

Board of Crawford County Commissioners

Commissioners' Journal

2015, EIGHTY-FIFTH MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM
Girard, KS Friday, November 20, 2015, 8:00 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 Carl Wood served as the presiding officer. Commissioners Tom Moody and Jeff Murphy were in attendance. County Clerk Don Pyle and County Counselor Jim Emerson were seated with the Board. Chairman Wood led the pledge of allegiance.

EXECUTIVE SESSION

Item One: The Commissioners requested an executive session to discuss personnel matters that involve non-elected personnel.

On motion (15-338) 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 2 hours to discuss personnel matters involving Non-Elected Personnel and to include the Board of County Commissioners, Emergency Medical Services Advisor Dr. Tim Stebbins 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 8:01 AM and reconvened the Open Session at 9:57 AM with no action taken except to go back into open session.

The Commissioners took a 5 minute recess before resuming the regular meeting.

**UNDER THE HEADING BUSINESS FROM A PREVIOUS MEETING
CONSENT AGENDA**

On motion (15-339) of Commissioner Moody and the second of Commissioner Murphy that the consent agenda be approved including:

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1. Approval of the **November 17, 2015** minutes of the Board of County Commissioners, and
2. Authorizing the Chairman to sign the previous week's vouchers.

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 15	334	That the consent agenda be approved including: Approval of the November 13, 2015 minutes and Approval of the accounts payable warrant numbers 561095 to 561331 dated November 13, 2015 in the total amount of \$287,502.64
Motion 15	335	To approve the agreement between Cook, Flatt & Strobel Engineers, P.A., and Crawford County for Engineering Services for the replacement of County Bridge No. 690
Motion 15	336	To approve a payment of \$2,500 to Pawprints on the Heartland to supplement their Spay and Neuter Program with the requirement of documentation of the use of those funds
Motion 15	337	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

UNDER THE HEADING NEW BUSINESS

PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS

CRAWFORD COUNTY BOARD OF HEALTH

MESSAGES FROM APPOINTED OFFICIALS

MESSAGES FROM THE PUBLIC

Item One: Mr. Brian Coomes, Professional Engineering Consultants, PA., regarding the applications for grant funding through the KDOT Rural Roads Initiatives Project. Commissioner Wood thanked Mr. Coomes and Randy Chiartano, County Asphalt Foreman, for working on this grant application. Mr. Coomes discussed the safety improvements on some county roads that were approved for funding through this KDOT program. Mr. Coomes also discussed that the grant will fund the improvements and the county will pay for the design services that must be done prior to final approval by KDOT. There was a discussion of the clearing of trees along 200th that would be restricted to the AASHTO designated clear zone for the road. It was discussed that this zone depends on the speed limit and other factors of each specific area of roadway. Commissioner Murphy also wanted to know if the rock shoulder wedge along the road could be built so that it could be paved over in the future to make an area that could be used by bicycle riders on that road. There was a discussion of the difference that this design could make in the material used a base on the rock wedge. Mr. Coomes felt that

Board of Crawford County Commissioners

the county needs to proceed in having plans developed that will pass KDOT inspection so that the county will be able to proceed with the project. It was discussed that PEC can perform the design services that will need to be performed and that they could draft a proposal to present to the Commissioners at a future meeting. There was a discussion that the safety inventory on rural roads for the county needs to be performed soon and they will need to have an agreement with an engineering firm to perform that study. Mr. Coomes stated that he would submit proposals from PEC for those services.

Dwight D. Eisenhower State Office Building
700 S.W. Harrison Street
Topeka, KS 66603-3745

Mike King, Secretary
Ronald J. Seitz, P.E., Chief



Phone: 785-296-3861
Fax: 785-296-2079
Hearing Impaired - 711
publicinfo@ksdot.org
<http://www.ksdot.org>

Sam Brownback, Governor

September 4, 2015

Mr. Carl Wood
3rd District Crawford County Commissioner
111 E Forest
Girard, KS 66743

Dear Mr. Wood:

We would like to thank you for taking the time and effort to submit projects for the High Risk Rural Roads (HRRR) program. Project selections have been made by a committee that evaluated the projects based on a variety of factors including roadway type and cost. The committee placed an emphasis on Local Road Safety Plans (LRSPs) and low-cost improvements to rural major collectors.

Your applications for improvements to 200th and 260th Roads were selected for funding. We plan to program them as one project in federal fiscal year 2018 to allow time for plan development; however if plans are completed sooner, the project may be moved up. Funding for construction and construction engineering will be provided for a total of \$364,000 for this project.

Your request for a Local Road Safety Plan was also approved and will be programmed for 2016. The systemic project does not require a match, but the LRSP will require a ten percent match from the County, which we estimate to be \$4,000.

Unfortunately, your proposed project on 230th was not funded at this time. If additional funding becomes available, you may be contacted regarding that project.

The committee has set criteria for certain types of projects. Those applicable to this project include:

- Tree removal will be limited to AASHTO's clear zone.

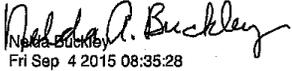
Since these are federal funds, they are subject to our available funding and may need to be adjusted based on the next federal highway legislation; we will contact you if adjustments are necessary.

Board of Crawford County Commissioners

If you have any questions, please do not hesitate to contact us. Questions may be directed to Nelda Buckley at (785) 296-0417 or NBuckley@ksdot.org, or the Project Manager for your project – Bill Legge at (785) 368-7397 or WLegge@ksdot.org. Bill will be contacting you to discuss your next steps in the near future.

Sincerely,

Ronald J. Seitz, P.E., Chief
Bureau of Local Projects


Nelda A. Buckley

Fri Sep 4 2015 08:35:28

Nelda A. Buckley, P.E.
Local Road Engineer

Cc: Brian Coomes, PEC
Bill Legge

Board of Crawford County Commissioners

12.0 Force Account Procedures

12.1 Introduction

A Federally-Funded Force Account project is defined as a project where "the direct performance of highway construction work is completed by a county or a city, using their labor, equipment, materials, and supplies under their direct control." (23 CFR Part 635.203) In essence, the Local Public Authority (LPA) becomes the contractor for the project.

12.2 Programming/Eligibility

Competitive bidding is a requirement of federal funding when a state DOT or LPA performs highway work unless it is determined that another method is more cost effective or there is an emergency situation. The term "cost effective" means the entity performing the work is exercising an efficient use of labor, equipment, materials and supplies to assure the lowest overall cost. An emergency situation exists when repair work is necessary or when a major element or segment of the highway system has failed. In the case of an emergency situation, competitive bidding must be impossible or impractical because immediate action is necessary to 1) minimize the extent of the damage, 2) protect the remaining facilities, or 3) restore essential travel.

In order to determine cost effectiveness of a force account project, the following requirements have been established by KDOT:

1. The LPA must be qualified and capable of performing the work in an efficient, effective, and expeditious manner and must have access to the specific items of equipment needed to complete the work. The KDOT District Office shall review the LPA's past experience in performing similar work.
2. The LPA must provide an estimate of the work to be completed. The LPA is required to prepare plans for review by BLP in the normal project development manner. Preliminary plans will be submitted by BLP to BOCM for preparation of the official engineer's estimate. In order to proceed as a force account project, the LPA's estimated project cost is required to be **less than 80 percent** of the estimate made by BOCM.
3. Projects may be for materials only if the total estimate is less than a competitive bid and more than \$50,000 or is approved on a case by case basis. An approved PIF must be associated with any materials only projects.
4. The LPA must demonstrate by a recent audit that its record keeping system is adequate by showing that the pay items can be adequately determined and paid for by force account.
5. Payments to the LPA for work performed shall be by the force account method, which requires that no profit accrue to the LPA performing the work. Estimates of cost shall exclude any consideration of mobilization, depreciation, profit, or overhead. A complete estimate, including calculations, a

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12.5 Project Closeout/Reimbursements

Reimbursements on force account projects can be made intermittently through the KDOT representative monitoring the construction. Only actual costs, up to the maximum amount of the project costs, will be reimbursed. Pay Estimates are issued by the KDOT Area office with copies sent to the PM.

12.5.1 Reimbursable Costs

Any request for reimbursement from the LPA should include an itemized breakdown of the amount requested.

- a) Labor and fringe benefits will be charged to the project at the LPA's actual cost. If an employee is paid monthly, their hourly rate will be computed by dividing their salary by the hours per month they work. Costs of general administration and other overhead are not allowable unless employees are assigned for specific identifiable periods of time to perform project-related activities in the same manner as other operating personnel. Prior written approval from KDOT must be obtained for these costs to be allowable.
- b) Allowed equipment rates shall be as shown in KDOT Equipment Rate Table which is in effect at the time of approval of the Agreement by the Secretary. No other rates are allowed or may be approved. Any equipment proposed to be used on the project which is not listed in this rate table, and for which reimbursement is desired, must have prior written approval from KDOT before being used on the project.
- c) Materials will be estimated at the price of low quote and will be paid for at actual invoiced costs. Copies of invoices shall be furnished to KDOT. Materials such as temporary traffic signing, barricades, field offices and labs, test equipment, hand tools, engineering equipment and other such items used from or to be returned to the County's inventory or stock, are not allowable costs, except by prior written approval.

12.5.2 Project Completion Documentation

Upon project completion, KDOT's construction representative will conduct a final review of the project to verify that the LPA has fulfilled the required aspects of the project and a final Notice of Acceptance will be issued. The LPA will furnish two certified itemized statements of the actual cost of the project. The statements are submitted to KDOT's construction representative, and then forwarded to the PM and the Contract Audit Section in the Bureau of Fiscal Services. The statement should be detailed as follows:

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Figure 12.1

FORCE ACCOUNT PROJECT DEVELOPMENT CHECKLIST

Project: _____

- 883 (Project Authorization) with Force Account as letting method and FHWA concurrence, as necessary
- Project is included in State Transportation Improvement Program (STIP)
- Final Environmental Clearance complete
- Design Summary complete and approved by FHWA, as necessary
- Plans prepared
- Utility Relocations coordinated and ROW acquired (Forms 1304 & 1306)
- Permits obtained and submitted (Form 1307)
- LPA qualified to do the work (letter)
- District Office reviewed LPA's past experience
- LPA provide an estimate of work
- BOCM Estimators determine the engineers estimate
- LPA's estimate is 80% of the Estimator's estimate
- LPA demonstrated that their record keeping system is adequate (letter)
- Project Agreement is complete (Information to be included in the agreement: working days and special provisions from BOCM, early/late start dates and approved estimate of work from LPA.)
- Construction Inspection arrangements are complete
- Federal Funds are obligated
- BLP distributed the plans
- Notice to Proceed issued by KDOT District
- Project closeout complete

**MESSAGES FROM OTHER GOVERNMENTAL ENTITIES
MESSAGES FROM ELECTED OFFICIALS
PROCLAMATIONS AND ORDERS OF THE BOARD
NEW BUSINESS**

Board of Crawford County Commissioners

Item One: County Clerk Don Pyle regarding ordering some grave markers for veterans. Mr. Pyle stated that their inventory of these markers is getting low and he would like to order more markers so that his office will have some on hand if the family member of a deceased veteran comes in and asks for one of these grave markers. The Commissioners felt that more of the markers should be ordered.

Item Two: County Clerk Don Pyle regarding a letter that he drafted to accompany the contribution to Pawprints on the Heartland. Mr. Pyle stated that this letter would accompany the check to Pawprints on the Heartland for spay and neuter services and it would make them aware that they need to supply the Commissioners with documents that show how those funds are spent in Crawford County. The Commissioners read the letter and felt that it was appropriate.

Office of the County Clerk Donald P. Pyle
Crawford County Courthouse
PO Box 249
Girard, Kansas 66743

620-724-6115
620-724-6007 fax
countyclerk@cct.net
www.crawfordcountykansas.com



November 20, 2015

Pawprints on the Heartland
Attn: Mary Kay Caldwell
P. O. Box 644
Pittsburg, KS 66762

Dear Mary Kay,

Enclosed you will find a check from the Board of Crawford County Commissioners in the amount of \$2,500. This is their contribution to help pay expenses for your spay and neuter program for cats and dogs in Crawford County. The commissioners ask that you provide us with documentation in the future that shows that these funds have been spent to help control the population of cats and dogs in Crawford County. They feel that when they spend taxpayer money on programs, they need to have documentation that those funds are being spent on the programs for which they are intended.

Please feel free to send this documentation to my office or you are welcome to deliver it to the commissioners at one of their regular meetings that are held every Tuesday and Friday at 10:00 AM. We look forward to seeing you in the future.

Sincerely,

A handwritten signature in dark ink, appearing to read "Donald P. Pyle", is written over a light-colored background.

Donald P. Pyle
Crawford County Clerk

Item Three: County Counselor Jim Emerson regarding the possible need to transfer funds from the General Fund to the Risk Management Fund. Mr. Emerson stated that the

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County Treasurer had sent him information that a transfer to the Risk Management Fund might be needed if the claims to be paid on November 27 are high enough.

On motion (15-340) of Commissioner Moody and the second of Commissioner Wood to authorize the Crawford County Treasurer to transfer funds from the General Fund to the Risk Management Fund in order to pay health insurance claims if needed.

Yeas: Commissioners Moody, Wood and Murphy

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Four: County Counselor Jim Emerson regarding a request for an interview with one of the candidates for the Emergency Medical Services Director position. Mr. Emerson stated that one of the candidates could only interview on November 23. He requested that the Commissioners call for a Special Meeting on November 23 at 8:30.

On motion (15-341) of Commissioner Moody and the second of Commissioner Wood to authorize a Special Session of the Board of Crawford County Commissioners at 8:30 AM on November 23, 2015.

Yeas: Commissioners Moody, Wood and Murphy

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Five: Commissioner Moody regarding a request to have a road vacated. Mr. Moody asked Mr. Emerson to research this request.

Item Six: Commissioner Wood regarding the truck that he is ordering for Randy Chiartano, Asphalt Foreman. Mr. Wood stated that the crew cab option that the Commissioners had approved would cost a little more. The other Commissioners felt that it would be worth the money to order a crew cab.

Item Seven: Commissioner Wood regarding the funds that have been requested by the SEK Recycling Center. It was discussed that when Dr. Triplett had talked with the Commissioners earlier he had requested \$10,000 to complete the processing of the e-waste and they felt they would need an additional \$5,000. Commissioner Murphy asked if the City of Pittsburg contributed to the operations of the Recycling Center. It was discussed that it would be good to see if Pittsburg could help with this shortfall.

UNDER THE HEADING OLD BUSINESS

Item One: Commissioner Murphy regarding progress on the proposed changes to the Personnel Policy. County Counselor Jim Emerson stated that he had a meeting with the elected officials and they had some changes that they were going to send to him. It was discussed that some of the Commissioners were going to proceed with evaluations on their employees and there was a discussion of having some training with department

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heads on how to conduct effective employee evaluation. Mr. Murphy stated that a firm had given him an estimate of \$2,000 to hold a training session for all department heads. There was a discussion of ways to discipline employees throughout the year.

Item Two: Commissioner Murphy regarding the City and County Luncheon that was held on November 18 in Mulberry. Mr. Murphy felt that it was a good meeting and that there was a good discussion of the initiative to create a countywide economic development position. Mr. Murphy wanted to engage the cities more and see if they are interested enough to step and help contribute to this position. It was discussed that this needs to be pursued more to see where all the cities stand on this issue.

EXECUTIVE SESSION

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

FUTURE BUSINESS:

Item One: November 24, 2015 – 8:30 AM - Work Session to sign bills and payment vouchers for November 2015.

Item Two: November 24, 2015 – 9:00 AM - Work Session with Emergency Management Director Eldon Bedene and State Emergency Management Officials.

Item Three: November 24, 2015 – Mr. Russ Wosk, Snaptight Culvert Linings, with a short presentation on products.

ANNOUNCEMENTS:

Item One: November 23, 2015 – 8:30 AM - Special Session for the commissioner to conduct interviews for the Emergency Medical Services Director's position.

Item Two: November 26 & 27, 2015 – The Crawford County Courthouse will be closed in observance of the Thanksgiving Day Holiday.

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 [November 20, 2015](#) meeting of the Board of Crawford County Commissioners at 11:14 [AM](#) and to reconvene at the next regularly scheduled time with open doors.

Yeas: Commissioners Moody, Wood and Murphy

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:

Don Pyle

Crawford County Clerk

◇

This submission completed at the Crawford County Courthouse in Girard.

[Taken by DPP 11/20/15 at 11:14 AM/ Amended by DPP 11/20/15 at 4:56 PM/amended BKW 11/23/2015 2:41 PM](#)