

Board of Crawford County Commissioners

Commissioners' Journal

2023, **NINETY-SECOND** MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM
Girard, KS. **Tuesday, December 19, 2023 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 Carl Wood were in attendance.

County Clerk Lisa Lusker 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 (23-516) of Commissioner Moody and the second of Commissioner Wood that the consent agenda be approved including:

1. Approval of the **December 15, 2023** minutes of the Board of County Commissioners.

Yeas: Commissioners Moody, Wood and Blair

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 23	510	That the consent agenda be approved including: Approval of the December 12, 2023 minutes, and Approval of the accounts payable warrant numbers 626365 to 626637 dated December 15, 2023 in the total amount of \$586,949.30.
Motion 23	511	To approve Change Event #23037-002 from Tri-State Building & Supply Co, Inc. for the Health Department Project in the amount of \$9,246.00

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Motion 23	512	To approve hiring B3 Construction in the amount of \$4,500 to demolish the structure at 206 W 10th St, Frankin located on the Franklin bypass owned by the Crawford County Land Bank
Motion 23	513	To close the courthouse on Friday, December 22, 2023
Motion 23	514	To approve the transfer of \$461,143.31 to Crawford County Mental Health to reimburse their payment to Crossland Construction for the Addiction Treatment Center project
Motion 23	515	To recess this open session and go into a closed executive session for a period of not more than 20 minutes to discuss Non-Elected Personnel to discuss a nuisance and to include the Board of County Commissioners, County Counselor Jim Emerson, and Zoning Administrator May Smith and to reconvene by 10:58 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 ELECTED OFFICIALS

MESSAGES FROM THE PUBLIC

MESSAGES FROM OTHER GOVERNMENTAL ENTITIES

Item One: Mr. Dave Looby, CVB Executive Director presenting annual update. He provided the Commissioners with a handout that included some of their highlights from the year and he had discussed some of these items individually.

Item Two: Mr. Blake Benson, President of the Pittsburg Area Chamber of Commerce addressed the Commissioners. He handed out copies of the 2024 Contract for Services between Crawford County, Kansas, the Crawford County Convention and Visitors Bureau and the Pittsburg Area Chamber of Commerce. He explained the contents of the contract and the services the contract provides.

On motion (23-517) of Commissioner Wood and the second of Commissioner Moody to approve the Contract for Services between Crawford County, Kansas, the Crawford County Convention and Visitors Bureau and the Pittsburg Area Chamber of Commerce for 2024 and authorize the Chairman to sign.

Yeas: Commissioners Moody, Blair and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

MESSAGES FROM APPOINTED OFFICIALS

NEW BUSINESS

Item One: County Clerk Lisa Lusker presented 4 applications for 2024 Cereal Malt Beverage Licenses for “Donna Pichler “Pichler’s Chicken Annie’s” to allow them to sell cereal malt beverages for consumption on the premises, Donna Pichler “Pichler’s Chicken Annie’s” to allow them to sell cereal malt beverages in original and unopened

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containers and not for consumption on the premises”, “Jo’s One Stop” to allow them to sell cereal malt beverages in original and unopened containers and not for consumption on the premises 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 Clerks and all responded that they had no issues with these applications.

On motion (23-518) of Commissioner Moody and the second of Commissioner Wood 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: Donna Pichler “Pichler’s Chicken Annie’s”

PREMISES: 1271 S 220th St, Pittsburg, KS

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

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

PREMISES: 1271 S 220th St, Pittsburg, KS

(For consumption on the premises)

APPLICANT: “Jo’s One Stop”

PREMISES: 401 N 69 Hwy Arma, KS

(For sale in original and unopened containers and not 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 Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Two: County Counselor Jim Emerson presented the ARPA Drawdown for December 2023. He mentioned they had discussed the details in a work session before the meeting. Mr. Emerson announced they have four requests for this month starting with Rural Water District #2 in the amount of \$33,740.16, Crawford County Mental Health in

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the amount of \$181.65, EMS in the amount of \$1,347 and \$ 9,352.50 with \$151,811.78 remaining towards their project.

On motion (23-519) of Commissioner Moody and the second of Commissioner Wood to approve the ARPA Drawdown for December 2023.

Yeas: Commissioner Moody, Blair and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Three: County Counselor Jim Emerson presented Resolution #2023-025, a Schedule E-1 to State & Municipal Lease/Purchase Agreement with Clayton Holdings LLC. This resolution allows the County to move forward on the lease purchase for the ambulance department and he mentioned that the final documents will be provided at the meeting on Tuesday December 26.

On motion (23-520) of Commissioner Moody and the second of Commissioner Wood to adopt Resolution #2023-025, a Schedule E-1 to State & Municipal Lease/Purchase Agreement with Clayton Holdings LLC and authorize the Chairman to sign.

Yeas: Commissioners Moody, Blair and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Four: Commissioner Blair mentioned the Regional Planning Committee meeting is on Thursday December 21st and he will be attending and will provide the Commissioners at the next meeting with any information that pertains to the County.

OLD BUSINESS

Item One: Ms. Lusker presented Commissioner Blair with a letter of commitment to sign for the new auditing company, Varney & Associates, CPAs, LLC. Mr. Emerson explained that although the auditors from this year did a good job it took longer than before and the quote from Barney & Associates is cheaper than what he was paid this year. He also explained that they mentioned they could get the County on the books for April or May of 2024 if they can get an agreement signed and this will allow the County to have audited numbers for budget prep next year which is something that the County did not have this year when prepping the budget. Commissioner Moody asked if their references were checked and Mr. Emerson confirmed that they have.

On motion (23-521) of Commissioner Moody and the second of Commissioner Wood to approve the letter of commitment with Varney & Associates, CPAs, LLC and authorize the Chairman to sign.

Yeas: Commissioners Moody, Wood, and Blair

Nays:

Present but not voting:

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Absent or not voting:

The motion prevailed.

Item Two: Commissioner Wood mentioned there is an equipment sale tomorrow, December 20th, that he would like to go by and check on a belly dump and he will check with his Shop Foreman Josh Peak. Commissioner Blair asked if this is a Purple Wave auction and Commissioner Wood stated it is a local contractor that is going out of business. Commissioner Blair asked Mr. Emerson what they should do in regards to funding for that since they are unaware how much it will cost because it is an auction and Commissioner Wood said it will be less than \$20,000. Commissioner Wood stated they just received windfarm money and wanted to know where it went and Commissioner Blair stated that part of it is delegated to Hepler. Mr. Emerson stated there is a decent amount in the equipment reserve fund and Commissioner Blair stated the only reason that he mentions this is because when people come in to ask for money for projects that they get turned down often with the question of asking where the money will come from to fund the project. Commissioner Wood stated he has also been looking at road tractor and another piece of equipment and he assumes they will use the equipment reserve fund or a lease purchase like Commissioner Moody's district did with their new truck. Commissioner Moody stated that his district's truck was discussed and decided on over a year ago. Commissioner Wood said he does not believe it will be a lot of money but that he has looked at it once before and mentioned again after the first of the year it is likely he will come back asking for money for a road tractor and the additional piece of equipment and that if they do not have the funding for these then they can just do a lease purchase.

EXECUTIVE SESSION

Item One: Commissioner Wood requested an executive session for 15 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship.

On motion (23-522) 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 discuss motor vehicle and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 11:01 AM.

Yeas: Commissioners Moody, Blair, and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

The Commissioners went into Executive Session at 10:46 AM and reconvened the Open Session at 10:50 AM with no action taken except to go back into open session.

Item Two: Commissioner Wood requested an executive session for 30 minutes to discuss Non-Elected Personnel.

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On motion (23-523) 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 30 minutes to discuss Non-Elected Personnel to discuss a county employee and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 11:20 AM.

Yeas: Commissioners Moody, Blair and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

The Commissioners went into Executive Session at 10:50 AM and reconvened the Open Session at 11:08 AM with no action taken except to go back into open session.

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

FUTURE BUSINESS:

Item One: December 26, 2023 – 10:00 AM Public Hearing on the 2023 Amended County Budget.

Item Two: December 26, 2023 – Mr. Justin Wall, A-Lert Roof Systems.

ANNOUNCEMENTS:

Item One: December 22, 2023 – The Courthouse will be closed in observance of the Christmas Holiday.

Item Two: December 22, 2023 – The regular session of the Board of County Commissioners is canceled.

Item Three: December 25, 2023 – The Courthouse will be closed in observance of the Christmas Holiday.

Item Four: December 29, 2023 – 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 no recordings will be done due to software updates.

Item Five: December 29, 2023 – The regular session of the Board of County Commissioners is canceled.

Item Six: January 1, 2024 – The Courthouse will be closed in observance of the New Year Holiday.

UNDER THE HEADING MOTION TO ADJOURN MOTION TO ADJOURN

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Item One: Adjournment

On the motion of Commissioner Moody and the second of Commissioner Blair to adjourn the [December 19, 2023](#) meeting of the Board of Crawford County Commissioners at 11:09 AM and to reconvene at the next regularly scheduled time with open doors.

Yeas: Commissioners Moody, Blair and Wood

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.

Lisa Lusker
County Clerk

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This submission completed at the Crawford County Courthouse in Girard.

[Taken RJA 12/21/23 12:35PM/amended BKW 11/21/23 1:00 PM](#)