

Board of Crawford County Commissioners

Commissioners' Journal

2014, FIFTY-NINTH MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM
Girard, KS Tuesday, August, 19, 2014, 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 Bob Kmiec served as the presiding officer.

Commissioners Tom Moody and Carl Wood were in attendance.

County Clerk Don Pyle and County Counselor Jim Emerson were seated with the Board.

Chairman Kmiec led the pledge of allegiance.

UNDER THE HEADING BUSINESS FROM A PREVIOUS MEETING CONSENT AGENDA

On motion (14-204) of Commissioner Moody and the second of Commissioner Wood that the consent agenda be approved including:

1. Approval of the August 15, 2014 minutes of the Board of Commissioners, and
2. Approval of the August 15, 2014 minutes of the Board of County Canvassers,

Yeas: Commissioners Moody, Kmiec 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 14	202	To Approve Official Results Report from the 2014 Primary Election held on August 5, 2014 in Crawford County with the addition of Mr. Richard K. Coonrod being nominated as the Republican Candidate for Osage Township Clerk as recommended by the Crawford County Election Officer
Motion 14	203	That the consent agenda be approved including: Approval of the August 11, 2014 minutes of the Board of Commissioners and Approval of the August 11, 2014 minutes of the Board of County Canvassers, and Approval of the accounts payable warrant numbers 550762 to 551000 dated August 15, 2014 in the total amount of \$286,940.47

UNDER THE HEADING NEW BUSINESS

Board of Crawford County Commissioners

NEW BUSINESS FOR CRAWFORD COUNTY BOARD OF HEALTH PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS

Item One: Public Hearing on closing and vacating platted streets Jewell Center, Crawford County, Kansas, according to the recorded plat thereof.

Chairman Kmiec opened the Public Hearing. Ms. Linda Morris, one of the owners of adjacent property spoke in favor of closing the road. Ms. Morris stated that this road is not used and is not maintained well and that it would be easier to just close the road. It was discussed that these roads are only used by the two land owners in the area and that the county crews cannot get down this road to maintain it.

On motion (14-205) of Commissioner Moody and the second of Commissioner Wood to Close the Public Hearing on closing and vacating platted streets in Jewell Center.

Yeas: Commissioners Kmiec, Moody and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Mr. Emerson, County Counselor, presented Resolution #2014-022, a Resolution closing and vacating a portion of platted South Main Street and Williams Avenue, now known as South Mitchell Street, in Jewell Center, Crawford County, Kansas, according to the recorded plat thereof.

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BOARD OF COUNTY COMMISSIONERS
CRAWFORD COUNTY, KANSAS
GIRARD, KANSAS

RESOLUTION NO. 2014-022

A RESOLUTION CLOSING AND VACATING A PORTION OF PLATTED SOUTH MAIN STREET AND WILLIAMS AVENUE, NOW KNOWN AS SOUTH MITCHELL STREET, IN JEWELL CENTER, CRAWFORD COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF.

WHEREAS, there is laid out and established in Crawford County, Kansas certain streets under the jurisdiction of the County, lying over and across the following described real estate:

Main Street located west of Lots 31-60, Block Nine (9) and east of Lots 1-30, Block Eight (8) in Jewell Center, Crawford County, Kansas, according to the recorded plat thereof. And

Williams Avenue, also known as S. Mitchell Street located west of Lots 31-60, Block Eight (8) and east of Lots 1-30, Block Seven (7) in Jewell Center, Crawford County, Kansas, according to the recorded plat thereof.

WHEREAS, a public hearing concerning said road closing was held on Tuesday, August 19, 2014 and all interested parties were given an opportunity to present arguments for and against said road closing;

WHEREAS, notice of the public hearing was published one time in the official County newspaper.

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

Section 1: The Board of County Commissioners finds that notice has been given as required by K.S.A. § 58-2613 and that the public will suffer no loss or inconvenience by such vacation and that no private rights will be injured or endangered thereby.

Section 2: Pursuant to K.S.A. § 58-2614, the above-described platted streets are hereby formally closed and vacated and the land comprising said streets shall and does hereby revert to the adjoining landowners in the same proportion as it was originally taken, subject and reserving unto the County and any

Board of Crawford County Commissioners

public utilities, however, any right-of-way and easements for public service facilities and utilities which are in existence and in use across said roadway and right-of-way.

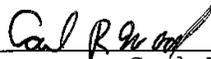
Section 3: The County Clerk is hereby directed to enter a record of these proceedings, as reflected in this Resolution, on the Journal of the Board of County Commissioners and to record a certified copy of this Resolution in the Register of Deeds office.

Section 4: The County Clerk is directed to send a copy of this Resolution to each owner of the adjoining real estate to whom the property is being transferred, at the address where the owner's tax statement is sent.

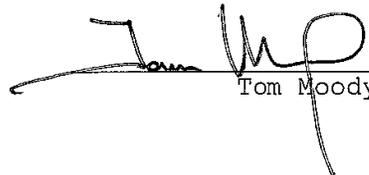
UNANIMOUSLY ADOPTED AND GIVEN under our hands at the Courthouse in Girard, Crawford County, Kansas, this 19th day of August, 2014.



Bob Kmiec, Chairman

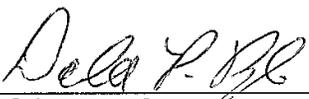


Carl R. Wood



Tom Moody

ATTEST:



Donald P. Pyle, County Clerk

On motion (14-206) of Commissioner Moody and the second of Commissioner Wood to adopt Resolution #2014-022, a Resolution closing and vacating a portion of platted South Main Street and Williams Avenue, now known as South Mitchell Street, in Jewell Center, Crawford County, Kansas, according to the recorded plat thereof.

Yeas: Commissioners Kmiec, Moody and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

MESSAGES FROM THE PUBLIC

Item One: Residents from Westfield Acres addressing road issues. Ms. Carol Woolbright introduced the other members of the group of residents that were in attendance. Ms. Woolbright stated that the residents of this area had signed a document requesting that this road be chipped and sealed. Ms. Woolbright stated that many of the

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landowners present were also around when the residents paid to have that road paved by the County Road & Bridge Dept. and brought up to county specifications so that it would be accepted as a county road for maintenance. Ms. Woolbright stated that it is remembered by many of the residents that a resolution was passed in the mid 1990's that stated that the road had met county specifications and that the county would assume responsibility for future maintenance of this road. Mr. Joe Fowler stated that he remembered that Anthony Pichler, Pat Barone and Earl McColm were commissioners for the county at that time and he had discussed this with former County Clerk Dan Brunetti who also remembered this resolution. There was a discussion that it was clear that this road had been worked on to meet county specifications but that the actual document that approved the assumption of responsibility for maintenance of this road by the county.

The residents stated that the road is in pretty good shape but cracks are appearing that need to be sealed up before winter hits again. The commissioners agreed that the road needs to be sealed and that if the original document is not found that a new resolution will be drafted for approval.

Board of Crawford County Commissioners

Westfield Acres Home Owners
August 2014

To Crawford County Commissioners: Bob Kmiec, Tom Moody, Carl R. Wood

Gentlemen:

The homeowners of Westfield Acres (District 1) respectfully request that our road be chipped and sealed. Westfield Acres is located one quarter mile west of the corner of Highway 126 and the 69 Bypass, south of Highway 126, and just east of the Kansas Department of Transportation. The road requiring chipping and sealing is less than three-quarters of a mile long. Our neighborhood includes 22 homes with active families. It has been over a decade since the County chipped and sealed the road, and it has deteriorated to the point that the homeowners are concerned. We appreciate your consideration.

Signed by the homeowners of Westfield Acres.

Andra Stefanski 127 Westfield Rd.

Thomas Woolbright 124 Westfield Rd

Mike Sweet 123 Westfield Rd.

Ramona Swartz 123 Westfield Rd

Sandra K. Morrison 136 Westfield Rd

Dennis L. Morrison 136 Westfield Rd

Augustine Truby 101 Westfield Road

Joe Fowler 101 Westfield Rd

Frank Gibson 103 Westfield Rd

Jim + Johanna Russian 104 132 Westfield Rd

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X	Terry Bradley	134	Westfield Rd
X	Jody Glick	134	Westfield Rd
	Amber & Alond	125	Westfield Rd
	Eric & Aimee Wilson	111	Westfield Rd
	Sherry King	107	Westfield Rd
	Sherry King	107	Westfield Rd
	Casey Mariano	109	Westfield
	Vicky Oolen	112	Westfield Rd - 875-9514
	Bruce Fern	112	Westfield Rd
	Missy Plummer	116	Westfield Rd
	Stephan Plummer	114	Westfield Rd
	Don Redd / J.	108	108 Westfield Road
	Jackie Redd	108	Westfield Road
	Todd & Mendi Brazil	110	Westfield Rd
	Gary & Carol Bell	114	Westfield Rd
	Adam & Meredith Jamison	133	Westfield Rd.
	Frank Polchlopek	130	Westfield Rd
	CHARNA POLCHLOPEK	130	Westfield +
	Carol Woolbright	124	Westfield Rd
	Ann Mitchell	126	Westfield Rd.

MESSAGES FROM ELECTED OFFICIAL
MESSAGES FROM APPOINTED OFFICIALS
MESSAGES FROM OTHER GOVERNMENTAL ENTITIES
PROCLAMATIONS AND ORDERS OF THE BOARD
NEW BUSINESS:

Item One: Commissioner Kmiec requested an Executive Session at the end of the regular commission meeting.

UNDER THE HEADING OLD BUSINESS

Item One: Commissioner Wood stated that he would have some flyers made up in regards to the electrical safety training classes that Westar would be presenting in a few weeks. Mr. Wood stated that he would post the flyer at the shop and at the Road & Bridge locations and he hoped that all Road & Bridge and Maintenance employees would attend.

EXECUTIVE SESSION

Board of Crawford County Commissioners

Item One: Commissioner Bob Kmiec requested an Executive Session to discuss matters involving attorney-client privilege.

On motion (14-207) of Commissioner Kmiec 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 10 minutes to discuss matters involving Attorney-Client Privilege and to include the Board of County Commissioners and County Counselor Jim Emerson.

Yeas: Commissioners Moody, Kmiec and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

The Commissioners went into Executive Session at 10:29 [AM](#) and reconvened the Open Session at 10:36 [AM](#) with no action taken except to go back into open session.

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

FUTURE BUSINESS:

Item One: August 22, 2014, 10:00 AM – Public Hearing on the Crawford County Budget and Fire District Budgets for 2015.

ANNOUNCEMENTS:

UNDER THE HEADING MOTION TO ADJOURN MOTION TO ADJOURN

Item One: Adjournment

On the motion of Commissioner Moody and the second of Commissioner Wood to adjourn the [August 19, 2014](#) meeting of the Board of Crawford County Commissioners at 10:37 AM and to reconvene at the next regularly scheduled time with open doors.

Yeas: Commissioners Moody, Kmiec 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

Board of Crawford County Commissioners



This submission completed at the Crawford County Courthouse in Girard.
[Taken by DPP on 08/19/2014 at 10:37 AM, Amended by DPP on 08/120/2014 at 4:45 PM](#)