

# Board of Crawford County Commissioners

## Commissioners' Journal

2020, FORTY-NINTH MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM  
Girard, KS, Friday, June 19, 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 Representative Gene Rountree 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 (20-252)** of Commissioner Moody and the second of Commissioner Johnson that the consent agenda be approved including:

1. Approval of the June 16, 2020 minutes of the Board of County Commissioners, and
2. Approval of the June 17, 2020 minutes of the Board of County Commissioners Special Meeting, and
3. 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	250	That the consent agenda be approved including: Approval of the June 12, 2020 minutes and Approval of the accounts payable warrant numbers 598968 to 599240 dated June 15, 2020 in the total amount of \$415,638.76
Motion 20	251	To recess this open session and go into a closed executive session for a period of not more than 60 minutes to discuss employees under Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson, County Health Officer Rebecca Adamson and Mental Health Executive Administrator Michael Ehling and to reconvene by 5:11 PM

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## UNDER THE HEADING NEW BUSINESS

### PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS

**Item Two:** Opening of Bids for County Sanitation Services. County Counselor Jim Emerson stated that there were 3 bids received. He opened bids from McClelland Sanitation, Inc. Girard, Kansas, Short's Trash Service, Frontenac, Kansas and WCA, Joplin, Missouri. Mr. Emerson read the bids aloud. Mr. Dave McClelland from McClelland Trash Service stated that on his bid the Road & Bride #2 Maintenance should be included in the Girard Area. There was a discussion allowing the bids to be by location and that issue will be readdressed on Tuesday.

**On motion (20-253)** of Commissioner Moody and the second of Commissioner Johnson to approve giving the County Sanitation Services bids to County Counselor Jim Emerson to compare and review and to return with a recommendation.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

**Item One:** Opening of the Census Mailer bids. Mr. Emerson stated that there were 2 bids received. He opened the bid from Pradmar Corp with a total price of \$4,641.74 and the printing will take 7 days and processing 3 days for a total time of 10 days to process. He opened the bid from PittCraft Printing with a total price of \$5,400.00.

**On motion (20-254)** of Commissioner Moody and the second of Commissioner Blair to approve giving the Census Mailer bids to County Counselor Jim Emerson to compare and review and to return with a recommendation.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

## PROCLAMATION AND ORDERS OF THE BOARD

### MESSAGES FROM THE PUBLIC

### MESSAGES FROM CRAWFORD CO LOCAL BOARD OF HEALTH

**Item One:** Mr. Michael Ehling, Executive Administrator of Mental Health, Health & Juvenile Services addressed the Commissioners. He stated that a press release was issued effective June 17, 2020, stating that Ms. Rebecca Adamson had resigned as Crawford County Public Health Officer. He explained that Ms. Adamson will retain her responsibility as Crawford County Health Director/ Administrator. Mr. Ehling said that he and the Crawford County Board of Health will be restructuring the position of Public Health Officer. He stated that Ms. Adamson has done a stellar job with the management of the pandemic and the Public Health Officer position. The Commissioners thanked Ms. Adamson for her time and hard work spent as Public Health Officer and are thankful that

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she is staying on as the Health Department Director/Administrator. Mr. Ehling stating that he is the acting Public Health Officer at this time.

Ms. Adamson explained the two positions of Public Health Officer and the Health Department Director/Administrator and the basic responsibilities of each position and stated that she will still be giving updates on the pandemic. She spoke about long term care facilities and the requirements for their plans. The Commissioners decided that the facilities should email their plans or questions to Ms. Adamson and she will forward the emails to Mr. Emerson. Ms. Adamson stated that she spoke to the hospital in Pittsburg today and they have 5 positive cases, 2 persons under investigation and 1 case in ICU. She discussed the press releases on the positive cases in the county and stated she would like the public to follow the state map for updates as it is difficult for her to keep up with the number of cases. She stated that she will be available by phone the next week to give updates during the Commission meetings if they wish.

The Commissioners stated that they have asked all Crawford County law enforcement to be present today to discuss quarantines and enforcement of quarantines. Sheriff Smith introduced City of Pittsburg Police Chief Brent Narges, City of Arma Assistant Police Chief Chris Wilson, City of Mulberry Police Chief Craig Farnsworth and City of Frontenac Police Chief Cody Milligan.

Mr. Emerson handed out some public health statutes and stated that the statutes are very clear on isolation and quarantine and there are enforcement mechanisms available and need to be followed. Mr. Emerson read K.S.A. 65-129 regarding penalties for unlawful acts. He explained the statute and how law enforcement can enforce these laws. Ms. Adamson stated that she has received calls that individuals that are under isolation and quarantine orders are not following the guidelines for isolation and quarantine and because of this, issues with enforcement have arisen.

Sheriff Smith discussed the governor's order for isolation in the beginning of the pandemic and the public health statutes for isolation and quarantine. He stated that the statutes for isolation are very clear and with the local law enforcement present today, everyone can be on the same page with their side of the enforcement.

Ms. Adamson discussed K.S.A. 65-202 in reference to the repercussions if the Public Health Officer neglects or fails to perform the duties described in the act.

County Attorney Michael Gayoso addressed the Commissioners and stated that there are no guidelines from the Governor at this time so there is no criminal action to enforce but there is the option for the county to do so. The Commissioners stated that their concern is how to enforce the quarantine and isolation orders. Mr. Gayoso stated that his interpretation of the statute is that the Public Health Officer can order law enforcement, county or city, to enforce the isolation order that was served upon the individuals and that the consequences are up to the officer's discretion. Mr. Gayoso also stated that since it is a state statute, it will be the County Attorney's office that will prosecute and not the municipal system.

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Sheriff Smith stated that all the local law enforcement agencies will get the strategies and a plan in place on how to enforce the isolation and quarantine orders. There was a discussion on the proper way to begin the process of enforcing the orders.

There was a discussion on the information that can be provided to enforce the order and whether or not a name can be provided along with the address. Mr. Emerson will check into the legality of giving out the names of the individuals that were served the order. Ms. Adamson stated that she can provide a copy of each isolation and quarantine order that she has issued to law enforcement as long as it is not a violation of any HIPAA law.

Commissioner Moody stated that there was a call yesterday with KDHE Officials, Mr. Ehling, Ms. Adamson, Mr. Emerson, Sugar Creek Representatives and himself. Mr. Emerson stated that the call was made possible with the help of State Representative Monica Murnan. He gave a brief overview of the call and stated that he felt that if the call and the information relayed from the state in the call would have been done a week and a half ago, the situation might not be where it is at right now. He stated that the plant has over 200 positive COVID-19 cases with over 100 being in Crawford County. He said that KDHE explained the isolation and quarantine time periods made it very clear that if you are quarantined you are staying home and if you are in isolation you are staying home and not going back to work. He stated that KDHE is helping with contact tracing. Mr. Emerson said that a Modified Quarantine Order for meat packing plants was discussed in the call. He stated that it was discussed in the call that Sugar Creek will privately do random testing and the results will only be released if there is a positive test. Mr. Emerson discussed the issue with out of state and out of county positive employees and the difficulty in getting data. He stated that Sugar Creek COO Kurt Terry was also on the call and Commissioner Moody informed him that he did not appreciate with the way our Public Health Officer, Ms. Adamson was treated and Mr. Terry did apologize during the call a couple of times and said that it would not happen again. Mr. Emerson stated that we are dealing with a community that is worried and scared and a company that is trying to make money and to continue to operate but you have to make sure everyone is safe. He discussed the travel list and that is not possible to be enforced to stop traveling and that it is past the time for shutting down and it is up to each business and up to each individual to keep safe. The Commissioners discussed protocols and procedure for Sugar Creek and their employees and the Modified Quarantine Order. There was a discussion about another plant that is near Sugar Creek and volunteer testing of it's employees. Ms. Adamson will follow up on this issue.

### **MESSAGES FROM APPOINTED OFFICIALS**

### **MESSAGES FROM ELECTED OFFICIALS**

### **MESSAGES FROM OTHER GOVERNMENTAL ENTITIES**

### **NEW BUSINESS**

**Item One:** Mr. Emerson presented an Agreement for Administrative consulting Services for a 2020 Kansas Small Cities Community Development Block Grant Project for the CDGB-CV Program between Southeast Kansas Regional Planning Commission and Crawford County, Kansas. Mr. Emerson went through the agreement with the Commissioners. Commissioner Johnson discussed the fees.

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**On motion (20-255)** of Commissioner Moody and the second of Commissioner Johnson to approve the Agreement for Administrative Consulting Services for a 2020 Kansas Small Cities Community Development Block Grant Project for the CDGB-CV Program between Southeast Kansas Regional Planning Commission and Crawford County, Kansas.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

Mr. Emerson discussed the City of Frontenac and whether or not there will be a second round of funding.

Mr. Emerson handed out the basic plan for the CDBG-CV provided by Ms. Galemore for the Commissioners to review. Commissioner Blair asked about a committee and Mr. Emerson stated that the City of Frontenac issue needs to be settled before appointing committee members.

### **EXECUTIVE SESSION**

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

**On motion (20-256)** 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 15 minutes to discuss the County Health Officer position under Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson and Mr. Michael Ehling and to reconvene by 11:32 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 11:17 AM and reconvened the Open Session at 11:32 AM with no action taken except to go back into open session.**

### **OLD BUSINESS:**

**Item One:** County Clerk Don Pyle stated that he has been in the KAC monthly meeting this morning via Zoom and discussed the SPARK funding available through the CARES Act that will be coming from the state.

**Item Two:** Mr. Emerson stated that the fence viewing has been tentatively sent for July 20, 2020 after the Commission meeting at approximately 11:30 AM. He will get the paper work ready.

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**Item Three:** Commissioner Moody asked Sheriff Smith if he had any news about the enforcement of quarantine orders. Sheriff Smith stated that he met with the local law enforcement leaders and County Attorney Mr. Gayoso and they have made a decision on how to handle the isolation and quarantine enforcement orders and they all are on the same page on how it will be handled.

**Item Four:** Mr. Johnson stated that there was a meeting with Craw-Kan about the new phone system for the courthouse and each office is getting their phone needs collected and will send their information to Mr. Pyle. Mr. Johnson added that IT Manager Jim Vinze stated that some of the servers will also need to be updated and he will get a proposal on that issue.

### **UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS FUTURE BUSINESS:**

**Item One: June 23, 2020** – Work Sessions with Department Heads regarding 2021 Budget Requests beginning at 9:00 AM.

### **ANNOUNCEMENTS:**

**Item One:** The Courthouse in Girard is open to the public from 8:00 AM to 4:00 PM until further notice. The Motor Vehicle office at the Judicial Center in Pittsburg will remain closed but residents may use the drop box at the Security Desk at the Judicial Center for motor vehicle and tax payments to be processed at the courthouse.

**The Commissioners decided to recess the open session until 3:00 PM this afternoon and reconvene at that time.**

**On motion (20-257)** of Commissioner Johnson and the second of Commissioner Moody to recess this open session until 3:00 PM this afternoon.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

**The Commissioners called to the meeting back to order at 3:00 PM.**

**MESSAGES FROM CRAWFORD CO LOCAL BOARD OF HEALTH con't**  
Commissioner Blair stated that they will discuss the position of Crawford County Public Health Officer.

Mr. Ehling stated that has met with two individuals and Ms. Adamson and these individuals express positive interest in this position.

Mr. Emerson stated that he contacted KDHE and the isolation orders are allowed to be sent to law enforcement to include name and addresses and he will contact Ms. Adamson and Sheriff Smith to make them aware of this. Commissioner Johnson stated that he had a

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question that if someone is seen out in public that should be in isolation or quarantine should the Health Officer or law enforcement be contacted and Mr. Emerson stated the law enforcement already has copies of the isolations orders so it would be best to contact them.

### **EXECUTIVE SESSION continued**

**Item Two:** Mr. Michael Ehling requested an executive session for 10 minutes to discuss Non-Elected Personnel.

**On motion (20-258)** 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 the County Health Officer position under Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson and Mr. Michael Ehling and to reconvene by 3:15 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 3:05 PM and reconvened the Open Session at 3:09 PM with no action taken except to go back into open session.

**Item Three:** Mr. Michael Ehling requested an executive session for 15 minutes to discuss Non-Elected Personnel.

**On motion (20-259)** 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 15 minutes to discuss the County Health Officer position under Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson, Mr. Michael Ehling and Dr. Timothy Stebbins and to reconvene by 3:25 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 3:10 PM and reconvened the Open Session at 3:25 PM with no action taken except to go back into open session.

**Item Four:** Mr. Michael Ehling requested an executive session for 15 minutes to discuss Non-Elected Personnel.

**On motion (20-260)** 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 15 minutes to discuss the County Health Officer position under Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson, Mr. Michael Ehling and Dr. Linda Bean and to reconvene by 3:45 PM.

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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 3:30 PM and reconvened the Open Session at 3:40 PM with no action taken except to go back into open session.

**On motion (20-261)** of Commissioner Moody and the second of Commissioner Blair to appoint Dr. Timothy Stebbins as Crawford County Health Officer and Dr. Linda Bean as Crawford County Deputy Health Officer.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

The Commissioners thanked Dr. Stebbins and Dr. Bean for stepping up and taking these positions when Crawford County was in need.

County Clerk Don Pyle swore in Dr. Stebbins as Crawford County Health Officer and Dr. Linda Bean as Crawford County Deputy Health Officer.

### **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 [June 19, 2020](#) meeting of the Board of Crawford County Commissioners at 3:50 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.**

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**Don Pyle**

County Clerk

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**This submission completed at the Crawford County Courthouse in Girard.**

[Taken by BKW 6/22/2020 4:30 PM](#)