

Board of Crawford County Commissioners

Commissioners' Journal

2020, [NINETY-FOURTH MEETING](#)

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM
Girard, KS, **Tuesday, December 8, 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.

Commissioner Tom Moody was in attendance.

Commissioner Jeremy Johnson was in attendance via Zoom.

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

Commissioner Blair led the pledge of allegiance.

UNDER THE HEADING BUSINESS FROM A PREVIOUS MEETING CONSENT AGENDA

On motion (20-482) of Commissioner Moody and the second of Commissioner Johnson that the consent agenda be approved including:

1. Approval of the **December 4, 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:

Motion 20	475	That the consent agenda be approved including: Approval of the December 1, 2020 minutes
Motion 20	476	To open the Public Hearing to vacate platted Alleys in the Western Coal & Mining Company's Subdivision of the W1/2 NW1/4 Section 5, Township 29, Range 25
Motion 20	477	To close the Public Hearing to vacate platted Alleys in the Western Coal & Mining Company's Subdivision of the W1/2 NW1/4 Section 5, Township 29, Range 25
Motion 20	478	To recess the open session for a period of 5 minutes and to reconvene at 11:05 AM

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Motion 20	479	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 Early Retirement and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 11:05 AM
Motion 20	480	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 discuss the Noxious Weed Department and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 11:30 AM
Motion 20	481	To recess this open session and go into a closed executive session for a period of not more than 10 minutes to discuss the Public Information Officer position under Non-Elected Personnel and to include the Board of County Commissioners, County Counselor Jim Emerson and Public Information Officer Samantha Garrett and to reconvene by 11:35 AM

UNDER THE HEADING NEW BUSINESS

PROCLAMATION AND ORDERS OF THE BOARD

MESSAGES FROM CRAWFORD CO LOCAL BOARD OF HEALTH

PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS

MESSAGES FROM OTHER GOVERNMENTAL ENTITIES

Item One: Ms. Brooke Powell, Executive Director of Safehouse Crisis Center, regarding Safehouse ESG-CV2 Application. Ms. Powell stated that this grant is for COVID expenses for operations of the emergency shelter. She stated that the first purchase will be essential supplies and these are supplies that are normally received through donations from citizens of the community but due to COVID, donations are down. She explained that the second item to purchase from these funds will be updated bedding supplies. Ms. Powell stated that the last thing they wish to purchase is equipment to maintain the lawn care internally which will save money over the years. She stated that their upkeep technician will do the lawn maintenance and this will be added to his job description. Commissioner Blair stated that the Commissioners appreciate all the work that Ms. Powell does at the facility.

On motion (20-483) of Commissioner Blair and the second of Commissioner Moody to approve the Emergency Shelter Grant CV2 Application and authorize the Chairman to sign.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

MESSAGES FROM APPOINTED OFFICIALS

Item One: Ms. May Smith, Zoning Administrator, presenting a Motion of Recommendation on a sub-division to be known as First Replat of Trowbridge Estates

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Second Addition and to rezone the property from agricultural to rural residential. Ms. Smith stated that a public hearing was held with the Crawford County Zoning and Planning Board and there was no opposition. She showed the Commissioners the location of the new subdivision and answered Commissioner Johnson on the size of the lots.

On motion (20-484) of Commissioner Moody and the second of Commissioner Blair to approve the Motion of Recommendation for a sub-division to be known as “First Replat of Trowbridge Estates Second Addition” and to rezone the property from Agricultural to Rural Residential as recommended by the Crawford County Zoning and Planning Board.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

MESSAGES FROM THE PUBLIC

MESSAGES FROM ELECTED OFFICIALS

NEW BUSINESS

Item One: County Clerk Don Pyle presented the November 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 November. Mr. Pyle also gave the Commissioners a copy of the October 2020 to November 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.

On motion (20-485) of Commissioner Moody and the second of Commissioner Blair to approve the November 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.

Item Two: County Clerk Don Pyle presented applications for three 2021 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 and another to allow them to sell cereal malt beverages in original and unopened containers and not for consumption on the premises and for Pete’s of Erie for “Pete’s #1” to allow them to sell cereal malt beverages in original and unopened containers and not for consumption on the premises. Mr. Pyle stated that notices have been sent to the Sheriff, Zoning Administrator, County Attorney and the Township Clerk and that they were given 10 days to respond and that no responses had been received.

On motion (20-486) of Commissioner Moody and the second of Commissioner Blair 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

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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.

2021 Cereal Malt Beverage Licenses

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

PREMISES: 1271 S 220th St, Pittsburg KS 66762

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

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

PREMISES: 1271 S 220th St, Pittsburg KS 66762

(For consumption on the premises)

APPLICANT: Pete’s of Erie “Pete’s #1”

PREMISES: 1100 W Highway 400, McCune, 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 Three: County Counselor Jim Emerson presented Resolution #2020-013, A Resolution Closing and Vacating Two Platted Alleys in the Western Coal & Mining Company’s Subdivision of the West Half of the Northwest Quarter of Section 5, Township 29 South, Range 25 East, Crawford County, Kansas. Mr. Emerson stated that the Public Hearing on this alley vacate was held on December 4, 2020 and there was no opposition.

On motion (20-487) of Commissioner Moody and the second of Commissioner Blair to adopt Resolution #2020-013, A Resolution Closing and Vacating Two Platted Alleys in the Western Coal & Mining Company’s Subdivision of the West Half of the Northwest Quarter of Section 5, Township 29 South, Range 25 East, Crawford County, Kansas.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Four: Mr. Emerson presented an agreement between Crawford County, Kansas and First Call of Kansas, Inc for transportation of bodies for medical examinations authorized

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by the County Coroner. Mr. Emerson stated that he has contacted County Coroner Dr. Adam Paoni and Dr. Paoni stated he is very pleased with First Call's services. Mr. Emerson explained that this is a 1-year agreement for the amount of \$215.00 per trip.

On motion (20-488) of Commissioner Johnson and the second of Commissioner Moody to approve the agreement between Crawford County, Kansas and First Call of Kansas, Inc., for transportation of bodies for medical examinations authorized by the County Coroner 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 Five: Mr. Emerson stated that he was contacted by Mr. Kyler Farmer, Engineer with KDOT in reference to the Crawford County Sewer District #3 Force Main Relocation Project and Mr. Farmer stated that there are funds remaining from the County's Federal Fund Money. The Commissioners requested that Mr. Emerson send a letter to KDOT stating that the County does not wish to receive the remainder of the funds at this time.

OLD BUSINESS

Item One: Mr. Pyle addressed the 2020 County Budget Amendment. He stated that the funds that need amending are the Health Department, Employee Benefit Fund, Risk Management Fund and Consolidated 911 Fund. He explained the reasons the budget amendments are needed. He would like to schedule the public hearing on the amendments for December 22, 2020 at 10:00 AM. Mr. Pyle stated that that the amendments must be published at least 10 days prior to the hearing.

On motion (20-489) of Commissioner Moody and the second of Commissioner Blair to approve the publication for the 2020 Budget Amendment for Crawford County and to set a hearing date of December 22, 2020 at 10:00 AM.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Two: Mr. Pyle addressed the 2020 Budget Amendment for Crawford County Fire District #3. Mr. Pyle explained the reason for the amendment.

On motion (20-490) of Commissioner Moody and the second of Commissioner Blair to approve the publication for the 2020 Budget Amendment for Crawford County Fire District #3 and to set a hearing date of December 22, 2020 at 10:00 AM.

Yeas: Commissioners Moody, Blair and Johnson

Nays:

Present but not voting:

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Absent or not voting:

The motion prevailed.

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

FUTURE BUSINESS:

Item One: December 8, 2020 – 1:00 PM Fence Viewing located in Section 3, Township 29, Range 24. All three Commissioners may be in attendance.

Item Two: December 15, 2020 – 8:30 AM Work Session to review and sign December mid-month bills and payroll vouchers.

ANNOUNCEMENTS:

EXECUTIVE SESSION

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

On motion (20-491) 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 Noxious Weed 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:

Present but not voting:

Absent or not voting:

The motion prevailed.

The Commissioners went into Executive Session at 10:40 AM and reconvened the Open Session at 10:55 AM with no action taken except to go back into open session.

Item Two: Commissioner Moody requested an executive session for 10 minutes to discuss Non-Elected Personnel.

On motion (20-492) 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 Barn under Non-Elected Personnel and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 11:05 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 10:55 AM and reconvened the Open Session at 11:05 AM with no action taken except to go back into open session.

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 8, 2020](#) meeting of the Board of Crawford County Commissioners at 11:10 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 12/8/2020 11:10 AM/amended BKW 12/9/2020 2:00 PM](#)