

# Board of Crawford County Commissioners

## Commissioners' Journal

2025, **EIGHTY-FIRST** MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM  
Girard, KS. **Tuesday, November 18, 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 (25-476)** of Commissioner Wood and the second of Commissioner Blair that the consent agenda be approved including:

1. Approval of the **November 14, 2025** minutes of the Board of County Commissioners, and
2. Approval of the November 14, 2025 minutes of the Board of County Canvassers, and
3. Approval of the accounts payable warrant numbers 641427 to 641728 dated November 14, 2025 in the total amount of \$733,931.74

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	461	To open the public hearing on proposed land annexation
Motion 25	462	To close the public hearing on proposed land annexation
Motion 25	463	To Accept the Recommendations of the County Election Officer for the Acceptance and Rejection of Provisional Ballots from the 2025 City-School General Election held November 4, 2025 in Crawford County

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Motion 25	464	To recess the Board of County Canvassers at 9:24 AM
Motion 25	465	To Accept the Final Results Report of the 2025 City-School General Election held November 4, 2025 in Crawford County
Motion 25	466	That the consent agenda be approved including: Approval of the November 04, 2025 minutes, and Authorizing the Chairman to sign the previous week's vouchers
Motion 25	467	To approve the local government statement of intent to use the KDHE Illegal Dumping Program and authorizing the Chairman to sign
Motion 25	468	To approve the appointment of Clifford W. Lee to the Crawford County Traffic Docket
Motion 25	469	To approve the change to the dental insurance plan
Motion 25	470	To approve the health insurance as presented authorizing the Chairman to sign
Motion 25	471	To approve the recommendation of replacing both heat exchangers by Design Mechanical in the amount of \$53,128.00 and authorizing the Chairman to sign
Motion 25	472	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 11:42 A.M. The motion passed 3-0
Motion 25	473	To recess this open meeting and go into a closed executive session for 15 minutes to discuss exit interview process 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 and County Counselor Jim Emerson attended the executive session. The open meeting will resume at 11:59 AM. The Motion passed 3-0
Motion 25	474	To recess this open meeting and to go into a closed executive session for 15 minutes to discuss legal advice regarding annexation 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, County Counselor Jim Emerson, and Mr. Joshua Albin present. The open meeting will resume at 12:10 P.M. The motion passed 3-0
Motion 25	475	To recess this open meeting and to go into a closed executive session for 10 minutes to discuss legal advice regarding lease agreements 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 12:21 P.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**

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### MESSAGES FROM OTHER GOVERNMENTAL ENTITIES MESSAGES FROM THE PUBLIC

**Item One:** Mr. Rick Elnicki addressed the Commissioners. He stated he would like to encourage the Commissioners to do what is best for the whole county. Mr. Elnicki stated the solar farm would generate up to 7 million dollars for the county the first year and he encourages the Commissioners to not be influenced by the small but vocal minority.

**Item Two:** Mr. Pat Walden addressed the Commissioners. He stated Mulberry has heard a lot of legitimate concerns regarding this annexation and that they want to work with people and be good neighbors through this process. Mr. Walden stated City of Mulberry has not signed one thing with Shasta Power and that they want to do what is right and benefit Mulberry and the county.

**Item Three:** Ms. Ann Sanders addressed the Commissioners. She wanted to emphasize that for herself its not about the aesthetics it is about the property values of the nice homes they have built due to the solar farm being so close to the properties. Ms. Sanders also mentioned the storm water drainage and how that may affect their homes.

**Item Four:** Ms. Judy Prince addressed the Commissioners. She wanted to remind the Commissioners that when Shasta Power was present at the public hearing their executives mentioned they could make no promises so that when the people in favor of the annexation state how much revenue it will provide the county that is actually an unknown as well as many other aspects of the solar project. Ms. Prince discussed not being able to see the contracts between landowners and Shasta Power. She stated she wants to state the estimated revenue is high end estimates at best and not promises. Commissioner Moody reiterated that the question before the Commissioners today is if they will allow land annexation or not. Ms. Prince stated in her humble opinion the proceedings City of Mulberry went through seem highly irregular and also mentioned that they have a state representative on their city council so she believes that would be a conflict of interest.

**Item Five:** Mr. Roger Lomshek addressed the Commissioners. He stated Ms. Prince brought up a good point about promises made not being binding. Mr. Lomshek stated this affects the land annexation because the Commission needs to decide if they are going to make their decision based off of promises that are not binding. He stated everything they are hearing is that they have to pass the annexation to find out what the City of Mulberry will agree to do with the land once the land is annexed. Mr. Lomshek discussed some other promises that were made from this project regarding the land annexation. Mr. Lomshek discussed the sales tax on energy purchased. Mr. Lomshek asked what happens if the annexation is completed and then the surveys show the solar project is not viable and now Mulberry owns three miles worth of land that is not near City of Mulberry.

**Item Six:** Ms. Carol Hammerbacher addressed the Commissioners. She stated her heart is heavy today because she knows this is a critical decision to make for Crawford County. Ms. Hammerbacher stated God has the best answer and that she is praying that God will give them the strategies to make the decision today that He would have them make. She stated they are hearing good things from all sides but that they are also hearing things that are of great concern.

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**Item Seven:** Mr. Kevin Mitchelson addressed the Commissioners. He stated he serves as the City Attorney for Mulberry. He stated he would like to discuss thirty years ago when he had Mr. Emerson's job and they were discussing landfills. Mr. Mitchelson discussed this process. He stated if this land annexation is approved it goes on the City's tax rolls from day one and will remain taxed to the county and city both. He mentioned only the solar panels if and when they are installed will qualify for the tax exemption so he does not believe they are giving up tax money. Mr. Mitchelson stated due to this being land owner request he does not believe the city is taking on obligations. He mentioned they are looking for cooperation.

**Item Eight:** Mr. Roger Lomshek addressed the Commissioners. He asked if the Commissioners are allowing rebuttals and the Commissioners stated they are trying not to and Mr. Lomshek stated the previous information sounded like a rebuttal. Mr. Lomshek asked the Commissioners if the landfill that was brought up asked the Commission to lock in to a permanent situation without any guarantees. Mr. Lomshek stated for consideration there was more than likely something provided that was more than an empty promise.

**Item Nine:** Mr. Ray Huff addressed the Commissioners. He stated he loves the comparison of the solar farm to the landfill. Mr. Huff stated he is trying to wrap his mind around why this is being pushed and why they cannot slow down on this while the moratorium is in place. He stated this right here is why the moratorium needs extended for another year. Mr. Huff mentioned the survey showed there was a loud majority against wind and solar and they are not the loud minority. He stated again he would ask the Commission to take the survey in to consideration while making this decision.

**Item Ten:** Ms. Becky Willard addressed the Commissioners. She stated the county has time to wait for Mulberry to present some things on paper if they could extend the decision period past 30 days. She mentioned it feels like it is forced on everyone to decide immediately when they are currently working on the Comprehensive Plan for the county. Ms. Willard provided the Commissioners with some information about Shasta Power. She stated she asks the Commission today to vote no against annexing this land in to City of Mulberry today.

**Item Eleven:** Mr. Dave Diskin addressed the Commissioners. He discussed the survey they took a couple of months ago and the questions regarding wind and solar came back with a majority answering no they do not want wind and solar. He asked why we are even discussing Shasta Power when the people of the county do not want solar. Mr. Diskin discussed the solar project at Greenbush.

**Item Twelve:** Ms. Tracy Stahl addressed the Commissioners. She mentioned she has been a life long resident of the area and that this is her home and that she pleads the Commissioners do not annex the land. Ms. Stahl discussed Mr. Elnicki farming land for her father previously and discussed the selling of land. She stated the Commissioners need to look at the future growth of the county and that their decision is going to affect the residents, and their kids, and their grandkids.

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## MESSAGES FROM APPOINTED OFFICIALS

**Item One:** Mr. Emerson stated he would like to answer some questions that were brought up today. He discussed that the 30 day time limit to make a decision is contained in Kansas Statute and he has not seen a way to extend this as the statute is clear. Mr. Emerson read Kansas Statute 12-520c aloud. Commissioner Moody asked if they received something from the City of Frontenac regarding this annexation request and Mr. Emerson explained the county did receive a resolution from the City of Frontenac stating their opposition to the annexation request as they feel it will hinder the proper growth and development of the City of Frontenac.

## MESSAGES FROM ELECTED OFFICIALS

**Item One:** Commissioner Moody asked Commissioner Blair and Commissioner Wood their thoughts. Commissioner Wood stated at this time he does not have anything to say at this time. Commissioner Blair stated he believes they have heard a lot of good points from both sides. He mentioned how they have heard they cannot consider solar and can only consider the annexation but that solar is constantly being brought up so he believes it has been convoluted in that process. Commissioner Blair stated he will be honest and that he has spent a lot of time thinking about this but that with this land annexation request he just cannot see the justification for it. Commissioner Moody stated he has known Mr. Pat and Becky Walden for a long time and that he has great admiration for what they are doing for City of Mulberry. He stated he does have some questions and does have concerns. Commissioner Moody stated they are currently in the process of updating the Comprehensive Plan which does include information on alternative energy and that he is not sure if they were not moving fast enough but that it seems like it is wanting to be taken out of the county's hands and put in to the hands of City of Mulberry. He explained he was elected by the second district so he has to look after everyone in that district. Commissioner Moody stated he is only discussing land annexation and not discussing alternative energy. He mentioned he has concern with Mulberry taking on a piece of property this size especially when it comes to police and fire protection. Commissioner Moody stated at this time he is just not comfortable granting the annexation. Commissioner Wood stated he has taken this decision heavy and he just does not think now is the right time to do the annexation.

## MESSAGES FROM APPOINTED OFFICIALS CONTINUED

**Item Two:** Mr. Emerson stated that although it was unknown the decision of the Commission there has been a resolution prepared by the county's legal counsel. He mentioned after hearing the Commissioners comments he would like to present this resolution. Mr. Emerson presented Resolution #2025-032, a Resolution denying annexation of certain land described herein pursuant to K.S.A. 12-520c, as it will hinder or prevent the proper growth and development of the area or that of any other incorporated city located within Crawford County, Kansas. Mr. Emerson discussed the contents of this resolution.

**On motion (25-477)** of Commissioner Blair and the second of Commissioner Wood to adopt Resolution #2025-032, a Resolution denying annexation of certain land described

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herein pursuant to K.S.A. 12-520c, as it will hinder or prevent the proper growth and development of the area or that of any other incorporated city located within Crawford County, Kansas.

Yeas: Commissioners Blair, Wood, and Moody

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

**On motion (25-478)** of Commissioner Moody and the second of Commissioner Blair to recess the open meeting for a period of 10 minutes.

Yeas: Commissioners Moody, Blair, and Wood

Nays:

Present but not voting:

Absent or not voting:

**The motion prevailed.**

### MESSAGES FROM THE PUBLIC CONTINUED

**Item Thirteen:** Mr. Mitchelson addressed the Commissioners. He stated that although they are disappointed in the decision that the Commissioners have done their work conscientiously and they appreciate that. He asked Mr. Emerson to please send him a copy of the resolution when he gets a chance.

### NEW BUSINESS

**Item One:** Mr. Emerson stated he has a proposed work session for Friday November 21st at 9:00 AM. He stated Mr. Richard Lonneman with Alliant Insurance would like to come speak to the Commissioners regarding Property, Casualty, and Worker's Compensation Insurance.

**Item Two:** Mr. Emerson stated The Kansas Associate of Counties annual conference is on December 9th, 2025 through December 11th, 2025. He stated about 10 county officials will be in attendance so they will need to cancel the December 9th open meeting.

### EXECUTIVE SESSION

**Item One:** Commissioner Wood requested an executive session for 30 minutes to discuss Non-Elected Personnel.

**On motion (25-479)** of Commissioner Moody and the second of Commissioner Blair to recess this open meeting and go into a closed executive session for 30 minutes to discuss exit interview 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 Ms. Alicia Shoemaker attended the executive session. The open meeting will resume at 11:37 AM. The Motion passed 3-0.

Yeas: Commissioners Moody, Wood, and Blair

Nays:

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Present but not voting:

Absent or not voting:

**The motion prevailed.**

**The Commissioners went into Executive Session at 11:07 AM and reconvened the Open Session at 11:44 AM with no action taken except to go back into open session.**

Executive Session ended at 11:37 AM and open session reconvened at 11:44 AM.

### **OLD BUSINESS**

**Item One:** Commissioner Wood discussed ordering salt for Road and Bridge. Mr. Emerson stated they had budgeted around \$50,000 for carry over and that he believes the account will make the carry over amount so he thinks if the salt is needed they should go ahead and order it. Commissioner Wood stated he would like to get it ordered before the weather gets bad. Commissioner Moody asked how much they are talking and Commissioner Wood stated he believes it will be around \$30,000 for the salt and he believes it will be about the same for the chips so he believes it may be around \$60,000 total. Commissioner Blair mentioned he thought when they bid the salt out that it included delivery and Commissioner Wood stated they had went with a different bid. Commissioner Wood stated he will check with Road and Bridge Coordinator Alyssa Edwards. Commissioner Wood discussed the cover for the salt.

### **EXECUTIVE SESSION CONTINUED**

**Item Two:** Commissioner Wood requested an executive session for 10 minutes to discuss items that would be deemed privileged in the Attorney-Client Relationship.

**On motion (25-480)** of Commissioner Moody and second of Commissioner Blair to recess this open meeting and to go into a closed executive session for 10 minutes to discuss legal advice regarding bids 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 12:01 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 11:51 AM and reconvened the Open Session at 11:58 AM with no action taken except to go back into open session.**

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

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**Item One: November 21, 2025- 8:30 AM** Work Session with Mr. Richard Lonneman with Alliant Insurance to discuss property, casualty, and worker's compensation insurance.

**Item Two: November 21, 2025-** Ms. Leslie Lackamp with Mosaic and Mr. Bob Davis with Class LTD giving a county mill presentation.

### ANNOUNCEMENTS:

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

**Item One:** Adjournment

**On the motion** of Commissioner Moody and the second of Commissioner Wood to adjourn the [November 18, 2025](#) meeting of the Board of Crawford County Commissioners at 11:59 AM 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 11/20/25 1:00 PM/amended BKW 11/20/25 1:30 PM](#)