# Commissioners' Journal

### 2017, THIRTY-SIXTH MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM

Girard, KS Tuesday, May 16, 2017, 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 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.

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

**On motion** (17-176) of Commissioner Moody and the second of Commissioner Murphy that the consent agenda be approved including:

- 1. Approval of the May 12, 2017 minutes of the Board of County Commissioners, and
- 2. Approval of the accounts payable warrant numbers **573736 to 573985 dated** May 15, 2017 in the total amount of \$273,941.41.

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 17	173	That the consent agenda be approved including: Approval of the May 9, 2017 minutes
Motion 17	174	To recess this open session and go into a closed executive session for a period of not more than 10 minutes to discuss matters involving Non- Elected Personnel and to include the Board of County Commissioners and County Counselor Jim Emerson

Motion 17	175	To recess this open session and go into a closed executive session for a		
		period of not more than 30 minutes to discuss matters that would be		
		deemed privileged in the Attorney-Client Relationship 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 MESSAGES FROM THE COUNTY LOCAL BOARD OF HEALTH MESSAGES FROM THE PUBLIC MESSAGES FROM APPOINTED OFFICIALS

**Item One:** Ms. Rebecca Adamson, County Health Officer and Ms. Debra Anthony, RN Health Department discussing Employee Work Site Wellness Screenings and Health Education. Ms. Adamson spoke about the County Employee Health Screenings and stated she would like to keep the same blood testing as in previous years. She discussed with the Commissioners the addition of a Thyroid Stimulating Hormone test. She informed the Commissioners of the cost per employee for the current blood screenings and the additional cost for the TSH test. She explained what takes place after the Health Department does the blood work. Ms. Adamson stated that the lab that is contracted with gives the Health Department a very good deal. There was a discussion on the spouses of County Employees participating in the health screening. Mr. Wood asked about assisting the County Employees with input of their screening results in the BC/BS website. The Commissioners discussed the possibility of holding health education sessions and safety training and coordinating those with assisting employees with reporting their screening results. The Commissioners agreed to require only 1 health education session in 2017.

#### Crawford County Commissioners,

During the last two years, the county has paid \$20 per employee for their annual wellness exam through the health department. CCHD has only submitted invoices to the county to cover the lab tests. There is no charge from the health department for employees who have lab results from another source.

#### Additional Blood Test:

A TSH blood test could be added to test for thyroid problems. The cost is \$8.50 person. The test is performed utilizing the same amount of blood we currently draw. The lab just adds that test to what they run on the samples we submit.

Do you want the TSH test added to the current lab tests?

#### Spouses:

- Do you want the health department to provide wellness exams and lab work for spouses who are on our insurance and do not work for the county? This could double the cost of the lab work charged to the county annually by the health department.
- Do you want to require insured employee's spouses to complete an annual wellness screening even if they do not work for the county?

The health department has the capacity to provide the wellness exams and lab work.

#### Education:

The health department enjoys providing health and wellness education for other departments. Any department head is welcome to contact Rebecca Adamson to request an educational program. She will make arrangements for a nurse or dietician to teach the class.

BC/BS also offers free health and wellness programs. Any department head is welcome to contact BC/BS to set up education for their department.

This becomes a little more complicated for the court house and judicial center. It would be best if their education was provided based on location rather than department.

 Is it alright to require every employee to complete one health and wellness class this year? It was listed as 4 in our policy but that was contingent on the availability of the on-line education from BC/BS. We need to start with a lower requirement and work towards increasing the goal.

Charli has requested that I provide a flyer or brochure of 2018 wellness requirements for the employee paycheck statements that will be mailed out in May.

Please let me know if you would like any additional information.

Thanks,

Debra Anthony, RN

Crawford County Health Department 410 E. Atkinson Pittsburg, KS 66762 620-231-3200, Ext. 336 Cell - 620-249-7455 Fax: 620-235-7134

#### MESSAGES FROM OTHER GOVERNMENTAL ENTITIES

**Item One:** Ms. Angie Hadley, Program Coordinator, RJA presenting KDOC-JS FY17 Grant. Ms. Hadley discussed Senate Bill 367 which is the implementation of Community Based Services and this will begin July 1, 2017. Ms. Hadley explained Senate Bill 357 and what will take place. She addressed the programs through RJA. She spoke about the implementation of a new program called the Restorative Justice Authority Immediate Intervention Program and explained the program to the Commissioners. She stated that this grant is for \$311,000. She explained the programs and how they are funded.

	STATE OF KANSAS DEPARTEMT OF CORRECTIONS, JUVENILE SERVICEIS DIVISION		
Kansas	1. Juvenile Justice Comprehensive Plan Grant Application FY18	2. Issuance Date: March 31, 2017	
Department of Corrections Sam Brownback, Governor Ray Roberts, Secretary of Corrections	3. Originating Office: Kansas Department of Corrections, Juvenile Services Division		
A stated	4. Award: Juvenile Justic	e Comprehensive Plan Grant Fundin	

TO:	Kansas Administrative Counties who are responsible for implementing their judi district's comprehensive plan for the development, implementation, operation improvement of juvenile community correctional services.		
SUBJECT:	Availability of Juvenile Justice Comprehensive Plan Grant funds distributed by the Kansas Department of Corrections, Juvenile Services Division (herein referred to as the "KDOC-JS"). Under the Grant Program, Administrative Counties are eligible for funds and community-based providers are eligible to apply for funds through the Administrative County Board of County Commissioners (BOCC).		
LEGAL:	Pursuant to K.S.A. 75-7038 through 75-7053, the KDOC-JS may make grants available to		
REFERENCE:	counties or groups of counties who have submitted a comprehensive plan approved by the Secretary.		
PURPOSES:	The purpose of this grant application is to (1) set forth the requirements for recipients of funding, for aid to local units of government, representing fiscal year 2018, and (2) provide guidance and instructions for the preparation and submission of the application.		

The Restorative Justice Authority Immediate Intervention Program Policy and Guidelines Agreement

On this 15th day of May, 2017, the following parties acknowledge and mutually agree to enter into a written agreement adopting policies and guidelines, pursuant to K.S.A. 38-2346, establishing an immediate intervention process (hereinafter IIP) by which a youth may avoid prosecution. Crawford County District Judge, Lori Fleming, Crawford County Attorney, Michael Gayoso, Jr. and RJA Program Coordinator Angle Hadley, do hereby adopt the following agreement. This agreement may be terminated by any party, at any time, by providing a 30 day notice to all parties.

#### PROCEDURE

A.

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F.

The Restorative Justice Authority will oversee the IIP in Crawford County for Post-File programming.

Post-File IIP shall be implemented upon agreement by the youth, the youth's parent or guardian, youth's attorney and the county attorney.

- C. At the discretion of the Crawford County Attorney, cases which meet the criteria may be referred to RJA to complete an IIP plan.
- D. Upon notification by RJA that the youth has successfully completed the IIP requirements, the county attorney shall file the appropriate motion to close the case.

Upon notification by RJA that the youth has unsuccessfully completed the IIP requirements, the county attorney may file the appropriate motion to revoke the IIP.

RJA shall administer the IIP in accordance with Kansas Department of Corrections Juvenile Services (KDOC-JS) developed IIP standards.

#### ELIGIBILITY REQUIREMENTS FOR POST-FILE IIP

Α.

At a minimum, RIA shall provide Post- IIP Supervision and programming for youth who meet the following eligibility criteria:

- Charged with a misdemeanor or unlawful sexual relations (Romeo and Juliet crimes) only, pursuant to K.S.A. 38-2346(b);
- Is processed through either the county attorney or District Court
- If the youth is referred by the county attorney pursuant to K.S.A. 38-2346(d) and has fewer than two prior adjudications.
- Youth may have one prior successful discharge from a diversion or IIP program as per IIP-04-104.
- Eligible youth shall be 10-17 years of age.
- Eligible youth shall reside in Crawford County.

ELIGI	BILITY REQUIREMENTS FOR POST-FILE IIP CONTINUED
	<ul> <li>Youth and guardian shall be notified and agree to IIP services by the county attorney prior to sending the IIP referral.</li> <li>The county attorney has sixty (60) days excluding weekends and holidays to establish probable cause and determine compliance for IIP from the youth and guardian.</li> <li>The county attorney shall notify the youth, parent/guardian and JSO prior to the IIP referral of the amount of restitution owed and to whom the restitution shall be paid.</li> <li>Restitution shall not exceed \$1,500 for IIP youth.</li> <li>All restitution payments shall be paid directly to Crawford County District Court.</li> <li>Youth receiving IIP services shall be paid prior to completion of the program.</li> <li>IIP services begin the day of the youth's first appointment.</li> <li>The JSO shall make three (3) attempts to notify the youth and/or guardian by phone and/or in writing. If the youth fails to make contact with the JSO within five (5) days from the date the appointment letter was sent the case shall be referred back to the county attorney.</li> </ul>
B <sub>i</sub> ,	The ISO shall establish contact with the youth and/or guardian regarding IIP services within two (2) business days after notification of referral, excluding weekends and holidays.
Ċ,	The court, pursuant to K.S.A. 38-2344, has a duty to inform youth of their right to be offered an IIP.
ID PRF	AND POST-FILE GUIDELINES
- Au	RJA does not provide Pre-File IIP services for youth,
B.	Post-File Guidelines shall meet the eligibility criteria listed above.
Agreed	to and accepted by:
Angle H	Addey, RJA Program Coordinator 5-15-17 Date
	Loria 7/1mg-
Lort Fle	ming, District Court Judge Date
Michae	Gayoso, J. Crawford County Attorney Date
On motion (17-177	) of Commissioner Moody and the second of Commissioner Murph
	sas Department of Corrections Juvenile Justice Comprehensive Plan
	For FY18 and authorize the Chairman to sign.
Yeas: Commissione	ers Moody, Murphy and Wood

Nays: Present but not voting:

Absent or not voting:

The motion prevailed.

**Item Two:** Mr. Mike Ehling, Director of Children's Services at Crawford County Community Mental Health addressed the Challenger Program and the Discovery Program. He stated that in 1993 the Challenger Program, a psycho-social program was implemented and explained the program to the Commissioners. He also said that in 1996 Discovery Preschool was started and it is a therapeutic preschool for 3 to 5-year-old children and gave some statistics on the problems the children at the center encounter. Mr. Ehling told the story of Phillip and stated that when he met 4 year old Phillip he had been kicked out of 7 day care centers and the Discovery Preschool was created for Phillip. He explained that now Phillip is a mentor for the Challenger program and a construction management major at PSU and will graduate in another year. Mr. Ehling showed a clip of Phillip's story that was created by KOAM TV in August of 2016. The Commissioners thanked Mr. Ehling for his presentation.

#### MESSAGES FROM ELECTED OFFICIALS PROCLAMATION AND ORDERS OF THE BOARD NEW BUSINESS

**Item One:** Mr. Murphy discussed the high tunnel at the C-Tech and stated that he helped on Sunday and they plan to have an open house next Monday and hopes to have it completed at that time. The Commissioners discussed getting electric and water hydrants hooked up at the high tunnel.

**Item Two:** Mr. Murphy discussed the steel the county owned that was sold on Purple Wave and how much it was sold for. The Commissioners decided to deposit the money into the Equipment Reserve Fund.

**Item Three:** Mr. Murphy spoke about the some of the bills for the Fairgrounds Sewer Project and it was decided that the County can pay the bills for the project and the Fair Board can reimburse the County.

**Item Four:** Mr. Wood addressed issues with Sewer District Number #2, West 4<sup>th</sup> Street charges from the City of Pittsburg. They discussed the problems that could be causing the increase in charges. Ms. May Smith informed the Commissioners of the balance of funds the sewer district currently has and the shortage in paying this bill. It was decided to have Mr. Coby Hinton contact Mr. Matt Bacon from the City of Pittsburg and have a smoke test conducted. It was also decided to have Mr. Albertini check on the flood zones where the lift stations are located.

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Mr. Coby Hinton requested that he drive his personal vehicle to McPherson, Kansas for his testing and the Commissioners agreed.

#### UNDER THE HEADING OLD BUSINESS

**Item One:** Mr. Don Pyle, County Clerk presented the Memorandum of Understanding Addendum between the Crawford County Attorney's Office, The Board of Crawford County Commissioners, the City of Pittsburg, Kansas and The Pittsburg Police Department. The agreement is to reimburse the City of Pittsburg for half of the cost of salary and benefits for a full time assistant to the Special Drug Prosecutor in Pittsburg.

#### MEMORANDUM OF UNDERSTANDING ADDENDUM

Between

#### THE CRAWFORD COUNTY ATTORNEY'S OFFICE,

#### THE BOARD OF CRAWFORD COUNTY COMMISSIONERS,

THE CITY OF PITTSBURG, KANSAS,

and

#### THE PITTSBURG POLICE DEPARTMENT

That the Crawford County Attorney's Office, the Board of Crawford County Commissioners, the City of Pittsburg, and the Pittsburg Police Department entered into a memorandum of understanding (MOU) to fund a full time assistant county attorney to prosecute drug cases originating within the city limits of Pittsburg, Crawford County, KS.

The parties have previously entered into a MOU and an extension of the MOU. The original MOU and the extension provided that the Crawford County Attorney's office would provide for a part-time support staff person to assist the assistant county attorney in his/her drug prosecution duties. This part-time staff person would be an employee of Crawford County.

<u>Modification of Agreement</u>: The city of Pittsburg has now agreed to hire a full-time support staff member to assist the ACA in his/her duties. This full-time support staff member shall be employed by the city of Pittsburg. The city of Pittsburg will be responsible for the salary and benefits for this position. Crawford county commissioners have agreed to reimburse the city of Pittsburg for one-half ( $\frac{1}{2}$ ) of the total salary and benefits of the full-time support staff member from the county general fund. The specific financial transaction in reimbursing the city shall be addressed by each entities financial departments and that which would be mutually beneficial.

This addendum to the MOU is at-will and may be modified by mutual consent of the authorized officials of the Crawford County Attorney's Office, the City of Pittsburg, the Board of Crawford County Commissioners and the Pittsburg Police Department at any time during is effective dates.

This MOU shall become effective upon signature of all authorized officials.

2 Page

APPROVED, DATED AND AGREED TO BY THE FOLLOWING:

Michael Gayoso, Jr. Crawford County Attorney Date: <u>March 30, 2017</u>

Mendy Hulvey **City of Pittsburg Chief of Police** 

Date: 5-19 - 13 Michael Gray City of Pittsburg May Date: P

Daron R. Hall

City of Pittsburg Manager Date: <u>4-26-17</u>

Tom Moody, Chairman Board of Crawford County Commissioners Date:

**On motion (17-178)** of Commissioner Moody and the second of Commissioner Murphy to approve the Memorandum of Understanding Addendum between the Crawford County Attorney's Office, The Board of Crawford County Commissioners, the City of Pittsburg, Kansas and The Pittsburg Police Department and authorize the Chairman to sign. Yeas: Commissioners Moody, Murphy and Wood Nays:

Present but not voting: Absent or not voting: **The motion prevailed.** 

#### **EXECUTIVE SESSION**

**Item One:** County Counselor Jim Emerson requested an executive session to discuss matters involving Non-Elected Personnel.

**On motion (17-179)** 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 matters involving Non-Elected Personnel 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 11:36 AM and reconvened the Open Session at 11:50 AM with no action taken except to go back into open session.

### UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

#### **FUTURE BUSINESS:**

Item One: May 19, 2017 – Ms. Kari West, Business Manager, Westar Energy.

### **ANNOUNCEMENTS:**

Item One: May 18, 2017 -- KAC Regional Supper in Paola from 5:30 PM to 8:00 PM.

**Item Two: May 25, 2017 --** Pittsburg Chamber of Commerce Banquet at Memorial Auditorium from 6:00 PM to 9:00 PM.

#### UNDER THE HEADING MOTION TO ADJOURN MOTION TO ADJOURN Item Ones A discumment

Item One: Adjournment

**On the motion** of Commissioner Moody and the second of Commissioner Murphy to adjourn the May 16, 2017 meeting of the Board of Crawford County Commissioners at 11:55 AM 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 5/16/2017 11:55 AM/amended BKW 5/18/17 2:30 PM