

Board of Crawford County Commissioners

Commissioners' Journal

2024, **THIRTY-FIFTH** MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM
Girard, KS. **Friday, May 10, 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.

Commissioner Bruce Blair was 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 (24-234) of Commissioner Blair and the second of Commissioner Wood that the consent agenda be approved including:

1. Approval of the **May 7, 2024** minutes of the Board of County Commissioners, and
2. Authorizing the Chairman to sign the previous week's vouchers.

Yeas: Commissioners Blair and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Moody

The motion prevailed and the consent agenda was approved.

SIGNING OF MOTIONS

The County Clerk presented the following motions for Commissioners' signatures:

Motion 24	228	That the consent agenda be approved including: Approval of the May 3, 2024 minutes
Motion 24	229	To recess this open session for a period of 5 minutes
Motion 24	230	To approve the chip and seal oil bid from Wright Asphalt in the amount of \$2.45/gallon
Motion 24	231	To approve the lease purchase agreement for Fire District #1 for a 2024 Freightliner Pumper with Clayton Holdings, LLC for 10 years at

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		\$339,000 and interest rate of 4.94% and authorizing the Chairman to sign
Motion 24	232	To cancel the Regular Session of the Board of County Commissioners on Tuesday, May 14th due to Commissioners attending the Southeast Kansas District 4 County Commissioners and Road Officials Meeting
Motion 24	233	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 EMS and to include the Board of County Commissioners and County Counselor Jim Emerson, and to reconvene by 12:43 PM

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

Item One: Mr. Charles Bowers, KDHE Engineer, regarding landfill transfer permit. He explained he received an application to transfer the landfill property from CNWA, LLC to CARDS Landfill, LLC. Mr. Bowers stated he is open to receiving advice and council in regards to this proposed transfer. Commissioner Wood asked if anyone in the audience would like to discuss this topic. Mr. Jason O'Malley addressed the Commissioners and stated he lives to the south of the landfill. He asked if the landfill will be opened back up by CARDS because he believed it was shut down previously due to being close to full. Mr. Bowers answered the landfill would be opened back up and Mr. O'Malley asked how much space is left of this landfill before they reach the pit area. Mr. Bowers mentioned this is to be determined. Mr. Bowers discussed if the options if the landfill becomes full. Commissioner Blair asked about the application process if the landfill needs significant modification and Mr. Bowers explained the process. Commissioner Blair asked with it being licensed as a C&D Landfill if the property could be used as a transfer station at some point for non C&D and Mr. Bowers answered that would have to go through approval because it would be considered significant modification. Mr. O'Malley asked for clarity on the transfer station and Mr. Bowers answered. Commissioner Wood asked if the public is allowed to protest or if it could be stopped from being a C&D Landfill and Mr. Bowers explained it would be difficult to stop it being a C&D Landfill but it could be done. Commissioner Wood asked if KDHE will be monitoring the operations of this landfill and Mr. Bowers answered yes it will. Commissioner Blair stated he believes that whoever currently owns the property should have the permit.

Item Two: Ms. Brooke Powell, Executive Director, Safehouse Crisis Center presenting 2024 Emergency Shelter Grant Application. She explained Safehouse and a little of what they do and who they help. Ms. Powell also explained the usage and importance of this grant to Safehouse. She stated she appreciates the support of Crawford County as they are the subrecipient of this grant and the pass through agency. Commissioner Blair mentioned this is a really good operation and a great facility. Commissioner Wood said he has only heard good things about this operation. County Counselor Jim Emerson stated he will have the information filled out digitally and emailed to Ms. Powell.

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On motion (24-235) of Commissioner Blair and the second of Commissioner Wood to approve the 2024 Kansas Emergency Solutions Grant Application and authorize the Chairman to sign.

Yeas: Commissioners Blair and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Moody

The motion prevailed.

MESSAGES FROM ELECTED OFFICIALS

Item One: Representative Ken Collins addressed the Commissioners. He discussed the nuisance bill that was recently passed and explained that it is a good thing for Crawford County. He asked if any of the Commissioners have any questions but that he knows they were pretty involved and informed on the situation. Commissioner Wood confirmed that this goes into effect July 1st, 2024 and Mr. Collins confirmed. Commissioner Wood asked if they will officially receive something from the Governor's office and Mr. Emerson explained they will have access to this online and he has copies of this information. Mr. Emerson stated he appreciates the work that Mr. Collins, Senator Shallenburger, and Representative Smith put into this bill. Commissioner Wood agreed with Mr. Emerson. Commissioner Wood asked Mr. Collins when he will go back for the tax bill and Mr. Collins explained the bill they sent had bipartisan support but that he believes they will go back in June.

MESSAGES FROM APPOINTED OFFICIALS

Item One: Ms. Heather Spaur, Executive Director Mental Health discussing Behavioral Justice. Ms. Spaur introduced Dr. Jeffrey Burch, the Director of the Behavioral Justice Program. Ms. Spaur gave some background about Dr. Burch. Dr. Burch explained some timelines and guidelines of the program and how he believes it will be beneficial to the county. Commissioner Wood asked when this program will be started and Dr. Burch answered that it has already been started and they begin with a patient when they receive a court order from judges. He discussed that specialty court should begin this summer with details still to be worked out. Commissioner Wood asked for Dr. Burch's information because he knows an individual who has some questions about the services. Sheriff Danny Smith also spoke about the program. He mentioned that this program saves money because it prevents them from taking several people to Larned to be evaluated. Commissioner Blair asked if these services are just for Crawford County and Dr. Burch said at this time this service is just for Crawford County but may expand to other counties at some point. Commissioner Wood asked if this program is on a grant and Ms. Spaur answered this question and explained the different aspects and their funding. Commissioner Wood asked if they only evaluate or if they provide treatment too. Dr. Burch mentioned by court order if just evaluation but they do evaluation and treatment from other referrals as well.

MESSAGES FROM THE PUBLIC

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Item One: Mr. Jeff Murphy addressed the Commissioners. He stated he has been doing research on wind turbines and their effect on weather as well as other things. He printed off some studies and provided them to the Commissioners. Mr. Murphy explained one of the printed off photos that had pieces of a wind turbine that had been destroyed and that it traveled 1,000 feet away from its original site. Commissioner Wood asked Mr. Murphy if the turbine companies have a special landfill and Mr. Murphy answered that he is unsure of that. Mr. Murphy went on to explain some details of these studies.

NEW BUSINESS

Item One: County Clerk Lisa Lusker presented a Tax Roll Correction, correcting an error in the assessing of Personal Property owned by Viets Brothers and to request a refund in the amount of \$428.68 from the 2022 tax rolls. Ms. Lusker explained that the 1996 KW T600 went from Viets Brothers to Pitts Services LLC. Ms. Lusker presented a Tax Roll Correction, correcting an error in the assessing of 16/20M Truck owned by Donald Davied and to request a refund in the amount of \$12.00 from the 2021 tax rolls and the amount of \$12.00 from the 2022 tax rolls. Ms. Lusker explained that the 1966 Chevy was tagged as 12,000 weight and should not have been assessed on personal property. Ms. Lusker presented a Tax Roll Correction, correcting an error in the assessing of 16/20M Truck owned by Michael Oplotnik and to request a refund in the amount of \$24.00 from the 2021 tax rolls and the amount of \$36.00 from the 2022 tax rolls. Ms. Lusker explained that the taxpayer has not owned the 2000 Dodge Caravan since before 2019. Ms. Lusker presented a Tax Roll Correction, correcting an error in the assessing of 16/20M Truck owned by Jason & Margo Troike and to request a refund in the amount of \$48.54 from the 2021 tax rolls and the amount of \$34.36 from the 2022 tax rolls. Ms. Lusker explained that the taxpayer has not owned the 2003 Dodge Ram since 8/26/2014. Ms. Lusker presented a Tax Roll Correction, correcting an error in the assessing of 16/20M Truck owned by Joan Davied and to request a refund in the amount of \$27.18 from the 2021 tax rolls and the amount of \$24.00 from the 2022 tax rolls. Ms. Lusker explained that the 2003 Chevy Silverado has been tagged as 12,000 weight since 1/25/2016. Ms. Lusker presented a Tax Roll Correction, correcting an error in the assessing of 16/20M Truck owned by Austin Stevens and to request a refund in the amount of \$30.00 from the 2022 tax rolls. Ms. Lusker explained that the 1994 Dodge Ram has been tagged as 12,000 weight since 2/23/22.

On motion (24-236) 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 Viets Brothers and to request a refund in the amount of \$428.68 from the 2022 tax rolls, correcting an error in the assessing of 16/20M Truck owned by Donald Davied and to request a refund in the amount of \$12.00 from the 2021 tax rolls and the amount of \$12.00 from the 2022 tax rolls, correcting an error in the assessing of 16/20M Truck owned by Michael Oplotnik and to request a refund in the amount of \$24.00 from the 2021 tax rolls and the amount of \$36.00 from the 2022 tax rolls, correcting an error in the assessing of 16/20M Truck owned by Jason & Margo Troike and to request a refund in the amount of \$48.54 from the 2021 tax rolls and the amount of \$34.36 from the 2022 tax rolls, correcting an error in the assessing of 16/20M Truck owned by Joan Davied and to request a refund in the amount of \$27.18 from the 2021 tax rolls and the amount of \$24.00 from the 2022 tax rolls, and correcting an error in the assessing of 16/20M Truck

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owned by Austin Stevens and to request a refund in the amount of \$30.00 from the 2022 tax rolls and authorize the Chairman to sign.

Yeas: Commissioners Blair and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Moody

The motion prevailed.

Item Two: Mr. Emerson presented Resolution #2024-008, a Resolution to re-appoint Uealene Pingree of 464 S 260th St, Pittsburg, Kansas to the Crawford County Planning and Zoning Board and Joint Board of Zoning Appeals with a term to run from April 1, 2024 to April 1, 2027. Mr. Emerson mentioned Commissioner Moody does approve of the re-appointment.

On motion (24-237) of Commissioner Blair and the second of Wood to adopt Resolution #2024-008, a Resolution to re-appoint Uealene Pingree of 464 S 260th St, Pittsburg, Kansas to the Crawford County Planning and Zoning Board and Joint Board of Zoning Appeals with a term to run from April 1, 2024 to April 1, 2027.

Yeas: Commissioners Wood and Blair

Nays:

Present but not voting:

Absent or not voting: Commissioner Moody

The motion prevailed.

Item Three: Mr. Emerson discussed federal fund exchange money and the total for this year in the amount of \$154,932.18. He mentioned originally the amount was \$172,146.87 but the State of Kansas takes a 10% cut of this money. Mr. Emerson stated the county has to show what this money is spent on. Commissioner Wood asked a few questions in regards to this account and Mr. Emerson answered them.

On motion (24-238) of Commissioner Blair and the second of Commissioner Wood to approve the Federal Fund Exchange as presented and authorize the Chairman to sign.

Yeas: Commissioners Blair and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Moody

The motion prevailed.

Item Four: Commissioner Wood stated he would like EMS Director Randy Sandberg present at the next meeting on Friday, May 17th. Mr. Emerson stated he already discussed this with him and that Mr. Sandberg will be present.

OLD BUSINESS

Item One: Mr. Emerson discussed the meeting he and Commissioner Moody attended in regards to the US 69 Highway study. He presented a paper that has the location and times of the public meetings for this study and announced these dates and locations. Mr. Emerson gave some details about the meeting they attended. Commissioner Wood asked

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if there was much discussion or just general knowledge provided and Mr. Emerson stated both took place.

EXECUTIVE SESSION

Item One: County Counselor Jim Emerson requested an executive session for 20 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship.

On motion (24-239) 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 20 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship to discuss land use and zoning and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 11:29 AM.

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 11:09 AM and reconvened the Open Session at 11:29 AM with no action taken except to go back into open session.

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

FUTURE BUSINESS:

Item One: May 21, 2024 – 10:00 AM Public hearing on Vacating a Platted Alley in Jewell Center.

Item Two: May 31, 2024 – Chairman of the Board of Supervisors for the Crawford County Conservation District Mr. Mark Lehman addressing the 2025 Conservation District Budget.

ANNOUNCEMENTS:

Item One: May 14, 2024 – Southeast Kansas District 4 County Commissioners and Road Officials Meeting hosted by Neosho County at the KDOT District 4 Complex, Chanute, KS from 8:00 AM to 12 Noon. More than one Commissioner may be in attendance.

Item Three: May 14, 2024- The Regular Session of Board of County Commissioners is cancelled due to the Commissioners attending the Southeast Kansas District 4 County Commissioners and Road Officials Meeting.

Item Three: May 15, 2024 – Meeting with KDOT on IKE. More than one Commissioner may be in attendance.

UNDER THE HEADING MOTION TO ADJOURN

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MOTION TO ADJOURN

Item One: Adjournment

On the motion of Commissioner Blair and the second of Commissioner Wood to adjourn the [May 10, 2024](#) meeting of the Board of Crawford County Commissioners at 11:30 AM and to reconvene at the next regularly scheduled time with open doors.

Yeas: Commissioners Blair and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Moody

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 05/13/2024 9:00 AM/amended BKW 5/14/2024 11:00 AM](#)