

# Board of Crawford County Commissioners

## Commissioners' Journal

2024, [NINETEENTH](#) MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM  
Girard, KS. **Friday, March 8, 2024 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 Carl Wood served as the presiding officer.

Commissioners Bruce Blair and Tom Moody were in attendance.

County Clerk Lisa Lusker and County Counselor Jim Emerson were seated with the Board.

Chairman Wood led the Pledge of Allegiance.

### **UNDER THE HEADING BUSINESS FROM A PREVIOUS MEETING CONSENT AGENDA**

**On motion (24-124)** of Commissioner Moody and the second of Commissioner Blair that the consent agenda be approved including:

1. Approval of the **March 5, 2024** minutes of the Board of County Commissioners, and
2. Authorizing the Chairman to sign the previous week's vouchers.

Yeas: Commissioners Blair, Wood, and Moody

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 24	120	That the consent agenda be approved including: Approval of the March 1, 2024 minutes
Motion 24	121	To recess this open session and go into a closed executive session for a period of not more than 10 minutes to discuss Non-Elected Personnel to discuss 911 and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 10:26 AM

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Motion 24	122	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 Crawford County Sewer District #4 and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 10:29 AM
Motion 24	123	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 contracts for spraying bugs and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 10:33 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**

**Item One:** County Counselor Jim Emerson opened the bids for the Storage Building and also the foundation work on the communications tower near Arma. Mr. Emerson started by opening the foundation work bids. The foundation work had two bids, and Mr. Emerson stated the first bid was from JT Construction in the amount of \$8,950. He mentioned the next bid was from Turnkey LLC in the amount of \$14,700.

**On motion (24-125)** of Commissioner Moody and the second of Commissioner Wood to approve giving the bids to the project manager to provide a recommendation for the foundation work on the communications tower near Arma.

Yeas: Commissioners Moody, Wood, and Blair

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

Next Mr. Emerson opened the bids for the Storage Building. He began with a bid from Turnkey LLC which included an amount of \$462,457 for building option #1 and an amount of \$594,767 for building option #2. Next, Mr. Emerson opened a bid from Arck Construction in the amount of \$373,815 for building option #1 and an amount of \$541,735 for building option #2. Commissioner Wood asked Mr. Emerson if it was specified in building option #2 to use wood and not red iron and Mr. Emerson directed him to ask the architect Mr. Steve Birchmeier. Mr. Birchmeier responded that it was bid for red iron not wooden posts. Mr. Emerson then presented a bid from Home Center Construction Inc. in the amount of \$402,743 for building option #1 and \$615,146 for building option #2. Mr. Emerson then presented the final bid from Tri-State Building & Supply Co. in the amount of \$286,769 for building option #1 and \$418,122 for building option #2. An individual in attendance asked to hear the exclusions included in Tri-State's bid and Mr. Emerson read them and they consisted of alterations with the sewer and water service, the mechanical units for the size of the building, and also the light fixtures. Mr. Emerson announced Arck Construction also had an exclusion for their bid

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and it was to exclude engineering for dirt and guardrail as well as building permit and did not include pricing for those.

**On motion (24-126)** of Commissioner Moody and the second of Commissioner Blair to approve giving the bids to the project manager to provide a recommendation for the Storage Building.

Yeas: Commissioners Moody, Blair, and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

### **MESSAGES FROM ELECTED OFFICIALS**

### **MESSAGES FROM THE PUBLIC**

### **MESSAGES FROM OTHER GOVERNMENTAL ENTITIES**

### **MESSAGES FROM APPOINTED OFFICIALS**

**Item One:** Honorable Lori Fleming Chief Judge for the 11<sup>th</sup> Judicial District discussing Drug Court MOU. Ms. Fleming also thought this would be a good time to update the progress of Drug Court before she begins the MOU. Ms. Fleming mentioned a very large group was constructed to move forward with the process as well as a smaller group of people and agencies within the larger group who want to take the lead on making this successful and includes judges, attorneys, Crawford County Mental Health, CHCSEK, and law enforcement. She mentioned this smaller group has created a handbook as well as guidelines for Drug Court. Ms. Fleming mentioned they applied for and received a grant for a project called “All Rise” which will provide training on site in September 2024 courtesy of the Bureau of Justice and also mentioned that they will be applying for federal funding for the Drug Court program soon. Ms. Fleming stated the pilot program for this is scheduled to start on July 12, 2024 with 20 participants between 3 counties and that the judge participating in the pilot program will be Judge Steve Stockard. Ms. Fleming explained as Chief Judge she will be in charge of the compliance, money, and data collection with the pilot program. Mr. Emerson explained the MOU will only involve money that has been funded by grants, and that any county or district court money involved will stay under control of the county. Commissioner Wood asked which counties this involved and Ms. Fleming answered it is Crawford, Cherokee, and Labette.

**On motion (24-127)** of Commissioners Moody and the second of Commissioner Wood to approve the MOU between Community Health Center of Southeast Kansas and Crawford County authorize the Chairman to sign.

Yeas: Commissioners Moody, Wood, and Blair

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

### **EXECUTIVE SESSION**

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**Item One:** Director of Convention and Visitors Bureau Dave Looby requested an executive session for 15 minutes to discuss Non-Elected Personnel.

**On motion (24-128)** of Commissioner Moody and the second of Commissioner Wood to recess this open session and go into a closed executive session for a period of not more than 15 minutes to discuss Non-Elected Personnel to discuss CVB and to include the Board of County Commissioners, County Counselor Jim Emerson, and Executive Director of CVB Dave Looby, and to reconvene by 10:44 AM.

Yeas: Commissioners Moody, Wood, and Blair

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

**The Commissioners went into Executive Session at 10:29 AM and reconvened the Open Session at 10:44 AM with no action taken except to go back into open session.**

**Item Two:** Director of EMS Randy Sandberg requested an executive session for 15 minutes to discuss Non-Elected Personnel.

**On motion (24-129)** of Commissioner Moody and the second of Commissioner Wood to recess this open session and go into a closed executive session for a period of not more than 15 minutes to discuss Non-Elected Personnel to discuss EMS and to include the Board of County Commissioners, County Counselor Jim Emerson, and EMS Director Randy Sandberg, and to reconvene by 11:02 AM.

Yeas: Commissioners Moody, Wood, and Blair

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

**The Commissioners went into Executive Session at 10:47 AM and reconvened the Open Session at 11:02 AM with no action taken except to go back into open session.**

### NEW BUSINESS

**Item One:** County Clerk Lisa Lusker stated the Girard Chamber of Commerce asked if they could set up for an easter egg hunt on the Courthouse lawn. She mentioned they would like to set up on March 28<sup>th</sup> and that they would be using spray paint but it would be the kind that washes away. Ms. Lusker stated if the Commissioners are okay with this she will call and let them know. The Commissioners agreed this would be okay.

**Item Two:** Ms. Lusker stated there is \$25,000 leftover in her Elections budget that she would like to move to the Operating Reserves Fund to help fund future projects for the clerk's office. Commissioner Wood asked if this money would be reserved for the clerk's office and Mr. Emerson answered that yes it would be as there is also already \$40,000 reserved in Operating Reserves Fund for the Storage Building and that if the \$25,000 is approved then it would be raised to \$65,000.

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**On motion (24-130)** of Commissioners Moody and the second of Commissioner Wood to approve the transfer of \$25,000 from Elections budget to the Operating Reserves Fund.  
Yeas: Commissioners Moody, Wood, and Blair

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

### **EXECUTIVE SESSION CONTINUED**

**Item Three:** IT Director Brandon Spaur requested an executive session for 15 minutes to discuss Non-Elected Personnel.

**On motion (24-131)** of Commissioner Moody and the second of Commissioner Wood to recess this open session and go into a closed executive session for a period of not more than 15 minutes to discuss Non-Elected Personnel to discuss IT Department and to include the Board of County Commissioners, County Counselor Jim Emerson, and IT Director Brandon Spaur, and to reconvene by 11:20 AM.

Yeas: Commissioners Moody, Wood, and Blair

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

**The Commissioners went into Executive Session at 11:05 AM and reconvened the Open Session at 11:19 AM with no action taken except to go back into open session.**

**Item Four:** IT Director Brandon Spaur requested an executive session for 20 minutes to discuss matters relating to security measures.

**On motion (24-132)** of Commissioner Wood 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 matters relating to the security of a public body or agency, public building or facility or the information system of a public body or agency, if the discussion of such matters at an open meeting would jeopardize the security of such public body, agency, building, facility, or information system to discuss cyber insurance and to include the Board of County Commissioners, County Counselor Jim Emerson, and IT Director Brandon Spaur and to reconvene by 11:40 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 11:20 AM and reconvened the Open Session at 11:27 AM with no action taken except to go back into open session.**

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### MESSAGES FROM APPOINTED OFFICIALS CONTINUED

**Item Two:** IT Director Brandon Spaur addressed the Commissioners. Mr. Emerson explained that the county's cyber insurance coverage expires on March 16, 2024 and that Mr. Spaur had been asked to go out and discuss with vendors to get quotes on cyber insurance. Mr. Spaur stated the lowest bid was Assured Partners and that he believes they seem to be very knowledgeable. Mr. Spaur stressed the important of cyber insurance. Commissioner Moody asked if this is who Mr. Spaur recommends after reviewing the quotes and Mr. Spaur answered yes this is who he recommends.

**On motion (24-133)** of Commissioner Moody and the second of Commissioner Blair to approve the recommendation of IT Director Brandon Spaur and to purchase cyber security insurance from Assured Partners.

Yeas: Commissioners Moody, Blair, and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

### NEW BUSINESS CONTINUED

**Item Three:** Mr. Emerson stated he received a notice for Kansas County Commissioners Association dues in the amount of \$785.40 but that they also wanted to remind the Commissioners that plans are being made for the 48<sup>th</sup> Annual Conference and is set to take place in Pittsburg April 16 through April 18<sup>th</sup>. Mr. Emerson stated anybody that wants to go he can get signed up. The Commissioners all agreed to attend.

**On motion (24-134)** of Commissioner Moody and the second of Commissioner Wood to approve payment of the KCCA membership dues in the amount of \$785.40.

Yeas: Commissioners Moody, Wood, and Blair

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

### MESSAGES FROM APPOINTED OFFICIALS continued

**Item Three:** Ms. Alyssa Edwards with Road and Bridge Department addressed the Commissioners in regards to dust control. She mentioned there are two options for dust control this year. She mentioned in the past they have used Scotwood Industries LLC but that this year their one of their collaborative companies by the name of Home City Grain Inc. have branched off on their own and contacted Ms. Edwards in regards to dust control as well. She mentioned their formula is not identical to Scotwood's but that is it very similar, and that she wanted feedback from the Commissioners on who to use. Ms. Edwards explained residents have already been calling in regards to dust control and that both companies could be present in early May. Mr. Emerson mentioned Scotwood Industries LLC pricing is \$1.52/gallon and Home City Grain Inc is \$1.45/gallon. Commissioner Wood asked if Road and Bridge went out for bid and Ms. Edwards stated

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that they have not and that both companies have contacted her. Commissioner Wood asked where the companies are based out of and Ms. Edwards answered that she wasn't sure but that Scotwood Industries LLC has always been who the county has used previously. Commissioner Wood said he does not mind trying the new company for a year to see how it goes but that he would like each road foreman to go with the company while they spray in their district. Ms. Edwards explained usually 1 gallon covers 1 foot of road. Commissioner Blair said he also has Ms. Edwards calling KDOT in regards to the Highway 7 project and the detour route they will have. The Commissioners agree that spraying beginning at the end of May would be good.

**On motion (24-135)** of Commissioner Moody and the second of Commissioner Wood to approve the use of Home City Grain Inc. for dust control spraying at the price of \$1.45/gallon.

Yeas: Commissioners Moody, Wood, and Blair

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

### NEW BUSINESS CONTINUED

**Item Four:** Mr. Emerson presented Resolution #2024-004 which he explained is part of the process for Quail Hollow subdivision which was discussed last week. He explained last week the Commissioners were presented with a petition and they approved it and so that this resolution is the next step in the process. Commissioner Wood asked if a house is built in this subdivision will it be split into the total amount and paid on taxes as a special assessment or the owner would be able to pay it all at once and Mr. Emerson said that is correct and that there is no county money involved. Commissioner Moody what kind of timeline are they thinking and Mr. Emerson said he believes they are moving along rather quickly.

**On motion (24-136)** of Commissioner Moody and the second of Commissioner Wood to approve Resolution #2024-004, a Resolution in reference to a proposed benefit district which will be subject to special assessment taxes is as follows, to-wit: Lots One (1) through Fourteen (14) in Quail Hollow Subdivision, Crawford County, Kansas.

Yeas: Commissioners Moody, Wood, and Blair

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

**Item Five:** Commissioner Blair said he attended a regional planning committee meeting yesterday and that they have a new director that he met for the first time. He mentioned they discussed the Safe Streets for All project and did some discussion after the meeting on how it is looking. Commissioner Blair mentioned maybe in April the Commissioners could figure out how to work together and apply for some grants in a regional aspect not just for the county.

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## OLD BUSINESS

**Item One:** Ms. Lusker just wanted to give a reminder to the public that early voting for the 2024 Presidential Preference Primary Election is taking place currently in the clerk's office until March 18<sup>th</sup> at noon and also at Homer Cole Senior Citizen Center from 9:00 AM to 6:00 PM on Saturday March 9<sup>th</sup>.

**Item Two:** Mr. Emerson reminded the Commissioners that he and Commissioner Wood will be in Topeka on Monday for the hearing on Senate Bill 162 at 9:00 AM. He mentioned they are trying to get this bill passed through the House now.

**Item Three:** Commissioner Wood mentioned next Wednesday at 3:30 PM there may be a hearing in regards to City and County revenue sharing and a bill that is being discussed that does raise some concerns in regards to highway money the county receives. Mr. Emerson mentioned he will have it on in his office on Wednesday March 13<sup>th</sup> at 3:30 if they would like to watch this.

## EXECUTIVE SESSION CONTINUED

**Item Five:** Commissioner Moody requested an executive session for 10 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship.

**On motion (24-137)** of Commissioner Wood and the second of Commissioner Blair 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 property purchase and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 12:00 PM.

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 11:50 AM and reconvened the Open Session at 11:56 AM with no action taken except to go back into open session.**

**Item Six:** Commissioner Blair requested an executive session for 10 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship.

**On motion (24-138)** of Commissioner Moody and the second of Commissioner Blair 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 contracts and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 12:06 AM.

Yeas: Commissioners Moody, Blair, and Wood

Nays:

Present but not voting:



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Absent or not voting:

**The motion prevailed.**

**The Commissioners went into Executive Session at 11:57 AM and reconvened the Open Session at 12:08 PM with no action taken except to go back into open session.**

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

**On motion (24-139)** of Commissioner Wood 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 contracts and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 12:18 PM.

Yeas: Commissioners Blair and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Moody

**The motion prevailed.**

**The Commissioners went into Executive Session at 12:09 PM and reconvened the Open Session at 12:15 PM with no action taken except to go back into open session.**

### **OLD BUSINESS CONTINUED**

**Item Four:** Mr. Emerson mentioned the county has some lease purchases coming off soon and that they have discussed some purchasing of road graders. Mr. Emerson said he recommends the lease purchase of two of the graders they discussed with the money being pulled from Equipment Reserves which can pay for one outright. Mr. Emerson said if they approve he will begin obtaining interest quotes on the purchase of three graders. Commissioner Wood asked if there was any discussion of trade in value on old equipment and Commissioner Blair said they did discuss this but that the value was less than what they would get if they sold the equipment on Purple Wave.

**On motion (24-140)** of Commissioner Blair and the second of Commissioner Moody to approve a contract with Foley Equipment to purchase three road graders via quote with financing two and purchasing one outright from the Equipment Reserves Fund.

Yeas: Commissioners Blair, Moody, and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

### **UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS**

#### **FUTURE BUSINESS:**

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**Item One: March 19, 2024-** Health Department Director Debra Anthony discussing grants.

**Item Two: March 22, 2024- 9:00 AM** The Board of County Canvassers will meet to canvass the ballots from the 2024 Presidential Preference Primary Election with the Regular Session commencing immediately after the canvass.

**Item Three: March 22, 2024- 10:00 AM** Public Hearing on land issues within Crawford County.

### ANNOUNCEMENTS:

#### UNDER THE HEADING MOTION TO ADJOURN MOTION TO ADJOURN

**Item One:** Adjournment

**On the motion** of Commissioner Moody and the second of Commissioner Wood to adjourn the [March 8, 2024](#) meeting of the Board of Crawford County Commissioners at 12:19 PM and to reconvene at the next regularly scheduled time with open doors.

Yeas: Commissioners Moody, Wood, and Blair

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.**

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**Lisa Lusker**  
County Clerk

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**This submission completed at the Crawford County Courthouse in Girard.**

[Taken RJA 3/11/2024 1:00 PM](#)