

Board of Crawford County Commissioners

Commissioners' Journal

2022, EIGHTY-SIXTH MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM
Girard, KS, Tuesday, December 13, 2022 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 Tom Moody served as the presiding officer.

Commissioners Bruce Blair and Commissioner Jeremy Johnson were in attendance.

County Clerk Lisa Lusker and County Counselor Jim Emerson were seated with the Board.

Chairman Moody led the Pledge of Allegiance.

UNDER THE HEADING BUSINESS FROM A PREVIOUS MEETING
CONSENT AGENDA

On motion (22-440) of Commissioner Johnson and the second of Commissioner Blair that the consent agenda be approved including:

- 1. Approval of the December 9, 2022 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:

Table with 3 columns: Motion number, Item number, and Description of motion. It lists three motions related to the consent agenda, budget amendment, and executive session.

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Motion 22	439	To recess this open session and go into a closed executive session for a period of not more than 25 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship to discuss ARPA large child care funding and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 11:55 AM
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### **UNDER THE HEADING NEW BUSINESS**

#### **PROCLAMATION AND ORDERS OF THE BOARD**

#### **PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS**

#### **MESSAGES FROM CRAWFORD CO LOCAL BOARD OF HEALTH**

#### **MESSAGES FROM ELECTED OFFICIALS**

#### **MESSAGES FROM APPOINTED OFFICIALS**

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

#### **MESSAGES FROM THE PUBLIC**

**Item One:** Mr. Mike Bodensteiner addressed the Commissioners in reference to ARPA funds. He stated that it is nearing the end of the ARPA process and today he will be addressing small child care centers and explained what qualified as small child care centers. He also explained the process in applying for these funds. He stated the list of applicants were reviewed in the work session this morning and he recommends funding all the applications with the exception of one application where the child care center was not located in Crawford County. Mr. Bodensteiner stated that the next step is to reopen the applications for new centers with provisional licenses, school-based preschools and any small child care centers that were missed. He stated that the application deadline is January 30, 2023.

**On motion (22-441)** of Commissioner Johnson and the second of Commissioner Moody to approve the list for small child care centers for ARPA funding with the exception of the center that was disqualified and reopen the application period.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

### **NEW BUSINESS**

**Item One:** County Clerk Lisa Lusker presented 4 applications for 2023 Cereal Malt Beverage Licenses for Anthony Pichler “Pichler’s Chicken Annie’s” to allow them to sell cereal malt beverages for consumption on the premises, Anthony Pichler “Pichler’s Chicken Annie’s” to allow them to sell cereal malt beverages in original and unopened containers and not for consumption on the premises, C & B Investments Inc “Chicken Annies Girard” to allow them to sell cereal malt beverages for consumption and Pete’s of Erie Inc. “Pete’s #01” to allow them to sell cereal malt beverages in original and unopened containers and not for consumption on the premises. Ms. Lusker stated that notices have been sent to the Sheriff, Zoning Administrator, County Attorney and the Township Clerk and all responded that they had no issue with this application.

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**On motion (22-442)** of Commissioner Blair 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.

**APPLICANT:** Anthony Pichler “Pichler’s Chicken Annie’s”

**PREMISES:** 1271 S 220<sup>th</sup> St, Pittsburg, KS

**(For consumption on the premises)**

**APPLICANT:** Anthony Pichler “Pichler’s Chicken Annie’s”

**PREMISES:** 1271 S 220<sup>th</sup> St, Pittsburg, KS

**(For sale in original and unopened containers and not for consumption on the premises)**

**APPLICANT:** C & B Investments Inc “Chicken Annies Girard”

**PREMISES:** 498 E 47 Hwy, Girard, KS 66743

**(For consumption on the premises)**

**APPLICANT:** Pete’s of Erie Inc. “Pete’s #01”

**PREMISES:** 1100 W Hwy 400, Mc Cune, KS 66753

**(For sale in original and unopened containers and not for consumption on the premises)**

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

**Item Two:** County Counselor Jim Emerson stated that Mr. Bill Brady, Capitol Strategies, LLC contacted him via email discussing the contract with Capitol Strategies, LLC for monitoring and reporting representation to Crawford County through the 2023 Legislative Session. Mr. Emerson stated that it is good to have someone to watch out for the county in the legislative session and committee meetings and Mr. Brady has done a nice job in the past. Mr. Emerson addressed nuisance properties and the county having some control over these issues. He stated that Mr. Brady is willing to speak with the Commissioners and if they are interested in hiring Capitol Strategies for the new session, Mr. Brady will have a contract ready when he comes to speak with the Commissioners.

**Item Three:** Mr. Emerson presented a Notice of Intent to Vacate a Platted Alley located in Block 3 in the Town of Radley, Crawford County, Kansas with a hearing date set for

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January 6, 2023 at 10:00 AM. He explained where the alley is located and stated that all owners are in agreeance with the vacate.

**On motion (22-443)** of Commissioner Moody and the second of Commissioner Blair to approve the publication of the Notice to Intent to Vacate a Platted Alley located in Block 3 in the Town of Radley, Crawford County, Kansas with a hearing date set for January 6, 2023 at 10:00 AM in the County Commission Room.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

**Item Four:** Commissioner Blair stated that he is working on getting the information together for the pay scale and Arnold Group data and will hopefully have the information ready next week.

### OLD BUSINESS

**Item One:** Commissioner Blair discussed the issue of purchasing a paving machine and explained where the funds could come to pay for the machine and why the machine is needed.

**Item Two:** Commissioner Johnson addressed Early Retirement and Mr. Emerson handed out Resolution #2022-018, A Resolution Establishing an Early Retirement Program for Crawford County Employees. He explained the details of the resolution.

**On motion (22-444)** of Commissioner Johnson and the second of Commissioner Moody to adopt Resolution #2022-018, A Resolution Establishing an Early Retirement Program for Crawford County Employees.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

### EXECUTIVE SESSION

**Item One:** Commissioner Blair requested an executive session for 30 minutes to discuss Non-Elected Personnel.

**On motion (22-445)** 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 30 minutes to discuss Arnold Group for Road & Bridge Department under Non-Elected Personnel and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 10:55 AM.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

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Present but not voting:

Absent or not voting:

**The motion prevailed.**

The Commissioners went into Executive Session at 10:25 AM and reconvened the Open Session at 10:53 AM with no action taken except to go back into open session.

**Item Two:** Commissioner Blair requested an executive session for 30 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship.

**On motion (22-446)** 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 30 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship to discuss ARPA large child care funding and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 11:24 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 10:54 AM and reconvened the Open Session at 11:24 AM with no action taken except to go back into open session.

### **NEW BUSINESS continued**

**Item Four:** Commissioner Moody addressed a 3% cost of living increase for Crawford County Employees. He explained that the Elected Official can choose what they wish to do but the 3% increase was added into their 2023 budgets.

**On motion (22-447)** of Commissioner Johnson and the second of Commissioner Blair to approve a 3% cost of living increase for Crawford County Employees starting at the pay period beginning December 21, 2022.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

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

#### **FUTURE BUSINESS:**

**Item One: December 16, 2022 – 9:30 AM** Work Session with Mental Health Executive Director Heather Spaur.

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**Item Two: December 16, 2022** – CVB Executive Director Mr. Dave Looby presenting the 2023 Budget and new board members.

**Item Three: December 27, 2022 – 10:00 AM** Public Hearing on the 2022 Amended County Budget.

### **ANNOUNCEMENTS:**

**Item One: December 26, 2022** – The Courthouse will be closed in observance of the Christmas Holiday.

**Item Two: December 30, 2022** – The Courthouse will close at 10:00 AM due to the year-end audit and the Motor Vehicle Department in the Courthouse and the Motor Vehicle Department in the Judicial Center in Pittsburg will be closed all day. The Register of Deeds Office will be open until 10:00 AM but will not accept any recordings due to software updates.

**Item Three: December 30, 2022** – The Regular Session of the Board of County Commissioner is cancelled.

### **UNDER THE HEADING MOTION TO ADJOURN MOTION TO ADJOURN**

**Item One:** Adjournment

**On the motion** of Commissioner Blair and the second of Commissioner Moody to adjourn the [December 13, 2022](#) meeting of the Board of Crawford County Commissioners at 11:28 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.**

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**Lisa Lusker**  
County Clerk

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

Taken [BKW 12/13/22 11:28 AM](#)/amended [BKW 12/15/2022 1:00 PM](#)