

Board of Crawford County Commissioners

Commissioners' Journal

2024, **SIXTY-FOURTH** MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM
Girard, KS. **Friday, August 30, 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 was seated with the Board.

Chairman Wood led the Pledge of Allegiance.

UNDER THE HEADING BUSINESS FROM A PREVIOUS MEETING CONSENT AGENDA

On motion (24-370) of Commissioner Blair and the second of Commissioner Moody that the consent agenda be approved including:

1. Approval of the **August 27, 2024** minutes of the Board of County Commissioners, and
2. Authorizing the Chairman to sign the previous week's vouchers.

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	367	That the consent agenda be approved including: Approval of the August 23, 2024 minutes
Motion 24	368	To approve the ARPA drawdown request for August 2024 as presented
Motion 24	369	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 to reconvene by 10:41 AM

UNDER THE HEADING NEW BUSINESS PROCLAMATION AND ORDERS OF THE BOARD

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**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: Zoning Administrator May Smith addressed the Commissioners. She stated she has 2 Planning & Zoning cases to present today. Ms. Smith mentioned the first case is Timberline Retreat subdivision. She gave some details in regards to this case. Ms. Smith mentioned Mr. William Towery, County Sanitarian, approved the lots as they meet the sanitation code and that Sheriff Danny Smith has no issue with the proposed development. Commissioner Moody asked if there was any opposition and Ms. Smith answered there was none. Commissioner Wood asked if this is going to have three different driveways or if they will have one driveway that splits off to each house and Ms. Smith answered that each house will have their own driveway. Ms. Smith presented Resolution #2024-017, a petition to accept and grant the proposed development to be known as “Timberline Retreat” and to accept and grant the amendment of zoning from Agricultural to Suburban Residential for the proposed development.

On motion (24-371) of Commissioner Blair and the second of Commissioner Moody to approve Resolution #2024-017, a Resolution to accept and grant the proposed development to be known as “Timberline Retreat” and to accept and grant the amendment of zoning from Agricultural to Suburban Residential for the proposed development as presented.

Yeas: Commissioners Blair, Moody, and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Ms. Smith presented the second Planning & Zoning case and stated that this is a roll off service known as Jones Land Services, LLC originally based in Croweburg. She gave details regarding this case. She mentioned they found a vacant lot in Franklin and are asking to not only relocate Jones Land Services, LLC at this but to live at the location in a camper. Ms. Smith mentioned this has been approved by Mr. William Towery as long as they are hooked up to water and sewer and the dumpsters are to remain empty on the property, and that Sheriff Danny Smith also had no objection to the development. She gave more details including that the Jones’ will only be living in the camper temporarily as their new house is being built, and the Planning & Zoning Board approved it for a 2 year timespan or shorter if the new house is constructed before the 2 year period is over. Commissioner Moody mentioned other people have asked about this type of living arrangement and how that will be handled and Ms. Smith mentioned the Planning & Zoning Board approved this based off of the fact a permanent home is going to be built on the property. Commissioner Moody asked if they have any plans on expanding their business and Ms. Smith answered that they have no plans to expand at this property. Commissioner Moody asked if there was any opposition and Ms. Smith answered they notified 58 people and the only person that did show up was in favor of this arrangement. Commissioner Blair asked the timeframe on building the permanent structure and Ms.

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Smith answered it is a 2 year timeframe starting from October 1, 2024 commencing on September 30, 2026 or when the house is complete. Ms. Smith mentioned she has two resolutions for this case and presented Resolution #2024-019, a petition to amend, change or modify the existing use on the property described herein and to request a conditional land use to relocate “Jones Land Service, LLC”. She then presented Resolution #2024-020, a petition to accept and grant the request to live in a recreational vehicle while their home is being constructed.

On motion (24-372) of Commissioner Moody and the second of Commissioner Wood to approve Resolution #2024-019, a Resolution to amend, change or modify the existing use on the property described herein and to request a conditional land use to relocate “Jones Land Service, LLC” as presented.

Yeas: Commissioners Moody, Wood, and Blair

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Commissioner Moody stated in reference to Resolution #2024-020, he understands that this couple has plans with a timeframe to construct a new house which is different than someone who is wanting to just live in an RV.

On motion (24-373) of Commissioner Moody and the second of Commissioner Wood to approve Resolution #2024-020, a Resolution to accept and grant the request to live in a recreational vehicle while their home is being constructed as presented.

Yeas: Commissioners Moody, Wood, and Blair

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

MESSAGES FROM THE PUBLIC

Item One: Ms. April Swartz with Varney & Associates addressed the Commissioners. She stated she is in charge of the audit for Crawford County. Ms. Swartz mentioned the audit went very smooth and that Mr. Joe Grisolano and Ms. Randi Ryan helped a lot with this process. She gave some details regarding the audit and explained some contents within the book she provided to the Commissioners. Ms. Swartz stated there were no findings in their audit report. The Commissioners thanked Ms. Swartz.

Item Two: Ms. Melesia Rhodes addressed the Commissioners. She presented the Commissioners with some papers regarding the breakdown of property taxes for solar. Ms. Rhodes mentioned she believes the numbers provided for the solar farm are best case scenario. She stated she attended a webinar regarding these solar farms and gave some details. Ms. Rhodes brought up Douglas County approving an 1,100 acre solar farm and their plan, and mentioned the Commissioners could look at what Douglas County has done. Commissioner Wood asked if the numbers Ms. Rhodes presented take in to consideration the 10 years that the solar farm is tax exempt and Ms. Rhodes answered the

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10 years is not on property tax but that it is on the equipment. She stated Mr. Grisolano explained the difference of this to her. Commissioner Wood stated the numbers seem a little farfetched to him. She mentioned the grounds with solar farms has to be dual purpose, and Commissioner Wood asked why wind turbine land does not have to be dual purpose. Ms. Rhodes stated she cannot answer that question. Ms. Rhodes stated she wants the Commissioners to consider separating wind turbines and solar farms. Commissioner Moody mentioned the moratorium and that the reasoning for this moratorium is because the Comprehensive Plan does not deal with alternative energy at this time and is needing renewed. Commissioner Moody asked if Mr. Grisolano would like to address the situation. County Treasurer Joe Grisolano addressed the Commissioners and mentioned that Ms. Rhodes provided these numbers to him and asked based off of these numbers if he could break down the funds to how it would distribute within the county. County Appraiser Zach Edwards addressed the Commissioners as well regarding the appraisal of the potential solar farm and equipment. Commissioner Moody asked who the largest tax payer in Crawford County is and Mr. Grisolano answered that Evergy is the largest tax payer. Mr. Grisolano stated he told Ms. Rhodes he would be very skeptical of the values that were provided to her by Shasta Power regarding the potential solar farm. Mr. Grisolano also explained the 10 year tax exemption details. Commissioner Wood asked if Mr. Grisolano could tell him what Evergy pays in the same mile section that the solar farm would be located in and Mr. Grisolano explained he can only explain what Evergy pays in taxes for that taxing unit as a whole. Mr. Edwards explained some details about wind turbine land as well. Mr. Michael Diskin addressed the Commissioners. He asked Ms. Rhodes why she mentioned the privacy fence at the Greenbush solar farm is not in compliance and Ms. Rhodes explained why she believes it is not in compliance. Mr. Diskin asked why Shasta Power did not know that their fence would not be in compliance. Ms. Rhodes replied. Mr. Diskin gave some information on an existing solar farm in Kansas. Commissioner Wood mentioned they are going to create their own Comprehensive Plan and not copy off of anyone else's guidelines such as Douglas County. Commissioner Moody expressed that one of his main concerns is property value and what wind and solar will do to property value. Mr. Diskin asked if the Commissioners had any update on the consultant for the Comprehensive Plan and Commissioner Blair stated if County Counselor Jim Emerson were at today's meeting he believes it would have been discussed so he believes as soon as he is back they will discuss it again. Mr. Diskin mentioned the divisions wind and solar are causing and wants to know if the Commissioners would be willing to adopt a motion for unanimous consent for wind and solar projects. County Clerk Lisa Lusker mentioned she has looked into this a little bit and that she does not believe questions regarding wind and solar would be able to be put onto a ballot. Commissioner Blair discussed the division it is causing but that he is not going to answer yes or no to this question right now. Ms. Lusker mentioned this type of question would be considered an Advisory Election which is not official or binding and would cost money and hold the same weight as a survey. Ms. Becky Willard addressed the Commissioners. She gave opinions in regards to the wind turbines and solar farms. She stated she has contacted 11 school districts that have wind turbines in their district and that none have gotten back with her yet but that 10 of the 11 school districts have not received any money from the wind turbines. Ms. Willard discussed insurance and insurance rates, and if homeowners in surrounding areas of wind turbines will be insurable or not. Commissioner Moody stated he has not heard about this. Ms. Willard further discussed wind turbines and solar

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farms. Mr. Michael Diskin addressed the Commissioners again and discussed property rights and the size of wind turbines. Mr. Simon Bishop addressed the Commissioners and asked about the survey and Commissioner Moody explained the survey has not been developed yet and that once they hire a consultant they will begin working on this. Commissioner Blair also explained some of the process with the survey. Mr. Bob Sanders addressed the Commissioners. He asked some questions in regards to zoning and Commissioner Blair explained.

EXECUTIVE SESSION

Item One: Sign Foreman Dale Shireman requested an executive session for 15 minutes to discuss Non-Elected Personnel.

On motion (24-374) 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 15 minutes to discuss Non-Elected Personnel to discuss sign department and to include the Board of County Commissioners and Sign Foreman Dale Shireman, and to reconvene by 11:41 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 11:26 AM and reconvened the Open Session at 11:41 AM with no action taken except to go back into open session.

Item Two: Commissioner Wood requested an executive session for 30 minutes to discuss Non-Elected Personnel.

On motion (24-375) 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 30 minutes to discuss Non-Elected Personnel to discuss striping and to include the Board of County Commissioners, and to reconvene by 12:12 PM.

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 11:42 AM and reconvened the Open Session at 12:00 PM with no action taken except to go back into open session.

Item Three: County Appraiser requested an executive session for 10 minutes to discuss Non-Elected Personnel.

On motion (24-376) 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

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than 10 minutes to discuss Non-Elected Personnel to discuss Appraiser's Office and to include the Board of County Commissioners, County Appraiser Zach Edwards, and to reconvene by 12:12 PM.

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 12:02 PM and reconvened the Open Session at 12:09 PM with no action taken except to go back into open session.

NEW BUSINESS

Item One: County Clerk Lisa Lusker requested a work session with Bukaty Companies to return with their insurance renewal on Tuesday, September 10, 2024 at 9:00 AM. The Commissioners agreed this day would work.

Item Two: Commissioner Blair mentioned he received a phone call yesterday regarding the county wanting to do away with pagers with the fire departments. Commissioner Blair stated he assured the resident they would not be doing away with pagers. Commissioner Wood said he received a call yesterday too discuss them switching from pagers to cell phones and he stated he is unsure where they heard this but that they will not be doing this. Commissioner Wood mentioned having 911/Communications Director Tim Mikrut to come in sometime soon and to discuss this.

OLD BUSINESS

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

FUTURE BUSINESS:

Item One: September 6, 2024- 10:00 AM Public Hearing on closing and vacating a platted street in the Town of Croweburg, Crawford County, Kansas.

Item Two: September 6, 2024- 10:00 AM Public Hearing on closing and vacating a roadway and right-of-way in Martin Kane's 2nd Addition to the City of Arma, Kansas.

Item Three: September 10, 2024- 9:00 AM Work session with Bukaty Companies regarding insurance.

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

ANNOUNCEMENTS:

Item One: September 2, 2024- The Courthouse will be closed in observance of the Labor Day Holiday.

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Item Two: September 3, 2024- Road and Bridge Department will be returning to their winter hours.

UNDER THE HEADING MOTION TO ADJOURN MOTION TO ADJOURN

Item One: Adjournment

On the motion of Commissioner Moody and the second of Commissioner Wood to adjourn the [August 30, 2024](#) meeting of the Board of Crawford County Commissioners at 12:14 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 08/30/2024 1:00 PM/amended BKW 8/30/24 4:00 PM