

Board of Crawford County Commissioners

Commissioners' Journal

2014, **EIGHTY-EIGHTH** MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM
Girard, KS **Friday, December 12, 2014, 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 Bob Kmiec served as the presiding officer.

Commissioners Tom Moody and Carl Wood were in attendance.

County Clerk Don Pyle was seated with the Board.

Chairman Kmiec led the pledge of allegiance.

UNDER THE HEADING BUSINESS FROM A PREVIOUS MEETING CONSENT AGENDA

On motion (14-302) of Commissioner Moody and the second of Commissioner Wood that the consent agenda be approved including:

1. Approval of the **December 9, 2014** minutes of the Board of Commissioners, and
2. Approval of the accounts payable warrant numbers **553690 to 553915 dated December 12, 2014 in the total amount of \$231,874.98**, and
3. Authorizing the Chairman to sign the previous week's vouchers.

Yeas: Commissioners Moody, Kmiec 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 14	296	That the consent agenda be approved including: Approval of the December 5, 2014 minutes
Motion 14	297	To Close the Public Hearing on the 2014 Crawford County Fire District #4 Amended Budget
Motion 14	298	To approve the 2014 Crawford County Fire District #4 Amended Budget as published
Motion 14	299	To make it known that the board hereby issues a license to "sell at retail" cereal malt beverages from the place of business as shown in the application 2015 Cereal Malt Beverage Licenses APPLICANT:

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		Anthony Pichler “Pichler’s Chicken Annie’s” PREMISES: 1271 S 220 th St, Pittsburg, KS 2 Licenses (For consumption on the premises and for sale in original and unopened containers and not for consumption on the premises)
Motion 14	300	To approve and sign a letter to all Elected Officials and Department Heads requesting the 2014 Inventory
Motion 14	301	To approve the publication of the 2014 amended budget for Crawford County with the budget hearing scheduled for December 23, 2014

UNDER THE HEADING NEW BUSINESS

NEW BUSINESS FOR CRAWFORD COUNTY BOARD OF HEALTH PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS MESSAGES FROM THE PUBLIC

Item One: Ms. Leslie Lackamp Executive Director Pittsburg Agency and Ms. Penny Massa, Vice President of Operations from Mosaic addressing County Mill Levy. Ms. Lackamp stated that they have some questions on the distribution of the funds levied by the county for the developmentally disabled. Ms. Penny Massa stated that they have asked Class LTD to provide them with information on how the funds they receive from the county is spent. There was a discussion of the services that Mosaic provides for clients in Crawford County. The representatives of Mosaic wanted the Commissioners to know that there are other groups that provide services to the developmentally disabled residents of Crawford County. It was discussed that all of the county funds for developmentally disabled residents currently goes to Class LTD. Ms. Lackamp stated that they are not here to ask that all money for developmentally disabled individuals be given to Mosaic, but she is asking that those funds be divided up among the many organizations that provide these services. Commissioner Wood was answered that 95% of the funding for Mosaic in Crawford County comes from Medicaid payments. The Commissioners felt that it would be good to get all of the local providers of services to the developmentally disabled involved in a conversation about how to determine the division of these funds among the local service providers.

MESSAGES FROM APPOINTED OFFICIALS MESSAGES FROM ELECTED OFFICIALS MESSAGES FROM OTHER GOVERNMENTAL ENTITIES PROCLAMATIONS AND ORDERS OF THE BOARD NEW BUSINESS:

Item One: County Clerk Don Pyle presenting an application for a 2015 Cereal Malt Beverage License for Larry Zerngast “Chicken Mary’s” to allow them to sell cereal malt beverages 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 had been given 10 days to respond and that no responses had been received.

Board of Crawford County Commissioners

Place on
City/County
100143

INDIVIDUAL/SOLE PROPRIETOR APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES

(This form has been prepared by the Attorney General's Office)

City or County of Crawford

SECTION 1 - LICENSE TYPE	
Check One: <input type="checkbox"/> New License <input checked="" type="checkbox"/> Renew License <input type="checkbox"/> Special Event Permit	
Check One:	
<input checked="" type="checkbox"/> License to sell cereal malt beverages for consumption on the premises.	
<input type="checkbox"/> License to sell cereal malt beverages in original and unopened containers and not for consumption on the licenses premises.	

SECTION 2 - APPLICANT INFORMATION			
Kansas Sales Tax Registration Number (required): <u>004480876533 F01</u>			
Name <u>LARRY ZERNIGOT</u>	Phone No. <u>620-724-1743</u>	Date of Birth <u>1/27/1944</u>	
Residence Street Address <u>P.O. Box 272</u>	City <u>GIRARD KS</u>	Zip Code <u>66743</u>	
Applicant Spousal Information			
Spouse Name <u>KAREN</u>	Phone No.	Date of Birth	
Residence Street Address <u>SAME</u>	City <u>SAME</u>	Zip Code	

SECTION 3 - LICENSED PREMISE			
Licensed Premise (Business Location or Location of Special Event)		Mailing Address (if different from business address)	
DBA Name <u>Chicken Malt</u>	Name <u>Chicken Malt</u>		
Business Location Address <u>1133 E. 600th Ave</u>	Address <u>P.O. Box 1971</u>		
City <u>Pittsburg</u> State <u>KS</u> Zip <u>66762</u>	City <u>Pittsburg</u> State <u>KS</u> Zip <u>66762</u>		
Business Phone No. <u>620-231-9510</u>	<input checked="" type="checkbox"/> I own the proposed business location. <input type="checkbox"/> I do not own the proposed business location.		
Business Location Owner Name(s) <u>LARRY & KAREN ZERNIGOT</u>			

SECTION 4 - APPLICANT QUALIFICATION	
I am a U.S. Citizen	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have been a resident of Kansas for at least one year prior to application.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have resided within the state of Kansas for <u>70</u> years.	
I am at least 21 years old.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have been a resident of this county for at least 6 months.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Within 2 years immediately preceding the date of this application, neither I nor my spouse ¹ has been convicted of, released from incarceration for or released from probation or parole for any of the following crimes: (1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness; (4) driving a motor vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal intoxicating liquor law.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
My spouse has previously held a CMB license.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
My spouse has never been convicted of one of the crimes mentioned above while licensed.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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INDIVIDUAL/SOLE PROPRIETOR APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES

(This form prepared by the Attorney General's Office)

SECTION 5 - MANAGER OR AGENT QUALIFICATION		
My piece of business or special event will be conducted by a manager or agent.		<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, provide the following:		
Manager/Agent Name	Phone No.	Date of Birth
Residence Street Address	City	Zip Code
Manager or Agent Spousal Information		
Spouse Name	Phone No.	Date of Birth
Residence Street Address	City	Zip Code
Qualification Statement		
My manager/agent and his/her spouse ² meets all of the qualifications in Section 4.		<input type="checkbox"/> Yes <input type="checkbox"/> No

SECTION 6 - DURATION OF SPECIAL EVENT		
Start Date	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM
End Date	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM

I declare under penalty of perjury under the laws of the State of Kansas that the foregoing is true and correct. (K.S.A. 52-601)

SIGNATURE _____ DATE _____

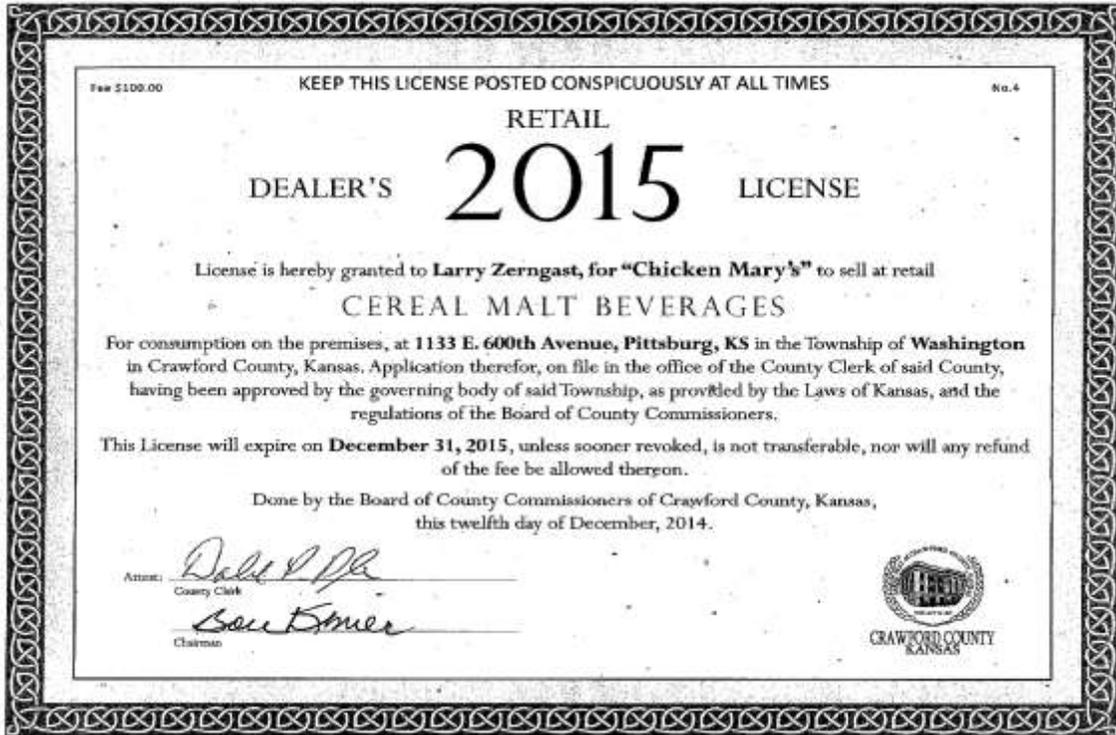
FOR CITY/COUNTY OFFICE USE ONLY:	
<input checked="" type="checkbox"/> License Fee Received Amount \$ <u>100</u> Date <u>12-1-14</u>	(\$25 - \$50 for Off-Premise license or \$25-200 On-Premise license)
<input checked="" type="checkbox"/> \$25 CMB Stamp Fee Received Date <u>12-1-14</u>	
<input type="checkbox"/> Background Investigation	<input type="checkbox"/> Completed Date _____ <input type="checkbox"/> Qualified <input type="checkbox"/> Disqualified
<input type="checkbox"/> New License Approved	Valid From Date _____ to _____ By: _____
<input type="checkbox"/> License Renewed	Valid From Date _____ to _____ By: _____
<input type="checkbox"/> Special Event Permit Approved	Valid From Date _____ to _____ By: _____

A PHOTOCOPY OF THE COMPLETED FORM, TOGETHER WITH THE STAMP FEE REQUIRED BY K.S.A. 41-2702(e), MUST BE SUBMITTED WITH YOUR QUARTERLY REPORT (ABC-307) TO THE ALCOHOLIC BEVERAGE CONTROL, 915 SW HARRISON STREET ROOM 214, TOPEKA, KS 66625-3512.

¹ If renewal application, applicant's spouse not required to meet the no criminal history requirement. K.S.A. 41-2703(b)(9)

² Spouse not required to be U.S. citizen, Kansas resident or over 21 years of age. K.S.A. 41-2703(b)(9)

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On motion (14-303) of Commissioner Moody and the second of Commissioner Wood 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.

2015 Cereal Malt Beverage License

APPLICANT: Larry Zerngast “Chicken Mary’s”

PREMISES: 1133 E 600th Ave, Pittsburg, KS

(For consumption on the premises)

Yeas: Commissioners Moody, Kmiec and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Two: Commissioner Carl Wood regarding the construction progress being made on a replacement bridge on 530th Street in southeastern Crawford County. Mr. Wood stated that KDOT will have an informational meeting at the bridge site at 1:00 PM on December 15, 2014. Mr. Wood stated that this meeting would give KDOT the chance to discuss the estimated timeline for completion of the work on this bridge.

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Item Three: Commissioner Carl Wood regarding a salary study that KAC is conducting statewide. Mr. Wood stated that this was discussed at the KAC Conference in Wichita and that he would like for Crawford County to spend the \$175 to be part of this study. The other Commissioners agreed that it is a good idea and to pay for the study.

UNDER THE HEADING OLD BUSINESS

Item One: Commissioner Moody asked that the meeting with the CVB Director and the area museum directors be rescheduled in January.

EXECUTIVE SESSION

Item One: Commissioner Kmiec requesting an Executive Session to discuss personnel issues that involve non-elected personnel.

On motion (14-304) of Commissioner Kmiec 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 personnel matters involving Non-Elected Personnel and to include the Board of County Commissioners.

Yeas: Commissioners Kmiec, Moody and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

The Commissioners went into Executive Session at 10:36 [AM](#) and reconvened the Open Session at 11:06 [AM](#) with no action taken except to go back into open session.

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

FUTURE BUSINESS:

Item One: December 16, 2014 – Heather Morgan, Executive Director Project 17, addressing updates and upcoming events.

Item Two: December 16, 2014, 9:30 AM – Work Session with Road & Bridge Office.

Item Three: December 19, 2014 – Mr. Dennis Meier, Triad Environmental, opening rock bids.

ANNOUNCEMENTS:

Item One: December 15, 2014, 1:00 PM – Meeting with KDOT to discuss the progress on the bridge on 530th Street at the bridge site.

Item Two: December 24, 25 & 26, 2014 – The Courthouse and other county offices will close at 2:00 pm on December 24, 2014 and all day on December 25 & 26, 2014 in observance of the Christmas Holiday. The Commission Meeting on December 26, 2014 is cancelled.

UNDER THE HEADING MOTION TO ADJOURN

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MOTION TO ADJOURN

Item One: Adjournment

On the motion of Commissioner Kmiec and the second of Commissioner Moody to adjourn the [December 12, 2014](#) meeting of the Board of Crawford County Commissioners at [11:08 AM](#) and to reconvene at the next regularly scheduled time with open doors.

Yeas: Commissioners Moody, Kmiec 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 by DPP 12/12/14 at 11:08 AM, Amended by DPP 12/12/14 at 3:29/amended BKW 12/15/2014 3:05 PM](#)