

Board of Crawford County Commissioners

Commissioners' Journal

2020, [NINETY-SEVENTH](#) MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM
Girard, KS, **Friday, December 18, 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 (20-513) of Commissioner Moody and the second of Commissioner Johnson that the consent agenda be approved including:

1. Approval of the **December 15, 2020** 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 20	497	That the consent agenda be approved including: Approval of the December 11, 2020 minutes and Approval of the accounts payable warrant numbers 602997 to 603260 dated December 15, 2020 in the total amount of \$553,168.74
Motion 20	498	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
Motion 20	499	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

Board of Crawford County Commissioners

Motion 20	500	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
Motion 20	501	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
Motion 20	502	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 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
Motion 20	503	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 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)
Motion 20	504	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
Motion 20	505	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
Motion 20	506	To approve the Order of Fence Viewing
Motion 20	507	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
Motion 20	508	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
Motion 20	509	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
Motion 20	510	To recess this open session and go into a closed executive session for a

Board of Crawford County Commissioners

		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
Motion 20	511	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
Motion 20	512	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

UNDER THE HEADING NEW BUSINESS

PROCLAMATION AND ORDERS OF THE BOARD

MESSAGES FROM CRAWFORD CO LOCAL BOARD OF HEALTH

Item One: County Health Officials with COVID-19 Update. Deputy County Health Officer Dr. Linda Bean was in attendance and County Health Officer Dr. Tim Stebbins was in attendance via Zoom. Dr. Bean handed out the Crawford County Gating Criteria updated Friday, December 18, 2020. She discussed the weekly incidence rate and the weekly percent positive. She also discussed the age breakdown for new COVID cases and the trend in incidence rate. She went through the number of positive cases in isolation, the number of individuals in quarantine, the hospital capacity, total deaths and the long-term care facilities that are affected. Dr. Bean stated that the testing capabilities are adequate and spoke also about contact tracing and the overall community impact. She discussed the School Gating Criteria for K-12.

Dr. Bean stated that vaccinations have been started for health care workers at Ascension Via Christi and Girard Medical Center. She explained that Ascension Via Christi has administered 107 doses as of today and anticipates administering another 50 doses today. Girard Medical Center has given 45 doses and has another 5 doses to administer. She stated that they are waiting on non-hospital allotments and are waiting to be notified of how many doses will be received and how the vaccines can be distributed. She explained that the first wave of vaccines in general will be health care workers, the next tier will be long term care facilities, then high risk individuals and finally the general population.

Dr. Bean discussed Monoclonal Antibody Infusion and explained what the infusion consists of. Dr. Bean stated that several patients have received the infusion locally and it will hopefully help those at-risk patients to avoid a severe case of the virus.

Commissioner Johnson discussed testing and the early release quarantine guidelines.

County Health Officer Janis Goedeke addressed the Commissioners and gave information on testing and the numbers of positive and negative results.

Board of Crawford County Commissioners

Dr. Stebbins addressed the Commissioners via Zoom and addressed issues from the previous meeting and getting information to the businesses, specifically bar owners and restaurants, to help them with appropriate mitigation standards. He stated that this started with the initial health order and there was a zoom meeting on August 28, 2020 with the health officials and all bar owners that wanted to participate. Dr. Stebbins discussed previous interaction with the bar owner that was in attendance on Tuesday. He stated that there have been numerous steps taken by the health officials to reach out to businesses to make sure they have all the information they need for the appropriate mitigation to help the businesses stay open and to protect the public. Dr. Stebbins stated that all that is being asked of them is that the employees be masked, the tables be socially distanced and that they be seated to be served. Dr. Stebbins stated that the health officials are still open to helping any business that asks for assistance. He stated that the trend is getting better but the community is still in a very difficult spot. He explained that we have to continue with the processes that we are using to minimize the spread and to protect individuals so we can keep everything open and move forward until the vaccinations are done. Dr. Bean discussed health care workers and stated they have been dealing with this virus for months and that they are exhausted and fatigued and she discussed the impact this virus has had on the health care workers and how excited they are with the glimmer of hope that this vaccine brings. Ms. Goedeke said that the impact on the health care workers is not only physical but emotional also.

PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS MESSAGES FROM THE PUBLIC

Item One: Mr. Brian Hanson, owner of McCarthy's Pub addressed the Commissioners again with concerns on the health order and being able to keep his business open if he is to follow the guidelines. Mr. Hanson complained that he did not feel it was fair that the businesses were not consulted with when these guidelines were developed. Mr. Hanson stated that his business cannot stay open with these restrictions and his employees would need to file for unemployment. Dr. Stebbins stated that Mr. Hanson had been reached out to on a few occasions to participate in forums where the proposed guidelines were discussed with local business owners and he had been informed that they would work with him to identify the best ways to mitigate the virus and keep customers and employees safe and he had not been interested. Mr. Hanson expressed how upset he is that these rules have been made without their input and he feels that it should be up to the customers if they want to enter a business or not or if they want to wear masks.

Item Two: Mr. Bruce Mullen addressed the Commissioners and stated that he is the owner of 5th Street Bar & Grill along with his son. He stated that his business also received a certified letter from the County. He explained that a few unmasked people entered their business the night the Pittsburg Police Department visited. He stated that all employees in his business are wearing masks and his tables are socially distanced and expressed his concerns with the reasons the letter was received. Mr. Mullen stated that they are doing their best to follow the guidelines but it is hard to control the actions of customers and he wants to be sure that all businesses are being treated equally. Dr. Stebbins thanked Mr. Mullen for speaking up today and for following the mitigation procedures. Dr. Stebbins stated that they are primarily concerned with the employees of businesses wearing masks since they interact with many customers while at work.

Board of Crawford County Commissioners

MESSAGES FROM ELECTED OFFICIALS MESSAGES FROM APPOINTED OFFICIALS MESSAGES FROM OTHER GOVERNMENTAL ENTITIES

EXECUTIVE SESSION

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

On motion (20-514) 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, County Counselor Jim Emerson, Mr. Michael Ehling and Ms. Janis Goedeke and to reconvene by 11:20 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 11:05 AM and reconvened the Open Session at 11:20 AM with no action taken except to go back into open session.

Item Two: County Counselor Jim Emerson requested an executive session for 10 minutes to discuss items that would be deemed privileged in the Attorney Client Relationship.

On motion (20-515) 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 items that would be deemed privileged in the Attorney Client Relationship to discuss COVID enforcement and to include the Board of County Commissioners, County Counselor Jim Emerson, County Attorney Reina Probert and County Sheriff Danny Smith and to reconvene by 11:31 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 11:21 AM and reconvened the Open Session at 11:31 AM with no action taken except to go back into open session.

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

On motion (20-516) 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 10 minutes to discuss the Health Department under Non-Elected Personnel and to

Board of Crawford County Commissioners

include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 11:36 AM.

Yeas: Commissioners Blair and Johnson

Nays: Present but not voting:

Absent or not voting: Commissioner Moody

The motion prevailed.

The Commissioners went into Executive Session at 11:36 AM and reconvened the Open Session at 11:46 AM with no action taken except to go back into open session.

NEW BUSINESS

OLD BUSINESS

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

FUTURE BUSINESS:

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

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

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

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 Johnson and the second of Commissioner Blair to adjourn the [December 18, 2020](#) meeting of the Board of Crawford County Commissioners at 11:47 AM and to reconvene at the next regularly scheduled time with open doors.

Yeas: Commissioners Blair and Johnson

Nays:

Present but not voting:

Absent or not voting: Commissioner Moody

The motion prevailed.

Board of Crawford County Commissioners

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

<>

This submission completed at the Crawford County Courthouse in Girard.

Taken by [BKW 12/18/2020 11:47 AM/amended BKW 12/21/2020 2:14 PM](#)