

Board of Crawford County Commissioners

Commissioners' Journal

2021, [NINETY-FIRST MEETING](#)

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM
Girard, KS, **Tuesday, December 21, 2021, 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 Jeremy Johnson served as the presiding officer.

Commissioners Tom Moody and Bruce Blair were in attendance. This is the ninetieth meeting

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

UNDER THE HEADING BUSINESS FROM A PREVIOUS MEETING CONSENT AGENDA

On motion (21-431) of Commissioner Moody and the second of Commissioner Blair that the consent agenda be approved including:

1. Approval of the **December 17, 2021** 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:

Motion 21	423	That the consent agenda be approved including: Approval of the December 14, 2021 minutes and Approval of the accounts payable warrant numbers 610200 to 610504 dated December 15, 2021 in the total amount of \$464,989.25
Motion 21	424	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: Kim Brewer "Countryside Golf Course" PREMISES: 469 E 520th Ave, Pittsburg, KS 66762 (For consumption on the premises) APPLICANT: C & B Investments Inc "Girard Chicken Annies" PREMISES: 498 E 47 Hwy, Girard, KS 66743 (For consumption on the premises)

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Motion 21	425	To recess this open session and go into a closed executive session for a period of not more than 15 minutes to discuss the 911 Department under Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson and 911 Director Tim Mikrut and to reconvene by 10:48 AM
Motion 21	426	To recess this open session and go into a closed executive session for a period of not more than 20 minutes to discuss the Health Department under Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson and Executive Director Mr. Michael Ehling and to reconvene by 11:04 AM
Motion 21	427	To recess this open session and go into a closed executive session for a period of not more than 20 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship to discuss the Opioid Litigation and Attorney Contract and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 11:20 AM
Motion 21	428	To adopt Resolution #2021-017, a Resolution of Crawford County, Kansas to Approve and Join the Statewide Litigation Regarding the Opioid Epidemic and authorize the Chairman to sign
Motion 21	429	To approve the appointment of Ms. Amy Ross to fill the vacancy of Indigent Attorney for Crawford County
Motion 21	430	To recess this open session and go into a closed executive session for a period of not more than 15 minutes to discuss the Road & Bridge Department under Non-Elected Personnel and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 11:37 AM

UNDER THE HEADING NEW BUSINESS

PROCLAMATION AND ORDERS OF THE BOARD

PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS

MESSAGES FROM THE PUBLIC

MESSAGES FROM ELECTED OFFICIALS

MESSAGES FROM APPOINTED OFFICIALS

MESSAGES FROM OTHER GOVERNMENTAL ENTITIES

Item One: The Kansas State Legislators were present to discuss the upcoming 2022 legislative session. Representative Chuck Smith addressed the Commissioners and spoke about the state park at 69 Hwy and Hwy 160. He also spoke about redistricting. He addressed other issues that will be addressed in the upcoming legislative session. Representative Ken Collins addressed the Commissioners and also spoke about redistricting. He addressed the issue of the City of Mulberry no longer having a polling place located in the city. Commissioner Johnson discussed the constitutional home rule for counties and he stated he will look into this issue. Senator Richard Hildebrand addressed the Commissioners and also addressed redistricting and spoke about the loss in population in some of the counties. County Counselor Jim Emerson addressed larger nuisances in the county and how constitutional home rule for counties and or possibly a nuisance statute could help in those situations. Senator Hildebrand stated that there have been bills in the past on this issue but they usually die due to agricultural land.

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Item Two: Ms. Tracy Harris, 11th Judicial District Community Corrections Director addressed the Commissioners and the State Legislators. She stated that the 11th District covers Cherokee, Crawford and Labette Counties. She gave a presentation on Community Corrections and the Community Corrections Act. She explained that the Community Corrections Act was established in 1978 as an alternative to prison and in 1989 the Legislature mandated all counties participate in the Act. She said that operating grant funds are distributed to local counties/jurisdictions for community based services and Crawford County is the host county for the 11th Judicial District. Ms. Harris discussed the Kansas Community Corrections Supervision Structure and explained what makes Community Corrections unique, what is at stake due to funding issues, what is causing the funding issues and the solution to the funding problems. Commissioner Moody stated that he appreciates what Community Corrections does for the area and the Commissioners thanked Ms. Harris for her presentation.

Item Three: Mr. Wayne Gudmonson, KDOT District 4 Engineer and Mr. Kyler Farmer KDOT Construction Engineer addressed the Commissioners. He addressed the letter from the Commissioners about the safety concerns on the Junction of K7 and Hwy 126. He spoke about the Hwy 160 project and stated that this is an interim improvement that is needed in the Crawford County Corridor for the Highway 69 Bypass to be constructed in the future. He explained what will take place in the improvement. Mr. Gudmonson stated that this has been picked for the pipeline but does not mean there will be construction dollars available for the improvement but if it does get to the construction phase it will be permanent. Mr. Farmer explained why this project was chosen for the pipeline. Mr. Moody stated that there are concerns with this project. Mr. Gudmonson explained KDOT's process in choosing the projects. Mr. Farmer gave contact information for Mr. Peter Van Sickle with KDOT who is more knowledgeable about the Hwy 160 project. Mr. Emerson stated that it was a surprise to see this project on KDOT's list. There was a discussion of the construction work on 69 Highway around Arma.

Item Four: Mr. Michael Ehling, Executive Director of Health, Mental Health & Juvenile Services addressed the Commissioners and the State Legislators about Mental Health issues. He spoke about 3 initiatives that are targeted this year for Mental Health. Dr. Tim Stebbins also spoke to the Commissioners and the State Legislators about Mental Health issues that affect hospital emergency rooms and county jails.

Commissioner Moody requested a 5-minute recess.

On motion (21-432) of Commissioner Moody and the second of Commissioner Johnson to recess this open session for a period of 5 minutes to reconvene by 11:17 AM.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

The meeting was called back to order at 11:17 AM.

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Item Five: Mr. Bill Brady, Capitol Strategies was present via Zoom and stated that he listened to the presentations from the legislators. County Counselor Jim Emerson thanked Mr. Brady for being present and apologized for running short on time and not being able to hear from him today. There was a discussion on having Mr. Brady return before the legislative sessions begin either for a work session or during the regular session. Mr. Brady stated that he wanted to congratulate County Clerk Don Pyle on his retirement and stated that it has been an honor working with him over the last few years.

MESSAGES FROM CRAWFORD CO LOCAL BOARD OF HEALTH

Item One: County Health Officer Dr. Tim Stebbins addressed the Commissioners with a COVID-19 update. The Commissioners were presented with the Crawford County Gating Criteria updated 12/18/2021. He went through the criteria for the community and stated that the schools are not in session at this time. He explained that they are anticipating an uptake in the trend the next few weeks due to the holidays. He also presented the Commissioners with an update to the school districts, “New Calculation for Absenteeism Rate for Benchmark Data for Recommendation for Mask-Optional State in Crawford County Schools dated December 17, 2021 and explained the letter. There was a discussion on what information is submitted to the state and recorded on COVID-19. Dr. Stebbins discussed break through cases from the booster.

MESSAGES FROM OTHER GOVERNMENTAL ENTITIES *continued*

Item Six: Mr. Blake Benson, Pittsburg Area Chamber of Commerce President presented the Contract for Services between Crawford County Kansas, the Crawford County Convention and Visitors Bureau and the Pittsburg Area Chamber of Commerce. He explained what the contract covers and that it is the same as it has been for several years.

On motion (21-433) of Commissioner Moody and the second of Commissioner Johnson to approve the Contract for Services between Crawford County, Kansas, the Crawford County Convention and Visitors Bureau and the Pittsburg Area Chamber of Commerce 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 Seven: Mr. Dave Looby, CVB Executive Director with an update on activities of the Convention and Visitors Bureau. He stated that the CVB had a great year. He stated that by state statute the CVB is funded by lodging tax. He presented some suggestions from the CVB Advisory Board. He explained the recommendations are extending all advisory board member terms for 1 additional year, for continuity, Pam Henderson to fill the vacancy of Connor Ossowski, officers, Rick Hardy Chair, Nate Davis, Vice-Chair and Shelby Cannon, Secretary/Treasurer and two at large members to be named later at the annual meeting, renewal of expired (6-30-2021) agreement with PSU for an additional 2 1/2 years, organizational name change (dba) from “Crawford County Convention and Visitors Bureau” to “Explore Crawford County”, updates to bylaws and proposed 2022 budget. He presented a copy of the changers to the bylaws to update them and discussed

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the changes. He also presented a copy of the changes to the 2022 approved budget and explained the line items that have been shifted in the budget.

On motion (21-434) of Commissioner Moody and the second of Commissioner Blair to approve the recommendations of the CVB Advisory Board as presented by CVB Executive Director Dave Looby.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

NEW BUSINESS

Item One: County Counselor Jim Emerson presented the Kansas Housing Resource Corporation Emergency Solutions Grant (ESG CV 2) Recipient Request for Reimbursement and Financial Status Report in the amount of \$285.00. He stated that this is a monthly draw down and this draw down is for the month of November 2021.

On motion (21-435) of Commissioner Blair and the second of Commissioner Moody to approve the Kansas Housing Resource Corporation Emergency Solutions Grant (ESG CV 2) Recipient Request for Reimbursement and Financial Status Report in the amount of \$285.00 and authorize the Chairman to sign.

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 25 minutes to discuss Non-Elected Personnel.

On motion (21-436) 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 25 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 12:35 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 12:10 PM and reconvened the Open Session at 12:35 PM with no action taken except to go back into open session.

Item Two: Commissioner Blair requested an executive session for 20 minutes to discuss Non-Elected Personnel.

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On motion (21-437) 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 the Mental Health Department under Non-Elected Personnel and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 12:57 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 12:38 PM and reconvened the Open Session at 12:58 PM with no action taken except to go back into open session.

New Business continued

Item Two: Commissioner Blair suggested that the county should hire a consultant to review the operations and procedures used by the Health Dept. during the pandemic.

On motion (21-438) of Commissioner Blair and the second of Commissioner Johnson to approve giving County Counselor Jim Emerson the authority to find a consultant to review the Health Department operations and procedures during the COVID-19 pandemic.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

OLD BUSINESS

Item One: County Clerk Don Pyle stated that the 2021 Budget Amendment hearings for Crawford County and for the Crawford County Fire Districts will be at 10:00 AM on Tuesday, December 28, 2021. He also stated that his office is preparing for the upcoming USD 250 Special Question Election to be held on January 18, 2022. He also stated that

Item Two: Mr. Emerson addressed the rescue plan projects for electronic health records software for Health and Mental Health and stated that a ruling has been received from our auditor that both requests were graded out as allowable expenses for ARPA funding. Commissioner Blair would like verification from Executive Director Mr. Michael Ehling on this project being a priority for Mental Health before making a decision on that part.

On motion (21-439) of Commissioner Moody and the second of Commissioner Blair to approve the Crawford County Health Department proposal to purchase electronic health records software with ARPA funding.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

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The motion prevailed.

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

FUTURE BUSINESS:

Item One: December 28, 2021 – 10:00 AM Public Hearing on 2021 Crawford County Budget Amendment.

Item Two: December 28, 2021 – 10:00 AM Public Hearing on 2021 Crawford County Fire District #1, Fire District #2, Fire District #3 and Fire District #4 Budget Amendment.

ANNOUNCEMENTS:

Item One: December 24, 2021 – The County Offices will be closed in observance of the Christmas Holiday and the Board of County Commissioners Regular Session is cancelled.

Item Two: December 30, 2021 – 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 31, 2021 – The County Offices will be closed all day in observance of the New Year's Holiday and the Regular Session of the Board of County Commissioners will be cancelled on this day.

On motion (21-440) of Commissioner Moody and the second of Commissioner Blair to recess this open session for a period of 15 minutes and to reconvene by 1:20 PM.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

The meeting was called back to order at 1:17 PM.

EXECUTIVE SESSION continued

Item Three: Commissioner Blair requested an executive session for 20 minutes to discuss Non-Elected Personnel.

On motion (21-441) of Commissioner Johnson 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 the Mental Health Department under Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson and Executive Director Mr. Michael Ehling and to reconvene by 1:38 PM.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

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The motion prevailed.

The Commissioners went into Executive Session at 1:18 PM and reconvened the Open Session at 1:31 PM with no action taken except to go back into open session.

Old Business continued:

Item Three: Mr. Emerson readdressed the rescue plan projects for electronic health records software and informed Mr. Ehling that the Commissioners earlier approved the purchase of the software for the Health Department. Commissioner Blair asked Mr. Ehling if this project is a priority for the Mental Health Department and Mr. Ehling stated that this request is a priority for the department.

On motion (21-442) of Commissioner Johnson and the second of Commissioner Moody to approve Crawford County Mental Health Department proposal to purchase the electronic health records software with ARPA Funding.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

**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 21, 2021](#) meeting of the Board of Crawford County Commissioners at 1:35 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 12/21/2021 1:35 PM/amended BKW 12/22/2021 3:30 PM