

Board of Crawford County Commissioners

Commissioners' Journal

2016, [EIGHTY-FIRST MEETING](#)

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM
Girard, KS [Friday, October 28, 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.

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 (16-386) of Commissioner Wood and the second of Commissioner Moody that the consent agenda be approved including:

1. Approval of the [October 25, 2016](#) 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 16	381	That the consent agenda be approved including: Approval of the October 21, 2016 minutes
Motion 16	382	To open the public hearing on vacating a platted street in Mullen's Subdivision, Crawford County, Kansas
Motion 16	383	To close the public hearing on vacating a platted street in Mullen's Subdivision, Crawford County, Kansas
Motion 16	384	To adopt Resolution #2016-027, a Resolution Closing and Vacating a Platted Street in Mullen's Subdivision of the Northwest Quarter of the Northeast Quarter of the Southeast Quarter of Section Eighteen (18), Township Twenty Nine (29) South, Range Twenty Five (25) East,

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		Crawford County, Kansas, According to the Recorded Plat Thereof : A portion of Third Street located adjacent to and South of Lots Nine and Ten and North of Lots Twenty Three and Twenty Four in Mullen’s Subdivision of the Northwest Quarter of the Northeast Quarter of the Southeast Quarter of Section Eighteen (18), Township Twenty Nine (29) South, Range Twenty Five (25) East, Crawford County Kansas, according to the recorded plat thereof
Motion 16	385	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

**UNDER THE HEADING NEW BUSINESS
PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS
MESSAGES FROM THE PUBLIC**

Item One: Mr. John Newbery, 12 Timberlake Rd, Pittsburg, addressed the Commission regarding assistance from the county in paving Timberlake Road which is a county road. He gave the Commissioners some history of the property and the subdivision. He stated that around 1998 the landowners in the subdivision paved the road and divided the cost between the 12 property owners which was around \$25,000 total. He said that since the road was paved it has been sealed twice and patched once and that is where the road stands. Mr. Newbery stated that all the properties in the subdivision have been built on and all very nice homes. Mr. Emerson stated that the road was platted when the subdivision was platted and it was before county specs for roads were in effect. Mr. Newbery wanted to commend the county road & bridge crews on the replacement of a culvert in bad need of repair and the county crews did an excellent job in taking care of this. Mr. Newbery answered Commissioner Wood that the landowners never approached the county before in reference to Timberlake road because they thought it was a private road and that is was the landowner’s responsibility, but later found out that it is a county road. He also stated that they have formed a landowner’s association. Mr. Newbery said that the landowners have maintained it alone for over 20 years and now would like assistance from the County. Mr. Moody was answered that the road has a good solid base with the exception of 2 or 3 small places that need more repair.

Mr. Chuck Menghini, 22 Timberlake Road, Pittsburg, Kansas addressed the Commission. He stated that it is his understanding that the county was asked for assistance on this road some time ago but does not know what took place at that time. Mr. Menghini stated that it is obvious that it is a county road and feels it should have been the county’s responsibility all along. He presented the Commissioners with a cost comparison between chip and seal and asphalt that he created and explained the document to the Commissioners. He said that he feels that it is in the county’s best interest to do it the best way possible to be able to maintain is from now own. Mr. Murphy was answered that the landowners have been doing their own snow removal. Mr. Moody asked about traffic count and Mr. Menghini answered that there are at least 100 vehicles a day that travel Timberlake road and Mr. Newberry stated that the landowners minimize trash truck traffic by using 1 carrier throughout the subdivision. Mr. Menghini stated that he feels

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that the residents deserve the county's assistance. The Commissioner discussed how each Commissioner makes its own call for each of the roads in their district and how the decisions are made in how to maintain the county roads. Mr. Murphy would like to overlay the road but all three Commissioners need to make the decision. Mr. Wood asked the residents if they would be willing to pay the difference between overlay and chip and seal. Mr. Newberry stated that there are only 4 residents present and they all stated they would pay the difference but they cannot speak for the other landowners. Mr. Moody stated that they have never charged any other landowners and is concerned with setting precedence by doing this. The Commissioners stated that they have already spent the allotted amount for asphalt this year and stated that the new figures for asphalt should be in around March of next year. The Commissioners and the landowners discussed paying the difference between chip and seal and paving. Mr. Newberry thanked the Commissioners for their time.

MESSAGES FROM ELECTED OFFICIALS MESSAGES FROM OTHER GOVERNMENTAL ENTITIES

Item One: Ms. Becky Gray, Pittsburg Community Development Director, discussed the update to Pittsburg Neighborhood Revitalization Plan. Ms. Gray handed out the Neighborhood Revitalization Program 2016 Revision. Ms. Gray stated that the plan is based on Kansas statutes. She explained the new plan in detail to the Commissioners. She stated that she will present the plan to the school board and after that the final draft will be sent to the Commissioners along with a resolution and interlocal agreement for their approval.

PROCLAMATION AND ORDERS OF THE BOARD NEW BUSINESS

Item One: Mr. Pyle stated that advanced voting centers in Pittsburg at the Homer Cole Center and Meadowbrook Mall are open and will be open throughout the weekend and any Crawford County voter can vote at these centers.

Item Two: Mr. Emerson stated that there is a short fall for Risk Management fund this month and would propose a transfer to pay the bill today. Mr. Emerson discussed the Bond and Interest fund and requested a transfer of \$21,137.00 from that fund to the Risk Management fund.

On motion (16-387) of Commissioner Wood and the second of Commissioner Moody to transfer \$21,137.00 from the Bond and Interest fund to the Risk Management fund.

Yeas: Commissioners Moody, Wood, and Murphy

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Three: Mr. Emerson discussed a lease purchase on the new Emergency Management vehicle. Mr. Emerson stated that the amount is \$27,385.80 and the

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Commissioners decided to go with a 4 year lease purchase and asked Mr. Emerson to bid it out.

Item Four: Mr. Wood discussed having a time clock installed in the courthouse.

Item Five: Mr. Wood stated that he is going to meet with a representative from Cat on Monday and on Wednesday John Deere will be bringing out a mini excavator to demo on 20th street and will contact the road foremen.

Item Six: Mr. Wood stated that he did not get the drawings back yet on the 2 buildings and hopes to have them Tuesday morning.

Item Seven: Mr. Moody discussed the dump truck that was viewed on Tuesday. Mr. Wood stated that he thought it was too high class for the county and has equipment and electronics that is unnecessary for what the county uses it for. Mr. Moody suggested getting other bids and the other Commissioners agreed.

UNDER THE HEADING OLD BUSINESS

Item One: Mr. Emerson addressed the administration costs for health insurance. He went over a comparison with Mental Health included and without Mental Health included and stated that it shows current administration costs per person per month. Mr. Emerson stated that the cost is actually lower without Mental Health.

Item Two: Mr. Murphy stated that he spoke to State Representative Jake LaTurner about the Rural Opportunity Zone and Mr. Jim Emerson and Mr. Bill Brady researched the program. The Commissioners decided to discuss the issue again sometime after the election.

EXECUTIVE SESSION:

Item One: Commissioner Wood requested an executive session for a period of not more than 15 minutes to discuss matters involving Attorney-Client privilege and to include the Board of County Commissioners and County Counselor Jim Emerson.

On motion (16-388) of Commissioner Wood 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 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.

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 11:41 AM and reconvened the Open Session at 11:48 AM with no action taken except to go back into open session.

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Item Two: Commissioner Wood requested an executive session for a period of not more than 30 minutes to discuss matters involving Attorney-Client privilege and to include the Board of County Commissioners and County Counselor Jim Emerson.

On motion (16-389) 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 matters that would be deemed privileged in the attorney-client relationship and to include the Board of County Commissioners and County Counselor Jim Emerson.

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 11:49 AM and reconvened the Open Session at 11:57 AM with no action taken except to go back into open session.

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

FUTURE BUSINESS:

ANNOUNCEMENTS:

Item One: November 2, 2016 – 9:00 AM Work Session to discuss sick leave policy.

Item Two: November 15, 16 and 17, 2016 – All three Commissioners will be attending KAC.

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 [October 28, 2016](#) meeting of the Board of Crawford County Commissioners at 11:58 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.

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Don Pyle
County Clerk



This submission completed at the Crawford County Courthouse in Girard.
Taken BKW 10/28/16 11:58 AM/amended BKW 10/31/16 9:30 AM