

# Barton County Commission Agenda Meeting Minutes

Recorded audio is available on compact disk upon KORA request to the Barton County Clerk's Office, 1400 Main – Room 202, Great Bend, Kansas 67530.

Phone (620) 793-1835 \ Fax (620) 793-1990 \ Email [clerk@bartoncounty.org](mailto:clerk@bartoncounty.org)

Meetings Live Streamed through **Microsoft Teams** at the following link: <https://bit.ly/3tY2S3r>

July 12, 2021

The Board of Barton County Commissioners convened this 12th day of July 2021, at the Barton County Courthouse.

*Members present:*

Kirby Krier, Commissioner, 1st District  
Barb Esfeld, Commissioner, 2nd District  
Shawn Hutchinson, Commissioner, 3<sup>rd</sup> District (*Chairman Pro-Tem*)  
James R. Daily, Commissioner, 4th District, Chairman  
Donna Zimmerman, County Clerk  
Phil Hathcock, County Administrator  
Patrick Hoffman, County Counselor

*Members absent:*

Jennifer Schartz, Commissioner, 5th District

## **I. OPENING BUSINESS:**

Commissioner Daily called the meeting to order at 9:00 A.M.

Commissioner Hutchinson moved to approve the agenda.  
Commissioner Krier seconded the motion.  
All voted aye. Motion passed.

Commissioner Esfeld moved to approve the minutes of the July 7, 2021, Regular Meeting.  
Commissioner Hutchinson seconded the motion.  
All voted aye. Motion passed.

## **II. OLD BUSINESS:**

There was no old business.

## **III. NEW BUSINESS:**

### **A. WHEATLAND TOWNSHIP: Board Resignation:**

-Kenneth N. Ney has resigned as the Wheatland Township Clerk. Should the Commission accept the resignation, the remaining Township board members would then be required to submit the name of a replacement.

Donna Zimmerman, County Clerk, said Garry Batt, Wheatland Township Treasurer, brought in Kenneth Ney's resignation and a recommendation that Tim Maier be appointed to fill the unexpired term. Zimmerman noted that Tim Maier is a qualified registrant and qualified to serve should he be appointed.

Commissioner Krier moved to accept Mr. Ney's resignation as the Wheatland Township Clerk effective June 30, 2021.

Commissioner Esfeld seconded the motion.  
All voted aye. Motion passed.

### **B. WHEATLAND TOWNSHIP: Board Appointment:**

-Wheatland Township board members have recommended that Tim Maier be appointed as the Clerk. It is the responsibility of the Commission to formally make such appointments.

Donna Zimmerman, County Clerk, requested Mr. Maier be appointed to the term ending January 9, 2023.

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Commissioner Krier moved to appoint Tim Maier as the Wheatland Township Clerk, effective July 1, 2021, with the position terming on January 9, 2023.

Commissioner Hutchinson seconded the motion.

Commissioner Krier said he knows Kenny Ney very well. Does not know Tim Maier.

Commissioner Esfeld said Kenny Ney has served a long time.

All voted aye. Motion passed.

## **C. RESOLUTION 2021-14: A Resolution Authorizing and Expanding Hours of Sales of Alcoholic Liquor and Cereal Malt Beverage in the Original Package within the Unincorporated Areas of Barton County, Kansas, and Rescinding 2021-12, Same, Adopted June 21, 2021:**

-The 2021 Legislature passed amendments to the liquor control, club and drinking establishment, cereal malt beverage and liquor enforcement acts. In June, 2021, the Commission adopted a Resolution modifying the hours of sale of liquor and cereal malt beverage. A Resolution correcting the authorization of sales to "between the hours of 9 a.m. and 8 p.m. on Sundays, and on Memorial Day, Independence Day and Labor Day" is now presented. This is subject to a 60-day waiting period during which a petition for an election can be filed.

Patrick Hoffman, County Counselor, said the resolution passed a couple of weeks ago had an error. That resolution said they could stay open until 11:00 P.M., but they can only stay open until 8:00 P.M.

Commissioner Hutchinson moved to adopt Resolution 2021-14, A Resolution Authorizing and Expanding Hours of Sales of Alcoholic Liquor and Cereal Malt Beverage in the Original Package within the Unincorporated Areas of Barton County, Kansas, and Rescinding 2021-12, Same, Adopted June 21, 2021.

Commissioner Esfeld seconded the motion.

All voted aye. Motion passed.

Dale Hogg, Great Bend Tribune, asked if that changes the closing on Sundays only. Patrick Hoffman said yes.

## **D. GOLDEN BELT VETERANS MEMORIAL: Project Update:**

-Barton County is currently in the process of working on the next stone for the Golden Belt Veterans Memorial. Side One of Stone IV was purchased by the Hoisington VFW 7428 when it closed. Side Two is for general use.

Diana Watson, Administrative Secretary, said last year activity was slow due to COVID. Watson said the county has three stones currently and are working on stone number four. One side of stone four was purchased by the Hoisington VFW. That is the only portion of the stones that will have veterans listed alphabetically. Watson reported there are seventy-seven lines open on side two of stone four and sixteen lines open on side one for a total of ninety-three lines before that stone is closed. In 2016 when we started taking engravings, we had a commemorate a memorial to sponsor a veteran who no longer has family in the area. One of the veterans selected was Roy Fruit Jr's whose family owned the Great Bend Tribune at one point. Roy Fruit was sent overseas and killed in action on July 14, 1944 and buried at the Normandy American Cemetery. His grave is maintained by Jean Marc Lesueur. Watson reported that Roy Fruit's family recently donated \$250 to sponsor more veteran engravings.

Commissioner Krier asked for the history of how the county acquired the two cemeteries. Watson said the two cemeteries were abandoned and by state statute, the county had to take them over. Krier commended Diana Watson and the Road and Bridge employees for their work.

Information Only. No Action Required.

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## IV. ENDING BUSINESS:

1. Announcements
2. Appointments

## V. OTHER BUSINESS:

- Comm Krier: There have been discussions that the county may move the agenda meetings to Wednesdays. Want to visit with the press, department heads and others before considering the change.

## VI. ADJOURN.

Commissioner Krier moved to adjourn at 9:17 A.M.

Commissioner Esfeld seconded the motion.

All voted aye. Motion passed.

ATTEST:

  
Donna Zimmerman  
Barton County Clerk

  
James R. Daily, Chairman

RESOLUTION 2021-14

A RESOLUTION AUTHORIZING AND EXPANDING HOURS OF SALES OF ALCOHOLIC LIQUOR AND CEREAL MALT BEVERAGE IN THE ORIGINAL PACKAGE WITHIN THE UNINCORPORATED AREAS OF BARTON COUNTY, KANSAS, AND RESCINDING 2021-12, SAME, ADOPTED JUNE 21, 2021

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BARTON COUNTY, KANSAS:

Section 1. Pursuant to the adoption of House Bill 2137, K.S.A. 41-2911, Barton County shall allow the sale at retail of cereal malt beverage in the original package within the unincorporated area of Barton County, Kansas on any Sunday, except Easter, not earlier than 9 am and not later than 8 p.m., and sale at retail of cereal malt beverage in the original package shall now be permitted on Memorial Day, Independence Day, and Labor Day.

Section 2. Pursuant to the adoption of House Bill 2137, K.S.A. 41-2911, Barton County shall allow the sale at retail of alcoholic liquor in the original package within the unincorporated areas of Barton County, Kansas on any Sunday, except Easter, before 9 a.m. or after 8 p.m., and sale at retail of alcoholic liquor in the original package shall now be permitted on Memorial Day, Independence Day, and Labor Day.

Section 3. This Resolution shall be published once, within two weeks after its adoption, in the official County newspaper.

Section 4. This Resolution shall take effect 61 days after publication, unless a sufficient petition for a referendum is filed, requiring a referendum to be held on the Resolution as provided in K.S.A. 41-2911, in which case this Resolution shall become effective upon approval by a majority of the electors voting thereon.

ADOPTED this 12<sup>th</sup> day of July, 2021.

BOARD OF COUNTY COMMISSIONERS

*James R. Daily*  
James R. Daily, Chairman

*Barb Esfeld*  
Barb Esfeld, Commissioner

*Shawn Hutchinson*  
Shawn Hutchinson, Commissioner

*Kirby Krier*  
Kirby Krier, Commissioner

ABSENT  
Jennifer Schartz, Commissioner

ATTEST:

*Donna Zimmerman*  
Donna Zimmerman,  
County Clerk



APPROVED AS TO FORM:

*Patrick Hoffman*  
Patrick Hoffman,  
County Counselor