

Board of Crawford County Commissioners

Commissioners' Journal

2016, [SEVENTY-FIRST](#) MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM
Girard, KS **Friday, September 23, 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 (16-340) of Commissioner Wood and the second of Commissioner Moody that the consent agenda be approved including:

1. Approval of the **September 16, 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	333	That the consent agenda be approved including: Approval of the September 16, 2016 minutes
Motion 16	334	To approve the Kansas Department of Corrections Community Corrections Comprehensive Plan Quarterly and Year End Outcome Report and authorize the Chairman to sign
Motion 16	335	To approve the request for reappointment of Jon Bishop for an additional three year term
Motion 16	336	To rescind Motion 16-331
Motion 16	337	To recess this open session and go into a closed executive session for a period of not more than 5 minutes to discuss personnel matters involving Non-Elected Personnel and to include the Board of County Commissioners and County Counselor Jim Emerson and Rusty Akins

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Motion 16	338	To recess this open session and go into a closed executive session for a period of not more than 30 minutes to discuss personnel matters involving Non-Elected Personnel and to include the Board of County Commissioners and County Counselor Jim Emerson
Motion 16	339	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

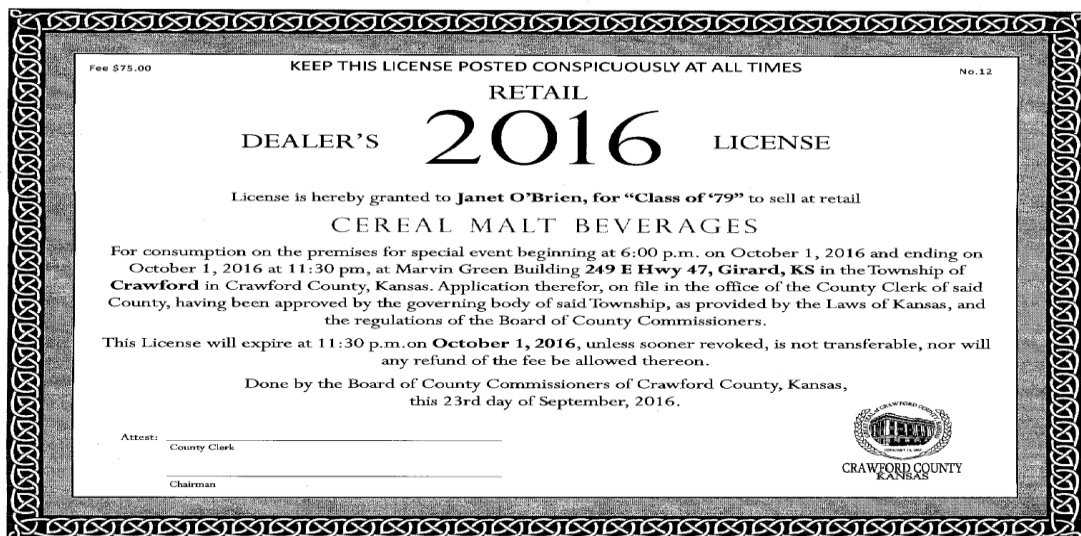
UNDER THE HEADING NEW BUSINESS

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

Item One: Judge Fleming addressed the Commissioners and stated that next week there will a jury trial that will last from 3 to 5 days and there will be 2 large law firms with staff from Kansas City and approximately 100 jurors in the Courthouse starting Monday.

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

Item One: County Clerk Don Pyle presenting an application for a 2016 Cereal Malt Beverage License for Janet O'Brien "Class of '79" to allow them to sell cereal malt beverages for consumption on the premises for a special event during the dates beginning at 6:00 PM on October 1, 2016 and ending at 11:30 PM on October 1, 2016 at the Marvin Green Building in the Crawford County Fairgrounds. Mr. Pyle stated that notices have been sent to the Sheriff, Zoning Administrator, County Attorney and the Township Clerk and that they had been given 10 days to respond and that no responses had been received.



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On motion (16-341) 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.

APPLICANT: Janet O’Brien “Class of ‘79”

PREMISES: Marvin Green Building, Crawford County Fairgrounds, 249 E 47 Hwy, Girard, KS

DATE: Beginning 6:00 PM October 1, 2016 ending 11:30 PM October 1, 2016.

(For consumption on the premises)

Yeas: Commissioners Moody, Wood and Murphy

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Two: Mr. Pyle presented a signature form for the Incode accounting software for payroll and accounts payable checks for Mr. Murphy to sign so his signature is input into the software. Mr. Pyle stated that Mr. Moody’s and Mr. Wood’s signatures are already in the system.

Item Three: Mr. Emerson presented a lease purchase between Girard National Bank and the Board of County Commissioners, Crawford County, Kansas for 3 vehicles and equipment for Sheriff’s Department and equipment for a total amount of \$80,087.00 at 1.74% for 3 years. A discussion was held on the trade in of the old vehicles verses the Commissioners purchasing the old vehicles for the use of other departments in the County. The Commissioners discussed with Chief Deputy Anthony Pichler a the issue of trading in the old vehicles on this purchase to Molle Automotive. Mr. Pichler suggested that the Commissioners get a list of the old vehicles before trading them in to see if the Commissioners would be interested in purchasing any. Mr. Wood stated that he would like to see all bids for the Sheriff’s Department vehicles in the future and not just the winning bid.

Board of Crawford County Commissioners

EQUIPMENT LEASE WITH PURCHASE OPTION (For Municipalities pursuant to KSA 10-1116b)

THIS EQUIPMENT LEASE WITH PURCHASE OPTION ("Lease") is effective the 23 day of SEPTEMBER, 2016, by and between:

THE GIRARD NATIONAL BANK
PO BOX 67
GIRARD, KS 66743
("Lessor")

and
BOARD OF COMMISSIONERS, CRAWFORD COUNTY, KANSAS
PO BOX 249
GIRARD, KS 66743
("Lessee")

RECITALS:

WHEREAS, Lessor has agreed, at the request of Lessee, to acquire the personal property equipment described on **Exhibit A**, and

WHEREAS, Lessor has agreed to lease to Lessee, and Lessee has agreed to lease from Lessor, for business purposes, the personal property equipment described on **Exhibit A** hereto upon the terms and conditions set forth below;

NOW, THEREFORE, for and in consideration of the mutual covenants herein contained and in further consideration of the execution of this Equipment Lease, the parties agree as follows:

1. Lease. Lessee hereby leases from Lessor, and Lessor leases to Lessee, the equipment and/or vehicles described on **Exhibit A**, which is referred to as the "Equipment." The Equipment will be located solely at the location shown on **Exhibit A** hereto.

2. Term. The term of this Lease shall be for a period of 36 months from the date of delivery of the Equipment to Lessee ("Commencement Date"), and mature no later than 9-23-2019.

3. Rent. Lessee agrees to pay to Lessor monthly installments of rent in the amount of \$2,284.83, each, in advance of the Commencement Date, beginning 10-23-2016, and on the same day monthly thereafter during the term hereof, subject to the limitations in Section 14, below.

(1) The capital cost required to purchase the Equipment for cash is \$ 80,087.00; (2) the annual average effective fixed interest rate is 1.74 %; and (3) the amount included in the payments for service, maintenance, insurance or other costs exclusive of the capital cost and interest cost is \$ 0.00.

Board of Crawford County Commissioners

(Form DA-146a, as amended by the parties), which is attached hereto, are incorporated into this Lease and made a part hereof.

If this box is checked, Lessee represents to Lessor that the reasonably anticipated amount of tax-exempt obligations which will be issued by Lessee during the current calendar year will not exceed \$10,000,000.00.

IN WITNESS WHEREOF, the parties have entered into this Equipment Lease the date and year first above written.

THE GIRARD NATIONAL BANK

By: _____

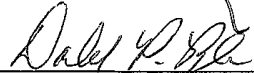
APRIL WILKES, AVP

“Lessor”

BOARD OF COMMISSIONERS, CRAWFORD COUNTY, KANSAS

By:  _____

Name: TOM MOODY, CHAIRMAN

By:  _____

Name: DONALD PYLE, COUNTY CLERK

■


Attest

“Lessee”

EXHIBIT A

List of Equipment

Location: All Equipment is to be located at CRAWFORD COUNTY, KANSAS unless otherwise stated below.

Qty.	Description	Serial No.
	2017 CHEVROLET 1500 TRUCK	3GCUKNEC0HG152461
	2017 CHEVROLET 1500 TRUCK	3GCUKNEC9HG153771
	2017 CHEVROLET 1500 TRUCK	3GCUKNEC1HG156695

ALSO INCLUDING SECURITY INTEREST IN ALL ADDITIONAL VEHICLE ACCESSORIES TO BE PURCHASED THROUGH KA-COMM.

On motion (16-342) of Commissioner Moody and the second of Commissioner Wood to approve the lease purchase agreement between Girard National Bank and the Board of County Commissioners, Crawford County, Kansas for 3 vehicles and equipment for the

Board of Crawford County Commissioners

Sheriff's Department for \$80,087.00 at 1.74% for 3 years 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 Four: Mr. Wood discussed vacation time, sick time and comp time for County employees. A discussion was held on the accumulation of comp time and Mr. Wood stated he would like to see all vacation, sick and comp time with the payroll sheets. Mr. Pyle stated that he is not sure if there is a way to track comp time in the Incode Accounting Software and he will check on it. The Commissioners discussed making a countywide policy on the accumulation of comp time and discussed comp time verses over time pay. Mr. Pyle and Mr. Emerson will research and report back to the Commissioners.

Item Five: Mr. Wood addressed opening of bids and that anytime any bids are opened it should be opened in front of the County Commissioners and the public. He stated that the only exception is if there is already a state bid out there.

Item Six: Mr. Moody stated that the judicial center parking lot needs sealed. He stated that it is in good shape but there are a few cracks and if it is sealed it will save the parking lot. Mr. Moody stated that he asked Mr. Chiartano and he stated that the county does not have the equipment to seal it. Mr. Wood suggested asking the City of Pittsburg if they have the equipment to seal it. Mr. Moody will have Mr. Chiartano contact the City of Pittsburg.

Item Seven: Mr. Moody stated he has a complaint on the property on the Franklin bypass. Mr. Murphy stated he felt that if we had a codes court this issue could be settled. The Commissioners asked if the County could legally we can go on the property and clean it up and Mr. Emerson stated that we could send the landowner a letter and if no response the county could clean it up and bill the landowner but there is no incentive to collect on it if the county cleans it up as the charges cannot be assessed to the landowner on his property taxes.

UNDER THE HEADING OLD BUSINESS

Item One: Mr. Pyle presenting Resolution #2016-025, a Resolution Appointing an Emergency Management Director, Jason VanBecelaere and an Assistant Emergency Management Director Eldon Bedene for Crawford County, Kansas.

Board of Crawford County Commissioners

BOARD OF COUNTY COMMISSIONER
CRAWFORD COUNTY, KANSAS
GIRARD, KANSAS

RESOLUTION NO. 2016-025

A RESOLUTION APPOINTING AN EMERGENCY MANAGEMENT DIRECTOR AND AN ASSISTANT
EMERGENCY MANAGEMENT DIRECTOR FOR CRAWFORD COUNTY, KANSAS

WHEREAS, Crawford County, Kansas is required to establish and maintain a disaster agency responsible for emergency management and coordination or response for disasters, pursuant to K.S.A. 48-929 (a); and

WHEREAS, Crawford County is required to identify the person (s) who head the agency responsible for emergency management.

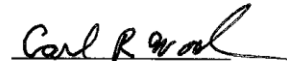
NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Crawford County, Kansas:


Section 1. The following individuals are hereby responsible for emergency management services in Crawford County:


Director Jason Vanbecelaere
Asst. Director Eldon Bedene

Section 2. This resolution shall become effective upon its adoption and approval by the Board of County Commissioners.

ADOPTED, APPROVED AND GIVEN by the Board of County Commissioners under our hands at the Courthouse in Girard, Crawford County, Kansas the 23th day September 2016.


Carl R. Wood


Tom Moody


Jeff Murphy

ATTEST:

Donald P. Pyle, County Clerk

On motion (16-343) of Commissioner Moody and the second of Commissioner Wood to adopt Resolution #2016-025, a Resolution Appointing an Emergency Management Director, Jason VanBecelaere and an Assistant Emergency Management Director Eldon Bedene for Crawford County, Kansas.

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 discussed the Health Insurance and Dental Insurance for Crawford County.

Item Three: Mr. Greg Hite discussed Purple Wave coming next week to look at old equipment and vehicles at in the Road and Bridge department. The Commissioners discussed MDOT specs.

EXECUTIVE SESSION:

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

On motion (16-344) of Commissioner Moody and the second of Commissioner Wood 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 11:14 AM and reconvened the Open Session at 11:22 AM with no action taken except to go back into open session.

Item Two: Commissioner Murphy requested an executive session for a period of not more than 5 minutes to discuss personnel matters involving Non-Elected Personnel and to include the Board of County Commissioners and County Counselor Jim Emerson.

On motion (16-345) of Commissioner Murphy 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 5 minutes to discuss personnel matters involving Non-Elected Personnel 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 11:40 AM and reconvened the Open Session at 11:45 AM with no action taken except to go back into open session.

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

Board of Crawford County Commissioners

FUTURE BUSINESS:

ANNOUNCEMENTS:

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 [September 23, 2016](#) meeting of the Board of Crawford County Commissioners at 11:46 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

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This submission completed at the Crawford County Courthouse in Girard.

[Taken BKW 9/23/16 11:46 AM/amended BKW 9/26/17 3:15 PM](#)