

Board of Crawford County Commissioners

Commissioners' Journal

2016, **EIGHTY-FOURTH** MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM
Girard, KS **Tuesday, November 8, 2016, 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 Carl Wood and Jeff Murphy were in attendance.

General Government Director Bobbi Wicker 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 (16-401) of Commissioner Wood and the second of Commissioner Moody that the consent agenda be approved including:

1. Approval of the **November 4, 2016** 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 16	396	That the consent agenda be approved including: Approval of the November 1, 2016 minutes
Motion 16	397	To appoint Mr. Troy Graham, Crawford County Zoning Administrator to the Pittsburg Land Bank Board of Directors to replace former Zoning Administrator Mr. Mike Plank
Motion 16	398	To approve the FFY 2019 High Risk Rural Roads project Funding Application for 230 th St
Motion 16	399	To recess this open session and go into a closed executive session for a period of not more than 15 minutes to discuss matters that would be deemed privileged in the attorney-client relationship and to include the Board of County Commissioners and County Counselor Jim Emerson
Motion 16	400	To recess this open session and go into a closed executive session for a period of not more than 10 minutes to discuss matters that would be

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		deemed privileged in the attorney-client relationship and to include the Board of County Commissioners and County Counselor Jim Emerson
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UNDER THE HEADING NEW BUSINESS

PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS

MESSAGES FROM THE PUBLIC

MESSAGES FROM ELECTED OFFICIALS

MESSAGES FROM APPOINTED OFFICIALS

Item One: Mr. Ed Fields, Noxious Weed Director, with an update on the Noxious Weed Department. Mr. Fields reported on what has been taking place in his department. He stated that he was selected as Educational Officer for the CWDA conference and also spoke about the Farm Rescue program and explained to the Commissioners what the program was about. Mr. Fields stated that as of October 21 his part time summer employee Dylan Plouvier was done for the year and he stated that Dylan was an excellent worker and hopes that he will come back next year. Mr. Fields said that he has been working with the new owners of T & C Wildlife and also has been working with Project Manager Robert Gorentz on the courtyard tree removal. He discussed chemical sales to residents and the charges they pay for chemicals through his office. The Commissioners thanked Mr. Fields for his report.

MESSAGES FROM OTHER GOVERNMENTAL ENTITIES

PROCLAMATION AND ORDERS OF THE BOARD

NEW BUSINESS

Item One: Commissioner Wood spoke in reference to a meeting on 911 procedures.

Item Two: Mr. Woods stated that Westar is hosting a safety demonstration for Road and Bridge employees on November 17, 2016 at the Pittsburg Fire Station #1 beginning at 9:00 AM. Mr. Wood discussed EMS employees attending the safety demonstration.

UNDER THE HEADING OLD BUSINESS

Item One: Mr. Murphy stated that he is finished reviewing the Contract between Crawford County Board of Commissioners and Mission Construction Co, Inc for the Bridge Replacement Project, Bridge No. 690.

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C O N T R A C T

THIS AGREEMENT, made and entered into this 8th day of OCTOBER,
2016, by and between Crawford County Board of Commissioners,
first Party, hereinafter referred to as the OWNER and Mission Construction Co., Inc.,
second Party, hereinafter referred to as the CONTRACTOR.

WITNESSETH:

Article 1. It is hereby mutually agreed that for and in consideration of the sum or sums to be paid the contractor by the Owner as set forth in the General Clauses, the said Contractor shall furnish all labor, equipment, accessories and material (except material salvaged or otherwise furnished as specified), and shall perform all work necessary to construct and complete the improvements in good, substantial and workmanlike manner, ready for use, and in strict accordance with the contract drawings and specifications as approved and filed pertinent to law in the office of the legal representative of the Owner.

Article 2. It is hereby further agreed, that in consideration of the faithful performance of the work by the contractor, the Owner shall pay the Contractor the sum or sums due him by reason of said faithful performance of the work at stated intervals, in the amounts certified by the Engineer, in accordance with the provisions of the General Clauses, and as set forth in the proposal as accepted by the Owner.

Article 3. It is hereby further agreed that, at the completion of the work and its acceptance by the Owner, all sums due to the Contractor by reason of his faithful completion of the work, taking into consideration additions or deductions from the contract price by reason of alterations or modifications to the original contract or by reason of "Force Account" work authorized under the contract in accordance with the provisions of the General Clauses, shall be paid by the Owner to the Contractor within thirty (30) days after said completion and acceptance.

Article 4. It is hereby further agreed that the words "he" or "him" whenever used herein as referring to the Contractor, shall be deemed to refer to said Contractor whether a corporation, partnership or individual, and this contract and all covenants and agreements thereof shall be binding upon and for the benefit of the heirs, executors, administrators, successors, and assigns of said Contractor.

Article 5. It is hereby further agreed that any reference herein to the "Contract" shall include all contract documents as specifically set out in the General Clauses and they are hereby made a part of this agreement as fully if set out at length herein.

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IN WITNESS WHEREOF, the First Party and the Second Party, respectively, have caused this agreement to be duly executed the day and year first herein written, all copies of which, to all intents and purposes, shall be considered as the original.

ATTEST:

Dale P. Wood

OWNER, FIRST PARTY
Crawford County Board of Commissioners

Carl R. Wood

Jan L. P.

[Signature]

CONTRACTOR, SECOND PARTY

Mission Construction Co., Inc.
Firm Name

By: [Signature]

PRESIDENT
Office or Position of Signer

On motion (16-402) of Commissioner Wood and the second of Commissioner Moody to approve Contract between Crawford County Board of Commissioners and Mission Construction Co, Inc for the Bridge Replacement Project, Bridge No. 690 and to authorize all three Commissioners to sign.

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Two: Mr. Murphy stated that Mr. Coby Hinton asked if the Commissioners would like to meet with Mr. Dan Ellis, Alliance Pump & Mechanical for a sewage pump demonstration. The Commissioners decided to meet with Mr. Ellis on November 22, 2016 immediately after the regular session.

Item Three: Mr. Murphy discussed the arch culvert that was purchased for 140th Street and stated that the culvert cannot be used in that location and would like to order diameter pipe. Mr. Wood asked what was planned with the culvert that was already ordered and Mr. Murphy stated that he has another location where he would like to put that culvert. Mr. Moody was answered that the damage was unforeseen in the location

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where the culvert was originally ordered for. Mr. Wood was concerned about spending and discussed the issue of putting \$300,000 into the equipment reserve fund. The Commissioners advised to go ahead and order the pipe that is needed.

Item Four: Mr. Wood addressed the transferring of \$300,000 from the Road and Bridge fund to the Equipment Reserve Fund and would like to get this done as soon as possible. Mr. Wood spoke about machinery needed for the Road & Bridge department and about purchasing this machinery in the future.

EXECUTIVE SESSION:

Item One: County Counselor Jim Emerson requested an executive session for a period of not more than 30 minutes to discuss items that could be deemed privileged in the Attorney-Client Relationship and to include the Board of County Commissioners, County Counselor Jim Emerson and Mr. Ray Ryan & Mr. Mike Ryan, Ryan Insurance.

On motion (16-403) of Commissioner Moody and the second of Commissioner Murphy to recess this open session and go into a closed executive session for a period of not more than 30 minutes to discuss items that could be deemed privileged in the Attorney-Client Relationship and to include the Board of County Commissioners, County Counselor Jim Emerson and Mr. Mike Ryan and Mr. Ray Ryan from Ryan Insurance.

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 10:48 AM and reconvened the Open Session at 11:10 AM with no action taken except to go back into open session.

On motion (16-404) of Commissioner Wood and the second of Commissioner Murphy to approve the Sworn Statement in Proof of Loss to the Employers Mutual Casualty Company and authorize the Chairman to sign and to deposit the check in the amount of \$90,647.17.

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

FUTURE BUSINESS:

Item One: November 22, 2016 – Sewage pump demonstration by Mr. Dan Ellis, Alliance Pump & Mechanical immediately after the regular session.

ANNOUNCEMENTS:

Item One: November 8, 2016 – General Election Day with polls open from 7:00 AM to 7:00 PM.

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Item Two: November 11, 2016 – The Courthouse will be closed in observance of Veteran’s Day and there will no Commission Meeting on that day.

Item Three: November 14, 2016 – Board of Canvassers Meeting at 9:00 AM with the Meeting of the Board of Commissioners immediately following the Canvass.

Item Four: November 15, 2016 – The Regular Meeting of the Board of Commissioners is cancelled.

Item Five: November 15, 16 and 17, 2016 – All three Commissioners will be attending KAC in Overland Park, Kansas.

Item Six: November 22, 2016 – Westar safety demonstration for all Road & Bridge employees at the Pittsburg Fire Station #1.

UNDER THE HEADING MOTION TO ADJOURN MOTION TO ADJOURN

Item One: Adjournment

On the motion of Commissioner Wood and the second of Commissioner Moody to adjourn the [November 8, 2016](#) meeting of the Board of Crawford County Commissioners at 11:24 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.

Bobbi Wicker

General Government Director

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This submission completed at the Crawford County Courthouse in Girard.

[Taken BKW 11/8/2016 11:15 AM/amended BKW 11/9/16 9:05 AM](#)