

# Board of Crawford County Commissioners

## Commissioners' Journal

2017, TWENTY-FOURTH MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM

Girard, KS Tuesday, April 4, 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 (17-121)** of Commissioner Moody and the second of Commissioner Murphy that the consent agenda be approved including:

1. Approval of the **March 28, 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.**

### **SIGNING OF MOTIONS**

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

Motion 17	117	That the consent agenda be approved including: Approval of the March 24, 2017 minutes
Motion 17	118	To approve Removal of the Burn Ban for Crawford County as recommended by the Crawford County Fire Fighters Association
Motion 17	119	To approve the County Deed from Crawford County, Kansas to Castagno Oil, Inc. and Authorize the Chairman to sign
Motion 17	120	To recess this open session and go into a closed executive session for a period of not more than 10 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship and to include the Board of County Commissioners and County Counselor Jim Emerson

# Board of Crawford County Commissioners

## 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 Forman addressed 2017 Asphalt Bids. Mr. Chiartano presented the bids to the Commissioners. He stated that the County teamed up with the City of Pittsburg again this year and 3 companies submitted bids. Mr. Chiartano stated that he recommends the lowest bid from Heckert Construction Co Inc. He explained the bids to the Commissioners and answered their questions. There was a short discussion about the road in Deer Creek Acres.

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**From:** Randy Chiartano [mailto:rchiartano@icloud.com]  
**Sent:** Wednesday, March 29, 2017 8:42 AM  
**To:** lizh@ckt.net  
**Subject:** Fwd: BIDS - 2017 Asphalt Material

Sent from my iPhone

Begin forwarded message:

**From:** "VANGORDEN, JOYE L" <joye@PITTKS.ORG>  
**Date:** March 28, 2017 at 4:07:37 PM CDT  
**To:** "BACON, MATT S" <matt.bacon@PITTKS.ORG>, "WELLS, LONNIE C." <Lonnie.Wells@pittks.org>, "ALDEN, CAMERON L" <CAMERON.ALDEN@pittks.org>, "HARDISTER, GREGORY A" <Greg.Hardister@pittks.org>, "Randy Chiartano (rchiartano@icloud.com)" <rchiartano@icloud.com>  
**Cc:** "PETERSON, JARED" <Jared.Peterson@pittks.org>  
**Subject:** BIDS - 2017 Asphalt Material

Good Afternoon!

Attached is the bid tabulation for the asphalt material that was bid today. Please review and let me know at your earliest convenience if you all agree to go with the low bidder Heckert Construction Co. I would like to get this placed on the April 11<sup>th</sup> City Commission meeting agenda.

Thanks,

*Joye L. VanGorden*  
Public Utilities Office Manager/Deputy City Clerk  
The City of Pittsburg  
1506 N Walnut  
Pittsburg, Kansas 66762  
Phone: (620) 240-5126  
Fax: (620) 240-5157  
Email: [joye@pittks.org](mailto:joye@pittks.org)

# Board of Crawford County Commissioners



## The City of Pittsburg and Crawford County, Kansas 2017 Sales Tax Street Program Asphalt Material Tuesday, March 28<sup>th</sup>, 2017 -- 2:00 p.m.

Name and Address of Bidder	SM9.5 Asphalt (Per Ton) Virgin Mix & Less \$ For (RAP)	SM12.5 Asphalt (Per Ton) Virgin Mix & Less \$ For (RAP)	SM19A Asphalt (Per Ton) Virgin Mix & Less \$ For (RAP)	Driving Distance (Plant to 4 <sup>th</sup> & US69)	Minimum Tonnage For Start- Up/ Start- Up Charge	Delivery Charge to City of Pittsburg
Blevins Asphalt Construction Co., Inc. P.O. Box 230 Mt. Vernon, MO 65712	VM \$49.00	VM \$49.00	VM \$49.00	35 mi. Carthage, MO	40	\$9.50/ton
	Less \$2.00	Less \$2.00	Less \$2.00		N/A	
Heckert Construction Co., Inc. 746 E. 520 <sup>th</sup> Ave. Pittsburg, KS 66762	VM \$48.92	VM \$47.63	VM \$46.43	5 mi. Pittsburg	75	\$2.73/ton
	Less \$3.28	Less \$3.28	Less \$3.28		\$475.00	
Teeter's Asphalt & Materials, LLC P.O. Box 414 Quapaw, OK 74363	Type C - Mix \$45.00			38 mi. Picher, OK	30	\$12.00/ton
	Type B - Mix \$45.00 Type A - Mix \$45.00				N/A	
*No allowance for up to 15% recycle.						

NOTE: City expects to pick up asphalt material at the Plant. Bid documents provided a \$0.30 per mile per ton additional amount to be added to bid.

Blevins Asphalt – 35 mi. x \$0.30 x 2 (Round Trip) = \$21.00/ton  
 Heckert Construction – 05 mi. x \$0.30 x 2 (Round Trip) = \$ 3.00/ton  
 Teeter's Asphalt – 38 mi. x \$0.30 x 2 (Round Trip) = \$22.80/ton

**On motion (17-122)** of Commissioner Moody and the second of Commissioner Wood to approve the bid from Heckert Construction Co Inc for Asphalt in 2017 as recommended by Asphalt Foreman Randy Chiartano.

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

**Item Two:** Mr. Brad Stroud, Director of Live Well Crawford County thanked the Commissioners for the new carpet and paint in his office. He also stated that today is Vitamin C day and listed some of the fruits and vegetables that are a good source of Vitamin C.

Mr. Stroud addressed the Live Well application for HCI funding through the “Improving Health Equity in Kansas” Grant available through the Kansas Health Foundation. Mr. Stroud gave information on the grant and stated that the focus of the grant is health equity in Kansas. He explained the different aspects of health equity and what areas Live Well wants to focus on. He discussed the 10 different communities in Crawford County and the availability of fresh fruits and vegetables and the distance to access health care. He stated that this is a 3 ½ year grant and the deadline to apply is April 1. Notification of awards will be around the end of June and the grant begins July 1, 2017 and runs to

## Board of Crawford County Commissioners

December 31, 2020. He stated that \$262,500 is the total amount of the grant at \$75,000 per year and \$37,500 for the ½ year. Mr. Stroud explained what the grant monies can be used for. He presented a letter of support and requested that the Chairman sign the letter. Mr. Stroud also gave some information on the projects Live Well is currently working on. He addressed a feasibility study and stated it should be completed by the end of the year. There was a discussion on the status of the high tunnel.

**Board of County Commissioners** Crawford County Courthouse  
PO Box 68  
Girard, Kansas 66743  
  
620-724-6115  
620-724-6007 fax  
www.crawfordcountykansas.com



CRAWFORD COUNTY  
KANSAS

March 30, 2016

To Whom It May Concern:

Live Well Crawford County is a vital part of the county's fight against poverty in Crawford County. The Crawford County Commission has been an active participant in the Live Well Crawford County activities. The commission feels this is one of several ways to address the issues of poverty and health inequities in the county.

Live Well Crawford County continues to work diligently to increase the capacity to address the issues of health inequities and poverty in the county. The commission strongly supports the Live Well application for HCI funding through the "Improving Health Equity in Kansas" Grant.

Sincerely,

Carl Wood, Chair  
Crawford County Commission

**On motion (17-123)** of Commissioner Moody and the second of Commissioner Wood to approve the Letter of Support for the Live Well application for HCI funding through the "Improving Health Equity in Kansas" Grant available through Kansas Health Foundation 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. Troy Graham, Zoning Administrator presented Resolution #2017-011, a Resolution appointing Mr. Dexter Neisler, 419 Fieldcrest Dr, Pittsburg to the Crawford

## Board of Crawford County Commissioners

County Planning and Zoning Board and the Crawford County Joint Board of Appeals with a term running from April 5, 2017 to April 5, 2020. He stated that Mr. Matt Bacon did not want to continue on the board when his term expired. He gave the Commissioners a copy of Mr. Neisler's application and explained his qualifications. Mr. Graham stated that there is still one vacancy on the board. There was a discussion of the board vacancies and which Commission district had the vacancies. Mr. Graham was going to research which district Mr. Neisler was in and bring the resolution back to the Commissioners.

**Item Four:** The Commissioners and Mr. Graham discussed the employees that will participate in the tire drop off program and the equipment needed that day at the Freeto Building on the Pittsburg bypass. Mr. Wood also discussed the status of the Codes Court.

**Item Five:** Mr. Rick Pfeiffer discussed the interview questions for the position of Heath Officer and stated that Mr. Emerson has a copy of the questions. He also stated that he has the Committee for the interviewing assembled and they will begin this process.

### EXECUTIVE SESSION

**Item One:** Commissioner Wood requested an executive session for a period of not more than 15 minutes to discuss matters involving Non-Elected Personnel.

**On motion (17-124)** 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 matters involving Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson and Shop Foreman Greg Hite.

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 10:45 AM and reconvened the Open Session at 11:00 AM with no action taken except to go back into open session.

### MESSAGES FROM APPOINTED OFFICIALS con't

**Item Six:** Mr. Troy Graham stated that Mr. Neisler was in Mr. Murphy's district and all three Commissioners agreed to appoint Mr. Neisler. Mr. Graham stated that the other vacancy is in Mr. Moody's district and he and Mr. Moody will work on getting the vacancy filled.

# Board of Crawford County Commissioners

CRAWFORD COUNTY, KANSAS

## RESOLUTION

2017-011

WHEREAS, the Board of County Commissioners in the best interest of Crawford County, do hereby propose the following.


THAT, Dexter Neisler, 419 Fieldcrest Drive, Pittsburg, Kansas is hereby appointed to serve on the Crawford County Planning and Zoning Board and the Crawford County Joint Board of Appeals.


This term will run from April 5, 2017 to April 5, 2020.

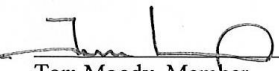
NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for Crawford County, Kansas:

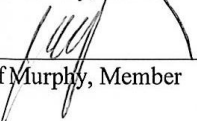
- Section 1) That Dexter Neisler is hereby appointed to serve on the Crawford County Planning and Zoning Board for the term described above.
- Section 2) The effective date of this resolution shall be the 5<sup>th</sup> day of April, 2017.

Attest:

  
\_\_\_\_\_  
Don Pyle  
County Clerk

  
\_\_\_\_\_  
Carl Wood  
Chairman of the Board

  
\_\_\_\_\_  
Tom Moody, Member

  
\_\_\_\_\_  
Jeff Murphy, Member

# Board of Crawford County Commissioners

CRAWFORD COUNTY KANSAS  
APPLICATION FOR  
REGIONAL PLANNING COMMISSION  
AND  
JOINT BOARD OF ZONING APPEALS

Date: 03-31-17

Name: Dexter Neisler

Address: 419 Fieldcrest Drive

City/State/Zip: Pittsburg, KS 66762

Phone(H) 620-249-4444 (C) 620-230-5517 Fax 620-231-2103

Email Address: dexter.neisler@pittks.org

General Location of where you Live: City of Pittsburg

Distance from Home to Courthouse in Girard (# of miles): 15 miles

Job/Activities/Memberships: Building Official for the City of Pittsburg, Zoning Administrator for the City of Pittsburg, Member of the International Codes Council, Board Member for Wesley House, Pittsburg, KS.

Signature: 

**On motion (17-125)** of Commissioner Moody and the second of Commissioner Wood to adopt Resolution 2017-011, a Resolution appointing Mr. Dexter Neisler, 419 Fieldcrest Dr, Pittsburg to the Crawford County Planning and Zoning Board and the Crawford County Joint Board of Appeals with a term running from April 5, 2017 to April 5, 2020.  
Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

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

**Item One:** Mr. Don Pyle, County Clerk presented a letter from Ms. Norma Washington, Sheridan Township Trustee requesting the replacement of the Sheridan Township Clerk and the Sheridan Township Treasurer. Mr. Pyle stated that Mr. Fred Lloyd who was the Sheridan Township Clerk has moved out of the township and resigned and Ms. Washington requests that the vacancy of Township Clerk be filled by Mr. Tim Lloyd. He explained that Stacy Burns was the Sheridan Township Treasurer and she has also moved

## Board of Crawford County Commissioners

out of the township and resigned and Ms. Washington requests that the vacancy of Sheridan Township Treasurer be filled by Bruce Washington.

March 31, 2017

Don Pyle,

**As requested in our telephone conversation on March 30, 2017, I am submitting names of persons to fill the vacant positions of Sheridan Township.**

NN

For Township Treasurer, to replace Stacy Burns,

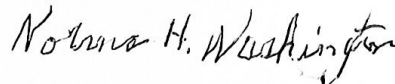
I would like to submit, Bruce Washington. He has been the mower for a number of years, lives and votes in Sheridan Township

For Township Clerk, to replace Fred Lloyd.

I would like to submit, Tim Lloyd, He resides in Beulah and is willing to serve.

I am asking for this decision to be made quickly as we are approaching Memorial Day and are behind on work to be done on the Cemetery's.

Norma H. Washington



Sheridan Township Treasurer

**On motion (17-126)** of Commissioner Moody and the second of Commissioner Murphy to appoint Mr. Tim Lloyd as Sheridan Township Clerk and Mr. Bruce Washington as Sheridan Township Treasurer as recommended by Sheridan Township Trustee Ms. Norma Washington.

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

**Item Two:** Mr. Pyle discussed the meeting with the Blue Cross and Blue Shield representatives and Gallagher Group representatives to address health insurance claims and it was decided to meet with them on April 14, 2017 during the regular session on that day. The Commissioners agreed with this date.



## Board of Crawford County Commissioners

**Item Three:** Mr. Jim Emerson presented Resolution #2017-012, a resolution creating a benefit district for Deer Creek Acres, a platted subdivision located in Crawford County, Kansas. Mr. Emerson explained what will take place after the resolution is passed and what will happen if there is opposition to the district.

### BEFORE THE BOARD OF COUNTY COMMISSIONERS

### CRAWFORD COUNTY, KANSAS

### RESOLUTION NO. 2017-012

**WHEREAS**, petitioners representing the record owners of fifty-one percent (51%) or more of the front feet of the platted lots abutting on or fronting on Deer Creek Court (the "Street"), lying in Deer Creek Acres, a platted subdivision located in Crawford County, Kansas, ("Deer Creek Acres") have petitioned the County Commissioners of Crawford County, Kansas, (the "County") to construct certain street improvements and do all other things necessary and incidental thereto (the "Improvements") to said streets pursuant to K.S.A. 68-728 et seq.; and

**WHEREAS**, the construction of the Improvements to the Street is necessary and in the best interest of the public generally; and

**WHEREAS**, there are no bonds outstanding and none have been issued by the County to pay the cost of the Improvements; and

**WHEREAS**, the boundaries of the proposed benefit district which will be subject to special assessment taxes is lots numbered 5 through 14, inclusive, in Deer Creek Acres; and

**WHEREAS**, the Improvements shall consist of the excavation for and construction of the Street including asphalt overlay, ditches and all other things necessary and incidental thereto; and

**WHEREAS**, the estimated cost of the Improvements is \$60,890; and

**WHEREAS**, the proposed method of assessment is on a per lot basis; and

**WHEREAS**, the cost of the Improvements shall be apportioned one hundred percent to the properties in the proposed benefit district over a five year period and zero percent to the County.

## Board of Crawford County Commissioners

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CRAWFORD COUNTY, KANSAS**, sitting in regular session this 4th\_ day of April, 2017, that the Improvement of the Street, as hereinbefore described, is necessary and is hereby authorized and ordered to be done.

**IT IS FURTHER RESOLVED** that the County both reasonably expects and intends to finance the costs of said Improvements from the proceeds of general obligation bonds of the County. The County does hereby expresses its official intent to reimburse any such pre-issuance original expenditures (as defined in Treas. Reg. 1.150-2(c)) made by it on or after the date which is 60 days before the date of this Resolution from the proceeds of such bonds in the estimated maximum principal amount of \$60,890. The County will issue such bonds for such purposes and make the reimbursements within eighteen (18) months after the date the expenditure to be reimbursed was paid or, if later, eighteen (18) months after the date on which the property resulting from the expenditure was placed in service. Provided, that, in any event, the County must make the reimbursement allocation within three (3) years after the date the expenditure was paid. This Resolution, as the expression of the governing body's official intent regarding the matters described herein, will be available for public inspection in the County Clerk's office at the County Courthouse during regular business hours of the County.

**IT IS FURTHER RESOLVED** that the construction of the Improvements be in accordance with the plans and specifications on file with the County Clerk and subject to the approval of the County Commissioners of the County.

**IT IS FURTHER RESOLVED** that the full cost of the Improvements shall be apportioned and special assessments levied therefor upon the property within the boundaries of the benefit district hereinbefore described and, with these proceedings, hereby established.

**IT IS FURTHER RESOLVED** that this Resolution be published once in the official paper of the County and that a copy hereof be sent by certified mail to the owners of the property liable for taxation for the Improvements hereby authorized and if the owners of more than one-half of the property liable for taxation of the costs of the Improvements do not, within 20 days of

# Board of Crawford County Commissioners

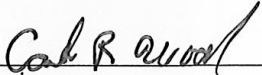
the date of the publication of this Resolution, file with the County Clerk their protest against such Improvement project the Board of County Commissioners shall have the power to cause such Improvements to be built and levy taxes therefore.


**IT IS SO RESOLVED.**

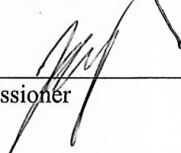
**DATED** this 4th day of April, 2017.

## BOARD OF COUNTY COMMISSIONERS CRAWFORD COUNTY, KANSAS

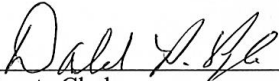


  
\_\_\_\_\_  
Chairman

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

ATTEST:

  
\_\_\_\_\_  
County Clerk

(SEAL)

**On motion (17-127)** of Commissioner Moody and the second of Commissioner Wood to adopt Resolution #2017-012, A Resolution creating a Benefit District for Deer Creek Acres, a platted subdivision located in Crawford County, Kansas.

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting

**The motion prevailed.**

## MESSAGES FROM OTHER GOVERNMENTAL ENTITIES

**Item One:** Mr. Chris Weiner, Girard City Administrator discussed the entrances to the courthouse parking lot and stated that the north entrance will be completed correctly first and then the west entrance will be torn out and redone. He explained that the width of the entrances will remain the same as it is a standard drive way width but the slope will be corrected to a more gradual incline. Mr. Wood questioned the additional costs and Mr. Weiner stated that the extra costs should come in under the \$30,000 that the county has already given to the project. Mr. Murphy feels the engineers should take responsibility of the additional costs. All the Commissioners agreed that the engineer should be responsible.

## Board of Crawford County Commissioners

**Item Two:** Mr. Weiner stated that there will be a Special Council meeting on Monday, April 24, 2017 at 7:30 PM at the Girard Civic Center to discuss the fairgrounds. The Commissioners stated that they will also be in attendance. Mr. Weiner said that the Fair Board and the CVB will also be in attendance.

### NEW BUSINESS con't.

**Item Four:** Mr. Murphy stated he has received calls about annexation to the City of Girard. Mr. Weiner stated that there will be an informational meeting for the residents to give them the pros and cons of being annexed into the City of Girard on April 18, 2017 at 6:30 PM at the Girard High School Auditorium. Mr. Weiner and the Commissioners discussed annexation.

**Item Five:** Mr. Murphy stated that the City of Cherokee Mayor contacted him about beer distribution business opening and licensing issues for Crawford County. After a discussion the Commissioners recommended having the proposed business contact the Zoning Administrator Troy Graham.

**Item Six:** Mr. Murphy stated that he had a resident contact him and was upset with access to courthouse parking. Mr. Murphy suggested opening the west parking lot to the public and have employees park elsewhere. There was a discussion on parking for the public during the construction and the issue of more handicap signs. The Commissioners talked about having handicap parking spaces on each side of the sidewalk entrances to the Courthouse on the square and requested that Mr. Graham check on this.

### UNDER THE HEADING OLD BUSINESS

**Item One:** Mr. Emerson discussed having a work session to address Neighborhood Revitalization. It was decided to have the work session on April 7 at 9:00 AM. Mr. Emerson stated that Mr. John Macary, Appraiser's Office, would also like a work session on April 7 at 8:45 AM.

**Item Two:** Mr. Murphy addressed the budget process and Mr. Pyle stated he plans on sending initial budget requests out now to Department Heads and Elected Officials and ask that they submit the requests by May 10. He stated that budget meetings with Elected Officials and Department Heads with the Commissioners can start being scheduled around mid May.

**Item Three:** Mr. Wood addressed the roof of the courthouse.

### UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

#### FUTURE BUSINESS:

**Item One: April 7, 2017 – 8:45 AM** Work Session with John Macary, County Appraiser's Office.

**Item Two: April 7, 2017 – 9:00 AM** Work Session to discuss County Neighborhood Revitalization.

## Board of Crawford County Commissioners

**Item Three: April 14, 2017** – Representatives from Blue Cross and Blue Shield and Gallagher Group addressing Health Insurance.

### ANNOUNCEMENTS:

**Item One: April 8, 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.

### 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 4, 2017](#) meeting of the Board of Crawford County Commissioners at 12:05 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 4/04/17 12:05 PM/amended BKW 4/6/17 11:30 AM