

# Board of Crawford County Commissioners

## Commissioners' Journal

2023, FORTY-SECOND MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM  
Girard, KS. Tuesday, June 6, 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 (23-238)** of Commissioner Moody and the second of Commissioner Wood that the consent agenda be approved including:

1. Approval of the June 2, 2023 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 23	232	That the consent agenda be approved including: Approval of the May 26, 2023 minutes
Motion 23	233	To approve the May 2023 Clerk's Report as presented
Motion 23	234	To approve publication of the Request for Bid for the Crawford County Health Department addition and remodel project
Motion 23	235	To approve the publication of the Notice of Intent to Vacate a Platted Alley in the Original Town of Opolis, Crawford County Kansas with a hearing date set for 10:00 AM on Friday, June 30, 2023
Motion 23	236	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

## Board of Crawford County Commissioners

		deemed privileged in the Attorney-Client Relationship to discuss building maintenance and to include the Board of County Commissioners, County Counselor Jim Emerson, County Clerk Lisa Lusker and Maintenance Supervisor Robert Gorentz and to reconvene by 10:40 AM
Motion 23	237	To recess this open session and go into a closed executive session for a period of not more than 15 minutes to discuss the Road & Bridge Department under Non-Elected Personnel and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 10:56 AM

**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 APPOINTED OFFICIALS**

**MESSAGES FROM THE PUBLIC**

**Item One:** Mr. Bert Patrick addressed the Commissioners. He stated that he a long-time resident of Pittsburg and Crawford County. He said that he would like to speak about KDOT’s proposal, specifically the expansion of the western corridor. He named 4 individuals that he said has spoken in support of the western corridor and stated that all other individuals have spoken in opposition of the western corridor. He spoke about the funds involved. He explained that he was in attendance today to ask the Commissioners to consider the reasons to simply expand the existing Highway 69 from 47 Highway to Highway 400 South of Pittsburg. Mr. Patrick discussed the economic impact on the businesses along the corridor, time issues and safety issues. He discussed the Commissioners rejecting the current proposal of the western corridor and officially announcing their position on this matter and asked when the residents and voters of Crawford County can anticipate that announcement. The Commissioners thanked Mr. Patrick for his input. The Commissioners stated that this issue will be discussed later in the meeting. Commissioner Moody spoke about the issues of maintenance of the current highway if the proposal on the western corridor is passed. Mr. Patrick discussed who will be making the final decision on the chosen corridor.

**Item Two:** Mr. Dan Muter addressed the Commissioners. He spoke about eminent domain. He spoke about the cities rescinding their support of the western corridor. He discussed the survey and said that he was amazed at the results of the survey and the large percentage of replies supporting the existing 69 Highway. Mr. Muter said he feels the best way to face KDOT is for everyone to stick together and state what the entities and citizens want.

**EXECUTIVE SESSION**

**Item One:** Commissioner Bruce Blair requested an executive session for 5 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship.

## Board of Crawford County Commissioners

**On motion (23-239)** of Commissioner Moody and the second of Commissioner Wood to recess this open session and go into a closed executive session for a period of not more than 5 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship to discuss the KDOT project and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 10:35 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 10:30 AM and reconvened the Open Session at 10:35 AM with no action taken except to go back into open session.**

### NEW BUSINESS

**Item One:** Commissioner Blair discussed the Highway 69 Project. He stated that there is no doubt that improvements need to be made on the Highway 69 Corridor. He said that great improvements have been made and there is now a 4-lane highway from the Bourbon County Line to Atkinson Ave in Pittsburg. He said that improvements need to be made to the 69 Bypass around Pittsburg due to safety and other issues. Commissioner Blair stated that the public input from the survey and after going over the responses it clearing shows that the existing route is the best route and improvements need to be made due to safety. Commissioner Blair explained that due to those reasons, he is in support of the existing route.

Commissioner Moody stated that he agrees with everything Commissioner Blair said and he said that he has been a Commissioner for many years and he never thought that in his lifetime he would see a 4-lane highway from Kansas City to Crawford County. He stated that the 4 lane is great and due to that he would like to thank the Highway 69 Committee that has done all the work over the years to help make it all possible. Commissioner Moody said that he agrees with Commissioner Blair and to look at the existing route, possibly make changes to improve safety and flow, and that this could be done at a lesser expense than the western corridor. He also stated that the survey numbers were overwhelming and due to that he is willing to make a decision today.

Commissioner Wood stated that he knows that the existing route is the one that needs to be chosen. He discussed putting in overpasses. He said that he is in favor of the existing route and would like to contact the KDOT District Engineer and the interim Secretary of Transportation and have a meeting and let them know that the people have spoken and the entities have spoken in favor of the existing route.

County Counselor Jim Emerson stated that that the Commissioners will need to pass a motion to approve rescinding the previous Resolution stating that Crawford County was in support of the Western Alignment. He stated that after the motion is passed, he will draft a Resolution for the Commissioners to adopt and sign.

## Board of Crawford County Commissioners

**On motion (23-240)** of Commissioner Moody and the second of Commissioner Blair to approve rescinding the prior Resolution stating that Crawford County was in support of the Western Alignment.

**On a Roll Call Vote.**

Yeas: Commissioners Moody, Blair and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

Mr. Emerson explained that the Resolution he will be drafting will rescind the previous Resolution and also show support of the existing route.

Commissioner Wood discussed meeting with the officials at KDOT and Mr. Emerson stated that he working on this issue.

Mr. Patrick asked the Commissioners is they are making a statement that they are in support of the existing route and then solicit input from the KDOT District Engineer. Commissioner Moody explained that the Commissioners have made a statement that they are in support of the existing route and that Commissioner Wood is asking to speak with KDOT so that the Commissioners' recommendations are directly heard by the KDOT District Engineering and the Interim Secretary of Transportation. Mr. Patrick addressed a KDOT meeting in Iola in October and it was discussed that this is an area wide meeting and every road in this area will be discussed. Mr. Emerson handed out information to the Commissioners about this meeting and stated that the KDOT Southeast, District 4 Meeting will be held on Thursday, October 12, 2023 from 9:00 AM to Noon at the Bowlus Fine Arts Center in Iola, Kansas.

### MESSAGES FROM OTHER GOVERNMENTAL ENTITIES

**Item One:** Mr. Charles Bowers addressed the Commissioners and stated that he is with Kansas Department of Health and Environment and he is a professional engineer registered in the State of Kansas. He explained that he is a permit writer for permit No. 776 located on 190<sup>th</sup> Street in Crawford County. He stated that he is present today because state statutes require him to request the Commissioners advice and council regarding a permit transfer. Mr. Bowers explained that the transfer involves what was originally the old Lloyd's Loads Landfill permitted in 1999 to Merle Lloyd and it was certified that the landfill was consistent with the Crawford County Solid Waste Management Plan at that time and it was also certified that it was consistent with local land use and zoning at that time. Mr. Bowers stated that in 2010 the permit transferred to GT Management LLC out of Arkansas and since that time, very little waste has been deposited at the site and very little maintenance has been done at the site. He said that the current permit transfer is from GT Management LLC to CNWA Properties LLC, an Arkansas Corporation. Commissioner Moody asked Mr. Bowers if he knew anything about the new company and Mr. Bowers stated that he knew very little but they did pass the background check. Commissioner Wood discussed some concerns he has with the landfill especially with water on the south side and stated that he has seen no activity at the landfill for quite a while and asked Mr. Bowers why the permit was not done away

## Board of Crawford County Commissioners

with as a landfill since there has been no activity. Commissioner Wood addressed concerns with another landfill east of Pittsburg. He asked why Crawford County has to take everybody's trash. He again addressed concerns with the water on the south side of the landfill on 190<sup>th</sup> St. Mr. Bowers stated that there are some wetland concerns and at one time an application for an expansion was received and due to the wetland concerns the application was withdrawn. Mr. Bowers stated that at this time there are no plans for expansion and the new applicant has repaired a long outstanding violation at that site for exposed waste. Commissioner Wood addressed how much land is available for landfill at this area. Commissioner Wood would like to table this issue until he gets more information on the available land. The Commissioners discussed the future plans of the new applicant and Mr. Bowers stated that he cannot discuss this at this time but can ask the applicants and get permission to discuss it with the Commissioners but they do not to divulge the information. Mr. Bowers wanted to remind the Commissioners that the landfill is consistent with the Crawford County Solid Waste Management Plan and also consistent with local land use and zoning. Mr. Wood requested that the new applicants get in contact with Zoning Administrator May Smith. Mr. Bowers reminded Commissioner Wood that whenever the certifications are issued, they are typically considered irreversible especially with the consistency of the Solid Waste Management Plan. Commissioner Blair asked Mr. Bowers if he has dealt with transfers in other counties and Mr. Bowers said that he has and they have been pretty straight forward and not much of an issue. He also stated that Crawford County has more C & D Landfills than the average county. Mr. Bowers explained the next steps in the transfer process. He presented a draft of a letter that will be published in the Kansas Register and the Morning Sun.

### **NEW BUSINESS continued**

**Item Two:** Mr. Emerson handed out information from Ms. Heather Spaur, Mental Health Director on a new program, MAT that started yesterday. He explained that Mental Health would like to offer assistance to clients that do not have insurance for this program and this is a request for opioid funds. He stated the amount of funds that Ms. Spaur is requesting is \$28,756 from the Opioid Settlement. Mr. Emerson presented a sheet showing the balance in the Opioid Settlement Fund and the amount in that fund to date is \$88, 344.62 and Mr. Emerson stated that this is the only request that has been received for these funds. Commissioner Blair stated that this program is a great fit for this money. Mr. Emerson explained how these funds can be used. He stated that the county will receive money for this fund for many years. The Commissioners requested that Mr. Emerson reach out to Health Department Director Debra Anthony and the Commissioners stated that they will make a decision on this request on Friday.

**Item Three:** Mr. Emerson addressed the trash bids and handed a draft of the Notice to Bidders for the Commissioners to review. The Commissioners will readdress this issue on Friday.

**Item Four:** Mr. Emerson presented a quote and specs from International Truck for a truck for Road & Bridge District #2 that he received from Shop Foreman Josh Peak. He stated that the quote for the truck is \$120,500 and the quote for the bed is \$45,965. He stated that the next step is to put an order in for the truck. Commissioner Moody would

## Board of Crawford County Commissioners

like to have his road foreman look at the quote to make sure that is what they are looking for then get back with either Mr. Emerson or Mr. Peak with his input.

**Item Five:** Commissioner Wood discussed looking at department budgets and checking into what is left for the year. Mr. Emerson stated that this can be discussed in the upcoming department budget meetings with the Commissioners. County Clerk Lisa Lusker stated everyone has been given their budget information sheets for the year last month. Mr. Emerson stated that the Fiscal Department sends out budget summaries to the departments each month so the departments should know exactly where they are at with their budget.

**Item Six:** Commissioner Blair addressed the CTEC Board of Directors. He stated that the delegates need to be reappointed.

**On motion (23-241)** of Commissioner Wood and the second of Commissioner Blair to reappoint Commissioner Carl Wood as his district delegate, Ms. Susan Boldrini as Commissioner Blair's district delegate and Mr. Bryan Hoffman as Commissioner Moody's district delegate and authorize the Chairman to sign.

Yeas: Commissioners Moody, Blair and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

**Item Seven:** Commissioner Blair discussed a reclaimer and a stabilizer. He will get some additional details and readdress at a later date.

### OLD BUSINESS

**Item One:** Commissioner Wood addressed dust control. Mr. Emerson stated that the landowner signs an agreement for dust control and pays the county for it. Mr. Emerson will get a list of names for Commissioner Wood.

### EXECUTIVE SESSION continued

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

**On motion (23-242)** 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 15 minutes to discuss the Road & Bridge Department under Non-Elected Personnel and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 11:40 AM.

Yeas: Commissioners Moody, Wood and Blair

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

## Board of Crawford County Commissioners

**The Commissioners went into Executive Session at 11:25 AM and reconvened the Open Session at 11:40 AM with no action taken except to go back into open session.**

### **UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS**

#### **FUTURE BUSINESS:**

#### **ANNOUNCEMENTS:**

### **UNDER THE HEADING MOTION TO ADJOURN MOTION TO ADJOURN**

#### **Item One: Adjournment**

**On the motion** of Commissioner Wood and the second of Commissioner Blair to adjourn the [June 6, 2023](#) meeting of the Board of Crawford County Commissioners at 11:43 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

◇

**This submission completed at the Crawford County Courthouse in Girard.**

Taken BKW 6/6/2023 11:43 AM/amended BKW 6/8/2023 2:00 PM