

Board of Crawford County Commissioners

Commissioners' Journal

2014, FORTIETH MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM
Girard, KS Tuesday, June 10, 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 (14-144) of Commissioner Moody and the second of Commissioner Wood that the consent agenda be approved including:

- 1. Approval of the June 6, 2014 minutes of the Board of Commissioners.

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:

Table with 3 columns: Motion 14, 143, That the consent agenda be approved including: Approval of the June 3, 2014 minutes

UNDER THE HEADING NEW BUSINESS

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

Item One: Public Hearing on closing and vacating platted unnamed streets in the Town of Beulah, Crawford County, Kansas, according to the recorded plat thereof.

Chairman Kmiec opened the Public Hearing.

County Counselor Jim Emerson distributed maps of the area where the street is located to the Commissioners. Mr. Emerson stated that a structure was constructed many years ago

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that is in the middle of the unopened street. There was a discussion of this issue and how the county can help to prevent this from happening in the future.

On motion (14-145) of Commissioner Moody and the second of Commissioner Kmiec to Close the Public Hearing on closing and vacating a platted unnamed street in the Town of Beulah.

Yeas: Commissioners Kmiec, Moody and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

BOARD OF COUNTY COMMISSIONERS
CRAWFORD COUNTY, KANSAS
GIRARD, KANSAS

RESOLUTION NO. 2014-018

A RESOLUTION CLOSING AND VACATING PLATTED UNNAMED STREETS IN THE TOWN OF BEULAH, 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:

A platted unnamed Street located adjacent to and east of Lot 2 and west of Lots 1, 23, 24, 25, 26, and 27, all in Block 7, in the Town of Beulah, Crawford County, Kansas, according to the recorded Plat thereof; And

A platted unnamed Street located adjacent to and south of Lots 2, 3, and 4 and north of Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, all in Block 7, in the Town of Beulah, Crawford County, Kansas, according to the recorded Plat thereof.

WHEREAS, a public hearing concerning said road closing was held on Tuesday, June 10, 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

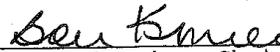
Board of Crawford County Commissioners

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.

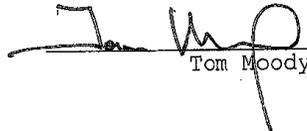
Section 3: The County Clerk is hereby directed to enter a record of these proceedings, as reflected in this Resolution, on the Journal of the Board of County Commissioners and to record a certified copy of this Resolution in the Register of Deeds office.

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 10th day of June, 2014.


Bob Kmiec, Chairman


Carl R. Wood


Tom Moody

ATTEST:


Donald P. Pyle, County Clerk

On motion (14-146) of Commissioner Kmiec and the second of Commissioner Moody to adopt Resolution #2014-018, a Resolution closing and vacating platted unnamed streets in the Town of Beulah, 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.

Item Two: Public Hearing on closing and vacating platted unnamed streets in McAuliffe's Subdivision.

Chairman Kmiec opened the Public Hearing.

County Counselor Jim Emerson distributed maps of the area to the Commissioners and explained that one landowner owns all of the property surrounding the road. It was discussed that the unopened street runs right through a strip pit and that there were no comments.

Board of Crawford County Commissioners

On motion (14-147) of Commissioner Moody and the second of Commissioner Kmiec to close the Public Hearing on closing and vacating platted unnamed streets in McAuliffe's Subdivision.

Yeas: Commissioners Kmiec, Moody and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Board of Crawford County Commissioners

BOARD OF COUNTY COMMISSIONERS
CRAWFORD COUNTY, KANSAS
GIRARD, KANSAS

RESOLUTION NO. 2014-019

A RESOLUTION CLOSING AND VACATING PLATED UNNAMED STREETS IN MCAULIFFE'S SUBDIVISION OF THE WEST HALF OF THE SOUTHEAST QUARTER, AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER AND THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION THREE (3), TOWNSHIP TWENTY NINE (29), RANGE TWENTY FIVE (25), 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:

A platted unnamed Street located adjacent to and east of Lots 28, 29, 30 and 31 and west of Lots 32, 33, 34, 35, in McAuliffe's Subdivision of the West Half of the South East Quarter AND the South East Quarter of the South East Quarter and the North Half of the Southwest Quarter of Section Three (3), Township Twenty Nine (29), Range Twenty Five (25), Crawford County, Kansas, according to the recorded plat thereof. And

A platted unnamed Street located adjacent to and east of Lots 39 and 40 and west of Lots 41 and 42 in McAuliffe's Subdivision of the West Half of the South East Quarter AND the South East Quarter of the South East Quarter and the North Half of the Southwest Quarter of Section Three (3), Township Twenty Nine (29), Range Twenty Five (25), Crawford County, Kansas, according to the recorded plat thereof

WHEREAS, a public hearing concerning said road closing was held on Tuesday, June 10, 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:

Board of Crawford County Commissioners

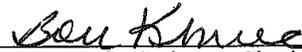
Section 1: The Board of County Commissioners finds that notice has been given as required by K.S.A. § 58-2613 and that the public will suffer no loss or inconvenience by such vacation and that no private rights will be injured or endangered thereby.

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 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.

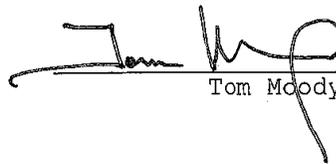
UNANIMOUSLY ADOPTED AND GIVEN under our hands at the Courthouse in Girard, Crawford County, Kansas, this 10th day of June, 2014.



Bob Kmiec, Chairman



Carl R. Wood



Tom Moody

ATTEST:



Donald P. Pyle, County Clerk

On motion (14-148) of Commissioner Moody and the second of Commissioner Wood to adopt Resolution #2014-019, a Resolution closing and vacating platted unnamed streets in McAuliffe's Subdivision.

Yeas: Commissioners Kmiec, Moody and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

MESSAGES FROM THE PUBLIC

MESSAGES FROM OTHER GOVERNMENTAL ENTITIES

Board of Crawford County Commissioners

MESSAGES FROM ELECTED OFFICIALS MESSAGES FROM APPOINTED OFFICIALS

Item One: County Surveyor Ron Albertini regarding a survey of the fence and property line between Hessong and Hancey. It was discussed that the fence had been moved and that now it is located on the property line. Mr. Emerson stated that now the Commissioners need to determine if the fence is suitable to keep livestock in the pasture and they need to assign responsibility for the cost of and maintenance of the fence. Mr. Albertini stated that he was not sure who constructed the new fence. Mr. Albertini stated that the fence viewing scheduled for 11:30 AM would not take long.

PROCLAMATIONS AND ORDERS OF THE BOARD NEW BUSINESS:

UNDER THE HEADING OLD BUSINESS

Item One: County Clerk Don Pyle requesting approval of the May 2014 Clerk's Report. There was a discussion of the bill paid for a new phone system at the Juvenile Justice Authority Building on the Pittsburg Bypass. Commissioner Wood felt that some additional bids on this work should have been obtained and the other Commissioners agreed. The Commissioners felt that the offices that pay rent to the county for office space in county owned buildings should contact County Special Projects Manager Tom Ragonese when they have issues with anything in their building that should be maintained by the county. It was discussed that this was really a landlord and tenant relationship and should work in that way. The Commissioners asked that the expense of this phone system be moved to the General Fund.

On motion (14-149) of Commissioner Wood and the second of Commissioner Moody to approve the May 2014 Clerk's Report.

On a Roll Call Vote.

Yeas: Commissioners Kmiec, Wood and Moody

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Two: County Clerk Don Pyle mentioned that a representative from CIC was working with his office and the County Appraiser's office to make sure that values for the July Abstract are correct. The commissioners were answered that the transition to the CIC system is going very well and that very few big problems have been encountered.

Item Three: County Counselor Jim Emerson mentioned that the SEK Gaming Zone will be on the agenda for the Lottery Commission meeting tomorrow in Topeka. County Clerk Don Pyle was going to listen to the meeting.

Item Four: Commissioner Bob Kmiec regarding the progress being made on asphalt patching of the roads. It was discussed that the rainy weather had slowed the patching and that the crew was working in Commissioner Wood's district.

Board of Crawford County Commissioners

EXECUTIVE SESSION

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS FUTURE BUSINESS:

Item One: June 10, 2014, 11:30 AM – Fence viewing is scheduled by the Commissioners.

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 [June 10, 2014](#) meeting of the Board of Crawford County Commissioners at 10:35 [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

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This submission completed at the Crawford County Courthouse in Girard.

[Taken by DPP 6/10/2014 at 10:35 AM, Amended by DPP 6/10/2014 at 1:30 PM/amended BKW 06/12/2014 8:08 AM](#)