

Board of Crawford County Commissioners

Commissioners’ Journal

2020, NINETY-SIXTH MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS’ BOARD ROOM
Girard, KS, Tuesday, December 15, 2020 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 Bruce Blair served as the presiding officer.

Commissioners Tom Moody and Jeremy Johnson were in attendance.

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

Chairman Blair led the pledge of allegiance.

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

On motion (20-497) of Commissioner Moody and the second of Commissioner Johnson that the consent agenda be approved including:

1. Approval of the **December 11, 2020** minutes of the Board of County Commissioners, and
2. Approval of the accounts payable warrant numbers 602997 to 603260 dated December 15, 2020 in the total amount of \$553,168.74.

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 20	493	That the consent agenda be approved including: Approval of the December 8, 2020 minutes
Motion 20	494	To recess the Commission Meeting for 5 minutes
Motion 20	495	To adopt Resolution #2020-014, A Resolution to accept and grant the proposed development to be known as “First Replat of Trowbridge Estate Second Addition” and to accept and grant the amendment of zoning from Agriculture to Suburban Residential for the proposed development

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Motion 20	496	To adopt Resolution #2020-015, A Resolution Exempting Crawford County, Kansas from Using Generally Accepted Accounting Principles (GAAP) in the Preparation of its Financial Statements and Reports
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UNDER THE HEADING NEW BUSINESS

PROCLAMATION AND ORDERS OF THE BOARD

MESSAGES FROM CRAWFORD CO LOCAL BOARD OF HEALTH

Item One: Ms. Janis Goedeke, Health Department Director addressed the Commissioners with an update on the status of the COVID-19 vaccination. She explained which organizations will be receiving the vaccinations and who the vaccines will be administered to first. She also stated that so far this week there have been 48 new cases of the virus.

PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS

MESSAGES FROM THE PUBLIC

Item One: Mr. Brian Hanson addressed the Commissioners. He stated that he is the owner of McCarthy's Pub and has owned the business for 16 years. He expressed his concerns with a certified letter that he received from Crawford County on Friday about his business complying with the guidelines. He stated that he did not receive any phone calls or any other type of communication before this letter was received. Mr. Hanson asked what businesses in the County received the letter that he was sent, and County Counselor Jim Emerson answered that there were 9 business that the Pittsburg Police Department had visited in Pittsburg that were sent the certified letters. Commissioner Moody assured Mr. Hanson that it is not the intent of the Commissioners to shut any business down, but we are in the middle of a pandemic and guidelines must be followed in order to protect the public. He also stated that he is disappointed that no previous communication took place before the certified letter was sent. Mr. Hanson stated that he will be attending the meeting on Friday when Dr. Stebbins will be present to answer questions. Mr. Hanson stated that if he does follow the guidelines set out in the letter, he will have to close his business because the business will operate at a loss. Commissioner Johnson addressed the forums that were held with business owners and Pittsburg Area Chamber of Commerce President Mr. Blake Benson explained what has been taking place to make the businesses aware of decisions made in the Health Order. There was a discussion on having additional meetings or forums and other ways to communicate with local businesses on the Health Order guidelines.

MESSAGES FROM ELECTED OFFICIALS

MESSAGES FROM APPOINTED OFFICIALS

Item One: Mr. Michael Ehling, Executive Director of Community Mental Health Center of Crawford County regarding CMHCCC Operations. He presented the Commissioners with an Annual Report for Crawford County Mental Health for the year 2019. He reviewed the report with the Commissioners and explained the services they offer, who the services are offered to and where the services are offered. He spoke about community-based services. He also addressed the Case Manager positions and grants that

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have been received. Mr. Ehling discussed the demographics of the individuals that are served as well as funding received and expenses.

MESSAGES FROM OTHER GOVERNMENTAL ENTITIES

Item One: Mr. Devin Gorman, Executive Director of the Convention and Visitors Bureau addressed the Commissioners and stated that the CVB Advisory Board met in December and approved the contract for 2021 between Crawford County, Kansas, the Crawford County Convention and Visitors Bureau and the Pittsburg Area Chamber of Commerce, the CVB budget and CVB Advisory Board appointments. He stated that Mr. Blake Benson, President of the Pittsburg Area Chamber of Commerce will present the contract. Mr. Benson addressed the Commissioners and explained the relationship between the CVB and the Pittsburg Area Chamber of Commerce and he stated that the contract spells out the ways the organizations work together. He explained the benefits to the county and the different services provided to the CVB that are set out in the contract. Mr. Benson stated that the contract is unchanged from last year. He discussed a major renovation to the facility that includes additional CVB space.

On motion (20-498) of Commissioner Johnson and the second of Commissioner Moody to approve the Contract for Services between Crawford County Kansas, Crawford County Convention and Visitors Bureau and the Pittsburg Area Chamber of Commerce for 2021 and authorize the Chairman to sign.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Mr. Gorman discussed board appointments for the CVB Advisory Board. He stated that the CVB Advisory Board has recommended 3 new board appointments, Ms. Sooki Fields, owner of Frisco Event Center & Fun Depot, Dr. Rick Hardy from PSU and Ms. Courtney Powell, Assistant Manager of Comfort Inn and Suites. He explained that the new board members will be replacing Mr. Joe Kennedy and Mr. Phil Minton who have termed out and Ms. Sherri Stephens who is moving out of the area. Mr. Gorman stated that these are 2-year appointments with the terms beginning in January of 2021.

On motion (20-499) of Commissioner Moody and the second of Commissioner Johnson to approve the appointments of Ms. Sooki Fields, Dr. Rick Hardy and Ms. Courtney Powell to the Convention and Visitors Bureau Advisory Board for two-year terms beginning in January 2021 as recommended by the CVB Advisory Board.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Mr. Gorman also addressed the CVB Proposed Budget for 2021. Mr. Gorman explained the budget to the Commissioners He stated that the CVB Advisory Board has approved

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for recommendation to the Commissioners the 2021 CVB Proposed Budget. He discussed the Museum Funds that are split with Crawford County and stated that in previous years the CVB has committed \$30,000 to that fund and this year the board recommended committing \$20,000 and explained the reduction was due to the reduced revenue from the Transient Guest Tax. The Commissioners expressed their concerns with the lower funding to the museums. The Commissioners would like Mr. Gorman to advise the museums of the funding cut and receive their input before they make any decisions.

EXECUTIVE SESSION

Item One: Mr. Devin Gorman requested an executive session for 10 minutes to discuss Non-Elected Personnel.

On motion (20-500) of Commissioner Blair 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 10 minutes to discuss the CVB under Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson, Mr. Devin Gorman and Mr. Blake Benson and to reconvene by 11:08 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 10:58 AM and reconvened the Open Session at 11:08 AM with no action taken except to go back into open session.

Item Two: Mr. Michael Ehling, Health Department Administrator, requested an executive session for 20 minutes to discuss Non-Elected Personnel.

On motion (20-501) of Commissioner Blair 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 20 minutes to discuss Non-Elected Personnel in the Health Dept. and to include the Board of County Commissioners, County Counselor Jim Emerson, Mr. Michael Ehling, Ms. Janis Goedeke and Ms. Teddi VanKam and to reconvene by 11:30 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 11:10 AM and reconvened the Open Session at 11:30 AM with no action taken except to go back into open session.

Item Three: Commissioner Bruce Blair requested an additional executive session for 10 minutes to discuss Non-Elected Personnel.

On motion (20-502) of Commissioner Blair 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 10 minutes to discuss the Non-Elected Personnel in the Health Dept. and to include

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the Board of County Commissioners, County Counselor Jim Emerson, Mr. Michael Ehling, Ms. Janis Goedeke and Ms. Teddi VanKam and to reconvene by 11:43 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 11:33 AM and reconvened the Open Session at 11:43 AM with no action taken except to go back into open session.

NEW BUSINESS

Item One: Mr. Benson addressed the Commissioners and stated that the Pittsburg Area Chamber of Commerce supports the mask order and believes the Commissioners and the Health Officers have clearly communicated to the business community what is expected and have been clear in their directions. He stated that his organization appreciates all the efforts of the Commissioners and the Health Officers.

Item Two: County Clerk Don Pyle presented applications for two 2021 Cereal Malt Beverage Licenses for C & B Investments “Chicken Annie’s Girard”, to allow them to sell cereal malt beverages for consumption on the premises and 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 were given 10 days to respond and that no responses had been received.

On motion (20-503) of Commissioner Moody and the second of Commissioner Johnson 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.

2021 Cereal Malt Beverage Licenses

APPLICANT: C & B Investments “Chicken Annie’s Girard”

PREMISES: 498 E 47 Hwy, Girard, KS 66743

(For consumption on the premises)

APPLICANT: Larry Zerngast “Chicken Mary’s”

PREMISES: 1133 E 600th Ave, Pittsburg KS 66762

(For consumption on the premises)

Yeas: Commissioners Moody, Blair and Johnson

Nays:

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Present but not voting:

Absent or not voting:

The motion prevailed.

Item Three: Mr. Emerson presented a Lease and Option to Purchase Agreement for 4 pickup trucks for the Sheriff's Department between Exchange State Bank and Crawford County, Kansas Sheriff's Department in the amount of \$102,148.00 for 36 months at 1.59% interest.

On motion (20-504) of Commissioner Moody and the second of Commissioner Johnson to approve the Lease Purchase agreement between Exchange State Bank and Crawford County, Kansas Sheriff's Department for 4 2021 Chevrolet Silverado 1500 4 X 4 pickups in the amount of \$102,148.00 for 36 months at 1.59% interest 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 Four: Commissioner Johnson addressed the web site and having an internal site for employees to obtain and view information. He stated that he has been speaking with IT Specialist Brandon Spaur about this issue and spoke about having a contractor build this part of the site. He feels it will be a valuable resource for employees. Commission Blair questioned who would be updating this information. Mr. Emerson stated that he believes that an employee portal would be a good idea especially with employee handbook and policies. He discussed having an outside firm set this up. There was a discussion on maintaining and updating the portal. Commissioner Johnson will do further research into this issue.

OLD BUSINESS

Item One: Mr. Pyle addressed the new phone system for the Courthouse and explained that Craw-Kan had contacted him with some questions about the individual departments and he provided Craw-Kan with the names and phone numbers of the Department Heads and Elected Officials to contact to get the information they are needing. Mr. Pyle stated that he also emailed the Department Heads and Elected Officials to make them aware that Craw-Kan will be contacting them and provided them with the information that Craw-Kan is requesting.

Item Two: Mr. Pyle addressed Christmas Eve and stated that he checked back 2 years and in both of those years the Courthouse was closed both Christmas Eve and Christmas Day and for the 2 years before that Christmas Eve fell on a weekend.

Item Three: Mr. Pyle addressed Historical Funding and Elderly Funding and informed the Commissioners of some additional questions that he is proposing to add to the request form for these funds. Mr. Pyle stated that he will revise the request form and will readdress.

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Item Four: Mr. Emerson presented a Memorandum Agreement between the City of Cherokee, Firemen's Relief Association of Cherokee, Board of County Commissioners of Crawford County and Crawford County Fire District No. 3 and stated that the City of Cherokee and Fire District No. 3 have already approved the Agreement.

On motion (20-505) of Commissioner Moody and the second of Commissioner Johnson to approve the Memorandum Agreement between the City of Cherokee, Firemen's Relief Association of Cherokee, Board of County Commissioners of Crawford County and Crawford County Fire District No. 3 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 Five: Mr. Emerson addressed the Order of Fence Viewing and stated that the Commissioners have made their findings and this order will be filed in the Register of Deeds office.

On motion (20-506) of Commissioner Moody and the second of Commissioner Johnson to approve the Order of Fence Viewing.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Six: Mr. Johnson addressed the budget and cost of living increases and Mr. Emerson stated he will readdress this on Friday.

EXECUTIVE SESSION continued

Item Four: County Counselor Jim Emerson requested an executive session for 15 minutes to discuss Non-Elected Personnel.

On motion (20-507) of Commissioner Blair 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 15 minutes to discuss the Noxious Weed Director Position under Non-Elected Personnel and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 12:27 PM.

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 12:12 PM and reconvened the Open Session at 12:27 PM with no action taken except to go back into open session.

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Item Five: County Counselor Jim Emerson requested an executive session for 15 minutes to discuss Non-Elected Personnel.

On motion (20-508) of Commissioner Blair 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 15 minutes to discuss the early retirement under Non-Elected Personnel and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 12:42 PM.

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 12:27 PM and reconvened the Open Session at 12:34 PM with no action taken except to go back into open session.

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

On motion (20-509) of Commissioner Blair 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 15 minutes to discuss COVID-19 under Non-Elected Personnel and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 12:50 PM.

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 12:35 PM and reconvened the Open Session at 12:50 PM with no action taken except to go back into open session.

Item Seven: Commissioner Jeremy Johnson requested an executive session for 15 minutes to discuss Non-Elected Personnel.

On motion (20-510) of Commissioner Blair 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 15 minutes to discuss the IT Department under Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson and IT Specialist Brandon Spaur and to reconvene by 1:06 PM.

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 12:51 PM and reconvened the Open Session at 1:06 PM with no action taken except to go back into open session.

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Item Eight: Commissioner Bruce Blair requested an executive session for 15 minutes to discuss Non-Elected Personnel.

On motion (20-511) of Commissioner Blair 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 15 minutes to discuss the Health Department under Non-Elected Personnel and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 1:23 PM.

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 1:08 PM and reconvened the Open Session at 1:20 PM with no action taken except to go back into open session.

Item Nine: Commissioner Tom Moody requested an executive session for 10 minutes to discuss Non-Elected Personnel.

On motion (20-512) of Commissioner Blair 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 10 minutes to discuss the CVB Director under Non-Elected Personnel and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 1:32 PM.

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 1:22 PM and reconvened the Open Session at 1:31 PM with no action taken except to go back into open session.

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

FUTURE BUSINESS:

Item One: December 18, 2020 – Interviews for Noxious Weed Director beginning at 9:00 AM.

Item Two: December 22, 2020 – 10:00 AM Public Hearing on 2020 Crawford County Budget Amendment.

Item Three: December 22, 2020 – 10:00 AM Public Hearing on 2020 Crawford County Fire District #3 Budget Amendment.

Item Four: December 22, 2020 – Mr. Bill Brady, Capitol Consulting, discussing the upcoming 2021 Legislative Session.

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ANNOUNCEMENTS:

Item One: December 24 & 25, 2020 – The Courthouse will be closed in observance of the Christmas Holiday.

EXECUTIVE SESSION

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 15, 2020](#) meeting of the Board of Crawford County Commissioners at 1:33 PM 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 12/15/2020 1:33 PM/amended BKW 12/17/2020 11:00 AM](#)