

Board of Crawford County Commissioners

Commissioners' Journal

2016, [EIGHTY-NINTH MEETING](#)

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM
Girard, KS [Friday, December 2, 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 (16-427) of Commissioner Wood and the second of Commissioner Moody that the consent agenda be approved including:

1. Approval of the [November 29, 2016](#) minutes of the Board of County Commissioners, and
2. Authorizing the Chairman to sign the previous week's vouchers.

Yeas: Commissioners Moody, Murphy 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:

Motion 16	423	That the consent agenda be approved including: Approval of the November 22, 2016 minutes
Motion 16	424	To transfer \$300,000 from the Road and Bridge Fund to the Road & Bridge Equipment Reserve Fund
Motion 16	425	To adopt Resolution #2016-030, A Resolution Providing Additional Regulations regarding Smoke-Free Workplace and Prohibiting Smoking in Vehicles and Equipment
Motion 16	426	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

Board of Crawford County Commissioners

		Commissioners and County Counselor Jim Emerson
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UNDER THE HEADING NEW BUSINESS

PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS

MESSAGES FROM ELECTED OFFICIALS

MESSAGES FROM APPOINTED OFFICIALS

Item One: Ms. Liz Hart, Road & Bridge Coordinator presenting Resolution #2016-032, A Resolution Establishing Rates for Sewer Supplied to Users of Crawford County Sewer District No. 4. Ms. Hart stated that due to expenditures in the district it was necessary to raise the monthly fees. Ms. Hart explained the Resolution to the Commissioners and explained the new service fees included in the Resolution. Mr. Dave Goble, landowner in Sewer District #4 was present and stated that he feels it is necessary to raise the rates but would rather not see the rates double. Ms. Hart explained different issues and problems with the equipment in the district and the solutions to those problems. She said that her calculations find that it will take a \$20.00 per month customer usage fee for the sewer district to break even based on last year's expenses. Ms. Hart stated that there are 133 users in Sewer District #4. She also said that a letter will go to all users in the sewer district explaining the rate increase and other information about maintenance.

Board of Crawford County Commissioners

BOARD OF COUNTY COMMISSIONERS
CRAWFORD COUNTY COURTHOUSE
GIRARD, KANSAS

RESOLUTION 2016-032

A RESOLUTION ESTABLISHING RATES FOR SEWER SUPPLIED TO USERS OF CRAWFORD COUNTY SEWER DISTRICT NO. 4 AND REPEALING PREVIOUS INCONSISTENT RESOLUTIONS.

WHEREAS, pursuant to K.S.A. 19-27a09(b) the Board of County Commissioners of Crawford County, Kansas, as governing body of Crawford County Sewer District No. 4, has authority to establish a schedule of charges to be collected from users for the use of the sewer district facilities;

WHEREAS, the Board of County Commissioners finds it is necessary to establish rates for sewer service; and

WHEREAS, these rates are in addition to any assessments for debt service which will be set by future resolution of the Board of County Commissioners.

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

Section 1. Rates. (a) The rates for sewer services provided to residences and businesses shall be as follows:

(i) Residential users shall be charged \$20.00 per month regardless of water usage;

(ii) Business users shall be charged a rate based on the amount of water used each month. The rate shall be a minimum of \$20.00 per month, which rate will be multiplied by a unit number based on water usage.

(b) New residential users shall be brought in at the \$20.00 rate per month. New business users shall pay a rate based on their estimated water usage, until an average water usage is determined by the County.

Section 2. Billing and Late Fee Procedure. (a) The County will send a set of twelve statements to each customer each year. It will be the responsibility of the customer to send in the statement each month with payment.

Board of Crawford County Commissioners

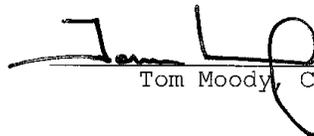
(b) Monthly sewer payments are due on the 10th of each month. Any payment that is received after the 15th of each month shall be assessed a \$2.00 late fee.

(c) Any person who receives at least one day of sewer service in any billing cycle shall be billed their regular monthly rate.

Section 3. Lien. In the event any person or business shall fail to pay the user charges when due, the governing body shall assess such delinquent charges as a lien upon the real estate serviced, and the district shall certify such delinquent charges to the county clerk to be placed on the tax roll and collected in like manner as other taxes are collected. In addition, the County Counselor is hereby authorized to take whatever legal actions are necessary to collect delinquent sewer charges.

Section 4. Rescinding Inconsistent Resolutions. Crawford County, Kansas Resolution 2012-035 adopted by the Board of County Commissioners on October 19, 2012 is hereby rescinded.

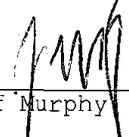
ADOPTED, APPROVED AND GIVEN, by the Board of County Commissioners of Crawford County, Kansas under our hands at the Courthouse in Girard, Crawford County, Kansas this 2nd day of December, 2016.



Tom Moody, Chairman



Carl R. Wood



Jeff Murphy

ATTEST:



Donald P. Pyle, County Clerk

On motion (16-428) of Commissioner Moody and the second of Commissioner Wood to adopt Resolution #2016-032, A Resolution Establishing Rates for Sewer Supplied to Users of Crawford County Sewer District No. 4 and Repealing Previous Inconsistent Resolutions.

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Two: Ms. Liz Hart presenting Resolution #2016-031, A Resolution Establishing Rates for Sewer Supplied to Users of Crawford County Sewer District Number 2. Ms. Hart explained this resolution and the new rates included in the Resolution. She stated

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that there are 125 users in this sewer district and a letter will go out to all the customers explaining the necessity of a rate increase.

BOARD OF COUNTY COMMISSIONERS
CRAWFORD COUNTY COURTHOUSE
GIRARD, KANSAS

RESOLUTION 2016-031

A RESOLUTION ESTABLISHING RATES FOR SEWER SUPPLIED TO USERS OF CRAWFORD COUNTY SEWER DISTRICT NO. 2 AND REPEALING PREVIOUS INCONSISTENT RESOLUTIONS.

WHEREAS, pursuant to K.S.A. 19-27a09(b) the Board of County Commissioners of Crawford County, Kansas, as governing body of Crawford County Sewer District No. 2, has authority to establish a schedule of charges to be collected from users for the use of the sewer district facilities;

WHEREAS, the Board of County Commissioners finds it is necessary to establish rates for sewer service; and

WHEREAS, these rates are in addition to any assessments for debt service which will be set by future resolution of the Board of County Commissioners.

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

Section 1. Rates. (a) The rates for sewer services provided to residences and businesses shall be as follows:

(i) Residential users shall be charged \$26.00 per month regardless of water usage;

(ii) Business users shall be charged a rate based on the amount of water used each month. The rate shall be a minimum of \$26.00 per month, which rate will be multiplied by a unit number based on water usage.

(iii) Mobile Home Parks will be charged \$26.00 per mobile home space multiplied by a seventy-five percent (75%) occupancy rate. At the discretion of the Board of County Commissioners, Mobile Home Parks will be charged based on their actual occupancy rate.

(b) New residential users shall be brought in at the \$26.00 rate per month. New business users shall pay a rate based on their estimated water usage, until an average water usage is determined by the County.

Section 2. Billing and Late Fee Procedure. (a) The County will send a set of twelve statements to each customer each

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year. It will be the responsibility of the customer to send in the statement each month with payment.

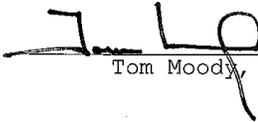
(b) Monthly sewer payments are due on the 10th of each month. Any payment that is received after the 15th of each month shall be assessed a \$2.00 late fee.

(c) Any person who receives at least one day of sewer service in any billing cycle shall be billed their regular monthly rate.

Section 3. Lien. In the event any person or business shall fail to pay the user charges when due, the governing body shall assess such delinquent charges as a lien upon the real estate serviced, and the district shall certify such delinquent charges to the county clerk to be placed on the tax roll and collected in like manner as other taxes are collected. In addition, the County Counselor is hereby authorized to take whatever legal actions are necessary to collect delinquent sewer charges.

Section 4. Rescinding Inconsistent Resolutions. Crawford County, Kansas Resolution 2003-186 adopted by the Board of County Commissioners on December 11, 2003 is hereby rescinded.

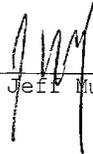
ADOPTED, APPROVED AND GIVEN, by the Board of County Commissioners of Crawford County, Kansas under our hands at the Courthouse in Girard, Crawford County, Kansas this 2nd day of December, 2016.



Tom Moody, Chairman



Carl R. Wood



Jeff Murphy

ATTEST:



Donald P. Pyle, County Clerk

On motion (16-429) of Commissioner Wood and the second of Commissioner Moody to adopt Resolution #2016-031, A Resolution Establishing Rates for Sewer Supplied to Users of Crawford County Sewer District No. 2 and Repealing Previous Inconsistent Resolutions.

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Three: Ms. Hart presented an updated contract for a construction engineer with Cook, Flatt and Strobel. The Commissioners discussed some provisions of the contract and decided to review the contract and discuss it at a later meeting.

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EXECUTIVE SESSION:

Item One: Commissioner Moody requested an executive session for a period of not more than 30 minutes to discuss personnel matters involving Non-Elected Personnel.

On motion (16-430) 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 30 minutes to discuss personnel matters involving Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson, Pittsburg Chamber of Commerce President Mr. Blake Benson and Pittsburg Chamber of Commerce Chairman of the Board Mr. Dave Goble.

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

The Commissioners went into Executive Session at 10:22 AM and reconvened the Open Session at 10:49 AM with no action taken except to go back into open session.

MESSAGES FROM OTHER GOVERNMENTAL ENTITIES PROCLAMATION AND ORDERS OF THE BOARD NEW BUSINESS

Item One: Mr. Emerson, County Counselor, stated that Tracy Harris, Community Corrections Director, requested that he address the Commissioners in reference to creating a reserve fund to use in paying out accrued sick and vacation time when an employee leaves. He explained that the funds will be excess money at the end of the year that will be transferred into this reserve fund. Mr. Emerson stated that this fund will be set up through the State of Kansas but the state requires the County's approval. He also explained that these are state funds and not county funds.

On motion (16-431) of Commissioner Wood and the second of Commissioner Moody to approve 11th Judicial District's Community Corrections creation of a Benefits Reserve fund for the payment of accrued sick and vacation time at the end of employment.

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Two: Mr. Wood stated he received a call from a retiree who was upset that the rates for health insurance were not available yet.

Item Three: Mr. Wood stated that he would like to discuss a few items in the Employee Policy Manual. He pointed out several sections that he had questions on and Mr. Emerson explained each of the items. The Commissioners decided there were a couple

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of changes that should be made and Mr. Emerson will make the changes and bring it back to the Commissioners.

Item Four: Mr. Wood spoke about viewing some equipment that the Commissioners might be interested in purchasing for the Road and Bridge Department.

MESSAGES FROM THE PUBLIC

Item One: Ms. Cristy Mitchell, Blue Cross and Blue Shield Representative presented a quote of \$224,793 for fully insured dental insurance through Blue Cross and Blue Shield. Mr. Pyle stated that Delta Dental's quote was \$229,355 a year for fully insured dental insurance. Ms. Mitchell also stated the amounts for claims for the main group for 2014, 2015 and 2016 that the Commissioners had requested that she compile. She explained that these claim amounts are for the main group only and does not include Mental Health claims. Ms. Mitchell stated that she still feels that a self-funded dental plan is the best deal for the county especially if the claims remain steady. She said that the dental insurance has an internal cap of \$1500.00 per person. Mr. Murphy stated that he would like to stay with a self-funded plan. A discussion was held on what retirees pay if the County goes with self-funding and Mr. Pyle explained how the premiums are calculated. Ms. Mitchell explained the orthodontic rider.

On motion (16-432) of Commissioner Wood and the second of Commissioner Moody to approve the contract through Blue Cross and Blue Shield for a self-funded dental plan for 2017.

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

The Commissioners discussed with Ms. Mitchell vision coverage and raising the internal cap on dental insurance and she will work on a quote for that coverage.

UNDER THE HEADING OLD BUSINESS

Item One: Mr. Pyle discussed amending some funds in the 2016 County Budget. He presented the Budget Overview Report for the end of November. He explained the report to the Commissioners. A discussion was held on cash carryover and the General Fund. The Commissioners also discussed amending the Employee Benefit Fund. Mr. Pyle explained the timeline in amending the County Budget to allow for publication and public hearing.

Item Two: Mr. Murphy stated that since the offices in the Courthouse are being painted he would like to also get new carpet for the offices. The other Commissioners agreed to the purchase of new carpet for the courthouse offices and decided to go with carpet squares.

Board of Crawford County Commissioners

Item Three: Mr. Murphy stated that that he has noticed some sentences that run together and some incomplete sentences in the Commissioner Journal Minutes. He requested that the minutes be looked over and proofed before issuing a final copy.

Item Four: Mr. Wood discussed purchasing some new equipment as other equipment is paid off in the Road and Bridge department.

Item Five: Mr. Wood discussed the contract for a construction engineer with Cook, Flatt and Strobel that Ms. Hart presented earlier in the meeting.

EXECUTIVE SESSION continued:

Item Two: County Counselor Jim Emerson requested an executive session for a period of not more than 15 minutes to discuss items that could be deemed privileged in the Attorney-Client Relationship.

On motion (16-433) 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 15 minutes to discuss items that could be deemed privileged in the Attorney-Client Relationship and to include the Board of County Commissioners and County Counselor Jim Emerson.

Yeas: Commissioners Moody, Murphy and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

The Commissioners went into Executive Session at 12:19 PM and reconvened the Open Session at 12:23 PM with no action taken except to go back into open session.

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

FUTURE BUSINESS

ANNOUNCEMENTS:

Item One: Tuesday, December 6, 2016 – Work Sessions for Employee Evaluations beginning at **9:00 AM**.

Item Two: Friday, December 9, 2016 – Work Sessions for Employee Evaluations beginning at **9:30 AM**.

Item Three: Tuesday, December 13, 2016 – Work Sessions for Employee Evaluations beginning at **9:00 AM**.

Mr. Wood would like to do employee evaluation with Randy Sandberg, EMS Director. Mr. Pyle will contact Mr. Sandberg.

Board of Crawford County Commissioners

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 [December 2, 2016](#) meeting of the Board of Crawford County Commissioners at 12:24 PM and to reconvene at the next regularly scheduled time with open doors.

Yeas: Commissioners Moody, Murphy 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 BKW 12/2/2016 12:24 PM/amended BKW 12/05/2016 2:38 PM](#)