

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

Meetings Live Streamed through **Microsoft Teams**® at the following link: <https://bit.ly/32EnlbZ>

June 21, 2021

The Board of Barton County Commissioners convened this 21st day of June 2021, at the Barton County Courthouse.

Members present:

Kirby Krier, Commissioner, 1st District
Barb Esfeld, Commissioner, 2nd District
Shawn Hutchinson, Commissioner, 3rd District (Chairman Pro-Tem)
James R. Daily, Commissioner, 4th District, Chairman
Jennifer Schartz, Commissioner, 5th District
Donna Zimmerman, County Clerk
Phil Hathcock, County Administrator
Patrick Hoffman, County Counselor

I. OPENING BUSINESS:

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

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

Commissioner Schartz moved to approve the minutes of the June 14, 2021, Regular Meeting.
Commissioner Esfeld seconded the motion.
All voted aye. Motion passed.

APPROVAL OF APPROPRIATIONS:

-An Accounts Payable Register will be submitted to the Commission for the period of June 7, 2021, and ending June 21, 2021.

Commissioner Esfeld moved to approve appropriations for the period of June 7, 2021, to June 21, 2021 and authorize the Chairman to sign on behalf of the Commission.
Commissioner Hutchinson seconded the motion.
All voted aye. Motion passed.

III. OLD BUSINESS:

There was no old business.

IV. NEW BUSINESS:

A. RESOLUTION 2021-12: A Resolution Authorizing and Expanding Hours of Sunday Sales of Alcoholic Liquor and Cereal Malt Beverage in the Original Package within the Unincorporated Areas of Barton County, Kansas, and Rescinding 2015-24, Same, Adopted November 30, 2015:

-The 2021 Legislature passed amendments to the liquor control, club and drinking establishment, cereal malt beverage and liquor enforcement acts. Per Donna Zimmerman, County Clerk, one local outcome of the adoption of House Bill 2137 is expanded Sunday sales of alcoholic liquor. Barton County must modify an existing Resolution to authorize Sunday sales for Retail Liquor Stores and Cereal Malt Beverage (CMB) Retailers between the hours of 9 a.m. and 11 p.m. on any day when the sale is permitted. This is subject to a 60-day waiting period during which a petition for an election can be filed.

Donna Zimmerman, County Clerk, said Esten Millard, Outer Limits Liquor, contacted the county to inquire about expanded Sunday hours.

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Patrick Hoffman, County Counselor, said original legislation said no sales could be before noon on Sundays. New legislation was adopted this last session which allows counties to adopt a resolution allowing for Sunday sales as early as 9 A.M. Hoffman said, after the agenda packet went out, he noticed they also amended the holidays that establishments could be open to sell on and added Memorial Day, Independence Day, and Labor Day. If passed it would allow retail liquor stores to open as early as 9 A.M. on Sundays and also be open on Memorial Day, Independence Day, and Labor Day.

Commissioner Krier moved to adopt Resolution 2021-12, A Resolution Authorizing and Expanding Hours of Sunday Sales of Alcoholic Liquor and Cereal Malt Beverage in the Original Package within the Unincorporated Areas of Barton County, Kansas, and Rescinding 2015-24, Same, Adopted November 30, 2015.

Commissioner Daily asked if we are adopting the resolution we have, or the one Patrick offered with the changes.

Commissioner Krier said the resolution with the changes Patrick talked about.

Commissioner Krier added within that motion too, we have expanded the hours to 9 A.M. and holidays of 4th of July Labor Day and Memorial Day.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

B. CENTRAL KANSAS COMMUNITY CORRECTIONS: Advisory Board Appointment:

-Under the leadership of the CKCC Director, the Central Kansas Community Corrections Advisory Board designs, implements and evaluates community-based corrections programs for eligible offenders who would otherwise be incarcerated in state prisons or local jails. Oversight includes the development of the annual Comprehensive Plan. KSA 75-5297 governs the advisory board membership, qualifications and appointment provisions. Gloria Bogan, representing a "general" position, has agreed to serve another term. Amy Boxberger, CKCC Director, will ask that the Commission consider the re-appointment of Ms. Bogan.

Phil Hathcock, County Administrator, said Amy Boxberger had a last-minute conflict and was not available to present. Hathcock said Gloria Bogan has reapplied for the general position and said these are two-year terms. Hathcock requested she be re-appointed.

Commissioner Schartz said she worked with Gloria and noted she is very conscientious and Spanish speaking.

Commissioner Schartz moved to approve the two-year re-appointment of Gloria Bogan to the Central Kansas Community Corrections Advisory Board. The uncompensated term will end June of 2023.

Commissioner Esfeld seconded the motion.

All voted aye. Motion passed.

V. ENDING BUSINESS:

1. Announcements
2. Appointments

VI. OTHER BUSINESS:

- Comm Hutchinson: Working through the budget right now and meetings are brief by design in order to work the rest of the day with the budget. Asked that the Commission meets again later in the week during an afternoon for a couple of hours to discuss things before the next meeting. Mondays drag on a little long. Suggested the meetings start after the 4th of July once harvest is over.
- Comm Schartz: Do you intend this to be just though budget season? Hutchinson said yes.
- Patrick Hoffman: Nothing magical as long as you follow KOMA and announce the meeting.
- Comm Daily: Two senators in town this past week. Asked Dale Hogg and Ken Carpenter if there was anything earth-shattering. Dale Hogg said not really.

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II. ADJOURN.

Commissioner Schartz moved to adjourn at 9:16 A.M.

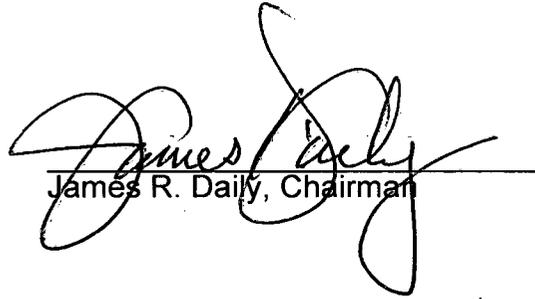
Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

ATTEST:



Donna Zimmerman
Barton County Clerk



James R. Daily, Chairman

RESOLUTION 2021-12

A RESOLUTION AUTHORIZING AND EXPANDING HOURS OF SUNDAY SALES OF ALCOHOLIC LIQUOR AND CEREAL MALT BEVERAGE IN THE ORIGINAL PACKAGE WITHIN THE UNINCORPORATED AREAS OF BARTON COUNTY, KANSAS, AND RESCINDING 2015-24, SAME, ADOPTED NOVEMBER 30, 2015

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 is amended to allow the sale at retail of cereal malt beverage in the original package within the city on any Sunday, except Easter, before 9 a.m. or after 11 p.m. on any day when the sale is permitted.

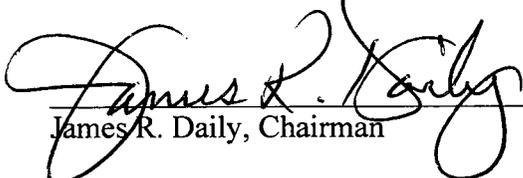
Section 2. Pursuant to the adoption of House Bill 2137, K.S.A. 41-2911, is amended to allow the sale at retail of alcoholic liquor in the original package within the unincorporated areas of Barton County, Kansas on any Sunday, except Easter, before 9 a.m. or after 11 p.m. on any day when the sale is permitted; and sale at retail of alcoholic liquor in the original package shall now be allowed 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.

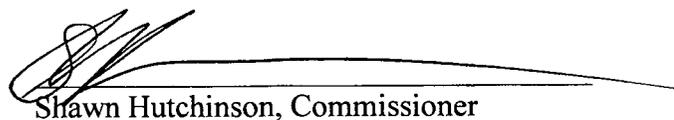
Section 4. This Resolution shall take effect 61 days after publication, unless a sufficient petition for a referendum is filed, requiring a referendum to be held on the Resolution as provided in K.S.A. 41-2911, in which case this Resolution shall become effective upon approval by a majority of the electors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

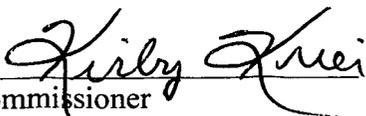
ADOPTED this 21st day of June, 2021.

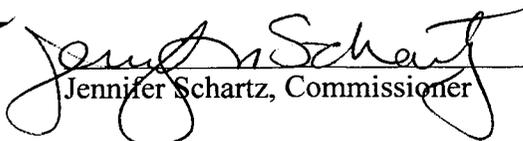
BOARD OF COUNTY COMMISSIONERS


James R. Daily, Chairman

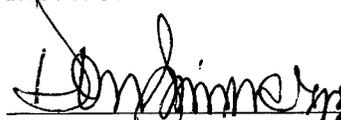

Barb Esfeld, Commissioner


Shawn Hutchinson, Commissioner


Kirby Krier, Commissioner

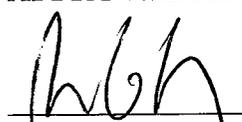

Jennifer Schartz, Commissioner

ATTEST:


Donna Zimmerman,
County Clerk



APPROVED AS TO FORM:


Patrick Hoffman,
County Counselor