

# Board of Crawford County Commissioners

## Commissioners' Journal

2024, TWENTY-NINTH MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM  
Girard, KS. Friday, April 19, 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 Tom Moody and Bruce Blair 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 (24-188)** of Commissioner Blair and the second of Commissioner Wood that the consent agenda be approved including:

1. Approval of the **April 12, 2024** minutes of the Board of County Commissioners, and
2. Approval of the accounts payable warrant numbers 628854 to 629094 dated April 15, 2024 in the total amount of \$391,718.44, and
3. Authorizing the Chairman to sign the previous week's vouchers.

Yeas: Commissioners Moody, Blair, and Wood

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	185	That the consent agenda be approved including: Approval of the April 9, 2024 minutes
Motion 24	186	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 communications and to include the Board of County Commissioners, County Counselor Jim Emerson, and

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		911/Communications Director Tim Mikrut, and to reconvene by 10:56 AM
Motion 24	187	To approve the Application and Certificate for Payment #5 and Final from Tri-State Building and Supply Co Inc for the Crawford County Health Department Project in the amount of \$18,087.40 and authorize the Chairman to sign

### UNDER THE HEADING NEW BUSINESS

#### PROCLAMATION AND ORDERS OF THE BOARD

#### MESSAGES FROM CRAWFORD CO LOCAL BOARD OF HEALTH

#### MESSAGES FROM APPOINTED OFFICIALS

**Item One:** Crawford County Grant Writer Gus Brunetti presenting a letter of support for SEK Recycling, Inc. He mentioned SEK Recycling is currently looking to apply for a grant for a new bailer and conveyer through KDHE. Mr. Brunetti included a draft of the grant application for the Commissioners as well. He stated SEK Recycling is just looking for a letter of support from the Commissioners to show they have support in regards to applying for this grant to gain this funding for this new equipment. Commissioner Blair asked if SEK Recycling has the funds to match the grant and Mr. Brunetti answered yes they do as they have received a private donation as well as obtaining donations from residents in Crawford County. Mr. Brunetti mentioned this is just a word of support and not an agreement to provide any money.

**On motion (24-189)** of Commissioner Moody and the second of Commissioner Blair to approve the letter of support for SEK Recycling, Inc. for a grant through KDHE and authorize the Chairman to sign.

Yeas: Commissioners Moody, Blair, and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

### NEW BUSINESS

**Item One:** County Counselor Jim Emerson presented an upcoming event that is the Kansas Infrastructure Summit. He mentioned it is next week on Wednesday, April 24 in Salina, KS. Crawford County Grant Writer Gus Brunetti mentioned he can make it to this conference. Mr. Emerson stated they have registration spots still available and that it is a one day conference but that Mr. Brunetti could go up the night before. Commissioner Wood asked if Mr. Brunetti wanted to drive himself or if he wanted to take a county vehicle and Mr. Brunetti stated he can drive his personal vehicle. Mr. Brunetti thanked the Commissioners for their time.

### PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS

**Item One:** Public hearing on Closing and Vacating a Platted Street in VanPevenage's Subdivision, Crawford County, Kansas.

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**On motion (24-190)** of Commissioner Blair and the second of Commissioner Moody to open the Public Hearing on Closing and Vacating a Platted Street in VanPevenage's Subdivision, Crawford County, Kansas.

Yeas: Commissioners Moody, Blair, and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

Ms. Carolyn Ahring spoke to the Commissioners about a piece of this land. She stated she is in support of the vacating as long as it does not affect her taxes.

**On motion (24-191)** of Commissioner Moody and the second of Commissioner Wood to close the Public Hearing on Closing and Vacating a Platted Street in VanPevenage's Subdivision, Crawford County, Kansas.

Yeas: Commissioners Moody, Blair, and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

Mr. Emerson mentioned the vacating of this property does not impact Ms. Ahring's property. Commissioner Moody asked if all surrounding land owners received a letter and Mr. Emerson confirmed that they have. County Counselor Jim Emerson presented Resolution #2024-006, A Resolution on Closing and Vacating a Platted Street in VanPevenage's Subdivision, Crawford County, Kansas.

**On motion (24-192)** of Commissioner Moody and the second of Commissioner Wood to adopt Resolution #2024-006, A Resolution on Closing and Vacating a Platted Street in VanPevenage's Subdivision, Crawford County, Kansas.

Yeas: Commissioners Moody, Blair, and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

### **MESSAGES FROM ELECTED OFFICIALS**

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

### **MESSAGES FROM THE PUBLIC**

### **MESSAGES FROM APPOINTED OFFICIALS**

### **NEW BUSINESS CONTINUED**

**Item Two:** County Clerk Lisa Lusker presented a Tax Roll Correction, correcting an error in the assessing of Personal Property owned by VDL Transportation Inc and to request a refund in the amount of \$117.06 from the 2021 tax rolls and the amount of \$116.40 from the 2022 tax rolls. Ms. Lusker explained that the 2001 Ford F350 has always been tagged as a 12,000 weight and not a heavy truck. Ms. Lusker presented a Tax Roll Correction, correcting an error in the assessing of Personal Property owned by

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David Ray Buzard and David Chandler Buzard and to request a refund in the amount of \$18.92 from the 2021 tax rolls and the amount of \$26.74 from the 2022 tax rolls. Ms. Lusker explained that the 1979 GMC Sierra Grande should not have been listed as an antique as it is being taxed in Motor Vehicle. Ms. Lusker presented a Tax Roll Correction, correcting an error in the assessing of Personal Property owned by Bad Idea Holdings LLC and to request a refund in the amount of \$307.14 from the 2022 tax rolls. Ms. Lusker explained that the taxpayer no longer owns the load trail dump and it was never removed.

**On motion (24-193)** of Commissioner Wood and the second of Commissioner Blair to approve the Tax Roll Corrections, correcting an error in the assessing of Personal Property owned by VDL Transportation Inc and to request a refund in the amount of \$117.06 from the 2021 tax rolls and the amount of \$116.40 from the 2022 tax rolls, correcting an error in the assessing of Personal Property owned by David Ray Buzard and David Chandler Buzard and to request a refund in the amount of \$18.92 from the 2021 tax rolls and the amount of \$26.74 from the 2022 tax rolls, and correcting an error in the assessing of Personal Property owned by Bad Idea Holdings LLC and to request a refund in the amount of \$307.14 from the 2022 tax rolls, 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 Three:** Ms. Lusker mentioned she received a call from Ms. Michelle Moore with the Kansas Supreme Court. Ms. Lusker explained that Mr. John Lehman's term with the 11th Judicial Nominating Commission is up and that the Commissioners will need to appoint someone to serve a 4 year term. Ms. Lusker stated that Mr. Emerson spoke with Mr. Lehman on the phone and that Mr. Lehman is willing to serve another term should the Commissioners reappoint him. Mr. Emerson mentioned Mr. Lehman have served this position for around 20 years.

**On motion (24-194)** of Commissioner Moody and the second of Commissioner Wood to approve the reappointment of Mr. John Lehman to the 11th Judicial Nominating Commission as a non-lawyer member to serve a 4 year term to run from March 4, 2024 to March 6, 2028.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting: Commissioner Blair

Absent or not voting:

**The motion prevailed.**

**Item Four:** Ms. Lusker mentioned Mr. Mark Lehman with the Crawford County Conservation Department has requested to be added to the agenda after May 25th to present their 2025 Budget Request. Ms. Lusker just wanted to give a heads up to the Commissioners and that she will find a time when all Commissioners are present.

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**Item Five:** Mr. Emerson presented the Kansas Housing Resource Corporation Emergency Solutions Grant Request for Reimbursement and Financial Status Report in the amount of \$2,780.00. He stated that this is the second drawdown and is for the months of January, February and March 2024.

**On motion (24-195)** of Commissioner Moody and the second of Commissioner Wood to approve the Kansas Housing Resource Corporation Emergency Solutions Grant Recipient Request for Reimbursement and Financial Status Report in the amount of \$2,780.00 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 Six:** Mr. Emerson mentioned he was unable to attend the work session insurance presentation with Ryan Insurance. He stated that he knows they discussed worker's compensation guidelines and handed out a paper to the Commissioners in regards to this. Mr. Emerson mentioned their rate for worker's compensation could increase as the changes have been approved by the Kansas governor. Commissioner Moody mentioned they really have no choice but to do this.

**Item Seven:** Mr. Emerson presented a review of the Risk Management account. Mr. Emerson mentioned this year so far the county is doing well with this account and that typically the first several months of the year are hard on this account but that this year is sitting at about \$350,000 higher than this time last year. Mr. Emerson stated the Bukaty Company will let us know why the account is doing so much better this year. Mr. Emerson stated that this is good news for the county at this time. Commissioner Wood asked how many is on the stop loss this year and Mr. Emerson mentioned he does not have this information but that Bukaty should present that information next week.

**Item Eight:** Mr. Emerson presented a letter received from KDHE requesting comments on a permit application to transfer construction and demolition landfill permit 776 from CNWA Properties, LLC C&D Landfill to CARDS LF, LLC. Mr. Emerson mentioned the letter states if the Commissioners have any questions to contact Ms. Maria Ianc with the information provided. Mr. Emerson stated Mr. Charlie Bowers would attend a meeting upon request and Commissioner Wood mentioned he would like for him to come to a meeting and for the public to be able to attend to ask questions. Commissioner Wood would like a public comment session the same day Mr. Bowers comes and Mr. Emerson stated we could let the public know Mr. Bowers is coming and then that KDHE has to set up a public comment session. Commissioner Blair mentioned KDHE is wanting letters and responses to set up a public hearing based off of amount of feedback received. Commissioner Wood asked Mr. Emerson to get into contact with Mr. Bowers to arrange for him to attend a meeting.

**Item Nine:** Mr. Emerson presented a MOU with Community Health Center of Southeast Kansas, INC. previously signed by the Commissioners. He mentioned CHCSEK has requested another MOU to be approved in regards to any grant money that CHCSEK

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receives in regards to drug court. Mr. Emerson stated he is comfortable with this MOU and that he has read through it and does not see any problem. Commissioner Wood asked if this is county money and Mr. Emerson explained this is only for drug court and no county money involved. Commissioner Wood asked if they receive grants would it keep the county from getting grants for drug court, and Mr. Emerson explained that it will not be an issue but that it could positively impact ATC and Crawford County Mental Health as well.

**On motion (24-196)** of Commissioner Moody and the second of Commissioner Blair to approve the MOU between Community Health Center of Southeast Kansas, INC and County of Crawford, Kansas 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 Ten:** Mr. Emerson mentioned Zoning Administrator May Smith asked him to bring up the idea of having another tire amnesty clean up day again possibly in June 2024. Mr. Emerson said if the Commissioners are interested, Ms. Smith will begin gathering details. Commissioner Moody said he believes it is a good idea as he has received some calls about this already. Commissioner Moody said this can be discussed at a later date but he would like some stipulations if this occurs again.

**Item Eleven:** Commissioner Blair discussed the letter received from the landowner with potential of a new windfarm . He would like to ask Mr. Emerson to reach out to the contact information to confirm if the map they received is accurate so that the public can be notified if this is legit. Commissioner Moody mentioned he agrees with Commissioner Blair.

**Item Twelve:** Commissioner Moody just wanted to make the Commissioners aware that they will start working on the road North of Sugar Creek. Commissioner Wood asked which road that is and they confirmed it is Gooding road to 210th. Commissioner Blair asked if it is Frontenac's road going further south.

**Item Thirteen:** Commissioner Wood wanted to discuss their annual meeting with KCCA. He commended Mr. Dave Looby and Mr. Chris Wilson for how well they hosted everyone at the events.

**Item Fourteen:** Commissioner Wood presented a letter the Commissioners received from Special Olympics thanking them for their support. Commissioner Moody feels the county is honored to have Mr. John Lair the President/CEO of Special Olympics. All Commissioners agreed he does a wonderful job as well as everyone else that is involved with putting on Special Olympics every year.

**OLD BUSINESS**

**EXECUTIVE SESSION**

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**Item One:** County Counselor Jim Emerson requested an executive session for 15 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship.

**On motion (24-197)** 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 KDOT and to include the Board of County Commissioners and County Counselor Jim Emerson, and to reconvene by 11:00 AM.

Yeas: Commissioners Wood, Moody, and Blair

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

**The Commissioners went into Executive Session at 10:45 AM and reconvened the Open Session at 10:56 AM with no action taken except to go back into open session.**

### NEW BUSINESS CONTINUED

**Item Fifteen:** Sheriff Danny Smith addressed the Commissioners. He wanted to mention January 25th there was an accident on Hwy 400 and Highway 7. Sheriff Smith stated one of the Southeast High School students witnessed this wreck between a school bus and another car and she jumped to help the children and did not leave until the scene was cleared. Mr. Smith stated they nominated her for a KDOT award and she was awarded the civilian hero award for her honorable actions. Ms. Lusker asked for this young girls name and Mr. Smith answered her name is Kendall Wren. Commissioner Blair thanked Sheriff Smith for sharing this information. Commissioner Wood stated he wants to have a day for Ms. Wren to be honored by the county. The Commissioners discussed presenting her with a plaque and Sheriff Smith stated that he will check with her to see a day that can work with her.

### EXECUTIVE SESSION CONTINUED

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

**On motion (24-198)** 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 Non-Elected Personnel to discuss CVB and to include the Board of County Commissioners and County Counselor Jim Emerson, and to reconvene by 11:16 AM.

Yeas: Commissioners Moody, Blair, and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

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**The Commissioners went into Executive Session at 11:01 AM and reconvened the Open Session at 11:08 AM with no action taken except to go back into open session.**

**Item Three:** Commissioner Blair requested an executive session for 10 minutes to discuss Non-Elected Personnel.

**On motion (24-199)** 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 Non-Elected Personnel to discuss Road and Bridge 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 11:10 AM and reconvened the Open Session at 11:20 AM with no action taken except to go back into open session.**

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

**On motion (24-200)** 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 30 minutes to discuss Non-Elected Personnel to discuss Fire Districts and EMS and to include the Board of County Commissioners and County Counselor Jim Emerson, and to reconvene by 11:51 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 11:21 AM and reconvened the Open Session at 11:34 AM with no action taken except to go back into open session.**

**Item Five:** Commissioner Wood requested an executive session for 10 minutes to discuss Non-Elected Personnel.

**On motion (24-201)** 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 10 minutes to discuss Non-Elected Personnel to discuss land use and to include the Board of County Commissioners. County Counselor Jim Emerson, and Zoning Administrator May Smith, and to reconvene by 11:46 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 11:36 AM and reconvened the Open Session at 11:46 AM with no action taken except to go back into open session.**

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

#### **FUTURE BUSINESS:**

**Item One: April 23, 2024** – Mr. Mike Bodensteiner discussing ARPA update.

**Item Two: April 23, 2024** – Opening of chip & seal oil bids.

**Item Three: April 23, 2024- 9:30 AM** Work session with Director of Fiscal Services Randi Ryan in regards to April ARPA Drawdown.

**Item Four: April 26, 2024 – 9:00 AM Work Session** with Josh Lawson and Stephen Euston from Bukaty Company.

#### **ANNOUNCEMENTS:**

**Item One: April 25, 2024** – Southeast Kansas District Meeting in Burlington from 8:30 AM to 10:00 AM. One or more Commissioners may be in attendance.

### **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 [April 19, 2024](#) meeting of the Board of Crawford County Commissioners at 11:47 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.**

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**Lisa Lusker**  
County Clerk

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

Taken [RJA 4/22/24 9:30 AM/amended BKW 4/22/24 12:45 PM](#)