

# Board of Crawford County Commissioners

## Commissioners' Journal

2025, **SEVENTY-FOURTH** MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM  
Girard, KS. **Friday, October 17, 2025 at 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 Tom Moody served as the presiding officer.

Commissioners Bruce Blair and Carl Wood were in attendance.

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

Chairman Moody led the Pledge of Allegiance.

### **UNDER THE HEADING BUSINESS FROM A PREVIOUS MEETING CONSENT AGENDA**

**On motion (25-421)** of Commissioner Wood and the second of Commissioner Blair that the consent agenda be approved including:

1. Approval of the **October 14, 2025** minutes of the Board of County Commissioners, and
2. Approval of the accounts payable warrant numbers 640849 to 641100 dated October 15, 2025 in the total amount of \$406,474.07, and
3. Authorizing the Chairman to sign the previous week's vouchers.

Yeas: Commissioners Wood, Blair, and Moody

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 25	417	That the consent agenda be approved including: Approval of the October 10, 2025 minutes
Motion 25	418	To recess this open meeting and to go into a closed executive session for 15 minutes to discuss legal advice regarding insurance which would be deemed privileged in the attorney-client relationship pursuant to the consultation with attorney exception, K.S.A. 75-4319(b)(2), with the County Commissioners and County Counselor Jim Emerson present. The open meeting will resume at 11:06 A.M.

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		The motion passed 3-0
Motion 25	419	To recess this open meeting and to go into a closed executive session for 15 minutes to discuss legal advice regarding insurance which would be deemed privileged in the attorney-client relationship pursuant to the consultation with attorney exception, K.S.A. 75-4319(b)(2), with the County Commissioners and County Counselor Jim Emerson present. The open meeting will resume at 11:19 A.M. The motion passed 3-0
Motion 25	420	To recess this open meeting and to go into a closed executive session for 10 minutes to discuss legal advice regarding legal issues which would be deemed privileged in the attorney-client relationship pursuant to the consultation with attorney exception, K.S.A. 75-4319(b)(2), with the County Commissioners and County Counselor Jim Emerson present. The open meeting will resume at 11:26 A.M. The motion passed 3-0

### 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

### NEW BUSINESS

**Item One:** County Counselor Jim Emerson stated the Commission is aware of an annexation resolution that was adopted by the City of Mulberry and that the city did send the resolution to the Commission but that it failed to include a certification by the city clerk so it will be sent back for correction. He mentioned several emails have been sent to the website and that he has printed off these emails for review by the Commissioners. Mr. Emerson explained until the Commission has reviewed a certified copy of this annexation resolution and consults outside counsel no legal advice will be provided during today's meeting but he is happy to discuss the process. Mr. Emerson mentioned one question that was asked by email several times was if the City of Mulberry has the authority to annex property that is not attached to the city and he explained the answer is yes, they do and explained. Mr. Emerson explained he is also not prepared today to give legal opinions regarding the moratorium. Commissioner Moody asked about step 3 in the annexation process and asked if another city were to step forward and say this annexation would hinder their growth, would they have to consider this and Mr. Emerson explained. Commissioner Wood asked what Mr. Emerson meant by the annexation resolution had to be certified and Mr. Emerson explained. Mr. Emerson explained that once the city clerk has filed a certified copy the Commissioners they have 30 days to make findings.

### MESSAGES FROM THE PUBLIC

**Item One:** Mr. Travis Wood addressed the Commissioners. He mentioned he submitted an email with his concerns regarding the annexation and explained what his concerns are.

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Mr. Wood asked if the landowners requested this annexation and that he can say with confidence they did not request this because there are no benefits for their land being located in the City of Mulberry. Mr. Wood stated he believes landowners have felt pressured or received incentives or compensation to consent to the annexation. He stated his step dad and mother have been listed as agreeing to this annexation but that it is a false statement. He explained this is his opinion on the situation and that he is not for the annexation. Commissioner Moody asked about the \$100,000 that Mr. Wood mentioned and he explained. Commissioner Wood asked Mr. Wood if he was ever asked to sign paperwork for non-disclosure when he talked to Mr. Copyak with Shasta Power and Mr. Wood stated that he was not asked to sign anything. Mr. Wood explained there is nothing personal against the landowners involved.

**Item Two:** Ms. Melesia Rhodes addressed the Commissioners. She stated to Mr. Travis Wood she has copies of all the contracts and knows what is in them. She explained the projected money that will come in as tax money came from the County Appraiser and County Treasurer during a previous open meeting. Ms. Rhodes stated Shasta Power has not released the names of any of the landowners in attempt to protect them and that she typically has protection when she leaves these types of meetings because it has gotten very emotional. Commissioner Moody stated he agrees that everyone should be civil but that he can also understand those with opposing opinions because this will be placed near their homes. Ms. Rhodes stated the solar farm is not going to be directly across the street. Ms. Rhodes stated PSU will be using a portion of the land as well for plants to derive natural rubbers and that will be across from the homes followed by an eight foot chain link privacy fence. Ms. Rhodes discussed that the United States imports 100% of their natural rubber and that with the political climate the United States needs to find a way to derive their own natural rubber and that the PSU Polymer Center could be the front runner of this. Ms. Rhodes stated nobody in this county has been attacked as much as she has but that she is here to bring money into the county. She stated no land owner has been forced into signing and that Shasta Power is not throwing money around. Ms. Rhodes stated Shasta Power will provide fire equipment in case of a fire as well as training for the fire department, connecting with Eagle Picher regarding nonflammable batteries, and connecting with PSU Polymer Center. Ms. Rhodes explained there is always a risk. She stated she would love to meet with people who have concerns but that every time she walks in to a meeting she feels like she is walking in to a lion's den. Ms. Rhodes stated she is at The Foundry every Wednesday all day. Ms. Rhodes stated the land in Mulberry is all mined land and that Mr. Steve Kuplen was on the news discussing how all he can do is run cattle on it at times and hay the land. Ms. Rhodes stated City of Mulberry approached Shasta Power and that there is another community waiting in the wings to see how this plays out first. She discussed reasons Mulberry is interested in this project and things that community needs. Commissioner Moody stated he does not believe the type of plant that PSU plans to plant is the concern of the surrounding landowners. Ms. Rhodes explained why they are doing this. She said she would sit down and discuss with anyone in this room as long as they are civil and keep their verbal attacks in their head. Commissioner Moody mentioned he believes they are getting ahead of themselves as they are here to discuss annexation not a solar field that may or may not happen. Ms. Rhodes said she would like to remind everyone that when they do discuss the annexation the possible development of a solar farm is moot and should not be considered. Commissioner Wood asked Ms. Rhodes to tell him about Shasta Power and Ms. Rhodes

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stated as a Commission they cannot consider what the land might be used for when making their decision on the annexation and as a Shasta Power representative their plan is to put in 1,642 acres of solar panels and \$200,000,000 worth of storage batteries. Commissioner Wood stated they should know what the annexation is for and is it written down that wind and solar will be put there and Ms. Rhodes explained they do not do wind projects. Commissioner Wood stated if there is nothing in writing how does he know what will go on this land and Ms. Rhodes stated he probably needs to speak to their counselor when they are looking at what they can and cannot consider when looking at annexation and that she is stating Shasta is planning on putting up the solar panels and storage batteries. She did explain it is early in the process and this is step one. Commissioner Wood asked Mr. Emerson if this land gets annexed as Commercial and Mr. Emerson explained that all the Commissioners will do is vote to allow the annexation or not and then City of Mulberry will decide from there how to utilize the ground. Commissioner Wood asked if they wanted to put a feed lot on it could they and Mr. Emerson confirmed. Ms. Rhodes explained the City of Mulberry is asking for that annexation and then what happens on that property after is up to them and their zoning regulations. Commissioner Wood asked who will maintain the roads to get to the annexed property and Mr. Emerson stated he has not seen the annexation yet so he cannot answer. Commissioner Wood asked about the information Ms. Rhodes presented at the City of Mulberry meeting and Ms. Rhodes answered. Ms. Rhodes explained that the idea of annexing property for a solar project came from a previous commission meeting. Commissioner Wood discussed the roads to the annexation and Ms. Rhodes stated the roads inside the annexed area will be maintained by Shasta Power. Commissioner Wood asked about the roads leading to the annexed property. Ms. Rhodes stated if Shasta Power damages any roads in the process then they will repair the roads.

**Item Three:** Ms. Judy Prince addressed the Commissioners. She stated she would like to remind the Commissioners that Crawford County has spent a large sum of money on the Comprehensive Plan Survey and that the people who have taken time to answer the survey responded overwhelmingly in favor of zoning. She stated she believes it was mentioned by Mr. Joshua Albin that majority who were in favor of zoning wanted it for the prevention of wind and solar in the county. Ms. Prince stated she would also mention that the City of Mulberry has not asked for any other territory other than this which already has contracts for solar projects. She wants to mention the school funding and that the money that comes from these projects usually causes the state to cut the budget by that amount. Ms. Prince stated that Ms. Rhodes might have the contracts but that the public does not and she had previously asked if the Commissioners could see the contracts because it is important to the citizens. She wants to know if the company gets water rights and mineral rights. She discussed toxins from the solar panels and the batteries catching fire. Ms. Prince mentioned the plants that PSU will be planting will make it to where that soil cannot grow anything consumable ever again. Ms. Prince discussed the fire equipment. She asked the Commissioners to look at Shasta Power because she looked into this company and that it is made up of a few investors. She also discussed the disposal of batteries after they are done and where they will go as they are still at risk of catching fire.

**Item Four:** Mr. Jacob Cochran addressed the Commissioners. He stated today he would like to make it clear he is a private citizen and representing only himself. Mr. Cochran

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stated he received 35 phone calls yesterday regarding this. He asked if there is an active map of where this land annexation is that the public can view. Mr. Emerson answered it may be in the paperwork received before the meeting, and Commissioner Moody mentioned he sees that it is 6.5 miles from Mulberry. Mr. Cochran asked if that can be put on the website so the public can access it. He stated the tax payers are looking at the Commissioners to be the buffer by making this decision. Commissioner Moody stated he is not saying it is right or wrong but that he is sure that they would argue this would help offset the amount of taxes county residents pay now. Mr. Cochran mentioned a company using subsidy dollars is an issue for him because it is using taxpayer dollars to put something in the county where taxes are already high. Commissioner Wood asked about the annexation map and Ms. Rhodes answered this is the map Shasta has used to identify the parcels. Commissioner Wood asked how will they know where they are annexing without a better map. Ms. Rhodes stated she is sure she could get a better map that is easier to read and Commissioner Moody stated that would be helpful. Mr. Emerson stated they will have a map on the website. Mr. Cochran stated he thinks it would be important to hear from Mulberry if that is legal and Mr. Emerson answered. Mr. Cochran stated he would just like to hear from Mulberry and Commissioner Moody agreed. Commissioner Wood stated he does not want the time to start until they receive a map and Mr. Emerson stated the time starts when they receive the certified resolution.

**Item Five:** Ms. Rhodes addressed the Commissioners again. She stated they have been very careful not to expose the landowners and that contract wise Shasta Power is a private company that does not ask for grants or funding and is all self-funded by venture capitalists. Ms. Rhodes stated the only thing they are after is the tax credits allowed by the federal government and there is no reason why they should not be eligible to receive as a private company. She stated the contracts will remain private and she will not disclose the contracts to anyone.

**Item Six:** Ms. Ann Sanders addressed the Commissioners. She stated she knows Ms. Rhodes has discussed the people living on the south side of 610<sup>th</sup> but that they are on the east side of 610<sup>th</sup> with the solar proposal being right behind their backyard. Ms. Sanders asked if the annexation is approved by the county then the county has no power over the land use. She asked if Shasta Power has ever finished a project and that she believes the answer is no because they have only been in business for about five years. Ms. Sanders mentioned they have investors after high rates of financial returns looking to sell to independent energy companies. Ms. Sanders stated she looked up the type of plant that will be utilized and that it grows in the Texan desert and that she does not think Pittsburg is the place for that. She stated she believes it will hurt property values and increase road noise. Ms. Sanders stated she sympathizes with Mulberry because it looks like a cash cow but that it comes at a cost to the entire county. She stated she is concerned about the solar batteries and her home insurance increasing. Commissioner Wood asked Ms. Sanders to ask some of the people in the room later on where Shasta Power is getting its financing. She stated she knows they are always looking for investors.

**Item Seven:** Ms. Becky Willard addressed the Commissioners. She stated last night she heard public health, public safety, and public welfare above all else. She mentioned this came from Mr. Joshua Albin. She stated she is wondering if they could have a public hearing about this annexation. Ms. Willard stated each parcel needs to be individually

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platted. She asked about the land being annexed individually due to having different owners and Mr. Emerson stated it could be done all together. Ms. Willard stated property owners next to the solar farm will have their home insurance cancelled and if they can get it all its at a very high rate. She stated she saw on television last night that Mr. Kuplen mentioned most of the land he owns is not suitable for farming but she is questioning how rubber plants will be grown on land not suitable to grow grass as well as who will maintain the plants once Shasta sells the project. Ms. Willard stated she would like to propose the Commissioners write a letter to Kansas Attorney General Kris Kobach and ask for his legal opinion on the legality of this situation so that it does not fall on the Commissioners and taxpayers. Commissioner Moody asked if she would not deem it fair to provide it to State Representative Kenneth Collins and Ms. Willard stated she does not agree with that as it is a conflict of interest. Commissioner Moody stated he would like this given to county counsel to review first. Mr. Emerson stated they are on a short timeline so he is not sure the Attorney General could respond in a short amount of time. Ms. Willard mentioned she was not sure if they were waiting on a response from Mr. Kobach if that would buy them more time and Mr. Emerson clarified that it would not. Commissioner Wood asked where the thirty day timeline is coming from and Mr. Emerson explained.

**Item Eight:** Ms. Prince addressed the Commissioners again. She stated she was looking at the policy regarding the annexation and recited KSA 12-521. Mr. Emerson explained KSA 12-521 does not apply in this case because they have decided to go under the statute KSA 12-520C. Mr. Emerson stated he would like to do more research before giving opinions that he may have to retract later so they will take a look at the information and give opinions at a later time.

**Item Nine:** Mr. Cory Pulliam addressed the Commissioners. He thanked the Commissioners for allowing the public to come express their opinions today. Mr. Pulliam stated one thing he has heard that raises a question is that whenever this annexation happens they will plant vegetation and if it is going to be an invasive species. He asked if it is going to affect the cattle and existing crops. Commissioner Moody asked if he is referring to the rubber plant and Mr. Pulliam stated he is not sure as he has heard the city will be able to do whatever they want with the land once it is annexed.

**Item Ten:** Mr. Emerson stated they will be reaching out to the City of Mulberry that the county will need to receive a new packet with a proper certification from the city clerk. He explained that once that happens, he assumes on Tuesday, they can discuss next steps and then explained his ideas on a hearing. Mr. Emerson stated he would like to remind everyone that they will be looking at the proper growth and development of the area and that when they come back to the hearing date that is what they will be looking for.

**Item Eleven:** Ms. Rhodes addressed the Commissioners again. She stated she knows the commission is not required to have a public hearing on this matter but if they do, they should remember the 30 day timeline they have and the timeline for announcing a public hearing. Ms. Rhodes stated a notice has to be done so many days in advance of a hearing but that she does not know the requirements. Mr. Emerson mentioned there is no requirement.

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**On motion (25-422)** of Commissioner Moody and the second of Commissioner Blair to recess the open meeting for a period of 5 minutes.

Yeas: Commissioners Moody, Blair, and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

### NEW BUSINESS CONTINUED

**Item Two:** County Clerk Lisa Lusker stated she has a bill from Kansas Department of Commerce for the ROZ Partnership. She explained even though the county is now out of the ROZ they do still have a few students getting their tuition paid for so she believes we will have a couple more payments on this. She stated it has to be paid within 15 days and the amount is \$5,626.40. Commissioner Wood asked about this and Ms. Lusker explained. Mr. Emerson explained there will be no more new sign ups for this but the ones that remain have to be paid out.

**On motion (25-423)** of Commissioner Moody and the second of Commissioner Blair to approve the payment of the ROZ Partnership payment in the amount of \$5,626.40.

Yeas: Commissioners Moody, Blair, and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

### OLD BUSINESS

**Item One:** Mr. Emerson stated he is working on a per diem travel policy in conjunction with the Sheriff's Department and plans to have this ready for the Commissioners on Tuesday. He explained he is working on this with Director of Fiscal Services Randi Ryan.

**Item Two:** Commissioner Wood asked if the work session that was scheduled for this morning was rescheduled for another time and Mr. Emerson explained it was moved to Tuesday, October 21 at 9:00 AM.

### EXECUTIVE SESSION

**Item One:** County Counselor Jim Emerson requested an executive session for 15 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship.

**On motion (25-424)** of Commissioner Moody and second of Commissioner Wood to recess this open meeting and to go into a closed executive session for 15 minutes to discuss legal advice regarding a representation contract which would be deemed privileged in the attorney-client relationship pursuant to the consultation with attorney exception, K.S.A. 75-4319(b)(2), with the County Commissioners and County Counselor

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Jim Emerson present. The open meeting will resume at 12:05 P.M. The motion passed 3-0.

Yeas: Commissioners Wood, Blair, and Moody

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

**The Commissioners went into Executive Session at 11:50 AM and reconvened the Open Session at 12:00 PM with no action taken except to go back into open session.**

### NEW BUSINESS CONTINUED

**Item Three:** Mr. Emerson discussed the annexation proposal and that in order to help the Commissioners and himself he would like the Commissioners to consider a representation agreement. He stated this agreement would be between Crawford County and Adams Jones Law Firm and that he believes it is important to have them on board specifically for these issues that come up. Mr. Emerson stated he recommends this agreement with Mr. Joshua Albin being the primary attorney through Adams Jones Law Firm. Mr. Emerson explained the representation is on an as needed basis.

**On motion (25-425)** of Commissioner Moody and the second of Commissioner Wood to approve the agreement between Crawford County and Adams Jones Law Firm authorizing the Chairman to sign.

Yeas: Commissioners Moody, Wood, and Blair

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

### UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS

#### FUTURE BUSINESS:

**Item One: October 21, 2025- 9:00 AM** Work Session with Bukaty to discuss insurance options.

**Item Two: October 24, 2025- 8:30 AM** Work Session with Ryan Insurance and Sheriff's Department to discuss insurance.

#### ANNOUNCEMENTS:

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

**Item One:** Adjournment

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**On the motion** of Commissioner Wood and the second of Commissioner Blair to adjourn the [October 17, 2025](#) meeting of the Board of Crawford County Commissioners at 12:03 PM and to reconvene at the next regularly scheduled time with open doors.

Yeas: Commissioners Wood, Blair, and Moody

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 10/20/25 3:25 PM](#)