

# Board of Crawford County Commissioners

## Commissioners' Journal

2024, FIFTY-NINTH MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM  
Girard, KS. **Tuesday, August 13, 2024 Immediately following the Board of County Canvassers**

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 (24-356)** of Commissioner Blair and the second of Commissioner Wood that the consent agenda be approved including:

1. Approval of the **August 9, 2024** minutes of the Board of County Commissioners.

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	348	That the consent agenda be approved including: Approval of the August 6, 2024 minutes, and Authorizing the Chairman to sign the previous week's vouchers
Motion 24	349	To approve hiring Mr. Fred Rinne to complete the Emergency Operations Plan
Motion 24	350	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 Crawford County Health Department and to include the Board of County Commissioners, County Counselor Jim Emerson and to reconvene by 10:29 AM

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Motion 24	351	To recess this open session and go into a closed executive session for a period of not more than 30 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship to discuss EMS and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 10:39 AM
Motion 24	352	To recess this open session and go into a closed executive session for a period of not more than 10 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship to discuss Road and Bridge and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 10:45 AM

**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 APPOINTED OFFICIALS**

**Item One:** Honorable Lori A. Bolton Fleming, Chief Judge 11th Judicial District of Kansas addressed the Commissioners. She also mentioned Mr. Daniel Creitz with CHC/SEK is present as well to discuss Recovery Court. Ms. Fleming gave information on the grant they submitted and also the money they received from the Opioid Settlement Funds. Ms. Fleming stated they had their first Recovery Court session with two participants on July 26, 2024 with another session last Friday including five participants. She mentioned in the next 30 days they will have another 10 participants. Ms. Fleming stated they are asking today for the Commissioners to consider the funding request from the Opioid Settlement Funds in the amount of \$82,500 in quarterly payments. Mr. Daniel Creitz addressed the Commissioners and gave some information specifically on the program and funding request. He mentioned two of the most prevalent costs are drug testing and Attorney costs which he stated is what the bulk of their request is for. Commissioner Wood asked about the Opioid Settlement Fund and Mr. Emerson gave information on this account and stated the current balance of the Opioid Settlement Fund is \$124,987.91 and that this money continues to grow. Mr. Emerson mentioned Recovery Court has been discussed for years and that there has been a lot of work put in to get this program started and that he believes this will be a good use of funding. Commissioner Wood asked who is going to manage the funds and Mr. Creitz stated SEK/CHC has been serving as the fiscal agent for drug court since they addressed the Commissioners months ago. Mr. Emerson mentioned Ms. Fleming has to approve anything within this funding. Mr. Emerson explained this is a one time funding request at this time. Commissioner Wood asked where the drug testing is done at and Mr. Creitz answered it is collaborative and that they work with Ms. Tracy Harris and her office to decide where the best place for drug testing is located. Commissioner Blair asked if this funding requests meets requirements for the Opioid Settlement Funds and Mr. Emerson stated they have looked into this and that it does qualify.

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**On motion (24-357)** of Commissioner Blair and the second of Commissioner Wood to approve the funding of \$82,500 for the pilot phase of Recovery Court from the Opioid Settlement Funds.

Yeas: Commissioners Blair and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Moody

**The motion prevailed.**

**On motion (24-358)** of Commissioner Blair and the second of Commissioner Wood to approve the two attorney contracts for Ms. Kaylyn Hite and Mr. Jason Wiske 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.**

**On motion (24-359)** of Commissioner Blair and the second of Commissioner Wood to recess the open meeting for a period of 5 minutes.

Yeas: Commissioners Blair and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Moody

**The motion prevailed.**

**The Commissioners called the meeting back to order.**

### MESSAGES FROM THE PUBLIC

**Item One:** Mr. John Copyak with Shasta Power addressed the Commissioners. He provided the Commissioners a handout for his presentation. Mr. Copyak stated they are planning a 200 megawatt solar facility southeast of Arma and Franklin with 97% of this being in the Northeast School District. He referenced the map in his handout and gave specific details on the project. Mr. Copyak mentioned the approximate size of this project will be 1,570 acres. Mr. Copyak discussed sheep raising on their project site for certain benefits. He then went on to discuss benefits to Crawford County such as employing 200 employees during the construction site in 2027/2028, increased employees if the project has sheep grazing included, healthier air quality, improvements of large power disruptions, and an estimated 1.1 million dollars paid in sales tax each year. Mr. Copyak provided information about the jobs that would be available for this project after construction phase. He discussed the information he included in his handout that is titled High Level Estimate of Crawford County Property Tax with the different areas broken down with specific amounts for the project. Mr. Copyak stated 90% of the property tax would be paid to Northeast School District and about 10% paid to Frontenac School District due to the location of the project. He stated he is asking today that they do not keep the restrictions on wind and solar too strict after the moratorium is lifted and assess on a case by case situation. Commissioner Wood asked why only two school districts will

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be receiving property tax and Mr. Copyak mentioned it is because of the location of the project. Mr. Copyak mentions it goes to the General Fund and is up to the Commissioners to decide how the money is spent. Mr. Emerson explained that because the location of the project is in Northeast's and Frontenac's School District, they would receive tax benefit from that. Commissioner Wood asked if Mr. Copyak is saying 90% of the property will be in Northeast School District and Mr. Emerson confirmed. Commissioner Wood discussed the animal grazing and concerns of the animals getting too hot under these solar panels and Mr. Copyak stated he thought the sheep seemed to seek shade under the solar panels and that the ground does not get hot because of the solar panels. Commissioner Wood asked the audience if anyone would like to speak. Ms. Melissa Rhodes addressed the Commissioners and mentioned she is a strong advocate for rural economic development. She spoke in favor of this development and stated that the additional funding the school would receive could help make Northeast a premier school. Mr. Robert Dutton addressed the Commissioners and spoke about solar grazing. He stated the sheep typically go under the solar panels for shade so that the ground underneath the solar panels is not uncomfortable or hot to the animals. Ms. Judy Prince addressed the Commissioners next and mentioned she is from Radley. She said she has a question to where the batteries and panel pieces will be taken when they are no longer being used and Mr. Copyak answered that usually a multimillion dollar bond is placed at the beginning for decommissioning of the project site. Mr. Copyak mentioned the disposal area is to be determined as it is at least 35 years away from the beginning of construction so that he does not have an answer right away for that question. Commissioner Wood asked if it is a cash or paper bond and Mr. Copyak answered he does not know that at this time. Ms. Prince addressed the Commissioners again and stated her question was more of what happens during the process of the plant existing and batteries leaking before decommissioning time and where will it be taken for investment purposes. Mr. Copyak answered they have not yet determined where disposal will be located and that it will have to be included in their plan before they begin construction. Commissioner Blair asked what the batteries consist of and Mr. Copyak answered. Mr. Ray Huff addressed the Commissioners and asked if the county is currently in compliance with zoning with the State of Kansas and Mr. Emerson answered yes the county is. Mr. Huff asked if we have a zoning board and Mr. Emerson answered yes. Mr. Huff asked if the zoning board is for county or city and Mr. Emerson answered it is for county. Mr. Huff asked Mr. Copyak where the electricity will go through and Mr. Copyak mentioned it will go through Evergy and other local areas. Mr. Huff asked if non renewable resources are used to build these solar farms and Mr. Copyak answered yes there are some nonrenewable resources used to build the solar farm and elaborated on this. Mr. Huff stated his concern is what Mr. Copyak thinks of the negative impacts the wind and solar developments have had on families, friends, and communities relationships as there have been divides created. Mr. Copyak answered they are open discussions on this. Mr. Huff asked if this company has any plans on selling off this solar farm in the next 15 to 30 years and Mr. Copyak answered that he predicts it will be sold at some time. Mr. Huff asked how many panels are subsidized by government programs and money and Mr. Copyak the entire solar project is subsidized by the federal government. Mr. Huff asked if the consultant candidates will be run by the zoning board or have any say in this and Mr. Emerson answered they will be part of the Comprehensive Plan process. Mr. Emerson explained the Commissioners choose the consultant. Mr. Emerson told Mr. Huff he can receive information about zoning and the

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zoning board from Zoning Administrator May Smith. Ms. Judy Prince asked more questions to Mr. Copyak and the Commissioners and the questions were answered. Commissioner Wood asked if Shasta Power has to get permission to do solar projects in the county and Mr. Emerson answered yes in the zoned area and to be determined for the unzoned areas. Mr. Ray Huff asked another question and Mr. Copyak answered. Mr. Greg Lucke asked Mr. Copyak questions and Mr. Copyak answered these questions. Ms. Judy Prince asked more questions about contracts and the questions were answered. Mr. Rick Elnicki addressed the Commissioners and discussed being under contract with Shasta Power. He discussed the topic of conflict with neighbors, family, and friends. Mr. Huff spoke again in regards to farming and neighbors. Ms. Melissa Rhodes spoke about decommissioning. Mr. Elnicki spoke about neighbors. Mr. Glen Peak spoke in regards to why solar and wind farms have to be in our county. Ms. Becky Willard spoke in regards to the 30% tax credit. Commissioner Wood asked where the solar panels are made and Mr. Copyak answered they are made all over the world but that they intend to buy them from First Solar located in Ohio. Mr. Eddie Weber asked if Shasta Power has private investors and Mr. Copyak answered they do have private investors. Mr. Huff asked questions about 30% tax credit. Commissioner Wood asked about productivity taxes and Mr. Copyak answered. Mr. Ross Martinson asked if subcontractors will be licensed in Kansas and Mr. Copyak answered yes they will be.

### NEW BUSINESS

**Item One:** Mr. Emerson handed out a UAB/County contract for the Commissioners to view. He gave details about what this entails and also pointed to the road map in this handout. Mr. Emerson stated Commissioner Moody needs to be present for this so he will readdress on Friday.

**Item Two:** Mr. Emerson made Commissioners aware of a ribbon cutting ceremony on August 27, 2024 at 3:00 PM for the new Addiction Treatment Center. Mr. Emerson gave the location of this ceremony.

### OLD BUSINESS

**Item One:** Mr. Emerson discussed a change in work session for the budget. He mentioned it was scheduled for Friday at 8:00 AM but that it will be moved to August 20th at 8:00 AM.

**Item Two:** County Clerk Lisa Lusker mentioned KCamp and KWorks have asked to present a proposal for insurance at the end of September. Commissioner Blair mentioned there will be a conference in late September. Ms. Lusker asked if October 1, 2024 at 9:00 AM would work for this work session and the Commissioners agreed at this time.

**Item Three:** Commissioner Blair stated there was a road closure for a box culvert failure. He mentioned they are attempting to get solutions and pricing taken care of. He mentioned determining the cost of getting the water tower in this area taken down as well.

### UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

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### **FUTURE BUSINESS:**

**Item One: August 16, 2024- 9:00 AM** Work session with Mr. Tommy Scales, Noxious Weed Department, and Mr. Dennis Meier, Triad, to discuss the old landfill.

**Item Two: August 20, 2024- 8:00 AM** Work session with County Clerk Lisa Lusker to discuss budget.

**Item Three: August 20, 2024- 9:00 AM** Work session with the Bukaty Companies to discuss insurance.

**Item Four: August 20, 2024-** Mr. Joshua S. Albin, Adams Jones Law Firm, P.A., giving a Comprehensive Plan presentation.

**Item Five: October 1, 2024- 9:00 AM** Work session with KCAMP and KWORC to discuss insurance.

### **ANNOUNCEMENTS:**

**Item One: August 27, 2024- 3:00 PM** Ribbon cutting ceremony for the new Addiction Treatment Center at the Richard H Pfeiffer Recovery Complex. 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 Blair to adjourn the [August 13, 2024](#) meeting of the Board of Crawford County Commissioners at 11:42 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 8/15/24 12:30 PM/amended BKW 8/15/24 4:00 PM](#)