

Board of Crawford County Commissioners

Commissioners' Journal

2024, [SIXTY-SIXTH](#) MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM
Girard, KS. **Friday, September 6, 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 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 (24-383) of Commissioner Moody and the second of Commissioner Blair that the consent agenda be approved including:

1. Approval of the **September 3, 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	377	That the consent agenda be approved including: Approval of the August 30, 2024 minutes
Motion 24	378	To approve the August 2024 Clerk's Report as presented
Motion 24	379	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 deemed privileged in the Attorney-Client Relationship to discuss land

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		use consultant and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 10:35 AM
Motion 24	380	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 EMS and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 10:43 AM
Motion 24	381	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 lease documents and to include the Board of County Commissioners and County Counselor Jim Emerson and to reconvene by 10:56 AM
Motion 24	382	To approve the contract between Crawford County and Adams Jones Law Firm, P.A. in the amount of \$150,000 to be payable over a 12 month period for the Comprehensive Plan and authorize the Chairman to sign

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 THE PUBLIC

Item One: Mr. Mike Bodensteiner addressed the Commissioners. He stated he is here to answer any questions that he can regarding the MOUs. Mr. Bodensteiner also stated in regards to Point Forward and SEKCAP, he has heard no updates and has nothing to report on them. Commissioner Moody asked if these MOUs have already been approved in an open meeting and County Counselor Jim Emerson stated that they have already been approved in the meeting on June 18, 2024. Mr. Bodensteiner wants to know which MOU is being addressed and Mr. Emerson answered it is the MOU with Sugar Creek. Commissioner Wood discussed the part of the MOU that referenced to the child care facility needing to be open by November 1, 2024, or having made adequate progress in their project or else their funding could be revoked and that he would like clarification from Mr. Bodensteiner on that. Mr. Bodensteiner stated adequate progress will need to be defined and discussed what he would consider to be adequate progress. Mr. Bodensteiner explained that the definition of adequate progress would come from the Commissioners and Mr. Emerson. Mr. Emerson explained that the new interpretation of the guidelines set by the government were what created the new deadline of November 1, 2024. He mentioned the money has to be allocated by December 31, 2024. Mr. Emerson explained the November 1, 2024 date gives the Commissioners time to decide if the project will be successful and if not they revoke the funding and reallocate the money to another project. Mr. Emerson mentioned on November 1, 2024 they will take one last look at the projects to see if they have made adequate progress and have a final MOU in place. Mr. Bodensteiner stated one of the projects that has not moved as quickly as they had hoped has since made good progress. Commissioner Wood asked about who will make the final MOUs and Mr. Bodensteiner answered. Commissioner Moody asked if Mr. Bodensteiner

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is concerned about any of the projects and Mr. Bodensteiner stated there is one project that he wishes was more set with the partnership piece of the project. Commissioner Wood asked if they have to have the partnership taken care of by November 1, 2024 and Mr. Bodensteiner stated he would like it done as soon as possible. Commissioner Wood asked Mr. Bodensteiner why Sugar Creek filed for a W-9 and Mr. Bodensteiner stated he is not sure of that and has not heard anything about that. Commissioner Wood stated they are the only facility that has filed for one. Commissioner Wood asked if Sugar Creek and New Foundations are partnered together why do they not just have on MOU for them and instead have two. Mr. Bodensteiner mentioned this goes back to the beginning when they had two applications and then agreed to partner with each other. Commissioner Wood asked if they are going to be two different entities if he has to sign two different MOUs and Mr. Bodensteiner explained. Mr. Bodensteiner explained that Sugar Creek project was able to get additional grant funding because of their partnership with New Foundations. Commissioner Blair asked if the grant they received is tied to child care and Mr. Bodensteiner stated it is, and Commissioner Blair then asked if the guidelines on that grant were more stringent than what the county has on the funding they have provided and Mr. Bodensteiner answered yes. Commissioner Wood asked if Sugar Creek or New Foundations received that grant money and Mr. Bodensteiner answered that New Foundations received the grant funding. Commissioner Wood asked about available slots in Sugar Creeks project and Mr. Bodensteiner explained. Commissioner Wood asked what happens if the projects have spent their money but then do not have their projects completed by December 31, 2026 and Mr. Bodensteiner answered. Commissioner Wood asked why the county has an MOU with SEKCAP that needs to be signed when he does not know the progress of their project and Mr. Bodensteiner answered. Mr. Emerson stated they will hold off on that MOU because they are waiting on an answer for a federal grant. Commissioner Wood asked about the applications with SEKCAP and Washington School and then another application with just Washington School and why they did not go back out to the public for applications for people interested in this. Mr. Bodensteiner answered but also stated he is not speaking for the Commissioner at that time. Commissioner Wood states he believes it should have been opened back up to the public to apply. Mr. Bodensteiner gave some details about the Washington School project needing a child care provider. Commissioner Blair asked if it is fair to say that since Point Forward keeps getting put in the crosshairs that it would make a provider hesitant to get involved. Mr. Bodensteiner stated he sees both sides of the argument and that he would just feel more comfortable if Point Forward had a provider by now. Commissioner Blair explained a lot of the guidelines were created by the Commissioners at the time as well. Commissioner Wood rediscussed the applications in 2024 that did not technically meet the deadlines from SEKCAP and Point Forward. Mr. Bodensteiner explained why those were accepted. Commissioner Wood stated he feels like the dates just keep getting moved around and that they are going to be moved again and Mr. Emerson stated that was always the plan and that they have no other choice than to do that because of the federal government. Commissioner Moody mentioned the MOUs have been approved and have not been signed and Commissioner Wood mentioned he is going to sign them today.

MESSAGES FROM THE PUBLIC

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Item One: Mr. Rick Elnicki addressed the Commissioners. He said he spoke with a representative from Evergy out of Topeka. He stated he was told by this representative today that Evergy is planning to add 2,500 megawatts of solar power to their system in the next 10 years which will take 15,000 acres of land to produce this. Mr. Elnicki stated that as far as the Comprehensive Plan he encourages them to expedite the process so that Evergy does not do all of their work in neighboring counties and none in Crawford County. Commissioner Blair asked for the contact information of the Evergy representative and Mr. Elnicki provided it to him.

PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS

Item One: Public Hearing on Closing and Vacating a platted street in the Town of Croweburg, Crawford County, Kansas.

On motion (24-384) of Commissioner Blair and the second of Commissioner Moody to open the Public Hearing on Closing and Vacating a platted street in the Town of Croweburg, Crawford County, Kansas.

Yeas: Commissioners Moody, Blair, and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

There was no public comment.

On motion (24-385) of Commissioner Moody and the second of Commissioner Blair to close the Public Hearing on Closing and Vacating a platted street in the Town of Croweburg, Crawford County, Kansas.

Yeas: Commissioners Moody, Blair, and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

County Counselor Jim Emerson presented Resolution #2024-023, a Resolution on Closing and Vacating a Platted Street in the Town of Croweburg, Crawford County, Kansas.

On motion (24-386) of Commissioner Moody and the second of Commissioner Wood to adopt Resolution #2024-023, A Resolution on Closing and Vacating a Platted Street in the Town of Croweburg, Crawford County, Kansas.

Yeas: Commissioners Moody, Blair and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

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Item Two: Public Hearing on Closing and Vacating a road in Washington Township, Crawford County, Kansas.

On motion (24-387) of Commissioner Blair and the second of Commissioner Moody to open the Public Hearing on Closing and Vacating a road in Washington Township, Crawford County, Kansas.

Yeas: Commissioners Moody, Blair, and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

There was no public comment.

On motion (24-388) of Commissioner Moody and the second of Commissioner Blair to close the Public Hearing on Closing and Vacating a road in Washington Township, Crawford County, Kansas.

Yeas: Commissioners Moody, Blair, and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Mr. Emerson presented Resolution#2024-022, a Resolution Closing and Vacating a road in Washington Township, Crawford County, Kansas.

On motion (24-389) of Commissioner Blair and the second of Commissioner Moody to adopt Resolution #2024-022, A Resolution on Closing and Vacating a road in Washington Township, Crawford County, Kansas.

Yeas: Commissioners Moody, Blair and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

MESSAGES FROM APPOINTED OFFICIALS

Item One: County Grant Writer Gus Brunetti addressed the Commissioners. He stated he has been working on three projects. Mr. Brunetti mentioned he is here today to get three affidavits signed so that he is allowed to continue with the application process for these projects. He stated one is for the City of Mulberry and provided some details about this project. Commissioner Blair asked if there was a match required and Mr. Brunetti stated a match is not required on any of the three projects. He explained the next one is for Water District #5 and gave some details. Mr. Brunetti explained the final affidavit is for Water District #4.

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On motion (24-390) of Commissioner Moody and the second of Commissioner Blair to approve the Affidavit in Support of Grant Application Submission and authorizing the Chairman to sign.

Yeas: Commissioners Moody, Blair, and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

NEW BUSINESS

Item One: Mr. Emerson presented Resolution #2024-021 which included a proposed appointment to the Crawford County Planning and Zoning Board and Joint Board of Zoning Appeals. He mentioned the recommendation is for Mr. Travis Wood.

On motion (24-391) of Commissioner Moody and the second of Commissioner Wood to approve Resolution #2024-021, a Resolution appointing Travis Wood to the Crawford County Planning and Zoning Board and Joint Board of Zoning Appeals.

Yeas: Commissioners Moody, Wood, and Blair

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Two: Mr. Emerson provided the Commissioners with a deed to the final piece of property that the county owns which was going to be leased to Crawford County Mental Health. Mr. Emerson explained the property was incorporated into the new ATC building and he believes that the property should be transferred to Crawford County Mental Health. Commissioner Moody confirmed that the deed is written like the previous deeds. Commissioner Wood asked about property and Mr. Emerson explained.

On motion (24-392) of Commissioner Moody and the second of Commissioner Blair to approve the deed to Crawford County Mental Health as presented and authorizing the Chairman to sign.

Yeas: Commissioners Moody, Blair, and Wood

Nays:

Present but not voting:

Absent or not voting:

The motion prevailed.

Item Three: Commissioner Blair asked if an existing road is not chip and sealed and is just gravel is there a process to upgrading that road. Mr. Emerson stated it has happened before where they have upgraded main county roads that are not chip and sealed. He mentioned the people living along the road had all come up with the money for the materials in the previous situation. Mr. Emerson stated that would be considered a special request and Commissioner Blair stated he was just questioned on how some roads get the chip and seal and how some do not. Mr. Emerson mentioned the Commissioner in charge

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of that district could decide to do that road as part of their allotted amount for chip and seal.

OLD BUSINESS

Item One: Mr. Emerson mentioned Mr. Chris Dunlap will be coming to meet with him at 1:30 PM. He mentioned this was the teacher for the Life Career Skills that had previously received approval during open meeting to bring his students to the courthouse for an hour a week for them to do some hands on work. Mr. Emerson mentioned they will have adult supervision while they work.

Item Two: Mr. Emerson presented the Commissioners with a map of county roads to decide if they agree with the categorization. Mr. Emerson stated they will have to either approve a resolution stating they are in agreement with the map as is or they will need to adopt a resolution requesting a change and mentioned it needs to be done by the end of September. Commissioner Blair asked to confirm that this is just a general overlook of the roads that are typically higher traffic roads in the county and Mr. Emerson confirmed. Commissioner Blair stated his foreman looked over the map and approved it, and Commissioner Moody stated he has too but that he wants to look it over again.

Item Three: Commissioner Wood asked for an update on the SEK District Meeting and County Clerk Lisa Lusker stated it is going well and all counties have responded and she is expecting around 150 people to attend.

UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

FUTURE BUSINESS:

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

Item Two: September 13, 2024- 10:00 AM Budget hearing for the 2025 Budget.

ANNOUNCEMENTS:

Item One: September 19, 2024- SEK District Officials Meeting from 8:00 AM to 1:00 PM. All 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 [September 6, 2024](#) meeting of the Board of Crawford County Commissioners at 11:19 AM and to reconvene at the next regularly scheduled time with open doors.

Yeas: Commissioners Moody, Blair, and Wood

Nays:

Present but not voting:

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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 09/9/24 10:00 AM/amended BKW 9/9/24 2:00 PM