

# Board of Crawford County Commissioners

## Commissioners' Journal

2016, **THIRTY-SECOND** MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM  
Girard, KS **Tuesday, April 26, 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 (16-136)** of Commissioner Murphy and the second of Commissioner Moody that the consent agenda be approved including:

1. Approval of the **April 22, 2016** minutes of the Board of County Commissioners.

Yeas: Commissioners Moody, Wood and Murphy

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:

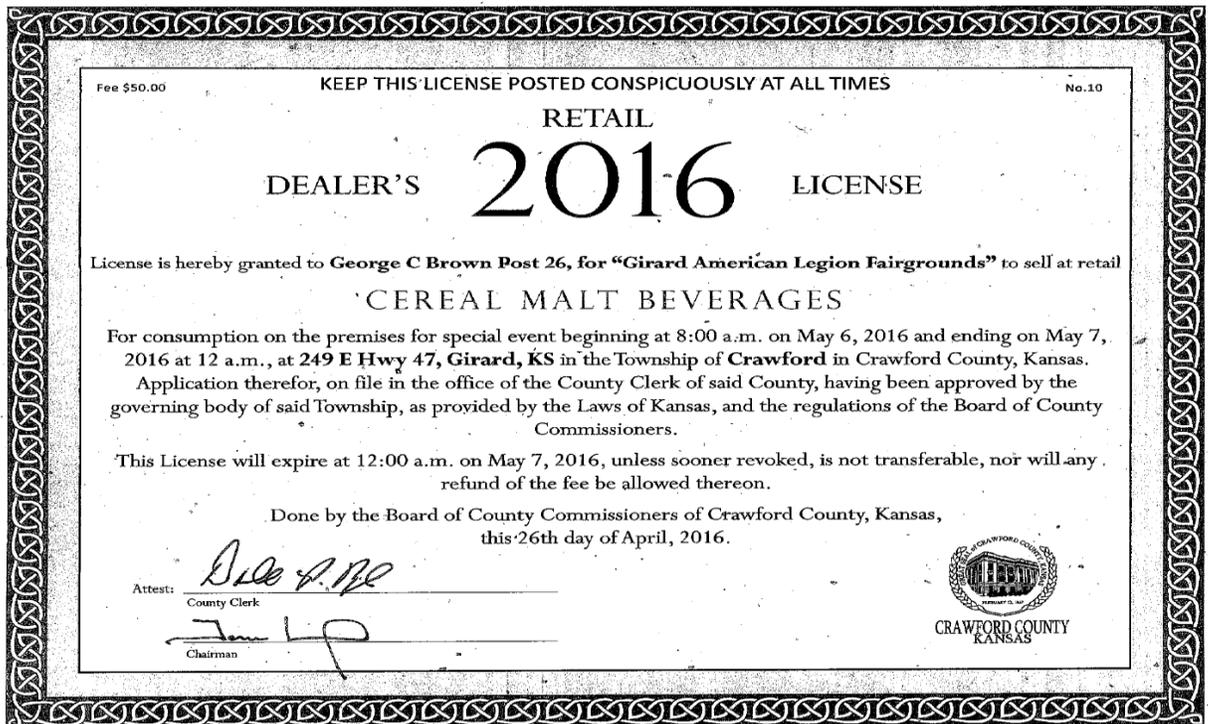
Motion 16	134	That the consent agenda be approved including: Approval of the April 19, 2016 minutes
Motion 16	135	To recess this open session and go into a closed executive session for a period of not more than 30 minutes to discuss personnel matters involving Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson and County Appraiser Ryan Varsolona

### **UNDER THE HEADING NEW BUSINESS**

# Board of Crawford County Commissioners

**PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS  
CRAWFORD COUNTY BOARD OF HEALTH  
MESSAGES FROM THE PUBLIC  
MESSAGES FROM OTHER GOVERNMENTAL ENTITIES  
MESSAGES FROM ELECTED OFFICIALS  
MESSAGES FROM APPOINTED OFFICIALS  
PROCLAMATIONS AND ORDERS OF THE BOARD  
NEW BUSINESS**

**Item One:** County Clerk Don Pyle presenting an application for a 2016 Cereal Malt Beverage License for George C Brown Post 26 for “Girard American Legion Stand Fairgrounds” to allow them to sell cereal malt beverages for consumption on the premises for a special event during the dates beginning at 8:00 AM on May 6, 2016 and ending at 12:00 AM on May 7, 2016. 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.



**On motion (16-137)** 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.

## Board of Crawford County Commissioners

**APPLICANT:** George C Brown Post 26 “Girard American Legion Stand Fairgrounds”

**PREMISES:** 249 E 47 Hwy, Girard, KS

**DATE:** Beginning at 8:00 AM May 6, 2016 and ending at 12:00 AM on May 7, 2016.

(For consumption on the premises)

Yeas: Commissioners Moody, Wood and Murphy

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

A discussion was held on the ABATE Bike Rally that is being held May 6, 7 & 8, 2016 at the Fairgrounds. The Commissioners discussed the condition of the fairgrounds and Mr. Wood will contact the fair board president Kirk Conroy to see if assistance is needed with mowing before the rally.

### **UNDER THE HEADING OLD BUSINESS**

**Item One:** Mr. Don Pyle handed out information on the employee benefits for a special prosecutor for the County Attorney’s office. He informed the Commissioners that this would come out of the employee benefit fund.

**Item Two:** Mr. Pyle handed out the employee benefit overview from the City of Pittsburg. Mr. Pyle explained the overview to the Commissioners. He stated that we can utilize this information when putting the insurance out for bid next year.

Mr. Pyle explained the life insurance for county employees through Advance Life Insurance.

**Item Three:** Mr. Pyle addressed Chiropractic office co-pays. Mr. Pyle explained that a Chiropractic office visit averages \$50 to \$60 per visit this year and medical doctors average from \$100 to \$125 per visit. He stated that several employees want to change the Chiropractic office copay from \$50 per visit to \$25 per visit. Mr. Murphy asked about how many employees use the chiropractic care and how often. Mr. Wood agreed and asked Mr. Pyle to compile some information and will table this action until Friday.

**Item Four:** Mr. Emerson addressed the Kansas Emergency Solutions Grant Application that Ms. Brubaker presented last Friday. He stated that the grant is for \$23,398.00 and Safehouse Crisis Center has applied for this grant every year for several years. He stated that it is required that a city or county apply for the grant and the county is the pass through entity for this grant. Mr. Emerson explained that the grant money comes to the county from the State and then is distributed to the Safehouse Crisis Center through drawdowns.

# Board of Crawford County Commissioners

2010-2017 Kansas  
2017 ESG

## 2016 KANSAS EMERGENCY SOLUTIONS GRANT APPLICATION

**Instructions:** Please complete all sections of the KESG application.

**SECTION I: SUB RECIPIENT APPLICANT INFORMATION (City, County)**

*Sub Recipient is responsible for the administration of the ESG and coordination of the ESG programs in the geographical jurisdiction.*

**A. APPLICANT INFORMATION**

Sub Recipient Crawford County

Authorized Representative Tom Moody Title Chairman, County Commissioners

Address PO Box 249 City Girard

KS Zip 66743 Federal I.D. Number 48-6042132

Contact to whom questions about this application should be directed: Jim Emerson

Telephone 620-724-6390 Fax 620-724-2132

E-mail Address jime@ckt.net

**B. TOTAL ESG REQUEST (all applying agencies)**

ESG Agency	Street Outreach	Shelter	Homeless Prevention	Rapid Re-Housing	HMIS	Totals
Safehouse Crisis Center, Inc.	\$ -	\$18,938.00	\$ -	\$ -	\$ 5,000.00	\$ 23,938.00
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Sub Totals	\$ -	\$ 18,938.00	\$ -	\$ -	\$ 5,000.00	\$ 23,938.00

**On motion (16-138)** of Commissioner Wood and the second of Commissioner Moody to approve the Kansas Emergency Solutions Grant Application and authorize the Chairman to sign.

Yeas: Commissioners Moody, Wood and Murphy

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

# Board of Crawford County Commissioners

**Item Five:** Mr. Emerson with revisions to personnel policy. He presented Resolution 2016-009, A Resolution Amending the Crawford County Employee Policy Manual. He stated he made all the revisions that were requested. A discussion was held on the revisions and on the current policy manual.

BOARD OF COUNTY COMMISSIONERS  
CRAWFORD COUNTY, KANSAS  
GIRARD, KANSAS

RESOLUTION NO. 2016-009

A RESOLUTION AMENDING THE CRAWFORD COUNTY EMPLOYEE POLICY MANUAL.

WHEREAS, the Board of County Commissioners, pursuant to authority granted in K.S.A. 19-212, is authorized to enact personnel policies for all county employees; and

WHEREAS, the Board of County Commissioners finds that it is necessary to amend portions of the Crawford County Employee Policy Manual to address Employment at Will, Qualification and Hiring and Performance Evaluations.

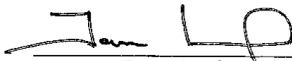
NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Crawford County, Kansas:

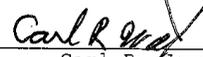
Section 1. The Board of County Commissioners hereby adopts the amendments to the Crawford County Policy Manual attached hereto as "Exhibit A" and incorporated herein by reference.

Section 2. All department heads and elected officials are hereby directed to distribute copies of the amended policies to all employees under their supervision.

Section 3. 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 this \_\_\_ day of April, 2016.

  
\_\_\_\_\_  
Tom Moody, Chairman

  
\_\_\_\_\_  
Carl R. Wood

  
\_\_\_\_\_  
Jeff Murphy

ATTEST:

  
\_\_\_\_\_  
Donald P. Pyle, County Clerk

# Board of Crawford County Commissioners

## EXHIBIT A

### CRAWFORD COUNTY PERSONNEL POLICY

#### INTRODUCTION

The Crawford County Personnel Policy has been established to provide employees of Crawford County with consistent regulations and guidelines related to matters of general County operations, employee practices and procedures, employee responsibilities, and employee benefits. The Personnel Policy provides information on the employment-at-will relationship, outlines the procedure to be followed with hiring new employees, sets forth reasonable guidelines for employee conduct, establishes employee leave policies, and explains employee benefits. The policy has also been prepared in order to assist Crawford County in complying with a number of federal and state laws governing public employment practices.

This Personnel Policy provides a guide to employees and their Supervisors and should not be construed to alter the employment-at-will relationship or to create an implied or express contract to apply the policies in all cases. Employees with questions regarding the Personnel Policy are encouraged to contact their Supervisor, Department Head or Elected Official for clarification.

# Board of Crawford County Commissioners

## ARTICLE I

### **I-1. RULES ESTABLISHED**

- A. The following rules, regulations and other policies for personnel administration are established to:
1. Promote and increase efficiency and economy in the County service;
  2. Provide fair and equal opportunity to all qualified citizens to enter County employment in all occupations on the basis of demonstrated merit and fitness as ascertained through fair and practical methods of selection without regard to race, color, age, sex, religion, national origin or ancestry.
  3. Develop a program of recruitment, advancement and tenure which will make County service attractive as a career.
  4. Establish and maintain a uniform plan of evaluation and compensation based upon the relative duties and responsibilities or positions in the County's service to assure a fair and equitable wage or salary to all employees.
  5. Establish and promote high morale by providing good working relationships, uniform personnel policies, opportunity for advancement without regard to race, color, or sex, and consideration for employee needs and desires.

### **I-2. ADMINISTRATIVE RESPONSIBILITY**

- A. The personnel program consists of the sum total of all policies and procedures related to personnel administration in the service of the County and will be administered by the County Commissioners. The policies and procedures of the personnel program will apply to all employees in the service of the County except that the employees of the Crawford County Mental Health Center will be governed by a separate personnel policy attached hereto and previously adopted by said Center's Board of Directors.

### **I-3. DEPARTMENTAL REGULATIONS**

- A. The head of any department may formulate in writing reasonable administrative regulations for the conduct of the department which will be available to all departmental employees. Nothing in this section will be construed as granting any department authority to adopt regulations in violation of, or in conflict with personnel regulations approved and adopted by the County Commissioners.

# Board of Crawford County Commissioners

## ARTICLE II RECRUITMENT, SELECTION, PLACEMENT, AND PERFORMANCE APPRAISAL

### II-1. DEFINITIONS

- A. Full-time employee: One who works a normal 30/40 hour work week on a regular and continuing basis. For the purpose of this personnel policy, a publicly elected official will not be considered a full-time employee.
- B. Part-time employee: One who works less than a normal work week on a regular and continuing basis.
- C. Department Head: Non-elected management personnel.
- D. Elected Official: Includes the Clerk, Treasurer, Register of Deeds, and Sheriff. The County Attorney's Office is exempt.
- E. Without Leave: Being absent from work without having sufficient vacation, sick or other authorized leave entitling the employee to compensation.
- F. Sick Leave: Absences resulting from an employee's illness, mental illness, injury, or other physical incapacitation.
- G. Major Medical Leave: Any absence of seven (7) consecutive working days or longer resulting from an employee's illness, mental illness, injury, or other physical incapacitation. Major Medical Leave may be used for surgery and/or out patient surgery and any follow-up visits pertaining to that surgery.

### II-2. QUALIFICATION & HIRING

- A. Employment-At-Will: It is the policy of Crawford County that all employees who do not have a separate, individual employment contract with Crawford County for a specific, fixed term of employment, are employed at the will of Crawford County for an indefinite period. Employees may resign from employment with Crawford County at any time, for any reason, with or without notice, and may be terminated at any time, for any reason, with or without notice. No representative of Crawford County is authorized to modify employment-at-will provisions for any employee or enter into any form of agreement to the contrary. Individual employment contracts may be executed and entered into only by approval of the Board of County Commissioners. These provisions shall not be modified by any statements in this Personnel Policy or any other written materials provided to employee or prospective employees.
- B. It is the County's policy and goal to fill vacancies with the most qualified applicants available solely on the basis of merit, qualifications, and departmental conformity in accordance with the County's Equal Opportunity practices. This

## Board of Crawford County Commissioners

policy applies to all full and part-time employees.

- C. Recruitment, selection, and placement will be based on the requirements of the department. Department Heads and Elected Officials are expected to comply with all applicable anti-discrimination laws in their selection process. It is the policy of the County to provide equal employment opportunity without discrimination based on race, color, religion, gender, age, gender orientation, national origin, ancestry, disability, veteran status, marital status, genetics, or any other unlawful reason.
- D. All applicants must complete an application form authorized by the Department Head or Elected Official. Current County employees may submit a current resume which can meet the requirements of the posted position. The Fiscal Office can be a support to the Department head or Elected Official in accepting applications, review of them, and interview prospective applicants.
  - 1. All job openings will be posted on the County website a minimum of seven days.
  - 2. All job openings can be advertised in the local newspaper at the discretion of the Department Head or Elected Official.
  - 3. An e-mail may be sent to all County employees notifying them of any new job openings.
  - 4. A minimum of two applicants shall be interviewed for each position available.
- E. **Nepotism Clause:** No Department Head or supervisor shall permit or cause to be placed or have under his or her supervision any member of his or her immediate family. The Board of County Commissioners is considered the supervisory authority for all of Road & Bridge and all non-elected Department Heads. For the purposes of this paragraph, immediate family is defined as the following: husband, wife, son, son-in-law, daughter, daughter-in-law, father, father-in-law, mother, mother-in-law, brother, brother-in-law, sister, sister-in-law, grandparents, and grandchildren. The provisions of this paragraph shall not apply to any employees of Crawford County as of the date of adoption of this Personnel Policy.
- F. **MINIMUM QUALIFICATIONS:** With exception to specific job related requirement, to be considered for employment by Crawford County, all applicants must be at least sixteen (16) years of age, have a valid driver's license, and must be a citizen of the United States or have legal authority to work in the United States. Pursuant to the Immigration Reform and Control Act of 1986, an individual may not begin employment with Crawford County unless and until U.S. Department of Justice Form I-9 has been completed. Form I-9 is required to

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preclude the unlawful hiring of aliens who are not authorized to work in the United States.

G. Once a candidate has been selected for employment with the County a conditional offer of employment will be made subject to successfully completing the following items:

1. A pre-employment drug screen, paid for by the County, shall be required after an offer of employment is made. The test shall be conducted by a provider selected by the County. If the test is negative the offeree will then undergo skills testing. If the test is positive the provider will send off the sample to a lab for a re-test. If the test is hot or cold or otherwise is determined to have been tampered with the test will be deemed positive and the applicant will have failed. Confirmed positive results will cause the County to withdraw the conditional offer of employment.
2. Skills Testing, paid for by the County will be conducted by a provider selected by the County using the Physical Capacity Profile Testing Center. Testing will be tailored to the job description or job title applied for. Crawford County will use the testing results to determine if the applicant is capable of performing the responsibilities of the position that has been offered, with or without reasonable accommodations. This will help Crawford County avoid putting employees in a position where there is the likelihood of injury to themselves or others. If the applicant fails the skills test Department Heads and Elected Officials may authorize a retest and may choose to have the applicant pay for a retest. If a new hire leaves County employment within 90 days of their hire date, the new hire will be required to reimburse the County for the cost of the test.

Information concerning an employee's medical condition and/or history will be maintained in a separate file in the County Counselors Office and will be treated as confidential. This confidential information may be disclosed to: (1) supervisors and managers regarding necessary restrictions on an employee's duties; (2) first aid and safety personnel regarding potential emergency treatment; (3) government officials authorized to receive the information; and (4) any other person or entity that the employee authorizes to receive the information. When testing is used, all applicants for the position shall be required to complete the test.

H. Upon employment, each employee is to be given a copy of a job description (where applicable) for the position the employee is filling and be given a County Personnel Policy Manual. A new employee shall sign a statement to the effect that the employee has received a job description (where applicable) and received a policy manual. This statement is kept in the employee's personnel file.

# Board of Crawford County Commissioners

- I. **Interdepartmental Transfers:** If a current Crawford County employee is transferring to a different department, they must allow a minimum of two weeks' notice before making the transition.

## II-3. **Performance Evaluations**

- A. Performance evaluation is an on-going process. Department Heads, Elected Officials and their employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. This allows the parties to discuss the job responsibilities, standards, and performance requirements of the position. Formal performance evaluations are conducted at least annually to provide both the Department Head and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.
- B. Elected officials are encouraged to conduct a performance evaluation of their employees on an annual basis.
1. Use of the standardized county performance evaluation form is encouraged but not required.
  2. The elected official shall determine the procedure and frequency of the performance evaluations.
  3. Written policies are encouraged to be adopted by the elected official as to the evaluation process and provide it their employees.
  4. The elected official shall determine the criteria in evaluating their employees recognizing the special duties and responsibilities are unique to each of their respective departments.
  5. The performance evaluations shall be maintained by the elected official or their designee in an appropriate and confidential location and manner.
  6. The performance evaluation forms are confidential between the elected official and the employee. Dissemination of the performance evaluation may, at the discretion of the elected official, be provided to the county commissioners.
  7. The elected officials are encouraged to discuss with the county commissioners the performance evaluations of their employees' reference merit wage increase and generally how each department is meeting objectives.
- C. All regular full-time and part-time employees of Crawford County will receive a

## Board of Crawford County Commissioners

Performance Evaluation on at least an annual basis. If a Department Head determines that an employee's overall performance requires slight or major improvement, the Department Head will place the employee on a special Performance Improvement Plan, of up to 90 days, to reach a satisfactory level. If the employee's performance is not satisfactory by the deadline, the Performance Improvement Plan may be extended for up to another 90 days. At the end of the Performance Improvement Plan, the employee must have reached a satisfactory level of performance or appropriate employment determination will be recommended by the Department Head to the Board of County Commissioners.

- D. A standardized Performance Evaluation form shall be used by all Department Heads.
- E. Purpose of performance evaluation:
  - 1. To provide a permanent record of the individual's performance during the rating period.
  - 2. To provide an assessment of training needs.
  - 3. To serve as the basis for awarding or denying a wage increase and/or other personnel actions (such as terminations, promotions, or demotions).
- F. The evaluation process requires three steps:
  - 1. **Explanation of the Process:** During this step, the evaluator will explain the evaluation process to the employee, provide a copy of a current, up-to-date job description, and schedule the performance counseling with the employee.
  - 2. **Performance Counseling:** The performance counseling step will help the employee to identify major areas of strengths, needs, agreement, disagreement, confusion, or misinformation. The evaluator and the employee will discuss overall accountability, major job responsibilities, and the employee's job description. It is the Department Head's responsibility to make certain the job description is accurate, complete, and that the up-to-date job description has been provided to Human Resources for filing.
  - 3. **Final Assessment:** During the final assessment the evaluator will finalize the evaluation form, including comments, and will discuss the employee's ratings on each category. Justification of the ratings and recommendations for improvement will also be discussed. Both employee and evaluator(s) shall sign and date the review form(s). Written comments shall be provided on all evaluations.

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- G. No annual wage increase will be processed until a Performance Evaluation has been completed. If the Performance Evaluation form and the process are not finalized on or before December 1<sup>st</sup>, the Department Head responsible for completing the evaluation form shall not receive a wage increase for the forthcoming year.
- H. After six (6) months of employment, the Department Head will review the performance of new employees. This will be done by using the Performance Evaluation form. An end of year Performance Evaluation will also be required if more than 6 months transpire after the initial six month review has taken place.
- I. Department Heads under the Board of County Commissioner's supervision will receive a performance evaluation on at least an annual basis by the BOCC.
- J. Elected Officials will be given the opportunity to provide goals and accomplishments to the Board of County Commissioners each year.
- K. Other forms of Performance Evaluations may be submitted to the BOCC for approval.

### ARTICLE III ATTENDANCE AND LEAVES

#### III-1. HOLIDAYS

- A. The following days will be holidays for all County employees:
  - New Year's Day, January 1
  - Martin Luther King's Birthday, 3rd Monday in January
  - Washington's Birthday, 3rd Monday in February
  - Memorial Day, last Monday in May
  - Independence Day, July 4
  - Columbus Day, 2nd Monday in October
  - Labor Day, 1st Monday in September
  - Veteran's Day, November 11
  - Thanksgiving Day, 4th Thursday in November
  - Christmas Day, December 25
- B. When any of the aforesaid Holidays will fall on a Thursday, the following Friday will AT THE DISCRETION OF THE BOARD OF CRAWFORD COUNTY COMMISSION BE ALLOWED OR DISALLOWED AS A HOLIDAY. From time to time, on special occasions, the governing body designates other days as special holidays.
  - 1. When any regular holiday falls on a Saturday or Sunday, the preceding Friday or following Monday will be declared a holiday.

**On motion (16-139)** of Commissioner Wood and the second of Commissioner Moody to adopt Resolution #2016-009, A Resolution Amending the Crawford County Employee Policy Manual.

Yeas: Commissioners Moody, Wood and Murphy

Nays:

Present but not voting:

Absent or not voting:

## Board of Crawford County Commissioners

**The motion prevailed.**

**Item Six:** Mr. Wood addressed the issue of grants for the County and how they work. Mr. Emerson stated that all grants were different and explained some of the types of grants that agencies apply for. A discussion was held on how to keep track of the grants and the types of grants.

**Item Seven:** Mr. Wood requested Mr. Pyle gets some information for the Commissioners on the Risk Management Fund.

**Item Eight:** Mr. Wood stated he spoke to the EMS Director Randy Sandberg this morning and was informed that Mr. Sandberg has not yet heard from the auditor. Mr. Pyle will check into this.

**Item Nine:** Mr. Wood gave an update on the Kansas Crossing Casino.

**Item Ten:** Mr. Emerson presented Resolution #2016-010, A RESOLUTION PROVIDING FOR THE SUSPENSION OF CERTAIN TYPES OF LAND TRANSACTIONS WITHIN THE UNINCORPORATED AREA OF CRAWFORD COUNTY, KANSAS, PRESENTLY SUBJECT TO ZONING AND SUBDIVISION REGULATIONS; DIRECTING THAT EXISTING ZONING AND SUBDIVISION REGULATIONS FOR CRAWFORD COUNTY BE UPDATED TO PROVIDE AN IMPROVED METHOD OF MANAGEMENT OF RURAL DEVELOPMENT; AND DECLARING CERTAIN EXISTING LANDS TO BE LEGAL NONCONFORMING AND PERMITTED FOR OTHERWISE LEGAL CONSTRUCTION AND ISSUANCE OF PERMITS THEREON.

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## RESOLUTION NO. 2016-010

**A RESOLUTION PROVIDING FOR THE SUSPENSION OF CERTAIN TYPES OF LAND TRANSACTIONS WITHIN THE UNINCORPORATED AREA OF CRAWFORD COUNTY, KANSAS, PRESENTLY SUBJECT TO ZONING AND SUBDIVISION REGULATIONS; DIRECTING THAT EXISTING ZONING AND SUBDIVISION REGULATIONS FOR CRAWFORD COUNTY BE UPDATED TO PROVIDE AN IMPROVED METHOD OF MANAGEMENT OF RURAL DEVELOPMENT; AND DECLARING CERTAIN EXISTING LANDS TO BE LEGAL NONCONFORMING AND PERMITTED FOR OTHERWISE LEGAL CONSTRUCTION AND ISSUANCE OF PERMITS THEREON.**

**WHEREAS**, Crawford County currently has Zoning and Subdivision Regulations that provide a means of managing rural development in a portion of the unincorporated areas of Crawford County; and,

**WHEREAS**, the administration and enforcement of the existing Crawford County Zoning and Subdivision Regulations has resulted in the knowledge being brought forward that said existing Zoning and Subdivision Regulations may not have always been properly applied and/or resulted in certain tracts or parcels of land that were created under confusion; and,

**WHEREAS**, Kansas statutes authorize counties to amend and update its Zoning and Subdivision Regulations to remain current and appropriate for conditions within its jurisdiction; and,

**WHEREAS**, the Board of County Commissioners, recognizing that the need to amend and update its Zoning and Subdivision Regulations for Crawford County, has retained the services of a consultant and directed that new Zoning and Subdivision Regulations be developed in conformance with the state statutes and in a manner that best fits the needs of Crawford County; and,

**WHEREAS**, the time necessary to complete this task could result in an influx of new development and land uses that may not be in the best interests of Crawford County; that could be detrimental to the health, safety and general welfare of the citizens of Crawford County; and, that might be inspired to occur only in an attempt to become established before any new amended or updated Zoning and Subdivision Regulations are adopted which might limit, restrict or prohibit said development;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CRAWFORD COUNTY, KANSAS, THAT:**

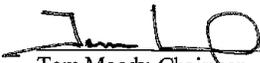
1. All Crawford County officials, agencies, agents and/or boards charged with the responsibility to approve, license, permit, or otherwise authorize the establishment of new lots, tracts, plots or building sites under any law or regulation are hereby directed to suspend the granting of such approval, licenses, permits or authorization for the period stated herein for any newly created lots, tracts or parcels of land unless said lots, tracts or parcels of land are created in conformance with the existing Zoning and Subdivision Regulations of Crawford County, Kansas.
2. All Crawford County officials, agencies, agents and/or boards charged with the responsibility to approve, license, permit, or otherwise authorize the placement of new buildings shall suspend the granting of such approval, licenses, permits or authorization for the period stated herein; provided, however, that such approval, license, permit or authorization may be granted on a legal lot-of-record held under separate ownership, the deed of which was recorded with the Crawford County Register

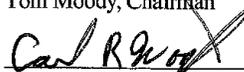
## Board of Crawford County Commissioners

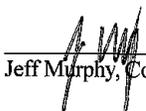
of Deeds and that was established prior to the effective date of this resolution, even though such legal lot-of-record may not have been properly processed under the current Crawford County Zoning and Subdivision Regulations. This being in recognition the amended and updated Zoning and Subdivision Regulations are to provide clarity to the procedures and requirements to create new lots, tracts or parcels of land for development purposes.

3. The Crawford County Planning Commission is directed to pursue the development of amended and updated Zoning and Subdivision Regulations, with the assistance of the consultant retained for that purpose, with due diligence; addressing the specific need of providing a method of managing the development of rural lands within Crawford County subject to such regulations.
4. The County Zoning Administrator is hereby directed to be the administrator of the provisions of this resolution. Any question as to the applicability of any provision of this resolution shall be made by the County Zoning Administrator.
5. Any person aggrieved by a decision of the person designated as the administrator of this resolution shall have the right to appeal such decision to the Board of County Commissioners. The Board of County Commissioners, after calling for a public hearing on such request in the same manner required for adoption of the county budget, may uphold, overturn or modify the decision made by the administrator. Decisions of the Board of County Commissioners shall be subject to appeal to District Court in the manner provided by K.S.A. 12-760.
6. Each section of this resolution is hereby declared to be independent of every other section, so far as inducement for the passage of this Resolution is concerned. If any section of this resolution shall be adjudged invalid or held unconstitutional the same shall not affect the validity of this resolution as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.
7. This resolution shall be in effect from its adoption and publication once in the official county newspaper until December 31, 2016, or upon the adoption of new Zoning and Subdivision Regulations for Crawford County, Kansas.

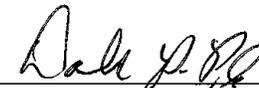
ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS of Crawford County, Kansas, this 26<sup>th</sup> day of April, 2016.

  
Tom Moody, Chairman

  
Carl Wood, Commissioner

  
Jeff Murphy, Commissioner

ATTEST:

  
Donald Pyle, County Clerk

**On motion (16-140) of Commissioner Wood and the second of Commissioner Moody to adopt Resolution #2016-010, A RESOLUTION PROVIDING FOR THE SUSPENSION OF CERTAIN TYPES OF LAND TRANSACTIONS WITHIN THE UNINCORPORATED AREA OF CRAWFORD COUNTY, KANSAS, PRESENTLY SUBJECT TO ZONING AND SUBDIVISION REGULATIONS; DIRECTING THAT EXISTING ZONING AND SUBDIVISION REGULATIONS FOR CRAWFORD COUNTY BE UPDATED TO PROVIDE AN IMPROVED METHOD OF MANAGEMENT OF RURAL DEVELOPMENT; AND DECLARING CERTAIN EXISTING LANDS TO BE LEGAL NONCONFORMING AND PERMITTED FOR OTHERWISE LEGAL CONSTRUCTION AND ISSUANCE OF PERMITS THEREON.**  
Yeas: Commissioners Moody, Wood and Murphy

## Board of Crawford County Commissioners

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

**Item Eleven:** Mr. Greg Hite addressed the Commission in reference to an email he received about a Freightliner Semi from Kansas Surplus. The Commissioners requested that Mr. Hite put a hold on the truck.

### **EXECUTIVE SESSION**

**Item One:** Mr. Wood requested an executive session for a period of not more than 15 minutes to discuss matters that would be deemed privileged in the attorney-client relationship with the three Commissioners and County Counselor Jim Emerson.

**On motion (16-141)** 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 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, Wood and Murphy

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

The Commissioners went into Executive Session at 10:55 AM and reconvened the Open Session at 10:58 AM with no action taken except to go back into open session.

### **UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS**

#### **FUTURE BUSINESS:**

**Item One: April 29, 2016 – 8:30 AM** Work Session to sign April bills and payroll vouchers.

**Item Two: May 6, 2016** – Opening of Chip and Seal Oil Bids.

#### **ANNOUNCEMENTS:**

**Item One: May 3, 2016** – the Commission Meeting is cancelled due to the Commissioners attending the KCAA Annual Conference in Manhattan.

**Item Two: May 3, 2016 – May 5, 2016** – Kansas County Commission Association Annual Conference in Manhattan.

### **UNDER THE HEADING MOTION TO ADJOURN**

#### **MOTION TO ADJOURN**

## Board of Crawford County Commissioners

### **Item One:** Adjournment

**On the motion** of Commissioner Moody and the second of Commissioner Wood to adjourn the [April 26, 2016](#) meeting of the Board of Crawford County Commissioners at 10:59 [AM](#) and to reconvene at the next regularly scheduled time with open doors.

Yeas: Commissioners Murphy, Wood and Murphy

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 by BKW 4/26/16 10:59 AM/amended BKW 4/28/16 2:55 PM](#)