

Board of Crawford County Commissioners

Commissioners' Journal

2018, **FIFTY-NINTH** MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM

Girard, KS **Tuesday, August 14, 2018**, immediately following canvass

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 (18-298) of Commissioner Wood and the second of Commissioner Moody that the consent agenda be approved including:

1. Approval of the **August 7, 2018** minutes of the Board of County Commissioners.

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.

(MOTIONS 18-295, 18-296 AND 18-297 WERE USED BY THE BOARD OF COUNTY CANVASSERS)

SIGNING OF MOTIONS

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

Motion 18	288	That the consent agenda be approved including: Approval of the August 3, 2018 minutes
Motion 18	289	To approve the 2019 County Budget for publication with a hearing date set for August 24, 2018 at 10:00 AM
Motion 18	290	To approve the Crawford County Fire District #1, Fire District #2, Fire District #3 and Fire District #4 2019 Budgets for publication with a hearing date set for August 24, 2018 at 10:00 AM
Motion 18	291	To approve the Crawford County Blanket Right of Entry Consent for Right of Entry for KDHE Surface Mining and authorize the Chairman to sign

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Motion 18	292	To approve sending a letter to Crawford County Fire District #4 Board requesting nominations for board members from their district's annual business meeting for the Commissioners approval
Motion 18	293	To recess this open session and go into a closed executive session for a period of not more than 15 minutes to discuss Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson, County Clerk Don Pyle and Ms. Randi Ryan, Benefits Administrator and to reconvene by 11:28 AM
Motion 18	294	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 and to reconvene by 11:42 AM

UNDER THE HEADING NEW BUSINESS

PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS

MESSAGES FROM THE PUBLIC

Item One: Mr. Jakob Stockton, Stockton Restoration gave a presentation on restoring the courthouse. Mr. Stockton stated that today he is here to offer that in lieu of the 4-year maintenance program, he can start work in September and have the complete courthouse done in 4 weeks to 6 weeks for \$40,000. Commissioner Moody stated that he knows the work needs to be done and informed Mr. Stockton that the County has another company giving a quote on restoring the courthouse. Commissioner Wood stated his concerns with Mr. Stockton lowering the price by \$20,000 that something will be cut if he is cutting the price that much. Mr. Stockton explained that he is cutting nothing and explained that he really just needs the business this year. Mr. Wood would like to see Mr. Stockton's references again. Mr. Moody was answered that Mr. Stockton's company is insured and bonded and Mr. Pyle presented a Certificate of Insurance for Stockton Restoration. Mr. Stockton gave a list of surrounding courthouses he has contracted and buildings that he has done in Wichita. He stated that the scope of work is exactly the same now as was quoted 4 years ago. The Commissioners told Mr. Stockton they will give him an answer within 2 weeks.

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STOCKTON RESTORATION COMPANY

Proposal

This AGREEMENT, made and entered into on this ____ day of _____, 2018, By and between Stockton Restoration Co, hereinafter “ contractor “ and the Board of County Commissioners of Crawford County, Kansas, hereinafter, “ County”.

Whereas, the County is the owner of Crawford County Courthouse, located in Girard, Crawford County, Kansas, and
Whereas, the parties agree to a full restoration contract beginning _____, 2018 continuing through _____, 2018
For the purpose of the Contractor providing restoration services for improvements and maintenance on the Crawford County Courthouse located at 111E. Forrest, Girard, KS 66743

Specifications

1. Cut out all deteriorated, cracked, weathered and missing mortar joints to a depth of no less than 1/2 in.
2. Replace all cut out mortar with new mortar. All joints to be hand tooled to a smooth, concave, weatherproof joint. New mortar to match existing mortar as close as possible, in color and texture.
3. Clean all stone surfaces and stairs, in entirety, by means of high pressure washing. (cleaning chemicals to be used where needed).
4. Cut out all coping cap joints and any expansion joints. Inspect all caulking, vents, pipes, or any protruding objects. Including doors. Re-caulk using high quality urethane caulk. Backer rod or bond breaker tape to be used, to avoid 3 sided adhesion.
5. Wash all exposed glass, doors and windows.
6. Waterproof stone surfaces, in entirety, using high wuality and transparent Prime-A-Pell waterproofing.
7. Patch or replace deteriorated stones.
8. Inspect all window caulk joints, remove and replace any deteriorated, weathered, or cracked caulking. Replace with high quality urethane, hand tooled to a weatherproof joint.

PO BOX 3802 WICHITA, KS 67201 316-799-1086

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STOCKTON RESTORATION COMPANY

Scope of work : This project includes the main building, from above grade to the rooftop. Work includes entire Courthouse starting _____, 2018, Through _____. All work carries a 5 year guarantee; waterproofing carries a 5 year manufacturer guarantee.

Risk Management: Contractor shall furnish all equipment, tools, materials and labor. All operations are to be in full compliance of OSHA rules and regulations. Contractor shall be fully insured and with Workers Compensation, carrying no less than \$1,000,000 per occurrence, \$2,000,000 aggregate liability insurance. The contractor shall indemnify the County from all claims and actions arising from the Contractors participation in the Courthouse Maintenance project caused by the fault of negligence or accidents of the Contractor or employees.

Consideration: County shall pay a total of \$40,000.00 in accordance with the above specifications, at the rate of shall make a 25% of the contract down payment in the amount of \$10,000.00 upon agreement of the Maintenance Contract. Remainder shall be paid at the end of each phase, and remainder of contract on a yearly basis upon completion of each phase.

The prices do not include sales tax or amounts for any other tax, license fees or building permits, for which the contractor is responsible.

Termination: This agreement may be terminated by the County, should the County feel that work is not professional grade or is dissatisfied in the contractors performance of specifications.

Acceptance: The above specifications are satisfactory and hereby accepted, the County authorizes the work as specified, and payments as outlined

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Board of Crawford County Commissioners

STOCKTON RESTORATION COMPANY

above.

_____	_____
_____	_____
_____	_____

MESSAGES FROM ELECTED OFFICIALS

Item One: Sheriff Dan Peak discussed the tow policy for the Sheriff's Office. Sheriff Peak stated that he would like to address the issue with Mr. Joe Wimmer's vehicle being towed at the request of a deputy from the Sheriff's department in May of 2018. He said that he wanted the Commissioners to hear both sides of the story. Mr. Peak stated that he spoke with Mr. Wimmer a couple of times and that Mr. Wimmer requested to be reimbursed for the cost of the tow. Mr. Peak explained the events that happened that led up to Mr. Wimmer's vehicle being towed. He showed a picture of the vehicle where it was parked that evening prior to being towed and stated that it shows that the vehicle is in the lane of traffic. Mr. Peak also stated that the deputy was also concerned with a crest just beyond the parked vehicle and explained the dangers of the crest with where the vehicle was parked. He said that he spoke with his deputy and the deputy explained his reasons for the towing and stated that he supports his deputy's decision. Mr. Peak informed the Commissioners that there are proper avenues for Mr. Wimmer to take if he is unhappy with the Sheriff Department's decision and feels it will be a bad precedence for the Commissioners to get involved. He explained that once a complaint is made by the public the liability is shifted from the vehicle owner to the Sheriff's Department. Mr. Peak explained the department's procedure in tagging vehicles abandoned on roadways and that by statute the owner has 48 hours to remove the vehicle after it is tagged. The Commissioners stated that after seeing the picture of the location of the vehicle and listening to Sheriff Peak's reasoning they feel they should send Mr. Wimmer back to Sheriff Peak and Mr. Wimmer can take the proper avenues with his complaint.

MESSAGES FROM OTHER GOVERNMENTAL ENTITIES

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MESSAGES FROM APPOINTED OFFICIALS PROCLAMATION AND ORDERS OF THE BOARD NEW BUSINESS

Item One: Mr. Wood discussed the Silver Back Land Development and his concerns with the property located in the floodplain. Mr. Wood would like Mr. Ron Albertini, County Surveyor and County Counselor Jim Emerson to be involved with this issue and Mr. Moody agreed.

Item Two: Mr. Wood addressed the sewer study and gave his concerns with forcing citizens into a sewer system and annexation. It was discussed that the focus of this study is the future needs of industry in the county.

Item Three: Mr. Wood stated that he will not be able to attend the meeting on Friday, August 17, 2018. It was decided to cancel the Regular Session on Friday, August 17, 2018 due to lack of quorum.

Item Four: Mr. Wood discussed rebating county property taxes for a landowner.

UNDER THE HEADING OLD BUSINESS

Item One: Mr. Emerson stated that he and Commissioner Murphy attended the USD 248 School Board Meeting on Thursday, August 9, 2018 and presented the County Neighborhood Revitalization Plan to the Board. He explained that the Board made a motion to approve the plan and signed the interlocal agreement. Mr. Emerson stated that he will be presenting the plan to the other School Districts involved. He stated that the residents of Crawford County need to be notified that the plan is in place and is now available.

Item Two: Mr. Moody thanked Mr. Pyle for the excellent job in running the Primary Election.

EXECUTIVE SESSION

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

FUTURE BUSINESS:

ANNOUNCEMENTS:

Item One: Friday, August 17, 2018 – The Regular Session of the Board of County Commissioners is cancelled due to lack of quorum.

UNDER THE HEADING MOTION TO ADJOURN

MOTION TO ADJOURN

Item One: Adjournment

Board of Crawford County Commissioners

On the motion of Commissioner Moody and the second of Commissioner Wood to adjourn the [August 14, 2018](#) meeting of the Board of Crawford County Commissioners at 11:48 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

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This submission completed at the Crawford County Courthouse in Girard.

[Taken BKW 8/14/18 11:48 AM/amended BKW 8/20/18 2:40 PM](#)