

Board of Crawford County Commissioners

Commissioners' Journal

2024, THIRTIETH MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM
Girard, KS. Tuesday, April 23, 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 (24-202) of Commissioner Moody and the second of Commissioner Blair that the consent agenda be approved including:

1. Approval of the April 19, 2024 minutes of the Board of County Commissioners.

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	188	That the consent agenda be approved including: Approval of the April 12, 2024 minutes, and Approval of the accounts payable warrant numbers 628854 to 629094 dated April 15, 2024 in the total amount of \$391,718.44, and Authorizing the Chairman to sign the previous week's vouchers
Motion 24	189	To approve the letter of support for SEK Recycling, Inc. for a grant through KDHE and authorize the Chairman to sign
Motion 24	190	To open the Public Hearing on Closing and Vacating a Platted Street in VanPevenage's Subdivision, Crawford County, Kansas
Motion 24	191	To close the Public Hearing on Closing and Vacating a Platted Street in VanPevenage's Subdivision, Crawford County, Kansas

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Motion 24	192	To adopt Resolution #2024-006, A Resolution on Closing and Vacating a Platted Street in VanPevenage's Subdivision, Crawford County, Kansas
Motion 24	193	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
Motion 24	194	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
Motion 24	195	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
Motion 24	196	To approve the MOU between Community Health Center of Southeast Kansas, INC and County of Crawford, Kansas and authorize the Chairman to sign
Motion 24	197	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
Motion 24	198	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
Motion 24	199	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
Motion 24	200	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
Motion 24	201	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

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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 Energy Efficient Block Grant to replace gas powered HVAC with electrical HVAC. He explained as of now they need some documentation signed to show interest in this grant. He explained the documents and guidelines to the Commissioners. Commissioner Wood asked if this paperwork agrees to using solar, and Mr. Brunetti explained that paperwork just lists out what is eligible to spend money the grant money on.

On motion (24-203) of Commissioner Moody and the second of Commissioner Blair to approve the letters of support for the Energy Efficient Block Grant and authorize the Chairman to sign.

Yeas: Commissioners Moody, Blair, and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS

Item One: Opening of Chip & Seal Oil bids. County Clerk Lisa Lusker stated that there were 4 bids received. She opened the bids and presented the bids to County Counselor Jim Emerson and he read the bids from the following companies: Wright Asphalt Company, Ergon Asphalt & Emulsions and Vance Brothers and Coastal Energy. Wright Asphalt bid CRSTR at \$2.45/gallon, TR FOG at \$2.40/gallon, Demurrage \$100/hour after the first two hours, pump charge of \$250 and prices are good through October 31, 2024. Ergon Asphalt & Emulsions offered CRS-1HP at \$2.77/gallon delivered, 1 hour free unloading, and \$100 pump fee if necessary with the prices good for 2024. Vance Brothers offered CRS-1HP at \$2.60/gallon, Freight Outbound- VB \$0.14/gallon, and pump charge of \$75.00 with fuel surcharges being added and based on the current fuel surcharge at the time of shipment, demurrage \$70/hour after the first 2 hours. Vance Brothers also listed a few other regulations. Coastal Energy Corporation offered CRS-1HP at \$2.45/gallon, pump charge \$100, demurrage \$125.00 after two hours, and short freight for loads less than 5,500 gallons at \$640. Commissioner Moody mentioned he believes these need to be sent to the Road Foremen for review and recommendations. Commissioner Wood asked the bidders who were present what the different between CSR-1HP and CRS-TR was and Greg Dishman from Wright Asphalt Company provided an answer. Commissioner Wood stated he never remembered being charged a pump charge in previous years and asked if that is something new and Mr. Dishman stated almost all companies have started including a pump charge and explained why.

MESSAGES FROM ELECTED OFFICIALS

MESSAGES FROM OTHER GOVERNMENTAL ENTITIES

MESSAGES FROM THE PUBLIC

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Item One: Mr. Mike Bodensteiner discussing ARPA update. He first gave an update on the budget and mentioned they do consistently speak with Mr. Emerson in regards to larger projects that do not move as quickly as they should with the funding. Mr. Bodensteiner mentioned in June 2024 if some projects look like they won't be completed and enough money is not spent he will come back and present some suggestions on how the county could get the money spent and not have to send it back to the federal government. Commissioner Blair mentioned how EMS money is going to be hard to spend on a specific time and Mr. Emerson stated as long as they are confident the money can be spent then they have until 2026 to do so. Mr. Bodensteiner mentioned he is not as concerned about the county projects as much as he is in regards to infrastructure and large child care projects being completed. Commissioner Wood confirmed that SEKCAP is now partnered with Crawford County Mental Health and that his thoughts about Point Forward are known, and he wants to know how they can make those changes in the middle of the project when it was not listed on the original application. Mr. Bodensteiner answered that he will discuss Point Forward and SEKCAP separately. He mentioned at the end of the day this is up to the Commissioners what the ultimate priority is. Commissioner Wood asked what do they do with the infants in large child care and Mr. Bodensteiner clarified that when they refer to large childcare it's the size of the project and not the age of the child, but he did clarify that the challenge with infants is that they are generally more expensive than older children to care for. Mr. Bodensteiner provided a few details in regards to the regulations of infant care and why that is more difficult and expensive. Mr. Bodensteiner discussed SEKCAP that the prior Commission committed to serving all communities in the county and SEKCAP was funded the \$200,000 with the ATC building but realized that they cannot complete the project in Girard with the given timeline, so they joined with Crawford County Mental Health so that they could still serve the Girard community with child services. Mr. Bodensteiner will be sending a MOU to Mr. Emerson and the Commission can make a final decision, but this was just their way of trying to keep the money in Girard so they could still serve all communities in the county. Commissioner Moody stated he could understand this. Commissioner Wood mentioned he does not have trouble with keeping the money in Girard but was confused with the quick decision to make the partnership and change up from the original plan without discussion. Mr. Bodensteiner mentioned the MOU he will send is very specific that this funding will be used for child services and specific in timelines of this project. Mr. Bodensteiner again discussed the situation with Point Forward. Commissioner Wood stated he does not want Mr. Bodensteiner to think he is trying to argue with him, but that he wants to clarify that SEKCAP is getting the building and money and not Point Forward. Mr. Bodensteiner explained that is his understanding. Commissioner Wood asked if SEKCAP will be partially owners of the building they are getting the money for, and Mr. Bodensteiner stated he is unsure but that he believes that information will need to be included in the MOU. Commissioner Wood asked if SEKCAP will have to speak to the Commissioners about this and Mr. Bodensteiner answered that yes they will. Commissioner Wood used Sugar Creek as an example and asked what happens if they receive this money and a year down the road they can no longer run the childcare facility, and Mr. Emerson answered that they have no authority in regards to that and only have authority in the ATC building which already has stipulations. He explained they cannot add restrictions on deeds that they are not involved in. Mr. Bodensteiner mentioned his understanding the county provided funding for child

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care slots and not structure, but that the money may have been used on some structural aspects to make these slots available. Commissioner Blair stated the money was to get projects up and running to create child care availability and it was mentioned how the projects also have their own money involved as well. Commissioner Blair mentioned going back to the partnership and that it is all in good faith that they will be providing child care services to the different communities in the county. Commissioner Moody mentioned in the end it sounds like we will have fulfilled what was originally intended which was to create child care availability. Commissioner Moody asked Mr. Bodensteiner if the Commissioners need to have a meeting in the near future with all the recipients to see where their projects are sitting at and Mr. Bodensteiner suggested getting through most of May before doing so. Commissioner Wood asked what the deadline is that is set for these projects and Mr. Bodensteiner mentioned December 1st, 2024 to be committed and has to be spent of January 2026.

Item Two: Mr. Jeff Fischer with KDOT addressed the Commissioners. He stated his visit for today is in regards to the 69 Highway Corridor Study and that there will be some upcoming public comment sessions that he wanted to make them aware about. Mr. Fischer stated they have been scheduled for May 16th in Pittsburg and May 17th in both Frontenac and Arma with more details to be released. Mr. Fischer mentioned post cards will be going out to everyone in the public, and that he can communicate the locations if the Commissioners will provide him with their emails. Commissioner Wood stated he thought there was a meeting on May 9th and Mr. Fischer stated those were the dates for last years meetings that had not been updated which is why he came to the meeting today to get this information out as quickly as possible. Commissioner Blair brought up Highway 7 and Highway 126 and that they requested to have the blinking red lights at this intersection. Mr. Fischer stated those things can be addressed through traffic studies. Commissioner Blair asked if there is any way he can help with that situation and Mr. Fischer stated he will check on that for him. Commissioner Blair mentioned that people running those stop signs is a very prominent issue at that specific location. Commissioner Wood asked if Mr. Fischer has heard anything about the possible round about near Free Kings Highway and Mr. Fischer has heard of about 3 roundabouts but is not fully aware of all of the details but he believes it may have included a traffic study. Commissioner Wood asked about a jake braking sign because someone in Commissioner Blairs district has complained about this issue and Mr. Fischer stated he will check in on that. Commissioner Moody mentioned Quincey and the bypass intersection and stated maybe there can be a traffic study done there as well. Mr. Fischer discussed different studies done in the area and that he is aware current traffic and projected traffic counts have been requested on this.

Item Three: Ms. Kari Cronister with New Foundations addressed the Commissioners in regards to their large child care project. She mentioned they started a partnership with Medicalodge in Frontenac and will use their community room if a provider has to close for the day. Ms. Cronister mentioned this area will be licensed for 12 children, 6 of these spots being for full time care and 6 spots being available for last minute care. Commissioner Wood asked if they will keep this going when they move in to their permanent facility and they stated if the partnership works out well they may keep that service full time even after they have their personal facility up and running. Ms. Kristina Cullison also addressed the Commissioners stated Medicalodge in Coffeyville does

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something similar to this and they call it “Ages to Ages” which is where they have the elderly care as a regular nursing home but they also have a kindergarten program in the building as well. Ms. Cullison discussed some benefit to multigenerational care. Ms. Cullison discussed that this sub pool is meant to help with in home providers that have to close temporarily as well as the families that are affected by the closure. Commissioner Wood asked if they have used any ARPA money for this project and Ms. Cullison stated that they have not yet used ARPA money for this project. Commissioner Wood asked Mr. Emerson if they can and Mr. Emerson answered that if it follows the guidelines they can use the ARPA money. The Commissioners all stated this is a good idea.

MESSAGES FROM APPOINTED OFFICIALS NEW BUSINESS

Item One: County Clerk Lisa Lusker passed out the bills from the 2024 Presidential Preference Primary. She explained that the State of Kansas will reimburse the county for the costs of the election but that she needs the Commissioners to sign off on it before she submits it to the Secretary of State’s office for reimbursement. Commissioner Wood asked if it was around \$7.00 or \$8.00 a voter and Ms. Lusker said it ran around \$23.00 per voter and that was with advertising the election. Ms. Lusker stated she needs two signed copies.

On motion (24-204) of Commissioner Wood and the second of Commissioner Moody to approve signing the 2024 Presidential Preference Primary Expenses as presented in the amount of \$32,479.33.

Yeas: Commissioners Wood, Moody, and Blair

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Two: Mr. Emerson presented the ARPA drawdown request for April 2024. Mr. Emerson mentioned they discussed the details earlier in today’s work session but he gave a breakdown of the costs. He stated that this month’s request is a significant one but that they have been pushing the entities to spend the money necessary for these projects.

On motion (24-205) of Commissioner Moody and the second of Commissioner Wood to approve the ARPA drawdown request for April 2024.

Yeas: Commissioners Moody, Wood, and Blair

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Three: Mr. Emerson presented a Notice of Intent to Vacate a Platted Alley located in Jewell Center, Crawford County, Kansas. He showed a map of the area and explained where the street is located. Mr. Emerson stated that a public hearing is scheduled for May 21, 2024 at 10:00 AM. Commissioner Blair asked how residents typically find out they have an unowned alley. Mr. Emerson explained this time he believes it was because the

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residents inherited the property and so they began doing some research and found this alley. Mr. Emerson also explained by vacating this alley they can also consolidate down to one tax statement instead of multiple. Commissioner Wood asked what we pay for besides the ad in the paper and Mr. Emerson stated that is all we pay for.

On motion (24-206) of Commissioner Moody and the second of Commissioner Wood to approve the publication of the Notice of Intent to Vacate a Platted Alley located in Jewell Center, Crawford County, Kansas with a public hearing scheduled for May 21, 2024 at 10:00 AM.

Yeas: Commissioners Moody, Blair, and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Four: Commissioner Blair stated Sign Foreman Dale Shireman was approached by City of Walnut to replace some road signs. Commissioner Blair said due to the close proximity of the windfarm he'd like to use windfarm money for the cost of the sign replacements to be done whenever Mr. Shireman has time. Commissioner Moody asked the total cost and Commissioner Blair answered that the total cost is \$7,396. Commissioner Wood asked if we still grade the roads for City of Walnut and Commissioner Blair stated he will have to check on that.

On motion (24-207) of Commissioner Blair and the second of Commissioner Moody to approve the purchase of the signs requested for City of Walnut in the amount of \$7,396.00 utilizing windfarm funding.

Yeas: Commissioners Blair, Moody, and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Five: Commissioner Blair stated he would like to pursue some grant funding to help redo roads in smaller communities in the county. He mentioned he doesn't have things together for this yet but that it is an idea he has been thinking about and wanted to bring it up. Commissioner Wood said he believes it is a good idea to help these smaller communities.

Item Six: Commissioner Moody stated they spoke with Zoning Administrator May Smith about a tire amnesty day. He mentioned he has seen a lot of interest in this from his district and he stated he may reach out to Ms. Smith to see if we can get that going sooner rather than later. Mr. Emerson stated Ms. Smith had sent him some information on this and he presented it to the Commissioners. He passed out a paper that had the options of different dates they could do a tire amnesty day on.

Item Seven: Commissioner Moody mentioned he will be attending the Juvenile Detention Executive meeting tonight and he will inform the Commissioners of the information provided at Friday's open meeting.

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OLD BUSINESS

Item One: Mr. Emerson stated the Governor has signed off on Senate Bill 384 which is the nuisance bill. He mentioned this will be effective July 1st, 2024 with a 3 year window of opportunity for nuisance regulation. Commissioner Wood asked if other counties could piggy back on this bill after the three years is up if the county decides to ask for renewal. Commissioner Blair asked if Mr. Emerson has heard anything else on the bill that includes personal property tax and Mr. Emerson stated he has not and that he will have to look into it.

Item Two: Commissioner Blair mentioned there is a bill for the partial engineering of the Crawford County Bridge number 35. He discussed this bill in the amount of \$41,040 to be paid out of Special Bridge Budget to Cook, Flatt & Strobel Engineers, PA. Commissioner Wood asked how much money is in the Special Bridge Budget and Mr. Emerson answered it has \$211,000 in budget.

On motion (24-208) of Commissioner Moody and the second of Commissioner Wood to grant the invoice to Cook, Flatt & Strobel Engineering, PA in the amount of \$41,040.00. Yeas: Commissioners Moody, Wood, and Blair

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Three: Commissioner Moody brought up the comprehensive plan. He asked Mr. Emerson where the county is at in that process and Mr. Emerson mentioned they have sent out bids to 7 or 8 firms for this and that hopefully he will hear back soon from them. Mr. Emerson mentioned he is hoping to have them back by Friday but may have to extend the day depending on how many they end up with.

Item Four: Commissioner Moody discussed the building for the County Clerk's office. He wanted to know if we have heard anything else in regards to this and that if we do not hear something soon about how to get the cost of the building down we may reach back out to bidders again soon. Commissioner Blair said he will partially take the blame for how long this has taken. Commissioner Blair stated we need to look into how we can get the cost down, and Commissioner Wood stated it needs to be more practical because the last option was not practical.

EXECUTIVE SESSION

Item One: County Counselor Jim Emerson requested an executive session for 10 minutes to discuss Non-Elected Personnel.

On motion (24-209) 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 Non-Elected Personnel to discuss CVB and to include the

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Board of County Commissioners and County Counselor Jim Emerson, and to reconvene by 12:09 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 11:59 AM and reconvened the Open Session at 12:09 PM with no action taken except to go back into open session.

Item Two: Commissioner Blair requested an executive session for 15 minutes to discuss Non-Elected Personnel.

On motion (24-210) 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 Road and Bridge and to include the Board of County Commissioners and County Counselor Jim Emerson, and to reconvene by 12:24 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 12:09 PM and reconvened the Open Session at 12:24 PM with no action taken except to go back into open session.

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

FUTURE BUSINESS:

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

Item Two: April 26, 2024- Opening of Zoning Regulation Update and Comprehensive Plan consulting bids.

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

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On the motion of Commissioner Moody and the second of Commissioner Wood to adjourn the [April 23, 2024](#) meeting of the Board of Crawford County Commissioners at 12:26 PM 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 4/25/2024 9:30 AM/amended BKW 4/25/24 2:00 PM](#)