of Commissioner Wood to make it known that the matter of issuing a license to the applicant(s) listed below was discussed and considered by the Board, and there being no objection filed as provided by law and the Board knowing of no reason why a license should not be issued, the board hereby issues a license to "sell at retail", cereal malt beverages in broken case lots from the place of business as shown in the application as designated and described on the application as herein before set out, and that the County Clerk be hereby authorized and directed to execute the proper license which shall be signed by the Chairman of the Board of County Commissioners and the County Clerk of Crawford County, Kansas.

2017 Cereal Malt Beverage Licenses

APPLICANT: Mirna H Santana "Lakeview Cafe"
PREMISES: #2 Lake Rd, Farlington KS 66734
(For consumption on the premises)

APPLICANT: Mirna H Santana "Lakeview Cafe"
PREMISES: #2 Lake Rd, Farlington KS 66734
(For sale in original and unopened containers and not for consumption on the premises)

Yeas: Commissioners Moody, Wood and Murphy
Nays:
Present but not voting:

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Absent or not voting:

The motion prevailed.

Item Two: Mr. Pyle stated he received a return email from Mr. Bob Clement from Gallagher Group and he would like to have a work session on May 2, 2017 at 9:00 AM. Mr. Murphy stated Mr. Clement would like to speak to the Commissioners first without Blue Cross and Blue Shield present. Mr. Murphy stated he would like the City of Pittsburg to speak to the Commissioners again about their Health Insurance outside of Blue Cross and Blue Shield.

Item Three: Mr. Emerson stated that the health insurance claims for this week are \$27,914.86 and this is back at a manageable range. He stated that a transfer needs to be made in the amount of \$28,000 from the General Fund to the Risk Management Fund

On motion (17-149) of Commissioner Wood and the second of Commissioner Murphy to transfer \$28,000 from General Fund to Risk Management Fund.

Yeas: Commissioners Moody, Wood and Murphy

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Four: Mr. Murphy gave an update on the work at the Fair Grounds and stated that the pad is complete at the Angels Among Us building site and the restroom pad is 8" away from being complete. He stated that a tremendous amount of progress has been made and he wanted to thank the county employees for all the hard work they have put into this project. Mr. Murphy stated that he went to Vinylplex and they have extra pipe to donate to the Fair Ground sewer project. He discussed picking up the pipe from Vinylplex. He also discussed the sewer pumps and sewer lines.

Item Five: Mr. Wood addressed the Girard City Council special meeting last night. Mr. Weiner, Girard City Administrator stated that there are still a lot of negotiations to do. There was a discussion on the manual and automatic bar screens. Mr. Weiner spoke about the unacceptable materials that go into the systems and the damages it causes. There was an in-depth discussion on the lift station and the bar screen at the jail and different options and costs. Mr. Pyle showed pictures of a manual screen. Mr. Wood stated that Mr. Weiner should get prices and both the City and the County will work together in finding a solution.

Item Six: Mr. Wood spoke about the trucks and that he would like to save the trucks with spreader boxes to be used only when spreading materials. Mr. Wood also spoke about looking at a backhoe.

UNDER THE HEADING OLD BUSINESS

EXECUTIVE SESSION

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

Board of Crawford County Commissioners

FUTURE BUSINESS:

Item One: April 25, 2017 – 9:00 AM Work Session with Robert Gorentz, Project Manager on building plans.

Item Two: April 25, 2017 – Mr. Brad Stroud, Live Well Crawford County Director addressing PedNet evaluations and assessments.

Item Three: April 25, 2017 – Crawford County Active Transportation Board presenting Transportation Plan.

Item Four: May 2, 2017 – 9:00 AM Work Session with Mr. Bob Clement from Gallagher Group to discuss Health Insurance.

ANNOUNCEMENTS:

Item One: April 24, 2017 – City of Girard Special Council Meeting to discuss the Fairgrounds with the Commissioners, the Fair Board and the CVB at 7:30 PM at the Girard Civic Center.

Item Two: April 26, 2017 – 2017 Student Government Day.

Item Three: April 29, 2017 -- 8:00 AM to 3:00 PM 2017 Crawford County and KDHE Zika Virus Mitigation Tire Program at the Crawford County Road & Bridge Department (Freeto Building), 669 S 69 Hwy, Pittsburg, KS and the County Barn at 511 E Antelope Girard, Kansas.

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 [April 21, 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.

Don Pyle

Board of Crawford County Commissioners

County Clerk



This submission completed at the Crawford County Courthouse in Girard.
Taken BKW 4/21/17 11:35AM