

Board of Crawford County Commissioners

Commissioners' Journal

2021, **EIGHTY-EIGHTH** MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM
Girard, KS, **Friday, December 10, 2021, 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 Jeremy Johnson served as the presiding officer.

Commissioners Tom Moody and Bruce Blair were in attendance.

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

UNDER THE HEADING BUSINESS FROM A PREVIOUS MEETING CONSENT AGENDA

On motion (21-408) of Commissioner Moody and the second of Commissioner Blair that the consent agenda be approved including:

1. Approval of the **December 7, 2021** minutes of the Board of County Commissioners, and
2. Authorizing the Chairman to sign the previous week's vouchers.

Yeas: Commissioners Moody, Blair and Johnson

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 21	403	The consent agenda be approved including: Approval of the December 3, 2021 minutes
Motion 21	404	To recess this open session and go into a closed executive session for a period of not more than 15 minutes to discuss the EMS Department under Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson and EMS Administrator Dr. Tim Stebbins and to reconvene by 10:30 AM
Motion 21	405	To approve the Crawford County EMS EMT/Paramedic Pay Upgrade Proposal
Motion 21	406	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 to discuss the American Rescue Plan Act funding and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 11:00 AM

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Motion 21	407	To recess this open session and go into a closed executive session for a period of not more than 10 minutes to discuss the Road & Bridge Department under Non-Elected Personnel and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 11:10 AM
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UNDER THE HEADING NEW BUSINESS

PROCLAMATION AND ORDERS OF THE BOARD

PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS

MESSAGES FROM CRAWFORD CO LOCAL BOARD OF HEALTH

MESSAGES FROM THE PUBLIC

MESSAGES FROM ELECTED OFFICIALS

MESSAGES FROM APPOINTED OFFICIALS

MESSAGES FROM OTHER GOVERNMENTAL ENTITIES

Item One: Mr. Mike Bodensteiner, Greenbush, and Mr. Steve Brooks, City of Girard Public Utilities Director, addressed the Commissioners in reference to the American Rescue Plan Act funding. Mr. Bodensteiner recommended the Commissioners consider funding the City of Girard's lift station immediately, as KDOT matching funds must be applied for immediately and the repairs are badly needed. Mayor Dave Fornelli from the City of Frontenac also spoke about the need for ARPA funding to help pay for the City of Frontenac's infrastructure project. The Commissioners decided the City of Girard and the City of Frontenac will both receive funding based upon an equal per resident amount.

On motion (21-409) of Commissioner Blair and the second of Commissioner Moody to approve the City of Girard and the City of Frontenac's requests for ARPA funding based on a per resident formula in which the City of Girard is awarded \$506,626 and the City of Frontenac is awarded \$683,164.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Two: Mike Bodensteiner also discussed the childcare portion of the ARPA fund requests. The Board approved a draft letter created by Mr. Bodensteiner that requests more information from applicants for Childcare Funding.

EXECUTIVE SESSION

Item One: Commissioner Tom Moody requested an executive session for 10 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship.

On motion (21-410) of Commissioner Moody and the second of Commissioner Johnson to recess this open session and go into a closed executive session for a period of not more than 10 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship to discuss the American Rescue Plan Act Funding and to include the Board

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of County Commissioners, County Counselor Jim Emerson and Mr. Mike Bodensteiner of Greenbush and to reconvene by 10:34 AM.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

The Commissioners went into Executive Session at 10:24 AM and reconvened the Open Session at 10:34 AM with no action taken except to go back into open session.

NEW BUSINESS

Item One: County Clerk Pyle addressed the 2021 County Budget Amendment. He stated that the funds that need amending are the General, Road & Bridge, Ambulance, Employee Benefits, Consolidated 911 and Clerk Technology funds. He explained the reasons the budget amendments are needed. He would like to schedule the public hearing on the amendments for December 28, 2021 at 10:00 AM. Mr. Pyle stated that the notice must be published at least 10 days prior to the hearing date.

On motion (21-411) of Commissioner Blair and the second of Commissioner Moody to approve the publication for the 2021 Budget Amendment for Crawford County and to set a hearing date of December 28, 2021 at 10:00 AM.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Two: Mr. Pyle addressed the 2021 Budget Amendment for Crawford County Fire District #1, Fire District #2, Fire District #3 and Fire District #4. Mr. Pyle explained the reason for the amendment.

On motion (21-412) of Commissioner Blair and the second of Commissioner Moody to approve the publication for the 2021 Budget Amendment for Crawford County Fire District #1, Fire District #2, Fire District #3 and Fire District #4 and to set a hearing date of December 28, 2021 at 10:00 AM.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Three: Mr. Pyle presented applications for 2022 Cereal Malt Beverage Licenses for Anthony Pichler “Pichler Chicken Annies” to allow them to sell cereal malt beverages for consumption on the premises, Anthony Pichler “Pichler Chicken Annies” to allow them to sell cereal malt beverages in original and unopened containers and not for consumption on the premises, Larry Zerngast “Chicken Mary’s” to allow them to sell

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cereal malt beverages for consumption on the premises and “Jo’s One Stop” to allow them to sell cereal malt beverages in original and unopened containers and not 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.

On motion (21-413) of Commissioner Moody and the second of Commissioner Blair 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 Chairman of the Board of County Commissioners and the County Clerk of Crawford County, Kansas.

2022 Cereal Malt Beverage Licenses

APPLICANT: Anthony Pichler “Pichler’s Chicken Annies”

PREMISES: 1271 S 220th St, Pittsburg, KS 66762

(For consumption on the premises)

APPLICANT: Anthony Pichler “Pichler’s Chicken Annies”

PREMISES: 1271 S 220th St, Pittsburg, KS 66762

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

APPLICANT: Larry Zerngast “Chicken Mary”

PREMISES: 1133 E 600th Ave, Pittsburg, KS 66762

(For consumption on the premises)

APPLICANT: “Jo’s One Stop”

PREMISES: 401 N 69 Hwy, Arma, KS 66712

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

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Four: County Counselor Jim Emerson presented Resolution #2021-016, A Resolution Exempting Crawford County, Kansas from Using the Generally Accepted Accounting Principles (GAAP) in the Preparation of its Financial Statements and Reports. Mr. Emerson explained that this Resolution is needed so that the county can prepare financial statements in accordance with the Kansas Municipal Audit Guide.

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On motion (21-414) of Commissioner Moody and the second of Commissioner Johnson to adopt Resolution #2021-016, A Resolution Exempting Crawford County, Kansas from Using the Generally Accepted Accounting Principles (GAAP) in the Preparation of its Financial Statements and Reports.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

EXECUTIVE SESSION continued

Item Two: County Counselor Jim Emerson requested an executive session for 20 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship.

On motion (21-415) of Commissioner Moody and the second of Commissioner Blair to recess this open session and go into a closed executive session for a period of not more than 20 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship to discuss Sheriff's Department Employees and to include the Board of County Commissioners, County Counselor Jim Emerson and Sheriff Danny Smith and to reconvene by 11:07 AM.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

The Commissioners went into Executive Session at 10:47 AM and reconvened the Open Session at 11:07 AM with no action taken except to go back into open session.

MESSAGES FROM ELECTED OFFICIALS

Item One: Sheriff Danny Smith presented the Commissioners with a proposal to switch the sworn full-time members of the Sheriff's Office from the Kansas Public Employees Retirement System (KPERs) to the Kansas Police & Fireman's Retirement System (KP&F) He stated that KP &F is geared towards first responders and public safety employees. He explained the benefits in switching to KP&F.

On motion (21-416) of Commissioner Moody and the second of Commissioner Johnson to approve changing the retirement plan for the sworn full-time members of the Sheriff's Office from the Kansas Public Employees Retirement System (KPERs) to the Kansas Police & Fireman's Retirement System (KP&F).

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

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NEW BUSINESS continued

Item Five: Commissioner Blair discussed trucks for the Road & Bridge Department. He discussed the Freightliner trucks that have been ordered and stated that those trucks will not be in until the middle of next year. He presented a quote for 2 2022 International Dump trucks from Summit Truck Group that are available now.

On motion (21-417) of Commissioner Moody and the second of Commissioner Blair to approve the purchase of 2 2022 International HV507 Dump Trucks with a 5 year/300k warranty for the total price of \$318,400 and authorize the Chairman to sign.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Six: Commissioner Moody stated that he would like Shop Foreman Josh Peak to look into 1-ton trucks. Mr. Blair will contact Mr. Peak on this issue.

Item Seven: The Commissioners discussed the status of the clean up of the property in Chicopee.

OLD BUSINESS

Item One: Mr. Emerson presented a letter of support from the Board of Crawford County Commissioners to the Kansas Board of Regents for a Heavy Equipment Operators program for the Southeast Kansas Career & Technical Education Center as a partner with Fort Scott Community College.

On motion (21-418) of Commissioner Moody and the second of Commissioner Blair to approve the letter of support to the Kansas Board of Regents from the Board of Crawford County Commissioners for Fort Scott Community College's application for a Heavy Equipment Operators program through the Southeast Kansas Career & Technical Education Center.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Two: Commissioner Blair discussed employee evaluations and rotation schedules.

EXECUTIVE SESSION

Item Three: County Counselor Jim Emerson requested an executive session for 20 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship.

On motion (21-419) of Commissioner Moody and the second of Commissioner Johnson to recess this open session and go into a closed executive session for a period of not more than 20 minutes to discuss items that would be deemed privileged in the Attorney-Client

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Relationship to discuss the Opioid Lawsuit and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 11:46 AM.
Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

The Commissioners went into Executive Session at 11:26 AM and reconvened the Open Session at 11:44 AM with no action taken except to go back into open session.

Mr. Pyle discussed the meeting with the local legislators and it was decided to try to schedule this for the meeting on December 21, 2021. It was decided to invite Mr. Bill Brady and the local mayors to attend.

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

FUTURE BUSINESS:

Item One: December 14, 2021 – 8:30 AM Work Session to review and sign December mid-month bills and payroll vouchers.

ANNOUNCEMENTS:

Item One: December 24, 2021 – The Courthouse will be closed in observance of the Christmas Holiday.

UNDER THE HEADING MOTION TO ADJOURN

MOTION TO ADJOURN

Item One: Adjournment

On the motion of Commissioner Moody and the second of Commissioner Johnson to adjourn the [December 10, 2021](#) meeting of the Board of Crawford County Commissioners at 11:46 AM and to reconvene at the next regularly scheduled time with open doors.

Yeas: Commissioners Moody, Blair and Johnson

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 by BKW 12/10/2021 11:46 AM/amended BKW 12/13/2021 2:00 PM.