

Board of Crawford County Commissioners

Commissioners' Journal

2020, FORTY-THIRD MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM
Girard, KS, Tuesday, June 2, 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 (20-230) of Commissioner Moody and the second of Commissioner Johnson that the consent agenda be approved including:

1. Approval of the **May 29, 2020** minutes of the Board of County Commissioners.

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:

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| Motion 20 | 225 | To approve the Proclamation proclaiming Friday, June 29, 2020 as Kansas Army National Guard 891 st Battalion Day in Crawford County, Kansas |
| Motion 20 | 226 | That the consent agenda be approved including: Approval of the May 22, 2020 minutes |
| Motion 20 | 227 | To adopt the "Ad Astra: A Plan to Reopen KANSAS" as the recommendations for reopening Crawford County |
| Motion 20 | 228 | To approve giving the 2020 asphalt bids to Road & Bridge Coordinator Alyssa Edwards, Asphalt Foreman Randy Chiartano and County Counselor Jim Emerson to review and return with a recommendation |

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| Motion 20 | 229 | To recess this open session and go into a closed executive session for a period of not more than 15 minutes to discuss the evaluation process for 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

PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS

PROCLAMATION AND ORDERS OF THE BOARD

MESSAGES FROM THE PUBLIC

Item One: Mr. Jeff McKain, Kansas Crossing Casino General Manager regarding the reopening of the casino. Mr. McKain stated that he received direction from the Kansas Racing & Gaming Commission (KRG) about the slot floor layout and to make sure all machines were at least 6 feet apart. He explained that after receiving the Ad Astra Plan for gaming facilities from the state the casino turned off every other machine and removed the chairs. He said that made the machines 5 feet apart so they would need to shut down another 70 plus machines to make them at least 6 feet apart which is a large portion of the machines. Mr. McKain explained that he spoke to the Kansas Lottery on Friday and after calls to and from representatives from both the Kansas Lottery and the KRG he was informed that if the casino had the support of the County Commissioners the casino could go back to the original slot floor layout with shutting down every other machine. He explained the extra precautions and protocols the casino has in place to protect the customers and the employees and stated that it is way over what their competition is doing. There was a discussion on mandated mask wearing. Commissioner Blair stated if we can keep Crawford County citizens local, 5 feet instead of 6 feet should not make that much difference. County Health Officer Rebecca Adamson stated that she has no issues with the 5 feet distance between the machines and feels if someone feels uncomfortable, they should move to a different area. The Commissioners agreed to give Kansas Crossing Casino a letter of support for the casino slot floor layout of 5 feet between machines.

On motion (20-231) of Commissioner Moody and the second of Commissioner Blair to approve a letter of support for Kansas Crossing Casino to approve their slot floor layout of 5 feet between machines.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

MESSAGES FROM CRAWFORD CO LOCAL BOARD OF HEALTH

Item One: County Health Officer Rebecca Adamson addressed the Commissioners regarding the COVID 19 outbreak. Ms. Adamson stated that there have been no new cases in Crawford County. She said that she has had numerous questions about the recommendation of the Phase 2 Plan. She explained that the Health Department will be starting the WIC Program today in person but not all clients will be seen in person and

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will still be holding phone appointments. Ms. Adamson stated that she will be unable to attend the meeting on Friday as she will see patients for the first time in 2 months.

Sheriff Smith stated that the Sheriff's Department has opened the lobby at the jail to limited use and has closed down the drive thru VIN Inspections and they will now be done in the lobby. He said that the transition is going smoothly.

Emergency Management Director Rusty Akins reported on the FEMA funds from last year's storm damage and stated that they are still being processed.

MESSAGES FROM APPOINTED OFFICIALS

Item One: Mr. Michael Ehling, Crawford County Mental Health Executive Administrator addressing the CARES Act Provider Relief Fund. Mr. Ehling stated that the first round of provider relief funds was received several weeks ago with no directions on how it was calculated and was based on Medicare fees for service and he allotted those funds to the Mental Health Department, Health Department and EMS Department based on a formula. He explained that round 2 of those funds was done by application with directions and structure for those funds which was based on Medicare, Medicaid and county funding. Ms. Heather Spaur, Mental Health Director of Personnel & Marketing gave a power point presentation on how those funds should be allotted and how the corrections in the first round of funds were calculated.

MESSAGES FROM ELECTED OFFICIALS

MESSAGES FROM OTHER GOVERNMENTAL ENTITIES

Item One: Mr. Mac Young, 11th Judicial District Community Corrections Administrative Director presented the Fiscal Year 2021 11th Judicial District Community Corrections Comprehensive Plan Grant Application and Budget. He explained the funding in the grant and stated that the increase in funding would go to employee salaries. He stated the average daily population for the 11th Judicial District Community Corrections is approximately 382 offenders and that Crawford County is 60 ½ % which is 231 offenders, Labette County is 19% which is 73 offenders and Cherokee County 20% which is 78 offenders. He discussed programs and stated that they are not adding any new programs for 2021. He stated that the success rate runs from 68% to 72%. He explained what success rate entails and discussed the percentage of repeat offenders.

Mr. Young presented the 11th Judicial Community Corrections Behavioral Health Grant Application for FY 2021. He explained that this funding is coordinated with the local Mental Health Centers to engage dual diagnosis clients. He stated that the success rate is 51% with this program.

On motion (20-232) of Commissioner Johnson and the second of Commissioner Moody to approve the Fiscal Year 2021 11th Judicial District Community Corrections Comprehensive Plan Grant Application and Budget and the 11th Judicial Community Corrections Behavioral Health Grant Application for FY 2021 and authorize the Chairman to sign.

Yeas: Commissioners Moody, Blair and Johnson

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Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Mr. Young gave a brief update of the reopening plan for the courts. He stated that after getting some items in place that are required by the Supreme Court, the Crawford County District Court Clerks' offices will be opening to the public hopefully within the next 2 weeks. He stated that the court rooms are not ready to be opened yet. He discussed virtual hearings and other details of the reopening plan.

EXECUTIVE SESSION

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

On motion (20-233) 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 evaluation process for Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson and Shop Foreman Josh Peak and to reconvene by 10:47 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 10:37 AM and reconvened the Open Session at 10:45 AM with no action taken except to go back into open session.

NEW BUSINESS

Item One: County Clerk Don Pyle presented the May 2020 Clerk's Report. Mr. Pyle stated that this report summarizes the total amounts spent by departments for payroll and bills during the month of May. Mr. Pyle also gave the Commissioners a copy of the April 2020 to May 2020 Clerk's Report of Changes in Expenditures for comparison. Mr. Pyle reviewed the changes with the Commissioners and discussed some of the reasons for the changes in expenditures. County Counselor Jim Emerson explained some expenditures out of the General Fund for the 911 Communications Tower at Greenbush and stated that those expenses will be reimbursed with grant money.

On motion (20-234) of Commissioner Moody and the second of Commissioner Johnson to approve the May 2020 Clerk's Report as presented.

On a Roll Call Vote.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

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Item Two: Mr. Emerson and Asphalt Foreman Randy Chiartano addressed the Commission about chip & seal oil bids. Mr. Chiartano stated that there were 3 bids received and Wright Asphalt Products Co., Eldorado, Kansas was 6 cents a gallon lower than the closet bid. His recommendation is to approve the bid from Wright for chip and seal oil for 2020. He explained that Wright is the company that has been used for the last several years and he has been happy with the product and service.

On motion (20-235) of Commissioner Moody and the second of Commissioner Johnson to approve the bid from Wright Asphalt Products Co. for chip and seal oil for 2020.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Three: Commissioner Johnson discussed the Governor vetoing the bill that would add additional requirements for the Counties to report to taxpayers when approving the budget. Mr. Emerson stated that there were other items in the package but that was the main issue and that Counties will remain under the tax lid at this time.

OLD BUSINESS:

Item One: Mr. Pyle stated that yesterday at 12:00 noon was the last day to file for office and to change political party. He stated that the appeals board will conduct an issue with the name on ballots in the U.S. Senate primary race.

Item Two: Mr. Emerson discussed the money from the federal government that has been sent to the state and that part was to be sent to local units of governments. He stated that the Governor vetoed a bill and it will be addressed tomorrow in the legislature.

Item Three: County Counselor Jim Emerson presented a Notice to Bidders and Bid Specifications for Sanitation Services for Crawford County Buildings. He stated that the bids are to be received in the County Clerk's office by 10:00 AM on Friday, June 19, 2020 and the bids will be opened in the Regular Session on that day. Mr. Emerson explained the specifications. He stated that at this time the contracts will be annual. The Commissioners would like to take out of the bid packet the names of the current companies that supply these services.

On motion (20-236) of Commissioner Moody and the second of Commissioner Johnson to approve the Notice to Bidders and Bid Specifications for Sanitation Services for Crawford County Buildings as amended.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

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Item Four: Commissioner Johnson addressed the CARES Act and the formation of a committee to review the applications that will be received. He stated that he would like a committee of 5 to 7 individuals. Commissioner Blair suggested reaching out to the smaller areas and cities in the County for recommendations. Commissioner Johnson suggested an application process to apply for the committee. The Commissioners decided on a 7-member committee and no person that sits on the committee will be eligible for funds and to reach out to cities and townships for recommendations.

Item Five: Commissioner Blair stated that he met with Jayhawk Wind yesterday via Zoom and stated that they discussed the road agreement and how to monitor that. He stated that they will meet again on July 6, 2020.

Item Six: Commissioner Blair discussed use of the rock retriever and ditching machine.

EXECUTIVE SESSION continued

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

On motion (20-237) 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 15 minutes to discuss the zoning clerk position under Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson and Zoning Administrator May Smith and to reconvene by 11:37 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 11:22 AM and reconvened the Open Session at 11:34 AM with no action taken except to go back into open session.

Item Three: County Counselor Jim Emerson requested an executive session for 15 minutes to discuss items that would be deemed privileged in the Attorney Client Relationship.

On motion (20-238) 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 items that would be deemed privileged in the Attorney Client Relationship to review Worker's Compensation Claims and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 11:50 AM.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

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The Commissioners went into Executive Session at 11:35 AM and reconvened the Open Session at 11:45 AM with no action taken except to go back into open session.

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

FUTURE BUSINESS:

Item One: June 5, 2020 – 9:30 AM Work Session with Representatives from Bukaty Company via telephone.

Item Two: June 5, 2020 – Mr. Mark Lehman, Crawford County Conservation District Chairman presenting the 2021 Conservation District Budget.

Item Three: June 9, 2020 -- Ms. Debra Anthony and Mr. Roger Lomshek, Crawford County Active Transportation Board addressing updates to resolution.

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.

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 2, 2020](#) meeting of the Board of Crawford County Commissioners at 11:50 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 6/2/2020 11:50 AM/amended BKW 6/4/2020 2:00 PM](#)