

Board of Crawford County Commissioners

Commissioners' Journal

2024, FORTY-NINTH MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM
Girard, KS. Tuesday, July 2, 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 (24-302) of Commissioner Moody and the second of Commissioner Blair that the consent agenda be approved including:

1. Approval of the **June 28, 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	298	That the consent agenda be approved including: Approval of the June 25, 2024 minutes, and Authorizing the Chairman to sign the previous week's vouchers
Motion 24	299	To adopt Resolution #2024-011 to appoint Mr. Jeff Brooks to the Crawford County Planning and Zoning Board and Joint Board of Zoning Appeals as presented
Motion 24	300	To approve the publication of the Notice of Intent to Vacate a Platted Street located in South Radley, Crawford County, Kansas with a

Board of Crawford County Commissioners

		public hearing scheduled for July 26, 2024 at 10:00 AM
Motion 24	301	To approve the PSU/Crawford County, Kansas Memorandum of Shared Use Agreement and authorizing the Chairman to sign

UNDER THE HEADING NEW BUSINESS

PROCLAMATION AND ORDERS OF THE BOARD

PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS

MESSAGES FROM CRAWFORD CO LOCAL BOARD OF HEALTH

MESSAGES FROM OTHER GOVERNMENTAL ENTITIES

MESSAGES FROM ELECTED OFFICIALS

MESSAGES FROM THE PUBLIC

NEW BUSINESS

Item One: County Counselor Jim Emerson presented a County Warranty Deed. He explained this transfers a couple of specific properties over to Crawford County Mental Health. Mr. Emerson stated these properties have previously been discussed and although they have been owned by the County, Crawford County Mental Health has been managing these properties. He explained their locations to the Commissioners. Commissioner Wood asked about a specific property and asked who paid for the work done to that building and Crawford County Mental Health Director Heather Spaur stated CCMH paid for that work to be done. Mr. Emerson explained that one property is going to be leased to CCMH. Commissioner Wood asked about who will be paying for work done on another property and Ms. Spaur explained CCMH will cover maintenance on said property and SEKCAP will be covering the cost of employees. Commissioner Wood asked if SEKCAP will be paying a lease amount to CCMH and it was explained that instead they will be paying the employee wages. Commissioner Wood and Ms. Spaur discussed the daycare portion of SEKCAP, Commissioner Blair asked when the large childcare project updates are, and Mr. Emerson answered all projects should be presenting on July 23. Ms. Spaur explained they are needing this property deeded over so that SEKCAP can proceed with the grant they are trying to apply for. Commissioner Wood asked Mr. Emerson for his opinion and Mr. Emerson explained the terms of the land transfer and that CCMH cannot transfer the land to anyone else without the Commissioners written permission so they are covered when it comes to that.

On motion (24-303) of Commissioner Moody and the second of Commissioner Blair to approve the County Warranty Deed as presented and authorizing the Chairman to sign.

Yeas: Commissioners Moody, Blair, and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

MESSAGES FROM APPOINTED OFFICIALS

Item One: Zoning Administrator May Smith addressed the Commissioners.

Commissioner Moody stated he would like to discuss tiny homes. Ms. Smith explained there is not ban on tiny homes in Crawford County, and that the only thing she can think of in regards to small amounts of square footage would be that you cannot live in a

Board of Crawford County Commissioners

camper and if someone is going to live in a single wide permanently then it has to be in a single wide park. Commissioner Moody asked if there are any exceptions such as if someone's house burns and they want to live in a fifth wheel while they rebuild and Ms. Smith answered only if they have Planning and Zoning's permission and she gave details on the only situations she can authorize. She also mentioned she can only authorize for less than a year, but anything longer than that time has to go before the Planning and Zoning Board. Commissioner Moody asked if someone wanted to live in a fifth wheel just while they are building a house and Ms. Smith answered she cannot authorize that and they could try and take it before the Planning and Zoning Board. Ms. Smith explained why she cannot permit that herself. Commissioner Wood asked if she can give temporary permission or get it from Planning and Zoning Board and she explained the people have to go before the Board themselves. Commissioner Blair asked what happens if she gives someone permission to live in a camper for less than a year and the residents stay in it for longer. Ms. Smith answered Planning and Zoning Board can give permission for up to 3 years, but if she gives the permission for less than a year and they reside in the camper for longer she would begin sending letters and documenting all details and eventually would turn that over to the Crawford County Attorney. Commissioner Moody wanted to confirm that there is protocol for this at this time and Ms. Smith answered there is absolutely a protocol in place for this situation at this time. Commissioner Wood gave another scenario that if someone sells their house or needs to fix it but owns their own land and wants to live in their camper and she explained she cannot give authorization for that and they would need to go before the Planning and Zoning Board. Mr. Emerson stated that they need to review this protocol and possibly make changes to this protocol. Commissioner Moody asked how the tire reclamation went and she explained Girard's location was better but that her small town collection sites did very well. Commissioner Moody asked Ms. Smith if she has been back by the location on 160 Highway and she explained that she spoke to the gentleman when Commissioner Moody asked her too and that she told him all the tires on his property need to be removed and he stated he will get them removed.

NEW BUSINESS CONTINUED

Item Two: County Clerk Lisa Lusker presented the June 2024 Clerk's Report. She explained the larger sheet she provided includes changes from last month and she also explained that Crawford County Mental Health is now doing their own payroll.

On motion (24-304) of Commissioner Moody and second of Commissioner Wood to approve the June 2024 Clerk's Report as presented.

On a roll call vote.

Yeas: Commissioners Moody, Wood, and Blair

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Three: Ms. Lusker stated she would like to request more work sessions for the budget. She asked for a work session on July 12 at 9:00 AM with department heads and

Board of Crawford County Commissioners

at 9:30 just to view the budget in general, and another on July 16 at 9:00 AM to review the budget to begin the process of finalizing.

Item Four: Mr. Emerson presented Resolution #2024-014 for the adoption of the 2024 Region H Hazard Mitigation Plan. He explained this was discussed previously with County Grant Writer Gus Brunetti when discussing the grant for storm sirens. He mentioned it was a stipulation to apply for the grant the county must adopt the Kansas Homeland Security Region H Hazard Mitigation Plan. Mr. Emerson gave information from the plan but explained it is originally a 500 page document so he presented what he felt highlighted some of the more important parts. He discussed some population data. Mr. Emerson reiterated the need to adopt the Region H Hazard Mitigation Plan so that they can apply for the grants they want.

On motion (24-305) of Commissioner Moody and the second of Commissioner Wood to adopt Resolution #2024-014, a Resolution adopting the Kansas Homeland Security Region H Hazard Mitigation Plan and authorizing the Chairman to sign.

Yeas: Commissioners Moody, Wood, and Blair

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Five: Mr. Emerson presented the HRRR 200th Street Engineering Services Agreement. He gave some background and explanation about this contract. He mentioned this contract with its listed cost is for design. Mr. Emerson mentioned the money they are looking at today would be for the project and anything more would be the road work after the project. Mr. Emerson provided a copy of the contract and stated for the design it is a total of \$33,986.55. Commissioner Wood asked if inspection is included and Mr. Emerson answered. Mr. Emerson also mentioned a lot of the costs he gave are estimates. Mr. Emerson mentioned it is up to the county to hire the design engineer so KDOT is waiting on the approval of design before they can move forward with the project. Mr. Emerson mentioned they would have to bid out through the State of Kansas for inspection.

On motion (24-306) of Commissioner Wood and second of Commissioner Moody to approve the agreement between Pross Engineering LLC and Crawford County authorizing the Chairman to sign.

Yeas: Commissioners Wood, Moody, and Blair

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Six: Commissioner Wood stated he received several calls over the weekend in regards to CARDS Trash Service. He stated one resident he spoke to paid for a full year of service and then cancelled and they will not come to retrieve the trash container. Commissioner Wood asked if trash haulers have to be licensed within Crawford County and Mr. Emerson mentioned they do not. Commissioner Wood asked why and Mr.

Board of Crawford County Commissioners

Emerson answered that they have to be licensed where they operate out of and that they have never required an additional business license in Crawford County. Commissioner Wood asked if CARDS has to have a route established in Crawford County to bring out of state trash to the Oak Grove landfill. Mr. Emerson answered as far as he knows they do not have to because they can just contract with the landfill. Mr. Emerson mentioned he will double check on this. Commissioner Moody reiterated Crawford County does not own Oak Grove landfill. Commissioner Wood stated he told a resident to get in touch with the Attorney General to take their issues to small claims court with the business. Commissioner Wood asked Mr. Emerson to give him the Attorney General contact number so he can provide it to residents when they call him in regards to this. Commissioner Moody mentioned to also have the residents change their trash service provider if they have enough trouble and mentioned CARDS is also extremely hard to get in contact with as well. Mr. Emerson mentioned the Attorney General Consumer Protection Hotline number is 1-800-432-2310 and if that does not work the main line number is 785-296-2215.

OLD BUSINESS

Item One: Commissioner Wood mentioned there was a strong storm that came through the past weekend and that they have gotten all debris cleared off of the road.

Item Two: Commissioner Moody discussed the county doing the parking lot for the ATC building. He asked Commissioner Wood if the building is ready for the parking lot and Commissioner Wood answered the preliminary work got finished but that curbing and sidewalks are still being taken care of at this time. Commissioner Moody asked if they indicated when this may be ready and Commissioner Wood stated he has not discussed it with anyone yet.

EXECUTIVE SESSION

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

On motion (24-307) of Commissioner Blair 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 EMS and to include the Board of County Commissioners and County Counselor Jim Emerson, and to reconvene by 11:25 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 11:10 AM and reconvened the Open Session at 11:25 AM with no action taken except to go back into open session.

Board of Crawford County Commissioners

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

FUTURE BUSINESS:

Item One: July 9, 2024- 9:00 AM Budget work session

Item Two: July 9, 2024- Zoning Administrator May Smith presenting two Planning and Zoning cases.

Item Three: July 12, 2024- 9:00 AM Budget work session.

Item Four: July 16, 2024- 9:00 AM Budget work session with County Clerk Lisa Lusker.

ANNOUNCEMENTS:

Item One: July 4 & 5, 2024- The Courthouse will be closed in observance of the Independence Day Holiday.

Item Two: July 5, 2024- The Regular Session of the Board of County Commissioners is cancelled due to the Independence Day Holiday.

UNDER THE HEADING MOTION TO ADJOURN

MOTION TO ADJOURN

Item One: Adjournment

On the motion of Commissioner Moody and the second of Commissioner Blair to adjourn the [July 2, 2024](#) meeting of the Board of Crawford County Commissioners at 11:26 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.

Lisa Lusker
County Clerk

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Board of Crawford County Commissioners

This submission completed at the Crawford County Courthouse in Girard.

Taken RJA 07/08/24 9:30 AM/amended BKW 7/8/24 12:30 PM