

# Board of Crawford County Commissioners

## Commissioners' Journal

2023, **EIGHTY-NINTH** MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM  
Girard, KS. **Friday, December 8, 2023 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 Bruce Blair served as the presiding officer.

Commissioners Tom Moody and Carl Wood were in attendance.

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

Chairman Blair led the Pledge of Allegiance.

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

**On motion (23-495)** of Commissioner Wood and the second of Commissioner Blair that the consent agenda be approved including:

1. Approval of the **December 1, 2023** minutes of the Board of County Commissioners, and
2. Authorizing the Chairman to sign the previous week's vouchers.

Yeas: Commissioners Moody, Wood and Blair

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 23	493	That the consent agenda be approved including: Approval of the November 28, 2023 minutes, and Authorizing the Chairman to sign the previous week's vouchers
Motion 23	494	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 County Attorney's Office and to include the Board of County Commissioners, County Counselor Jim Emerson and County Attorney Reina Probert and to reconvene by 10:15 AM

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### 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

#### MESSAGES FROM ELECTED OFFICIALS

#### MESSAGES FROM THE PUBLIC

**Item One:** Mr. Patrick Richardson addressed the Commission in regards to Point Forward. He first asked what was behind the decision to award \$703,000 to Point Forward without an application. Commissioner Blair asked how far back he would like him to start. Mr. Richardson said however far back he needs to go to answer the question and that he is trying to understand why that was decided. Commissioner Blair stated that he will start from the beginning and that at the beginning when they decided to allocate money to childcare, they had a group come before them to ask for money which included Dr. Youtsos and Ron Scripsick, who is with Point Forward, and other community members involved as well. He explained that they asked for more money than was available so they were originally denied and these individuals reworked their childcare plan to present a more obtainable project so they were acknowledged as a partnership and were included in the formula that the Commissioners used to determine how much money to give to each group. Commissioner Blair explained the application process was put on by the Commission and not by the State. Commissioner Blair also explained the recent issue with this was it was brought up as a formality that they did not have an application but that the Commission had already agreed to allocate this money to Point Forward in the beginning and needed to follow through with that decision. Mr. Richardson mentioned he had records requests on this information and that Point Forward did not have an application so that he does not believe that they existed as an entity until the application process was already closed since they were maybe only involved individually in the beginning but not as a group. Commissioner Moody said he believes that is a matter of opinion and Mr. Richardson stated that it is a matter of fact when they did not do the process as Point Forward until after the application period. He mentions again his records requests and that he asked for any contracts between Point Forward and Crawford County and that there is no contract between the two and County Counselor Jim Emerson confirmed that is true. Commissioner Blair said that if Point Forward came about because of the opportunity to fund childcare and community members came together to do something good for the community in the way of childcare then he sees that as a good thing. Mr. Richardson says there are just concerns when you look at the way this happened and that it does not look great when you have several people who went through the application process and then Point Forward was granted money after not going through the application process. He also addressed that he understands the Commissioners can alter the process as they choose because its local procedure and not State procedure but that it raises concern when the procedure is thrown aside and a large amount of money is given to someone who did not follow the given procedure. Commissioner Blair stated they tried very hard to make it fair for everyone involved to avoid conversations like this and that they are one of the only counties to use the funding for this. Mr. Richardson stated he is just simply there as a journalist asking questions due to the concerns over the decisions that were made. Commissioner Moody added that if Mr. Richardson would like to write something on a good note that maybe he should write how Crawford County created 1,100 spots in childcare for the community and how they

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utilized the money in this way instead of putting it into the County funds and spending it on other things. Commissioner Blair reiterated that they even turned down the original proposal of Harmony and Point Forward because they asked for too much money and they explained to them that they were going to spread the money out to make it fair. Mr. Richardson again says he does not suggest childcare is not a need but just that the process raises questions.

### MESSAGES FROM OTHER GOVERNMENTAL ENTITIES

**Item One:** Mr. Gene Vogler with SEK Recycling Center Inc discussing recycling. He wanted to confirm, as they had hoped they would, that the City of Pittsburg passed the Resolution to provide up to \$60,000 in support to the Recycling Center for 2024. Commissioner Blair asked if it was for one year or five years and Mr. Vogler said he believes it is contingent but that he believes this resolution is just for 2024 and is broken down monthly at \$5,000/month. Commissioner Wood asked if it was going to be one year or five years and Mr. Emerson stated we will need to get a copy of their resolution. Mr. Vogler stated he believes it is contingent on being matched by the County but has a maximum of \$60,000. Commissioner Wood said he looked at 2023 Budget and that the landfill was budgeted \$30,000 and right now its \$17,000 over budget. He stated there was no money accounted for in giving \$5,000/month to SEK Recycling for 2024. Commissioner Wood said he is in favor of helping them right now but then seeing if there are any grants in 2024 to help them financially. Mr. Vogler explained the whole plan is to get help so that they can get their staffing up so that they can create more projects within the community and also so that they do not just have to ship off the material and could be able to process it on site to reuse. He stated they need more volume to make a profit and that most of their material is cardboard. He also mentioned that if Pitt State begins a process now to come up with how to make material more useable and how to process it on site that it still will not take effect for another couple years at least. Commissioner Wood said he is in favor of helping them for this month and then trying to find other ways to supplement in the following year. Mr. Vogler stated they are working hard to become support free within 5 years, but that they will not be able to go without support in the next year or more. Commissioner Wood asked what they do with material that is not of value to them and Mr. Vogler explains they still take it and process it but they have to pay to ship it off and often take a hit financially for this but they still take it because they believe it is good for the environment. Commissioner Blair asked if PSU has a specific plan in place for their recycling center and Mr. Vogler explained that in 2024, they are going to contract a consultant to look at the capabilities between them and all partners to develop a plan. He also mentioned they have discussed ways to collect the plastic that goes around hay bales and get them back to the companies that sell it. Commissioner Blair said his view point is that he believes nothing will change in a month but that he would like to see a plan in place and schedule a meeting with SEK Recycling and PSU with funding them for two months in the hopes that they will have a plan by this time. Commissioner Wood stated he would like to see their books for 2023 and asked for Mr. Vogler's contact information. Commissioner Moody stated he agrees with Commissioner Blair that funding for a couple of months may be beneficial and then have a plan proposed within this time. Mr. Vogler explained they need something before the end of the year as they cannot cover the payroll for December 26. He asked if they could do

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\$5,000 for the month of December 2023 and the month of January 2024 he will go to the City of Pittsburg and ask if they will match that amount.

**On motion (23-496)** of Commissioner Blair and the second of Commissioner Moody to approve giving the SEK Recycling Center \$5,000 for the month of December 2023 and \$5,000 for the month of January 2024 with a meeting pending with PSU and SEK Recycling Center in January 2024.

Yeas: Commissioners Moody, Blair and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

### MESSAGES FROM APPOINTED OFFICIALS

**Item One:** Ms. Heather Spaur, Mental Health Executive Director presenting Resolution #2023-023. She stated that first she wanted to start with the ATC update given by Mr. Brett Cares and Mr. Ted Johnson from Crossland Construction and Mr. Michael Ehling former Mental Health Executive Director. Mr. Emerson asked first if the workers from Crossland could provide an update on the project to aid in the approval of the Drawdown request. Mr. Cares provided a handout to the Commission with pictures of progress with the ATC project and briefly explained each picture update. He explained that the erection of the metal building is set to begin next week. Commissioner Moody said he drives by this project often and can see the progress and work being put into this. Commissioner Wood asked what the Drawdown Request is for today and Mr. Emerson stated it is over the work in the handout that has been done so far. Mr. Emerson stated they should wait until next Tuesday to approved the Drawdown so that they can get their additional documentation first. Ms. Spaur then presented the Resolution #2023-023. She stated this resolution is simply for financial purposes and that the Mental Health Board still serves for the County Commissioners. This should also assist with resolving issues that Crawford County Mental Health typically experiences with W2's, 1099's and payroll. Mr. Emerson explained he helped construct this resolution and that separating payroll and other tasks will be beneficial to both Mental Health and also the County. He did mention that the real estate properties will have to be done through a deed. Commissioner Wood stated he believes the real estate needs to be mentioned in the resolution but Mr. Emerson explained that this does not transfer property and it is done through a deed but that he will add it into the resolution at the end of this meeting. Ms. Spaur mentioned she has to have this resolution in place and then she can obtain insurance on their vehicles.

**On motion (23-497)** of Commissioner Wood and the second of Commissioner Moody to recess the open meeting for a period of 15 minutes.

Yeas: Commissioners Moody, Blair and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

The Commissioners reconvened the open session at 11:13 PM

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## MESSAGES FROM APPOINTED OFFICIALS continued

### Item One: Continued

**On motion (23-498)** of Commissioner Blair and the second of Commissioner Moody to adopt Resolution #2023-023, A Resolution Restabilizing the Legal Structure of Crawford County Mental Health and Rescinding Previous Inconsistent Resolutions.

Yeas: Commissioners Blair, Moody, and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

## NEW BUSINESS

**Item One:** County Clerk Lisa Lusker presented the November 2023 Clerk's Report. She stated that this report summarizes the total amounts spent by departments for payroll and bills during the month of November. Ms. Lusker also gave the Commissioners a copy of the October 2023 to November 2023 Clerk's Report of Changes in Expenditures for comparison.

**On motion (23-499)** of Commissioner Blair and the second of Moody to approve the November 2023 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 Two:** Ms. Lusker stated every year there is a tax levy for developmental disabilities. She presented a report for Crawford County Developmental Disabilities Client Numbers and stated the numbers have not changed.

**On motion (23-500)** of Commissioner Moody and the second of Commissioner Wood to approve the Crawford County Developmental Disabilities allocation of funds as presented.

Yeas: Commissioners Moody, Blair and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

**Item Three:** Ms. Lusker stated Mr. Patrick Richardson had sent an email for open records request and is requesting communication records between any of the Commissioners and Point Forward regarding ARPA funding and the same between the Commissioners and Harmony/Dr. Youtsos. She asked if they could please provide her

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with any emails or communication methods regarding ARPA funding so that she can provide this information to him within a timely manner. She mentioned it includes communication from all officials so this includes herself and Mr. Emerson as well.

**Item Four:** Mr. Emerson stated he received an email from Mr. Douglas Stuckey in regards to the Homer Cole Center. He wanted to express gratitude for the support the County gives to the Homer Cole Center and informed them that they have hosted 380 events in 2023 and a total of 6,900 guests in their facility. He explained that the purpose of the email was to inform the Commissioners of a Board Member position that is open and if the Commissioners knows anyone who is interested to provide Mr. Emerson with the information and he will forward it to Mr. Stuckey. Mr. Emerson stated that the requirements are to be a resident of Crawford County and over the age of 55.

### **EXECUTIVE SESSION**

**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 (23-501)** 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 items that would be deemed privileged in the Attorney-Client Relationship to discuss Health Department building contract and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 11:42 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 11:27 AM and reconvened the Open Session at 11:42 AM with no action taken except to go back into open session.**

### **NEW BUSINESS continued**

**Item Five:** Mr. Emerson presented Progress Billing #3 from Tri-State Building & Supply Co, Inc for the Crawford County Health Department Project in the amount of \$159,899.13. He stated he has not been by the project but believes they are making good progress.

**On motion (23-502)** of Commissioner Moody and the second of Commissioner Blair to approve the Progress Billing #3 from Tri-State Building & Supply Co, Inc. for the Crawford County Health Department Project in the amount of \$159,899.13 and authorize the Chairman to sign.

Yeas: Commissioners Moody, Blair, and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

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**Item Six:** Commissioner Blair discussed Keeping Talent that was a theme at the KAC conference they attended. He stated they had a work session earlier this morning in regards to ways to lower turnover rates within certain departments. He mentioned maybe even getting input from employees on things they think could help this issue.

**Item Seven:** Commissioner Blair mentioned he attended the Regional Planning Committee meeting yesterday and that they did not really discuss funds coming for infrastructure. He is hopeful that January's meeting will have more information on this. Commissioner Blair stated that at the KAC conference he spoke with some of the surrounding counties about this and applying together in a partnership instead of individual counties. He also mentioned how partnerships with other counties could be beneficial in other ways, one example being with equipment.

### UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

#### FUTURE BUSINESS:

**Item One: December 15, 2023** – Mr. Wally Wilson, Ryan Insurance presenting insurance renewal quotes.

#### ANNOUNCEMENTS:

### 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 [December 8, 2023](#) meeting of the Board of Crawford County Commissioners at 11:51 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 12/11/23 1:00 PM RJA/amended 12/11/23 3:00 PM BKW**