

Board of Crawford County Commissioners

Commissioners' Journal

2018, TWENTY-FIFTH MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM

Girard, KS Friday, April 6, 2018, 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.

Commissioner Carl Wood was in attendance.

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

Vice-Chairman Moody led the pledge of allegiance.

UNDER THE HEADING BUSINESS FROM A PREVIOUS MEETING CONSENT AGENDA

On motion (18-121) of Commissioner Wood and the second of Commissioner Moody that the consent agenda be approved including:

1. Approval of the April 3, 2018 minutes of the Board of County Commissioners, and
2. Authorizing the Chairman to sign the previous week's vouchers.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Murphy

The motion prevailed and the consent agenda was approved.

SIGNING OF MOTIONS

The County Clerk presented the following motions for Commissioners' signatures:

Motion 18	113	That the consent agenda be approved including: Approval of the March 30, 2018 minutes
Motion 18	114	To approve the Proclamation proclaiming Tuesday, April 3, 2018 as Pittsburg State University Men's Indoor Track Day in Crawford County
Motion 18	115	To approve the Motion of Recommendation to approve a short plat to be known as Trowbridge Estates 2 nd Addition and to rezone the property from Agriculture to Suburban residential as recommended by the Crawford County Planning and Zoning Board

Board of Crawford County Commissioners

Motion 18	116	To approve the Motion of Recommendation for an Amended Conditional Land CLU 18-1409 for the establishment of an event center, music venue and bar and grill to be known as the “Circle B Ranch”
Motion 18	117	To approve the March 2018 Clerk’s Report as presented
Motion 18	118	To recess this open session and go into a closed executive session for a period of not more than 15 minutes to discuss items that would be deemed privileged in the Attorney Client Relationship and to include the Board of County Commissioners, County Counselor Jim Emerson and IT Director Jim Vinze
Motion 18	119	To recess this open session and go into a closed executive session for a period of not more than 15 minutes to discuss items that would be deemed privileged in the Attorney Client Relationship and to include the Board of County Commissioners and County Counselor Jim Emerson
Motion 18	120	To recess this open session and go into a closed executive session for a period of not more than 10 minutes to discuss Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson and Road & Bridge Coordinator Alyssa Edwards

UNDER THE HEADING NEW BUSINESS

PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS

MESSAGES FROM OTHER GOVERNMENTAL ENTITIES

MESSAGES FROM ELECTED OFFICIALS

MESSAGES FROM APPOINTED OFFICIALS

Item One: Mr. Edward Fields, Noxious Weed Director presenting a letter he received from Cherokee County requesting his assistance from May 17th, 2018 to June 15th, 2018 while their Noxious Week Director is in National Guard training. He explained that he will go to Cherokee County to sell chemicals once or twice a week as he is licensed to sell the chemicals and this is the only work he will do. He informed the Commissioners that it will not interfere with his duties in Crawford County and Cherokee County will reimburse the county for his time there. Commissioner Moody and Commissioner Wood stated that they do not have a problem with this as long as it is selling chemicals only and no other work is involved.

Board of Crawford County Commissioners

Crawford County Commissioners,

We will be temporarily losing our Noxious Weed Director May 17th - June 15th. He is in the National Guard, and is being activated during that time frame to participate in a warfighter exercise at Fort Hood, TX. During that time of year, we need someone at the office to sell chemicals at least once a week. We would like for your Noxious Weed Director, Ed Fields, to come by our department once a week, to sell chemicals for a few hours by appointment while our Director is gone. We will compensate him for his gas mileage from Girard to Columbus, and back. We will also compensate him at his hourly rate for the total number of hours he spends selling chemical here. We have already spoken with Ed on the matter, and he was more than willing to help out and doesn't think it will be an issue.

Thank you in advance,

Cherokee County

Mr. Fields discussed some other projects he is working on.

On motion (18-122) of Commissioner Moody and the second of Commissioner Wood to approve Crawford County Noxious Weed Director Ed Fields assisting Cherokee County 2 hours a week for 5 weeks to sell chemicals only.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Murphy

The motion prevailed.

MESSAGES FROM THE PUBLIC

Item One: Mr. Ray Ryan and Mr. Wally Wilson, Ryan Insurance Agency reviewed insurance loss runs for the first quarter of 2018 and for prior years. Mr. Wilson presented the Commissioners with a report on the work comp claims and discussed the open claims and closed claims. Mr. Wilson also reported on the General Liability claims. Mr. Ryan presented a report on the property insurance, inland marine insurance and the business auto insurance premiums and claims. He stated that there is a 72% loss ratio on the business auto policies. Mr. Ryan and Mr. Wilson also discussed the rest of the report with the Commissioners.

MESSAGES FROM APPOINTED OFFICIALS continued

Item Two: Mr. Troy Graham, Zoning Administrator presented Resolution #2018-003, a Resolution to amend, change or modify the existing use on property and to request a

Board of Crawford County Commissioners

conditional land use to allow for a new development which would be used as an event center, music venue and bar and grill for Circle B Ranch located at 631 S 170th, Pittsburg, Kansas. The commissioners reviewed the letter from the Kansas Fire Marshall that stated they would inspect the facility and the owner said they would comply with any findings.

BOARD OF COUNTY COMMISSIONERS CRAWFORD COUNTY, KANSAS

Resolution 2018-003

WHEREAS, a petition has been filed by Circle B Ranch 631 S. 170th, Pittsburg, Kansas to amend, change or modify the existing use on property described herein and to request a conditional land use to allow for a new development which would be used as an event center, music venue, and bar and grill. The location address of the development would be 631 S. 170th, Pittsburg, Kansas. A complete legal description of the property can be found in the Crawford County Zoning office 111 E. Forest Girard, Kansas during normal business hours.

WHEREAS, a public hearing was held on February 15, 2018 on said application by the Crawford County Planning and Zoning Board, after due notice in accordance with the Crawford County Regional Zoning Regulations.

WHEREAS, as a result of said public hearing, the Crawford County Planning & Zoning Board did recommend approval of the Zoning Conditional Land Use. The recommendation is based on the following:

- a. Use would be conducive to the area.
- b. Use would be suitable, and
- c. Be in the same general character of the neighborhood.

WHEREAS, the undersigned members of the Board of County Commissioners, upon review of the Zoning case file and based on the recommendation presented by the Zoning Administrator, do hereby recommend the change for the Conditional Land Use, as presented from the Planning & Zoning Board.

WHEREAS, on April 3, 2018, the Crawford County Zoning Administrator presented recommendation for the Conditional Land Use from the Crawford County Planning and Zoning Board to the Board of County Commissioners.

WHEREAS, the undersigned members of the Board of County Commissioners, upon review of the minutes of the aforementioned public hearing, do hereby approve the Conditional Land Use for Circle B Ranch.

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

Section 1: The findings of the Planning and Zoning Board as outlined above are hereby adopted and the Conditional Land Use for an event center, music venue, and bar and grill is hereby approved along with noted stipulations.

Section 2: The official zoning maps and records for Crawford County, Kansas, shall be amended to reflect the change as approved in Section 1 above.

Section 3: This resolution will take effect upon its signing and publication in the legal section of the official county newspaper.

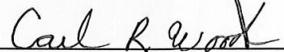
Board of Crawford County Commissioners

ADOPTED, APPROVED AND GIVEN by the Board of County Commissioners under our hands at the courthouse in Girard, Crawford County, Kansas this the 6th day of April, 2018.

Jeff Murphy, Chairman, District 1



Tom Moody, Commissioner, District 2



Carl R. Wood, Commissioner, District 3

Attest:



Don Pyle, County Clerk

On motion (18-123) of Commissioner Moody and the second of Commissioner Wood to adopt Resolution #2018-003, a Resolution to amend, change or modify the existing use on property and to request a Conditional Land Use to allow for a new development which would be used as an event center, music venue and bar and grill known as Circle B Ranch located at 631 S 170th, Pittsburg, Kansas.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Murphy

The motion prevailed.

Item Three: Mr. Graham presented Resolution #2018-004, A Resolution to accept and grant the proposed development to be known as "Trowbridge Estates 2nd Addition" and to accept and grant the amendment of zoning from Agriculture to Suburban Residential for the proposed development located in part of the N1/2 of the NW1/4 of the NW1/4 in Section Eighteen (18), Township Thirty One (31) South, Range Twenty Five (25) East, Crawford County, Kansas. The commissioners stated that they had spoken with some residents that were excited about this new development.

Board of Crawford County Commissioners

BOARD OF COUNTY COMMISSIONERS CRAWFORD COUNTY, KANSAS

Resolution 2018-004

WHEREAS, a petition has been filed by Todd Trowbridge, 624 East 530th Ave, Pittsburg, Kansas to accept and grant the proposed development to be known as "Trowbridge Estates 2nd Addition" and to accept and grant the amendment of zoning from Agriculture to Suburban Residential for the proposed development. This development would be in accordance with the current Subdivision Regulations for Crawford County, Kansas. The legal description of the property would be:

A portion of the North Half of the Fractional Northwest Quarter of the Northwest Quarter of Section Eighteen (18), Township Thirty One (31) South, Range Twenty Five (25) East of the Sixth Principal Meridian, Crawford County, Kansas bounded and described as follows: Commencing at the Northwest corner of said Section 18; thence on a bearing of North 88 degrees 43 minutes 53 seconds East (Kansas Coordinate System, 1983, South Zone) along the North line of said Northwest Quarter of the Northwest Quarter a distance of 264.00 feet to the point of beginning of the following described tract; thence continuing on a bearing of North 88 degrees 43 minutes 53 seconds East to a distance 891.88 feet; thence on a bearing of South 01 degree 16 minutes 07 seconds East and perpendicular to said North line a distance of 505.72 feet; thence on a bearing of South 58 degrees 10 minutes 30 seconds West a distance of 318.61 feet; thence on a bearing of South 87 degrees 48 minutes 58 seconds West a distance of 474.26 feet to the East line of Trowbridge Estates Addition; thence on a bearing of North 02 degrees 11 minutes 02 seconds West along the said East line a distance of 345.36 feet to the Northeast corner of said Addition; thence a bearing of South 88 degrees 43 minutes 53 seconds West along the North line of said Addition of distance of 132.34 feet; thence on a bearing of North 02 degrees 11 minutes 02 seconds West and parallel with the West line of said Northwest Quarter a distance of 330.00 feet to point of beginning. The tract contains 12.09 acres including county road right way.

WHEREAS, as a result of the public hearing conducted on March 15, 2018, the Crawford County Planning and Zoning Board did recommend approval for the amended zoning change. The recommendation is based on the following:

- a. The character of the neighborhood.
- b. The zoning uses of nearby properties.
- c. The conformance of the requested change follows the county's comprehensive plan.

WHEREAS, on April 3, 2018, the Crawford County Zoning Administrator presented recommendation for the amended zoning from the Crawford County Planning and Zoning Board to the Board of County Commissioners.

Board of Crawford County Commissioners

WHEREAS, the undersigned members of the Board of County Commissioners, upon review of the minutes of the aforementioned public hearing, do hereby approve the development to be known as "Trowbridge Estates 2nd Addition."

WHEREAS, the undersigned members of the Board of County Commissioners, upon review of the minutes of the aforementioned public hearing, do approve the zoning change from Agriculture to Suburban Residential.

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

Section 1: Based on a review of the record submitted by the Planning and Zoning Board, the above described property meets the criteria as set forth in the current Subdivision Regulations for a new subdivision to be known as Trowbridge Estates 2nd Addition.

Section 2: Based on a review of the record submitted by the Planning and Zoning Board, the above described property meets the criteria for a zoning change and therefore will be amended from Agricultural to Suburban Residential.

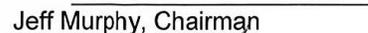
Section 3: The official zoning maps and records for Crawford County, Kansas, shall be amended to reflect the change approved in Section 1 and Section 2 above.

Section 4: This resolution will take effect upon its signing and publication in the legal section of the official county newspaper.

ADOPTED, APPROVED AND GIVEN by the Board of County Commissioners, under our hands at the courthouse in Girard, Crawford County, Kansas, on this 6th day of April, 2018.

Attest:

Don Pyle, County Clerk


Jeff Murphy, Chairman


Carl Wood, Member


Tom Moody, Member

On motion (18-124) of Commissioner Moody and the second of Commissioner Wood to adopt Resolution #2018-004, A Resolution to accept and grant the proposed development to be known as "Trowbridge Estates 2nd Addition" and to accept and grant the amendment of zoning from Agriculture to Suburban Residential for the proposed development located in part of the N1/2 of the NW1/4 of the NW1/4 in Section Eighteen (18), Township Thirty One (31) South, Range Twenty Five (25) East, Crawford County, Kansas.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Murphy

The motion prevailed.

PROCLAMATION AND ORDERS OF THE BOARD

Board of Crawford County Commissioners

NEW BUSINESS

Item One: County Clerk Don Pyle presented 2 applications for 2018 Cereal Malt Beverage Licenses for Lisa Goff "Lakeview Café" to allow them to sell cereal malt beverages in original and unopened containers and not for consumption on the premises and for Lisa Goff "Lakeview Café" to allow them to sell cereal malt beverages for consumption on the premises. Mr. Pyle stated that notices have been sent to the Sheriff, Zoning Administrator, County Attorney and the Township Clerk and that they were given 10 days to respond and that no responses had been received.

Fee \$100.00

KEEP THIS LICENSE POSTED CONSPICUOUSLY AT ALL TIMES

No. 13

RETAIL

DEALER'S **2018** LICENSE

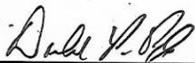
License is hereby granted to Lisa Goff "Lakeview Café" to sell at retail

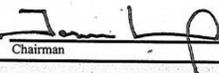
CEREAL MALT BEVERAGES

For consumption on the premises, at 2 W Lake Rd Farlington KS in the Township of Sherman in Crawford County, Kansas. Application therefor, on file in the office of the County Clerk of said County, having been approved by the governing body of said Township, as provided by the Laws of Kansas, and the regulations of the Board of County Commissioners.

This License will expire on December 31, 2018, unless sooner revoked, is not transferable, nor will any refund of the fee be allowed thereon.

Done by the Board of County Commissioners of Crawford County, Kansas, this sixth day of April, 2018.

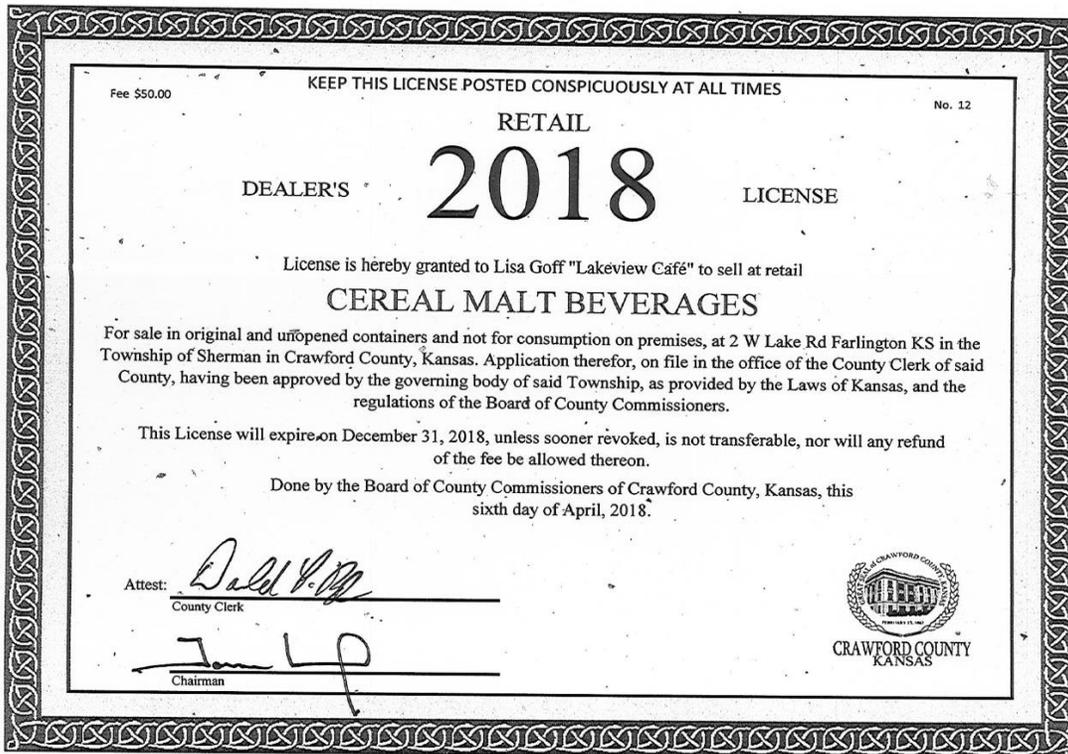
Attest: 
County Clerk


Chairman



CRAWFORD COUNTY
KANSAS

Board of Crawford County Commissioners



On motion (18-125) of Commissioner Moody and the second of Commissioner Wood to make it known that the matter of issuing a license to the applicant(s) listed below was discussed and considered by the Board, and there being no objection filed as provided by law and the Board knowing of no reason why a license should not be issued, the board hereby issues a license to "sell at retail", cereal malt beverages in broken case lots from the place of business as shown in the application as designated and described on the application as herein before set out, and that the County Clerk be hereby authorized and directed to execute the proper license which shall be signed by the Vice-Chairman of the Board of County Commissioners and the County Clerk of Crawford County, Kansas.

2018 Cereal Malt Beverage License

APPLICANT: Lisa Goff "Lakeview Café"

PREMISES: 2 W Lake Rd, Farlington KS 66734

(For sale in original and unopened containers and not for consumption on the premises)

APPLICANT: Lisa Goff "Lakeview Café"

PREMISES: 2 W Lake Rd, Farlington KS 66734

(For consumption on the premises)

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Murphy

The motion prevailed.

Board of Crawford County Commissioners

Item Two: Mr. Pyle presented a letter of resignation from Ms. Judy Smerchek resigning her position as Washington Township Trustee due to moving outside of the township.

April 6, 2018

I have proudly served as Washington Township Trustee for 4 years. As I will no longer reside in the township, please accept my letter of resignation effective

April 6, 2018.

Sincerely,



Judy Smerchek

On motion (18-126) of Commissioner Moody and the second of Commissioner Wood to accept the Letter of Resignation from Ms. Judy Smerchek as Washington Township Trustee.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Murphy

The motion prevailed.

Item Three: Mr. Pyle presented a letter from Ms. Bobbi Wicker, Washington Township Treasurer and Ms. Kim Harman, Washington Township Clerk recommending that Ms. Laurie Graham, 183 N 260th St, Pittsburg, Kansas, Washington Township be appointed to fill the unexpired term of Washington Township Trustee.

Board of Crawford County Commissioners

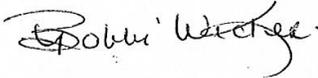
April 6, 2018

Board of Crawford County Commissioners
PO Box 249
Girard, KS 66743

Due to the recent resignation of our Township Trustee, Ms. Judy Smerchek, our recommendation is to appoint Ms. Laurie Graham to fill the rest of the term of the position of Washing Township Trustee effective today. Ms. Graham resides at 183 S 230th St, Pittsburg, Kansas, Washington Township. We feel she would do an excellent job in this position.

Please take our recommendation into consideration.

Sincerely,



Bobbi Wicker
Washington Township Treasurer



Kim Harman
Washington Township Clerk

On motion (18-127) of Commissioner Moody and the second of Commissioner Wood to approve the appointment of Ms. Laurie Graham to fill the unexpired term of Washington Township Trustee.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Murphy

The motion prevailed.

Item Four: Mr. Don Pyle discussed the Cost Sharing agreement between the City of Girard and Crawford County for a grinder pump at the Girard Industrial Park. He explained that the agreement stated that Crawford County will reimburse the City of Girard \$43,500 for ½ of the cost of the grinder pump. Mr. Pyle stated that the agreement also stated that the City of Girard will provide a rebate on the wastewater bill for the jail in the amount of \$250 a month and that the rebate has been put into place. There was a discussion on which fund will pay the \$43,500. The Commissioners decided to pay for the cost share out of the General Fund.

Board of Crawford County Commissioners

COST-SHARING AGREEMENT

This agreement describes and outlines the agreement between

City of Girard, Kansas
and
Crawford County, Kansas

Whereas the Crawford County Jail is located in the Industrial Park and an abnormal amount of non-flushable waste originating from the jail is introduced into the wastewater treatment infrastructure maintained by the City of Girard. To prevent failure of essential wastewater infrastructure due to non-flushable waste, the parties cited above (hereafter City and County) hereby agree to share the cost to install a grinder pump in the Industrial Park in Girard, Kansas.

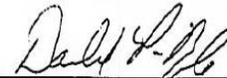
- A. The County agrees to issue payment in the sum of \$43,500 to the City of Girard, Kansas.
- B. The City of Girard agrees to purchase a grinder pump and have it installed in the Industrial Park.
- C. The City agrees to provide a wastewater abatement to the Crawford County Jail in the amount of \$250/month (two hundred and fifty dollars per month) for a period of seven years; the total abatement will equal \$21,000 (twenty-one thousand dollars).
- D. The City will perform routine maintenance of the grinder pump.

Crawford County will issue a check payable to the City of Girard by March 15, 2018. Wastewater abatement will begin on March 15, 2018 and continue for eight-four (84) months until February 15, 2025.

This agreement has been established on this date 2-16, 2018

SIGNATURES:


Crawford County Commissioner
Crawford County, Kansas


Don Pyle, County Clerk
Crawford County, Kansas


Mickey Pyle, Mayor
City of Girard, Kansas


Johanna Winter, City Administrator
City of Girard, Kansas

Item Five: Mr. Wood addressed the City/County Luncheon and Mr. Wood would like invitations sent to our local legislators and Mr. Pyle stated that he is also sending the invitations to the Crawford County Officials. Mr. Wood stated that the expense of the luncheon will be shared between Crawford County and the City of Pittsburg.

Board of Crawford County Commissioners



City Manager
201 West 4th Street
P.O. Box 688
Pittsburg, Kansas 66762
620-231-4100
www.pittks.org

April 4th, 2018

Hello!

The City of Pittsburg and Crawford County will be co-hosting a luncheon for Crawford County elected and appointed officials at 11:30 a.m. on Tuesday, April 17th, 2018. The luncheon will take place at Pittsburg's Fire Station No. 1, located at 911 West 4th Street.

Please RSVP no later than April 12th, 2018, by phone at 620-230-5532 or by email at tammy.nagel@pittks.org.

We look forward to seeing you on April 17th!

Sincerely,

A handwritten signature in cursive script that reads "Daron Hall".

Daron Hall
Pittsburg City Manager

UNDER THE HEADING OLD BUSINESS

Item One: Mr. Pyle stated that he received an email from Ms. Cristy Mitchell, BC/BS representative requesting to address the Commissioners and it was decided to have a work session with Ms. Cristy Mitchell, Blue Cross and Blue Shield Representative on April 13, 2018 at 9:00 AM. Mr. Moody stated that he will not be in attendance on April 13, 2018.

EXECUTIVE SESSION

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

FUTURE BUSINESS:

Item One: April 13, 2018 – Southeast High School Student Kyler Spahn and Advisor Brad Coots regarding the Southeast High School USD 247 Technology Student Association National Championship in Atlanta, GA.

Item Two: April 17, 2018 – 9:00 AM Work Session with Innovative Solar Systems to discuss a solar farm.

Board of Crawford County Commissioners

ANNOUNCEMENTS:

Item One: Tuesday, April 10, 2018 – The Regular Session of the Board of County Commissioners is cancelled.

Item Two: Thursday, April 19, 2018 – County Commissioners & Highway Officials 2018 Annual Meeting in Chanute, Kansas beginning at 8:30 AM.

Item Three: Thursday, April 19, 2018 – City of Pittsburg 2018 State of the City Luncheon at Memorial Auditorium from 11:30 AM to 1:00 PM.

UNDER THE HEADING MOTION TO ADJOURN

MOTION TO ADJOURN

Item One: Adjournment

On the motion of Commissioner Wood and the second of Commissioner Moody to adjourn the [April 6, 2018](#) meeting of the Board of Crawford County Commissioners at 11:05 AM and to reconvene at the next regularly scheduled time with open doors.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Murphy

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

◇

This submission completed at the Crawford County Courthouse in Girard.
[Taken BKW 4/6/18 11:05 AM /amended BKW 4/10/18 10:34 AM](#)