

Board of Crawford County Commissioners

Commissioners' Journal

2024, TWENTY-THIRD MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM
Girard, KS. **Friday, March 22, 2024 Immediately following the meeting of 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.

Commissioners Tom Moody and Commissioner Bruce Blair were in attendance.

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

Chairman Wood led the Pledge of Allegiance.

(MOTIONS 24-152 AND 24-153 ARE MOTIONS MADE BY THE BOARD OF COUNTY CANVASSERS.)

UNDER THE HEADING BUSINESS FROM A PREVIOUS MEETING CONSENT AGENDA

On motion (24-154) of Commissioner Moody and the second of Commissioner Blair that the consent agenda be approved including:

1. Approval of the **March 19, 2024** minutes of the Board of County Commissioners, and
2. Authorizing the Chairman to sign the previous week's vouchers.

Yeas: Commissioners Blair, Moody 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	148	That the consent agenda be approved including: Approval of the March 15, 2024 minutes and Approval of the accounts payable warrant numbers 628181 to 628434 dated March 15, 2024 in the total amount of \$391,718.44
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Motion 24	149	To approve the Kansas Department of Health & Environment Aid to Local Grants Application for grant period July 1, 2024 to June 30, 2025 and authorize the Chairman to sign Grant Application Signature Page
Motion 24	150	To approve the publication of the Notice of Intent to Vacate Platted Alleys & Street located in George Falletti's Subdivision, Crawford County, Kansas with a public hearing scheduled for April 16, 2024 at 10:00 AM
Motion 24	151	To approve the publication of the Notice of Intent to Vacate a Platted Street located in Vanpevenage's Subdivision, Crawford County, Kansas with a public hearing scheduled for April 16, 2024 at 10:00 AM

UNDER THE HEADING NEW BUSINESS

PROCLAMATION AND ORDERS OF THE BOARD

MESSAGES FROM CRAWFORD CO LOCAL BOARD OF HEALTH

MESSAGES FROM ELECTED OFFICIALS

MESSAGES FROM OTHER GOVERNMENTAL ENTITIES

MESSAGES FROM APPOINTED OFFICIALS

MESSAGES FROM THE PUBLIC

Item One: Mr. John Copyak with Shasta Power addressed the Commissioners and stated his company is in the process of putting in a solar development northeast of Arma and would like to introduce himself and meet the Commissioners.

EXECUTIVE SESSION

Item One: IT Director Brandon Spaur requested an executive session for 10 minutes to discuss Non-Elected Personnel.

On motion (24-155) 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 10 minutes to discuss Non-Elected Personnel to discuss the IT Department and to include the Board of County Commissioners, County Counselor Jim Emerson, IT Director Brandon Spaur and Mr. Gus Brunetti and to reconvene by 9:32 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 9:22 AM and reconvened the Open Session at 9:32 AM with no action taken except to go back into open session.

Item Two: Commissioner Wood requested an executive session for 10 minutes to discuss Non-Elected Personnel.

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On motion (24-156) 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 10 minutes to discuss Non-Elected Personnel to discuss the IT Department and to include the Board of County Commissioners, County Counselor Jim Emerson, IT Director Brandon Spaur and Mr. Gus Brunetti and to reconvene by 9:43 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 9:33 AM and reconvened the Open Session at 9:38 AM with no action taken except to go back into open session.

NEW BUSINESS

Item One: Commissioner Moody addressed Good Friday. County Counselor Jim Emerson stated that he has spoken with County Treasurer Joe Grisolano and Mr. Grisolano said that he has no issue with closing the courthouse that day and stated that there will no penalties involved if the residents purchase or renew tags on Monday, April 1, 2024. Commissioner Wood stated that he would like to review all the paid holidays in the handbook and possibly barter as it seems like anything that comes up, the employees are given the day off, but he does agree with giving Good Friday off.

On motion (24-157) of Commissioner Moody and the second of Commissioner Blair to close the Courthouse in observance of Good Friday, March 29, 2024.

Yeas: Commissioners Moody, Blair and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Two: Commissioner Wood spoke about the information he presented previously on the low boy trailer. Commissioner Moody and Commissioner Blair stated that they have not had a chance to look at the information yet. Commissioner Moody asked if Shop Foreman Josh Peak and Commissioner Wood's road foreman have approved the trailer and that it is agreed that it is for all three districts to use and Commissioner Wood affirmed.

On motion (24-158) of Commissioner Moody and the second of Commissioner Wood to approve the purchase of a 2025 Neville 45' x 120" Lowboy Trailer at a price of \$45,275.00 and pay from the Equipment Reserve Fund.

Yeas: Commissioners Moody, Blair and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

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OLD BUSINESS:

Item One: Mr. Emerson handed out the tentative agenda for the 48th Annual Kansas County Commissioners Association Spring Conference to be held April 16 thru April 18 in Pittsburg. He stated that there is a budget workshop he would like to attend on Tuesday, April 16 and the Commissioners might also like to attend but it will conflict with the Regularly Scheduled meeting for that day. He asked the Commissioners to let him know if they would be attending the budget workshop so he can get everyone registered. Mr. Emerson said that the issue of cancelling the meeting for that day can be addressed at a later date.

Mr. Emerson announced that this meeting will be recessing. The hearing on land issues will start at 10:00 in the Courtroom 3rd Floor and will be telecast via Zoom with a link to access the meeting in the county website.

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

FUTURE BUSINESS:

Item One: March 26, 2024 – 8:00 AM Work Session to sign March 2024 bills and payroll vouchers.

Item Two: March 26, 2024 – Mr. Mike Dallman, Field Operations Supervisor, Kansas Division of Property Valuation addressing PVD Compliance **via Zoom.**

Item Three: April 2, 2024- CEO of SEKCAP Mr. Jamey Whitney and Executive Mental Health Director Ms. Heather Spaur discussing a collaborative grant.

ANNOUNCEMENTS:

Item One: March 27, 2024 – City/County Luncheon hosted by the City of Girard from 11:30 AM to 1:30 PM at the Girard Civic Center, 102 N Ozark, Girard. All three Commissioners may be in attendance.

Commissioner Wood gave information on cleaning up at the recycling center.

On motion (24-159) of Commissioner Moody and the second of Commissioner Wood to recess this open session until 10:00 AM and reconvene in the Courtroom, 3rd Floor.

Yeas: Commissioners Moody, Blair and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Chairman Wood called the meeting back to order at 10:00 AM.

PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS

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Item One: Public Hearing on land issues within Crawford County. Commissioner Wood thanked everyone for attending. Mr. Emerson explained that the meeting was being recorded and televised via Zoom and asked everyone to keep as quiet as possible so the speakers can be heard via the live stream. He explained that this meeting is to discuss land use in the county including wind farms, solar farms, moratorium, expanding zoning boundaries and continuation of current boundaries. He pointed out the maps displayed and explained that the maps are the current zoning boundaries in the county. Mr. Emerson stated that Crawford County has not entered into any agreements with any wind or solar companies except for the ones by Hepler nor has the County been officially approached in a Commissioner Meeting by any wind or solar projects. He stated that the county is aware that there are projects out there but the Commissioners have no specifics on the projects that the Commissioners will be able to discuss. He explained that this hearing is to listen to the public about their concerns and opinions and will answer as many questions as possible. He said that the meeting needs to be as orderly as possible and each speaker will have 5 minutes to speak and then the Commissioners and himself will answer any questions they can. He stated that Zoning Administrator May Smith will call a name to speak and Ms. Tina Troth will let the speaker know when their time is up. Ms. Smith called the following speakers.

Mr. John Copyak, Shasta Power spoke of the benefits of solar. He gave information on his company.

Mr. Dave Goble spoke in opposition of wind farms in rural areas of Crawford County and gave the reasons why. He asked that Crawford County place moratorium on any additional wind development without a vote of the people by any township that it would affect. He also requested that any further development not be subject to tax abatements and pay their fair share like any other industry in the county. Commissioner Moody asked Mr. Goble about his opinion on zoning and Mr. Goble stated he cannot answer that unless he knows the details. Commissioner Moody stated that zoning is for the landowner's protection.

Mr. Adam Jones spoke and stated that he lives in Stilwell, Kansas and owns a 160-acre farm in Crawford County for recreational use and hunting and leases out the farm land. He stated he would like to see a moratorium on wind energy and stated his reasons why. Commissioner Wood asked his opinion on zoning and Mr. Jones stated he wants zoning that protects land owners and farmers.

Mr. Robert Dutton spoke in favor of solar energy and feels that solar moratorium is a mistake and stated his reasons why. He explained that he lives in Northeastern Crawford County and his property is not zoned. He spoke about tax revenue for the school districts. Mr. Emerson discussed tax revenue and zoning and stated that a moratorium is not a ban but allows time to get regulations in place.

Ms. Carol Hammerbacher spoke and discussed EMF (Electronic Magnetic Forces) and her concerns with EMF.

Ms. Becky Willard stated that she is a landowner in Crawford County and discussed her reasons for being against solar or wind farms and discussed being in favor of zoning.

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Mr. Darrin DeLange discussed his concerns with moratorium and the time issues. Mr. Emerson discussed the Comprehensive Plan update and stated that this will take 8 to 10 months. Mr. DeLange stated that he is in favor of wind and solar farms and he discussed the reasons why. He stated that he wants to be able to do what he wants with his property and does not want the county telling him what he can do. Commissioner Wood discussed tax revenue and exemptions on personal property.

Mr. Don Frevele spoke and asked questions about the taxes revenues on the personal property and real estate taxes on the wind turbines and the 1 acre of land the turbine sits on. He also discussed taxes on the energy sold. He spoke about ground water pollution. He wanted to know why people want to put a ban on something that will bring dollars into one of the poorest counties in the state. He stated that he is not in favor of expanding zoning.

Mr. Mark Viets spoke and stated that he is not in favor of zoning and does not want county government telling him what to do with his property.

Mr. Melisia Rhodes spoke about school funding and what Shasta Power can do for USD 246.

Mr. Greg Davied spoke about zoning and why he is against it. He stated that he does like windmills.

Ms. Melesia Rhodes discussed wind power.

Mr. Don Kranker spoke about wind, solar and power plant energy.

Ms. Pam Kurdi spoke about the problems with windmills and the reasons she is very against them.

Mr. Michael Diskin asked about studies that need to be done on wind turbines and the effects on human life and animal life. He discussed other issues that should be looked into on wind turbines. He explained that he moved from the city 10 years ago to enjoy the scenery of Crawford County and wind turbines is not the scenery he would like to see. He stated that he would like the Commissioners to put a stop on any wind or solar projects. Commissioner Wood asked if Mr. Diskin was in a zoned area and Mr. Diskin stated that his land is not in a zoned area.

Mr. Travis Wood spoke about why he is against solar & wind energy. Mr. Emerson explained the process on zoning that takes place in zoned areas of the County. Mr. Emerson spoke about the Comprehensive Plan and Zoning Regulations.

Ms. Victoria Murphy stated that she is here just to state that she is against wind turbines.

Mr. Gary Beachner spoke and stated that there is a growing need for electricity in the country. He discussed renewable sources. He spoke about taxation and economic

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benefits. He also discussed zoning and cautioned against zoning especially in rural areas of the county.

Dr. Jim Triplett spoke and stated that he is the Chairman of the Crawford County Solid Waste Committee and Vice-Chairman of the SEK Recycling Center Inc. He stated that he supports wind and solar over coal.

Mr. Copyak spoke against coal and spoke in favor of solar panels and stated that Shasta Power's projects are bonded and insured. Commissioner Wood asked how the fields of solar panels can be hidden from the neighbor's view. Mr. Copyak answered Commissioner's Wood's question and explained the visual aspects of the solar panels. There was also a discussion on setbacks.

Mr. Ryan Ashmore spoke and stated that he may be for zoning to give residents a say in what happens on lands around him.

Ms. Margaret O'Toole stated she would like to speak to Mr. Beachner and stated that she knows that he has several windmills on his property and would like to know if he has had any adverse effect with cattle. Mr. Beachner stated that he has had no environmental problems.

Mr. Jim Michael spoke about unzoned areas and stated that he wants to stay unzoned. He explained that he is not for or against windmills at this time. He said that he purchased his property knowing that it was not zoned. He stated that he feels he has a good relationship with his neighbors that they would talk about any major issues before making changes to the property.

Commissioners Blair spoke about leases and the willingness for the wind turbine and solar panel companies to work with the County.

Mr. Beachner discussed the new lighting technology for the turbines.

Mr. Ross Martinson spoke and discussed powerlines, sub stations, eminent domain as setbacks from others' properties. Commissioner Wood asked if solar and wind companies can use eminent domain.

Mr. Copyak spoke again and discussed the domestic content of the material in solar panels stated that his company does not have any authority with eminent domain.

Ms. Judy Prince spoke and stated that she can see the wind turbines lights to the east flashing at all times. She spoke about school funding. She stated that wind turbine energy and solar energy cannot compete in times of surge.

Ms. Kurdi spoke again.

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

Item One: Adjournment

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On the motion of Commissioner Moody and the second of Commissioner Wood to adjourn the [March 22, 2024](#) meeting of the Board of Crawford County Commissioners at 11:58 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

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This submission completed at the Crawford County Courthouse in Girard.

[Taken BKW 3/25/24 2:15 PM](#)