

# Board of Crawford County Commissioners

## Commissioners' Journal

2014, [NINETIETH MEETING](#)

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM  
Girard, KS [Friday, December 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 (14-311)** of Commissioner Moody and the second of Commissioner Wood that the consent agenda be approved including:

1. Approval of the [December 16, 2014](#) minutes of the Board of Commissioners, and
2. Authorizing the Chairman to sign the previous week's vouchers.

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	305	That the consent agenda be approved including: Approval of the December 12, 2014 minutes
Motion 14	306	To make it known that the board hereby issues a license to "sell at retail", cereal malt beverages from the place of business as shown in the application 2015 Cereal Malt Beverage License APPLICANT: C & B Investments, Inc. "Chicken Annie's Girard" PREMISES: 498 E 47 Hwy, Girard KS (For consumption on the premises)
Motion 14	307	To approve the contract between Crawford County, Kansas, Michael S. King, Secretary of Transportation and the Kansas Department of Transportation regarding Project No. 19C-4727-01, Kansas Local Bridge Improvement Program

## Board of Crawford County Commissioners

Motion 14	308	To approve changes in regards to truck traffic on 250 <sup>th</sup> Street in Crawford County and to have the County Counselor draft a resolution that includes those changes
Motion 14	309	To approve up to a 3% Cost of Living Raise for County Employees at the discretion of Elected Officials and Department Heads with raises for departments under the supervision of the Board of Commissioners to be reviewed by the County Commissioners
Motion 14	310	To adopt Resolution Number 2014-032 a Resolution Establishing an Early Retirement Program For Crawford County Employees

### UNDER THE HEADING NEW BUSINESS

#### NEW BUSINESS FOR CRAWFORD COUNTY BOARD OF HEALTH MESSAGES FROM ELECTED OFFICIALS

**Item One:** Representative Adam Lusker regarding a Certificate of Appreciation from the Kansas State Legislature for Bob Kmiec. Representative Lusker asked the Commissioners if they had any questions about any issues that might be addressed in the upcoming legislative session. Former State Representative Bob Grant discussed some of the history of the Gaming Issue. There was a discussion of the postponement that was approved for bids to be submitted to the Kansas Gaming Commission for possible casino bids for the Southeast Kansas Gaming Zone.

There was a discussion of the KPERS issue at the state level. The Commissioners and Representative Lusker all expressed concern about the cancellation of the funding for KPERS for the current fiscal year. It was clarified that funds were not being taken out of the KPERS funds but that this only cancelled state contributions to KPERS for this year. Representative Lusker encouraged the Commissioners to contact him during the legislative session if any issues came up that he could help with or if they had questions. There was a discussion of the benefits of Crawford County hiring a lobbyist to help with the gaming issue. It was discussed that an agreement can be worked out with a lobbyist to give the county only the services that they want.

Representative Adam Lusker presented Commissioner Kmiec with a Certificate from the Kansas State Legislature in Appreciation for his service to the citizens of Crawford County over the last 16 years. Commissioner Kmiec thanked Mr. Lusker and stated that he has always had the best interests of the Crawford County residents as his goal.

#### PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS

**Item One:** Opening of rock bids for 2014. Crawford County Clerk Don Pyle opened the bids and read them out loud. The following bids were received and opened:

Midwest Minerals, Inc. 709 N. Locust Pittsburg, KS 66762  
Mulberry Limestone 325 N. 260<sup>th</sup> Mulberry, KS 66756

# Board of Crawford County Commissioners

## BID FORM "LIMESTONE AGGREGATE MATERIALS"

Firm Name: Mulberry Limestone (1<sup>st</sup> Thru 4<sup>th</sup> Quarter, 2015)  
 Address: 325 N. 260<sup>th</sup> Phone No: 620-764-3337  
 City: Mulberry State: Ks Zip Code: 66756  
 Quarry No./Name: Pittsburg Quarry Location Description (Section, T, R) 30-30-24

Product		1(NW)	2(NE)	3(SE)	4(SW)
1. AB-3	Est. Tonnage	10,000	15,000	10,000	10,000
	Bid \$/Ton			3.98	3.98
2. Roadstone	Est. Tonnage	5,000	2,000	2,000	6,000
	Bid \$/Ton			3.98	3.98
3. Screened Roadstone	Est. Tonnage	500	500	500	500
	Bid \$/Ton			6.00	6.00
4. Roadbase Rock	Est. Tonnage	500	500	500	500
	Bid \$/Ton			4.50	4.50
5. Lateral Rock	Est. Tonnage	100	100	100	100
	Bid \$/Ton			6.75	6.75
6. Chips	Est. Tonnage	0	0	0	0
	Bid \$/Ton				

Quarry No./Name: Englevale Quarry Location Description (Section, T, R) 25-28-24

Product		1(NW)	2(NE)	3(SE)	4(SW)
1. AB-3	Est. Tonnage	10,000	15,000	10,000	10,000
	Bid \$/Ton		5.35		
2. Roadstone	Est. Tonnage	5,000	2,000	2,000	6,000
	Bid \$/Ton		5.35		
3. Screened Roadstone	Est. Tonnage	500	500	500	500
	Bid \$/Ton		7.60		
4. Roadbase Rock	Est. Tonnage	500	500	500	500
	Bid \$/Ton		5.50		
5. Lateral Rock	Est. Tonnage	100	100	100	100
	Bid \$/Ton		7.50		
6. Chips	Est. Tonnage	0	0	0	0
	Bid \$/Ton		10.50		

I/We of Mulberry Limestone do hereby agree to furnish the above described materials in accordance with the specifications of the bid document enclosed herein and at the above specified price/ton.

**RETURN:**  
 \* Bid Form Page 3 of 6  
 \* 2014 Scale Certification

Signed: Matt Pleasant  
 Title: Owner  
 Date: 12-18-14

# Board of Crawford County Commissioners

## BID FORM "LIMESTONE AGGREGATE MATERIALS" (1<sup>st</sup> Thru 4<sup>th</sup> Quarter, 2015)

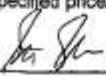
Firm Name: Midwest Minerals, Inc.  
 Address: P.O. Box 412 Phone No: 620-231-8120  
 City: Pittsburg State: KS Zip Code: 66762  
 Quarry No./Name: Pittsburg #5 Location Description (Section, T, R) 30 30 24 Crawford

Product		1(NW)	2(NE)	3(SE)	4(SW)
1. AB-3	Est. Tonnage	10,000	15,000	10,000	10,000
	Bid \$/Ton			4.80	4.80
2. Roadstone	Est. Tonnage	5,000	2,000	2,000	6,000
	Bid \$/Ton			4.80	4.80
3. Screened Roadstone	Est. Tonnage	500	500	500	500
	Bid \$/Ton			6.00	6.00
4. Roadbase Rock	Est. Tonnage	500	500	500	500
	Bid \$/Ton			4.95	4.95
5. Lateral Rock	Est. Tonnage	100	100	100	100
	Bid \$/Ton			6.95	6.95
6. Chips	Est. Tonnage	0	0	0	0
	Bid \$/Ton	9.95	9.95	9.95	9.95

Quarry No./Name: Farlington #4 Location Description (Section, T, R) 31 27 24 Crawford

Product		1(NW)	2(NE)	3(SE)	4(SW)
1. AB-3	Est. Tonnage	10,000	15,000	10,000	10,000
	Bid \$/Ton	4.90	4.90		
2. Roadstone	Est. Tonnage	5,000	2,000	2,000	6,000
	Bid \$/Ton	4.90	4.90		
3. Screened Roadstone	Est. Tonnage	500	500	500	500
	Bid \$/Ton	6.95	6.95		
4. Roadbase Rock	Est. Tonnage	500	500	500	500
	Bid \$/Ton	5.30	5.30		
5. Lateral Rock	Est. Tonnage	100	100	100	100
	Bid \$/Ton	7.80	7.80		
6. Chips	Est. Tonnage	0	0	0	0
	Bid \$/Ton	9.95	9.95		

I/We of Midwest Minerals, Inc. do hereby agree to furnish the above described materials in accordance with the specifications of the bid document enclosed herein and at the above specified price/ton.

<b>RETURN:</b> * Bid Form Page 3 of 6 * 2014 Scale Certification	Signed:  Title: <u>President</u> Date: <u>12/18/14</u>
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The Commissioners asked that the bids be reviewed by Liz Hart, Road & Bridge Director, and Mr. Dennis Meier of TRIAD Environmental Services.

- MESSAGES FROM THE PUBLIC**
- MESSAGES FROM ELECTED OFFICIALS**
- MESSAGES FROM APPOINTED OFFICIALS**
- MESSAGES FROM OTHER GOVERNMENTAL ENTITIES**
- PROCLAMATIONS AND ORDERS OF THE BOARD**

# Board of Crawford County Commissioners

## NEW BUSINESS:

**Item One:** County Clerk Don Pyle regarding some of the bonds that had recently been paid in full. Mr. Pyle gave the Commissioners a couple of the bonds that had been recovered from a location that was involved in Hurricane Sandy.

**Item Two:** County Counselor Jim Emerson presenting Resolution Number 2014-033, a Resolution Prohibiting the Operation of Trucks and Commercial Vehicles on Portions of 260<sup>th</sup> Street. Mr. Emerson stated that the Road & Bridge Sign Dept. is already working on the appropriate signs to be posted on that road.

BOARD OF COUNTY COMMISSIONERS  
CRAWFORD COUNTY, KANSAS  
GIRARD, KANSAS

RESOLUTION NO. 2014-033

A RESOLUTION PROHIBITING THE OPERATION OF TRUCKS AND COMMERCIAL VEHICLES ON PORTIONS OF 260<sup>TH</sup> STREET, CRAWFORD COUNTY, KANSAS.

WHEREAS, the Board of County Commissioners is authorized under K.S.A. §§ 8-1912, -2002, 19-101a to impose limitations as to the weight or size of trucks or commercial vehicles on roads under its jurisdiction; and

WHEREAS, County authorities have determined that trucks and commercial vehicles traveling on the roads hereinafter described constitute a hazard to public health and safety and cause excessive deterioration of the roadway.

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

Section 1. The terms "truck" and "commercial vehicle" when used herein shall have the following meaning:

Truck or commercial vehicle shall include any vehicle known as a truck, semi-trailer, truck tractor or trailer, whether self-propelled, towed behind or pushed ahead of a vehicle, whenever such vehicle, alone on or in combination with other vehicles, has a gross weight of 12,000 pounds or more.

Section 2. That all trucks and commercial vehicles be and are hereby prohibited from traveling on:

(a) that portion of 260th Street located between 590<sup>th</sup> Avenue on the north end and 550<sup>th</sup> Avenue on the south end, officially designated as the 400 through 700 Blocks of 260th South Street under the Crawford County, E-911 System. And

(b) that portion of 260th Street located between 540<sup>th</sup> Avenue on the north end and Kansas Highway 171 on the south end, officially designated as the 900 through 1200 Blocks of 260th South Street under the Crawford County, E-911 System.

## Board of Crawford County Commissioners

Section 3. The following vehicles are hereby exempt from this ordinance:

(1) Local farm tractors, combines, fertilizer dispensing equipment or other farm machinery traveling to and from a site or sites located along or adjacent to said roadway.

(2) Vehicles owned by counties, cities, and other political subdivisions of the State.

(3) Any truck or commercial vehicle owned by or leased to or contracted with a franchised utility while engaged in repair, maintenance or construction activity on or adjacent to said roadway.

(4) Any truck or commercial vehicle making a pickup at or a delivery to a site located along or adjacent to said roadway.

(5) Any truck or commercial vehicle specifically permitted for travel on such roadway by the Board of County Commissioners or the Secretary of the Kansas Department of Transportation.

Section 4. The Crawford County Road and Bridge Department is hereby authorized to post signs prohibiting the use of trucks and commercial vehicles as provided in Section 2 of this Resolution.

Section 5. It shall be unlawful for any person to operate a truck or commercial vehicle on such road, and any person found guilty of a violation of Section 2 hereof shall be subject to a fine in a sum not to exceed Five Hundred Dollars (\$500.00) for each violation.

Section 6. This Resolution shall be effective from and after the date of its adoption and approval.

ADOPTED, APPROVED AND GIVEN by the Board of County Commissioners of Crawford County, Kansas under our hands at the Courthouse in Girard, Crawford County, Kansas this 19th day of December, 2014.

  
Bob Kmiec, Chairman

  
Carl R. Wood

  
Tom Moody

ATTEST:  
  
Donald P. Pyle, County Clerk

## Board of Crawford County Commissioners

**On motion (14-312)** of Commissioner Moody and the second of Commissioner Wood to adopt Resolution #2014-033, a Resolution Prohibiting the Operation of Trucks and Commercial Vehicles on Portions of 260<sup>th</sup> Street, Crawford County, Kansas.

Yeas: Commissioners Kmiec, Moody and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

**Item Three:** County Counselor Jim Emerson regarding a message to be sent to Elected Officials and Department Heads in regards to the approved pay raises. There was a discussion of the message and a small adjustment was made.

**Item Four:** Commissioner Wood asked Mr. Don Pyle if there had been any progress made in regards to the phone system in the courthouse. Mr. Pyle was to report back.

**Item Five:** Commissioner Moody regarding a request from the Arma Parks Dept. to help them with laying asphalt on a new parking lot for their baseball fields next summer.

### UNDER THE HEADING OLD BUSINESS

#### EXECUTIVE SESSION

**Item One:** Commissioner Wood requesting an Executive Session to discuss personnel issues that involve non-elected personnel.

**On motion (14-313)** 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 personnel matters involving Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson and County Appraiser Mike Montgomery.

Yeas: Commissioners Kmiec, Moody and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

The Commissioners went into Executive Session at 11:00 **AM** and reconvened the Open Session at 11:15 **AM** with no action taken except to go back into open session.

**Item Two:** Commissioner Wood requesting an Executive Session to discuss personnel issues that involve non-elected personnel.

**On motion (14-314)** 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 20 minutes to discuss personnel matters involving Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson and County Appraiser Mike Montgomery.

## Board of Crawford County Commissioners

Yeas: Commissioners Kmiec, Moody and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

The Commissioners went into Executive Session at 11:17 AM and reconvened the Open Session at 11:25 AM with no action taken except to go back into open session.

### UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

#### FUTURE BUSINESS:

**Item One: December 23, 2014, 10:00 AM** – Public Hearing for the Crawford County Amended Budget for 2014.

#### ANNOUNCEMENTS:

**Item One: December 24, 25 & 26, 2014** – The Courthouse and other county offices will close at 2:00 pm on December 24, 2014 and all day on December 25 & 26, 2014 in observance of the Christmas Holiday. The Commission Meeting on December 26, 2014 is cancelled.

**Item Two: December 31, 2014** – The Crawford County Courthouse will close for the Annual Cash Audit at 10:00 AM, the Register of Deeds Office will be open until 10:00 AM but no documents will be recorded due to computer updates and the Motor Vehicle Offices will be closed all day.

**Item Three: January 1, 2015** – The Crawford County Courthouse and all County Offices will be closed for New Year's Day.

### 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 [December 19, 2014](#) meeting of the Board of Crawford County Commissioners at [11:26 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.**

## Board of Crawford County Commissioners

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 by DPP 12/19/14 at 11:26 AM, Amended by DPP 12/22/14 at 4:01 PM/amended BKW 12/22/2014 4:11 PM