

# Board of Crawford County Commissioners

## Commissioners' Journal

2016, THIRTY-SEVENTH MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM  
Girard, KS Tuesday, May 17, 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 (16-164)** of Commissioner Murphy and the second of Commissioner Moody that the consent agenda be approved including:

1. Approval of the **May 13, 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	154	That the consent agenda be approved including: Approval of the May 10, 2016 minutes of the Board of County Commissioners and Approval of the accounts payable warrant numbers 565058 to 565294 dated May 13, 2016 in the total amount of \$295,753.85
Motion 16	155	To adopt Resolution #2016-013, a Resolution correcting an error in the collection of Motor Vehicle Taxes on a vehicle owned by First Christian Church and to refund the total amount of \$186.66 for the years 2012 through 2016
Motion 16	156	To approve the bid from Wright Asphalt for chip and seal oil as recommended by Liz Hart, Road and Bridge Coordinator

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Motion 16	157	To approve the Memorandum of Understanding between The Crawford County Attorney's Office, The Board of Crawford County Commissioners, the City of Pittsburg, Kansas and The Pittsburg Police Department and authorize the Chairman to sign
Motion 16	158	To approve the Agreement for Medical Examinations and Physical Capacity Profile Testing between Crawford County and Via Christi Occupational Health and authorize the Chairman to sign
Motion 16	159	To approve the Agreement by and between Crawford County, Kansas Engineer's Office and Heckert Construction Co, Inc. for asphalt and authorize the Chairman to sign
Motion 16	160	To recess this open session and go into a closed executive session for a period of not more than 90 minutes to discuss matters that would be deemed privileged in the attorney-client relationship and to include the Board of County Commissioners, County Counselor Jim Emerson, and Mr. Mike Ryan and Mr. Ray Ryan from Ryan Insurance
Motion 16	161	To recess this open session and go into a closed executive session for a period of not more than 30 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
Motion 16	162	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 and County Counselor Jim Emerson
Motion 16	163	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**

#### **CRAWFORD COUNTY BOARD OF HEALTH**

#### **PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS**

#### **MESSAGES FROM THE PUBLIC**

#### **MESSAGES FROM OTHER GOVERNMENTAL ENTITIES**

#### **MESSAGES FROM ELECTED OFFICIALS**

#### **MESSAGES FROM APPOINTED OFFICIALS**

**Item One:** Ms. Liz Hart, Road and Bridge Coordinator presenting a Supplemental Agreement #1 between Michael S King, Secretary of Transportation, Kansas Department of Transportation and Crawford County, Kansas. Ms. Hart stated that the supplemental agreement changes Article 1, definition 19 of the original agreement to the project being the bridge located 2.0 miles South of K-126 and 1.8 miles East of Alt US 69 on 530<sup>th</sup> Ave over East Cow Creek in Crawford County, Kansas and allows us to use the \$120,000 from the Local Bridge Improvement Program on this bridge instead of the bridge 9.5 miles South and .7 mile East of Walnut as stated in the original agreement.

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Supplemental No. 1 to  
Agreement No. 566-14

PROJECT NO. 19 C-4727-01  
KANSAS LOCAL BRIDGE IMPROVEMENT PROGRAM  
BRIDGE RECONSTRUCTION/REHABILITATION  
CRAWFORD COUNTY, KANSAS

## SUPPLEMENTAL AGREEMENT No. 1

This Agreement, made and entered into effective the date signed by the Secretary or designee, is by and between **MICHAEL S. KING, Secretary of Transportation**, Kansas Department of Transportation (KDOT) (the "Secretary") and **Crawford County, Kansas** ("County"), collectively, the "Parties."

### RECITALS:

- A. The Parties entered into an Agreement dated January 7, 2015 for a county bridge project (the "Original Agreement").
- B. The Parties mutually desire to supplement the Original Agreement to reflect a change in the project description.

**NOW, THEREFORE**, the Parties agree as follows:

1. On page 3 of the Original Agreement, Article I, definition #19, be replaced in its entirety to read as follows:

19. "Project" means all phases and aspects of the Construction endeavor to be undertaken by the County, being: **2.0 miles South of K-126 and 1.8 miles East of Alt US-69 on 530<sup>th</sup> Ave. over East Cow Creek in Crawford County, Kansas**, and is the subject of this Agreement.

**THIS SUPPLEMENTAL AGREEMENT** shall not be construed to alter, modify, or void the terms, provisions or conditions of the Original Agreement, incorporated herein by reference, except as herein specifically provided.

***The signature page immediately follows this paragraph.***

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Supplemental No. 1 to  
Agreement No. 566-14

IN WITNESS WHEREOF, the Parties have caused this Supplemental Agreement to be signed by their duly authorized officers.

ATTEST:

CRAWFORD COUNTY, KANSAS

Wald P. Pyle 5/17/2016  
COUNTY CLERK (Date)

[Signature]  
CHAIRPERSON

(SEAL)



[Signature]  
MEMBER

[Signature]  
MEMBER

Kansas Department of Transportation  
Michael S. King, Secretary of Transportation

By: \_\_\_\_\_ (Date)  
Jerome T. Younger, P.E.  
Deputy Secretary and  
State Transportation Engineer

**On motion (16-165)** of Commissioner Wood and the second of Commissioner Moody to approve the Supplemental Agreement #1 between Michael S King, Secretary of Transportation, Kansas Department of Transportation and Crawford County, Kansas.

Yeas: Commissioners Moody, Wood and Murphy

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

## PROCLAMATIONS AND ORDERS OF THE BOARD NEW BUSINESS

**Item One:** Mr. Don Pyle presenting Work Force Development Board agreement. He stated that this agreement is required as part of the Workforce Innovation and Opportunity Act which was signed into law in 2014. He said that this is part of the Kansas Department of Commerce Kansas Works Program. Mr. Pyle explained that each region of the state has been designated as an area and Rob Roberts is the representative for the area which includes Crawford County and 3 other counties. He stated that the program is requesting the Commissioners appoint one person to act on the county's behalf and our appointee will contact Rob Roberts. Mr. Pyle stated that the Kansas Works Program needs something to document to keep the work program in place and want a new agreement between all the local counties. Commissioner Wood stated that he would

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like to be on the board. The Commissioners decided to table this until Friday and let the County Counselor review it.

**Item Two:** Mr. Wood discussed the paver that is not working and that the mechanics at the county shop are working on it.

**Item Three:** Mr. Wood addressed the grader that is being rented and getting it returned. The Commissioners discussed the grader damaged in the accident. Mr. Wood would like to have a work session on Friday at 9:30 with all 3 of the Road Foremen to discuss this.

**Item Four:** Mr. Wood stated that the work session scheduled for May 20, 2016 with Ray & Mike Ryan, Ryan Insurance and the Department Heads and Elected Officials has been rescheduled for May 24, 2016 at 9:00 AM. Mr. Wood said that is it very important that all Department Heads and Elected Officials attend this work session.

### UNDER THE HEADING OLD BUSINESS

**Item One:** Mr. Pyle stated that he attended the Kansas County Clerks and Elected Officials Association conference in Manhattan and there was a lot of discussion about the tax lid. He said that it will not affect how we budget this year and will not go into effect until next year when the 2018 budget is being prepared. Mr. Pyle discussed the cost of maintenance on the State's voter registration data base, ELVIS. He stated next year our cost will be \$9,000 which is an increase of \$7,000 from this year. Mr. Moody asked about election storage and Mr. Pyle stated that all the rented storages have been done away with and everything is stored on county property.

**Item Two:** Mr. Murphy asked about talking to Judge Wachter. Mr. Wood hasn't spoken to him yet but will try to arrange it today and will also make arrangements to talk to the president of the Fair Board, Kirk Conroy.

**Item Three:** Mr. Murphy stated that he will not be in attendance at the May 20, 2016 Commission Meeting.

### EXECUTIVE SESSION

**Item One:** Mr. Wood requested an executive session for a period of not more 30 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.

**On motion (16-166)** 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 30 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:

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### **The motion prevailed.**

The Commissioners went into Executive Session at 10:36 [AM](#) and reconvened the Open Session at 10:45 [AM](#) with no action taken except to go back into open session.

**Item Two:** Mr. Moody requested an executive session for a period of not more 10 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.

**On motion (16-167)** of Commissioner Moody and the second of Commissioner Murphy to recess this open session and go into a closed executive session for a period of not more than 10 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 10:46 [AM](#) and reconvened the Open Session at 10:52 [AM](#) with no action taken except to go back into open session.

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

**Item One: May 20, 2016 – 9:30 AM** Work Session with the 3 road foremen.

**Item Two: May 24, 2016 – 9:00 AM** Work Session with Mr. Ray Ryan and Mr. Mike Ryan, Ryan Insurance and all Department Heads and Elected Officials.

**Item Three: May 24, 2016 –** Mark Lehman, Chairman and Diana Hartog, District Manager, Crawford County Conservation District presenting budget.

### **ANNOUNCEMENTS:**

**Item One: May 19, 2016 – 5:30 PM** Work Session with Dave Yearout, Planning Consultant, on zoning regulations in the Zoning Conference Room in the Courthouse.

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

#### **MOTION TO ADJOURN**

**Item One:** Adjournment

**On the motion** of Commissioner Murphy and the second of Commissioner Wood to adjourn the [May 17, 2016](#) meeting of the Board of Crawford County Commissioners at 10:53 [AM](#) and to reconvene at the next regularly scheduled time with open doors.

## Board of Crawford County Commissioners

Yeas: Commissioners Moody, 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 5/17/16 10:53 AM/amended BKW 5/19/16 12:20 PM](#)**