

# Board of Crawford County Commissioners

## Commissioners' Journal

2025, **THIRTY-SECOND** MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM  
Girard, KS. **Tuesday, May 13, 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 (25-199)** of Commissioner Wood and the second of Commissioner Blair that the consent agenda be approved including:

1. Approval of the **May 09, 2025** minutes of the Board of County Commissioners.

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	195	That the consent agenda be approved including: Approval of the May 06, 2025 minutes, and Authorizing the Chairman to sign the previous week's vouchers
Motion 25	196	To adopt Resolution #2025-019, a Resolution declaring a nuisance is present as defined in the Crawford County January 2025 Nuisance and Dangerous Structure Abatement Regulations
Motion 25	197	To submit the zoning application for the Clerk's storage building
Motion 25	198	To recess this open meeting and go into a closed executive session for 20 minutes to discuss zoning pursuant to the non-elected personnel

## Board of Crawford County Commissioners

		exception, K.S.A. 75-4319(b)(1), to protect the privacy of the individual employees. The County Commissioners, County Counselor Jim Emerson, and Zoning Administrator May Smith attended the executive session. The open meeting will resume at 11:19 AM. The Motion passed 2-0
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### **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**

#### **EXECUTIVE SESSION**

**Item One:** County Attorney Reina Probert requested an executive session for 15 minutes to discuss Non-Elected Personnel.

**On motion (25-200)** of Commissioner Moody and the second of Commissioner Wood to recess this open meeting and go into a closed executive session for 15 minutes to discuss individual employees pursuant to the non-elected personnel exception, K.S.A. 75-4319(b)(1), to protect the privacy of the individual employees. The County Commissioners, County Counselor Jim Emerson, and County Attorney Reina Probert attended the executive session. The open meeting will resume at 10:18 AM. The Motion passed 3-0.

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 10:03 AM and reconvened the Open Session at 10:18 AM with no action taken except to go back into open session.**

### **MESSAGES FROM THE PUBLIC**

**Item One:** Mr. Joshua Albin addressed the Commissioners. He gave an update on the Comprehensive Plan survey. He stated as of this morning there have been 1,014 surveys completed. Mr. Albin discussed the mailers that will be going out no later than next week. He discussed different areas of the survey. Mr. Albin stated once the mailers are received and they begin receiving completed surveys they will hopefully be able to set a cut off date. Mr. Albin stated they are still on track to have public meetings in the fall. Commissioner Wood asked Mr. Albin what bills did not get brought up in Topeka this year dealing with zoning and Mr. Albin answered. Commissioner Wood asked about the mailers and Mr. Albin explained. Commissioner Blair confirmed that they are hoping to reach their response goal by around July 1, 2025 and Mr. Albin confirmed. Commissioner Blair asked when will the Commissioners begin to see results and Mr. Albin answered. Commissioner Blair asked what the plan will be if they do not see

## Board of Crawford County Commissioners

results in the next couple of weeks and Mr. Albin explained. Commissioner Blair discussed wind, solar, and zoning on the survey and Mr. Albin addressed these topics. Commissioner Wood asked about the areas of zoning and Mr. Albin listed these areas. Mr. Albin confirmed the only information from the survey that will go to the public is after the county disseminates it. Commissioner Blair asked in other counties what made the ultimate decision of zoning or not zoning and Mr. Albin answered it was risk management.

**Item Two:** Mr. Jeff Murphy addressed the Commissioners. He mentioned people getting on the agenda so that the public knows when certain topics are going to be discussed. He then discussed the legacy that wind turbines will create in a negative way.

**Item Three:** Ms. Judy Prince addressed the Commissioners. She stated she would like to encourage the Commissioners to educate themselves on wind and solar. Ms. Prince mentioned the public meetings that will take place in the fall after survey results and stated she believes there should be public meetings prior to July 1, 2025 to educate the public on zoning and not zoning. Commissioner Wood confirmed that she believes that they should have a public meeting to discuss all topics on the survey and Ms. Prince stated she just believes they should have a meeting to educate on zoning. Commissioner Moody mentioned they had already had a meeting for education purposes but that he is not against doing this again. Commissioner Wood asked if Ms. Prince knows if people are still questioning zoning and the rules of zoning and Ms. Prince explained. Mr. Albin stated in his experience if he puts an information form on a website most people are not going to take time to read this. Mr. Albin stated he can give an information sheet to be put on the website so that it is accessible if the public chooses to read it. Mr. Albin also mentioned typically the people who are already informed are usually the ones who show up to the meetings as well and he rarely sees the uninformed individuals show up. Commissioner Wood asked if Mr. Albin can include the advantages and disadvantages of zoning and Mr. Albin explained he could give general differences. Commissioner Blair used waste management as an example. Commissioner Wood asked how many states have zoning and Mr. Albin answered. Commissioner Wood asked about advertising the survey in the paper, tv, etc. and Mr. Albin answered. Commissioner Blair stated he wonders what the increase in cost would be if they do additional advertising and Mr. Albin stated he could give them a breakdown of cost. Commissioner Moody stated he agrees with Commissioner Blair and that they need to use all the avenues of advertising that they can. Commissioner Wood mentioned he knows Mr. Albin will be here May 22<sup>nd</sup> for a zoning board meeting and if it would push too much to have a meeting after that meeting and Mr. Albin explained the meeting starts at 5:30 PM. Mr. Albin stated if the Commissioners would like another informational session, they can schedule one but that he would come with a power point and limit questions to make it as informational and productive as possible. Mr. Albin stated he can discuss with Mr. Emerson if the Commissioners would like to schedule another meeting.

**Item Four:** Ms. Becky Willard addressed the Commissioners. She discussed Labette County and how they did not zone but that they put in a lot of regulations. Ms. Willard stated regardless if zoning does or does not occur, she does not see why they cannot set regulations to protect themselves. Commissioner Moody asked if Ms. Willard is in favor or not in favor of zoning and Ms. Willard answered she is in favor of zoning. Ms. Willard

## Board of Crawford County Commissioners

discussed the schools in other counties not receiving money from the wind projects and asked Mr. Emerson if we have received money for the Hepler wind farm and Mr. Emerson confirmed the county has received every payment they were supposed too so far. Commissioner Wood asked about who pays taxes on the land of wind farms and Mr. Emerson stated the land owners still pay taxes. Ms. Willard stated she is more concerned with regulations than she is zoning and that one regulation she believes should happen is that any land owner who signs contract for wind and solar projects should have a cash insurance policy to protect their neighbors. Commissioner Moody stated he believes there would be legal avenues if the neighbor's property was damaged by the wind and solar project. Commissioner Moody asked if Ms. Willard has spoken to any realtors that state it decreases value of neighboring properties and she answered that she has. Ms. Willard discussed the draining of water from the properties with solar and how the chemicals will end up in Grand Lake.

**Item Five:** Mr. Albin addressed the Commissioners. Commissioner Wood asked Mr. Albin about people who lease ground to solar or wind companies and if the project fails what happens with the lease. Mr. Albin answered that requires legal advice so he cannot answer but that he can say it involves contracts that include information like that. Commissioner Wood asked about clean up of the property if the project fails and Mr. Albin explained.

**Item Six:** Ms. Prince addressed the Commissioners again. She asked Mr. Albin if the company has a paper bond for clean up and the company goes bankrupt what happens and Mr. Albin explained.

**Item Seven:** Mr. Jeff Murphy addressed the Commissioners again. He asked if there is a bond on the wind turbines existing in Crawford County and Mr. Emerson confirmed. Mr. Murphy then asked if the county is involved with those and Mr. Emerson explained. Mr. Murphy asked if the ownership of the turbines has changed and Mr. Emerson explained the new company assumes the contract.

**Item Eight:** Mr. Michael Diskin addressed the Commissioners. He asked who makes sure the bond is still in place and Mr. Emerson stated he will look in to that. Mr. Albin discussed bond renewals. Mr. Diskin asked if the bond expired who would be responsible for decommissioning and Mr. Albin answered. Mr. Diskin mentioned he knows there are a lot of people in the county who are not aware of the survey and he is hoping the mailers change this. Commissioner Blair asked Mr. Albin when he will have the information zoning sheet available and Mr. Albin answered.

### NEW BUSINESS

**Item One:** County Clerk Lisa Lusker stated she was asked by SEK Recycling to request a letter of support to apply for a KDHE grant for new lighting in the warehouse and drop off tunnel in the total amount of \$5,379.94. She stated this is just expressing support to apply for the grant. Commissioner Blair asked if SEK Recycling is asking for a match and Ms. Lusker stated they are not asking for anything other than the signed letter of support. Commissioner Wood asked if Mr. Emerson has seen this letter of support and Mr. Emerson answered that yes it is and that it is a good grant.

## Board of Crawford County Commissioners

**On motion (25-201)** of Commissioner Wood and the second of Commissioner Moody to approve the Southeast Kansas Recycling, Inc. letter of support.

Yeas: Commissioners Wood, Moody, and Blair

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

**Item Two:** Ms. Lusker mentioned she believes if the Hepler wind project failed to renew their bond she believes it would come through the Clerk's Office and that she has not received anything. Mr. Albin discussed the bond process.

**Item Three:** Mr. Emerson mentioned he had a request from Ms. Angie Hadley to appoint Sgt. Dallas Pulliam, Crawford County Sheriff's Department, as the Law Enforcement Representative on the Juvenile Corrections Advisory Board.

**On motion (25-202)** of Commissioner Moody and the second of Commissioner Blair to approve the appointment of Sgt. Dallas Pulliam to the Juvenile Corrections Advisory Board 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 Four:** Mr. Emerson discussed the next round of open houses for the US 69 Highway Study. He stated they will be June 4th 11:00 AM to 1:00 PM at Sacred Heart Catholic Church, June 4th 4:00 PM to 6:00 PM at Pittsburg High School, June 5th 11:00 AM to 1:00 PM at Homer Cole Community Center, and June 5th 4:00 PM to 6:00 PM at Northeast High School. He also stated there will be a virtual open house on June 6th from 11:00 AM to 12:00 PM. Mr. Emerson stated updated study materials will be on the KDOT website by June 4, 2025.

**Item Five:** Commissioner Blair discussed the highway work going on right now and that it is nice to see KDOT fixing the highways here.

**Item Six:** Commissioner Wood asked who is going to attend the zoning meeting to see about this Clerk's storage building. Mr. Emerson stated they will have to turn in their application first and then a meeting will be set. Commissioner Wood stated they have some work to do before that meeting is set. Commissioner Blair stated there will be a process and that they have to get the application approved before they get bids.

**OLD BUSINESS**

**EXECUTIVE SESSION continued**

## Board of Crawford County Commissioners

**Item Two:** County Counselor Jim Emerson requested an executive session for 20 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship.

**On motion (25-203)** of Commissioner Moody and second of Commissioner Blair to recess this open meeting and to go into a closed executive session for 20 minutes to discuss legal advice pertaining to Explore Crawford County and Juvenile Attorney contracts 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 12:11 P.M. The motion passed 3-0.

Yeas: Commissioners Blair, Moody, and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

**The Commissioners went into Executive Session at 11:51 AM and reconvened the Open Session at 12:11 PM with no action taken except to go back into open session.**

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

**Item One: May 16, 2025- 9:00 AM** Work Session with Ryan Insurance to discuss insurance.

### **ANNOUNCEMENTS:**

**Item One: May 15, 2025- 12:00 PM** Mount Carmel House ground breaking ceremony at 201 S Rouse St, Pittsburg. One or more Commissioners may be in attendance.

**Item Two: May 15, 2025- 8:00 AM** Pittsburg Area Chamber of Commerce Chamber Coffee at 710 N Broadway St, Pittsburg. One or more 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 [May 13, 2025](#) meeting of the Board of Crawford County Commissioners at 12:12 PM and to reconvene at the next regularly scheduled time with open doors.

Yeas: Commissioners Moody, Wood and Blair

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

## Board of Crawford County Commissioners

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 05/14/2025 11:30 AM