

Board of Crawford County Commissioners

Commissioners' Journal

2018, **FIFTY-SECOND** MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM

Girard, KS **Tuesday, July 17, 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 and the members of the Frontenac 8-year-old Babe Ruth team led the pledge of allegiance

UNDER THE HEADING BUSINESS FROM A PREVIOUS MEETING CONSENT AGENDA

On motion (18-256) of Commissioner Wood and the second of Commissioner Moody that the consent agenda be approved including:

1. Approval of the **July 13, 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.

SIGNING OF MOTIONS

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

Motion 18	250	That the consent agenda be approved including: Approval of the July 10, 2018 minutes and Approval of the accounts payable warrant numbers 583343 to 583683 dated July 13, 2018 in the total amount of \$384,264.49
Motion 18	251	To adopt Resolution #2018-013, A Resolution to amend, change or modify the existing use on property and to approve a conditional land use to allow for a new development to be used as a medical clinic at 960 E 530 th Ave, Pittsburg, Kansas for E & J Investments with the stipulations that the applicant must have agreements with the City of Pittsburg in place for water service, sewer service and the driveway entrance from Centennial Ave and applicant must submit a completed site plan to the Zoning Board for approval before any building permits can be issued

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Motion 18	252	To adopt Resolution #2018-014, A Resolution to amend, change or modify the existing use on property and to approve a conditional land use to allow for a new development to be used as a Deer Processing facility at 1601 W 4 th St, Pittsburg, Kansas for Gene Gilmore with the stipulation that all waste/trash will remain inside the building contained in barrels with lids and will only be brought outside on the day it is picked up
Motion 18	253	To approve drafting a Cooperative Agreement for a Countywide Wastewater Study that would need to be approved prior to moving forward with the project
Motion 18	254	To approve giving Mr. Phil Rankin, MobilCom an additional 90 days lease on the tower at 23 rd Street and the Bypass in Pittsburg with a signed contract stating that at the end of the 90 days all his equipment will be removed from the tower
Motion 18	255	To recess this open session and go into a closed executive session for a period of not more than 60 minutes to discuss Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson and Ray Ryan, Pam Mendicki, Mike Ryan and Wally Wilson from Ryan Insurance Agency and to reconvene by 12:50 PM

UNDER THE HEADING NEW BUSINESS MESSAGES FROM THE PUBLIC

Item One: Mr. Ryan Varsolona representing Frontenac 8-year-old Babe Ruth Team addressed the Commissioners. Mr. Varsolona stated that the team won the state tournament last night and will be going to Cape Girardeau, Missouri for a tournament tomorrow morning and if the team succeeds in winning that tournament they will participate in the Cal Ripkin World Series in Orlando, Florida. He asked the Commissioners for a donation to help with expenses to Cape Girardeau. Mr. Varsolona introduced 4 of the team members present and those members explained which position they played on the team. The Commissioners approved donating \$500 to help with expenses and congratulated the team on their accomplishments.

On motion (18-257) of Commissioner Moody and the second of Commissioner Wood to approve a donation of \$500 to the Frontenac 8-year-old Babe Ruth team to help with travel expenses to the tournament in Cape Girardeau, Missouri.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Murphy

The motion prevailed.

PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS

Item One: Public Hearing on proposed assessments for street improvements for Deer Creek Acres.

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On motion (18-258) of Commissioner Moody and the second of Commissioner Wood to open the public hearing on the proposed assessments for street improvements for Deer Creek Acres.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Murphy

The motion prevailed.

The following public comments were heard: Ms. Ann Sanders addressed the Commissioners and stated that she is a lot owner and soon to be homeowner at 183 Deer Creek Court. Ms. Sanders asked questions about the assessment costs and how the costs could be paid. County Counselor Jim Emerson explained the assessments to Ms. Sanders and explained how the bond would work for the landowners involved. There was a discussion on what the assessments costs covered for the landowners and the road involved. Ms. Sanders stated that she is not against the assessments and received the information she needed.

On motion (18-259) of Commissioner Moody and the second of Commissioner Wood to close the public hearing on the proposed assessments for street improvements for Deer Creek Acres.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Murphy

The motion prevailed.

Mr. Emerson presented Resolution #2018-015, A Resolution levying assessments on lots in Deer Creek Acres, a platted subdivision in Crawford County, Kansas for the purpose of paying the cost of improving certain streets in said county under the Authority of K.S.A. 68-728 et seq. and as provided for by the Board of County Commissioners of Crawford County, Kansas. Mr. Emerson explained the how the assessments could be paid and how the bond will work.

On motion (18-260) of Commissioner Moody and the second of Commissioner Wood to adopt Resolution #2018-015, a Resolution levying assessments on lots in Deer Creek Acres, a platted subdivision in Crawford County, Kansas for the purpose of paying the cost of improving certain streets in said county under the Authority of K.S.A. 68-728 et seq. and as provided for by the Board of County Commissioners of Crawford County, Kansas.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Murphy

The motion prevailed.

**MESSAGES FROM ELECTED OFFICIALS
MESSAGES FROM APPOINTED OFFICIALS**

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

Item One: Mr. Emerson present an Agreement for Federal Aid Construction Engineering Inspection Services between Crawford County, Professional Engineering Consultants PA and the Secretary of Transportation of the State of Kansas. Mr. Emerson stated that this is for the work on Lone Star Road and Opolis Road. He explained that this agreement is for inspection services for the project. He stated that he reviewed the agreement and has no issues with it. Mr. Emerson went through the agreement with the Commissioners.

On motion (18-261) of Commissioner Wood and the second of Commissioner Moody to approve the Agreement for Federal-Aid Construction Engineering Inspection Services by Consultant between Crawford County, Professional Engineering Consultants, PA and the Secretary of Transportation of the State of Kansas for Project No. 19 C-4856-01.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Murphy

The motion prevailed.

Item Two: Mr. Emerson stated that he received an invitation to the Highway 69 Association Special Announcement welcoming Governor Jeff Colyer on Wednesday, July 18th at 12:30 PM at the Admissions Office at Pittsburg State University. Mr. Emerson, Commissioner Moody and Commissioner Wood stated that they will attend.

Item Three: Mr. Emerson presented the Access Agreement between Phil Rankin/Mobilcom Pittsburg Inc and the County of Crawford, KS to allow Mobilcom Ninety (90) days beginning Thursday, July 19 and ending October 16, 2018 to remove all of its equipment from the inside hut and on the tower located near 20th and the Bypass. He explained what will happen if Mr. Rankin fails to removes his equipment by the deadline date of the agreement. Commissioner Wood discussed the issue of removing county equipment from the tower and Mr. Emerson stated that the agreement is for the removal of Mobilcom's equipment only. Mr. Wood was answered that there will be no further extensions given to Mr. Rankin after this agreement expires.

On motion (18-262) of Commissioner Moody and the second of Commissioner Wood to approve the Access Agreement between Phil Rankin/Mobilcom Pittsburg Inc and the County of Crawford, KS to allow Mobilcom Ninety (90) days beginning Thursday, July 19 and ending October 16, 2018 to remove all of its equipment from the inside hut and on the tower located near 20th and the Bypass, Pittsburg KS with the agreement ending at 12:00 AM on October 17, 2018 and authorize the Vice Chairman to sign.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Murphy

The motion prevailed.

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Item Four: Mr. Moody asked about codes court and Mr. Emerson gave an update.

UNDER THE HEADING OLD BUSINESS

Item One: County Clerk Don Pyle handed out references from Bukaty Company for the Commissioners to review.

Item Two: Mr. Pyle stated that today is the last day to make changes to voter registration for the Primary Election. He also stated that early voting will start tomorrow in the County Clerk's Office and advanced ballots will start being mailed tomorrow.

EXECUTIVE SESSION

Item One: County Counselor Jim Emerson requested an executive session for 15 minutes to discuss items that would be deemed privileged in the Attorney Client Relationship.

On motion (18-263) of Commissioner Moody and the second of Commissioner Wood 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 11:07 AM.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Murphy

The motion prevailed.

The Commissioners went into Executive Session at 10:52 AM and reconvened the Open Session at 11:02 AM with no action taken except to go back into open session.

Item Two: Commissioner Tom Moody requested an executive session for 15 minutes to discuss Non-Elected Personnel.

On motion (18-264) of Commissioner Moody and the second of Commissioner Wood 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 and County Counselor Jim Emerson and to reconvene by 11:18 AM.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Murphy

The motion prevailed.

The Commissioners went into Executive Session at 11:03 AM and reconvened the Open Session at 11:15 AM with no action taken except to go back into open session.

Item Three: Commissioner Carl Wood requested an executive session for 5 minutes to discuss items that would be deemed privileged in the Attorney Client Relationship.

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On motion (18-265) 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 5 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 11:21 AM.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Murphy

The motion prevailed.

The Commissioners went into Executive Session at 11:16 AM and reconvened the Open Session at 11:17 AM with no action taken except to go back into open session.

Item Four: Commissioner Carl Wood requested an executive session for 30 minutes to Non-Elected Personnel.

On motion (18-266) 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 Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson and Zoning Administrator Troy Graham and to reconvene by 11:48 AM.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Murphy

The motion prevailed.

The Commissioners went into Executive Session at 11:18 AM and reconvened the Open Session at 11:32 AM with no action taken except to go back into open session.

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

FUTURE BUSINESS:

Item One: July 20, 2018 – 9:00 AM Work Session to discuss 2019 Budget.

ANNOUNCEMENTS:

Item One: July 18, 2018 – Highway 69 Association Special Announcement welcoming Governor Jeff Colyer at 12:30 PM at the Admissions Office at Pittsburg State University. Commissioner Wood and Commissioner Moody will both be in attendance.

UNDER THE HEADING MOTION TO ADJOURN

MOTION TO ADJOURN

Item One: Adjournment

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On the motion of Commissioner Wood and the second of Commissioner Moody to adjourn the [July 17, 2018](#) meeting of the Board of Crawford County Commissioners at 11:35 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 7/17/18 11:35 AM/amended BKW 7/19/18 10:00 AM](#)