

November 7, 2024

Thursday 9:00 a.m.

The Board of Bourbon County Commissioners met in open session with Commissioners Harris and Whisenhunt and the County Clerk present.

Clint Walker, Rachel Walker, Casey Brown with SEKCAP, Jamey M. Whitney with SEKCAP, Anne Dare, Jean Tucker, Marla Heckman, Jason Silvers, Brent Smith, Mike Wunderly, Tim Emerson, Mary Pemberton, Debbi Shepard, Deb Martin, Scott Christensen with SEKCAP, Samuel Tran, and Kay Tran were present for some or all of the meeting.

Jim opened the meeting and led the flag salute.

Brandon made a motion to approve the consent agenda which includes approval of minutes from 10/31/2024, approval of accounts payable totaling \$442,955.86, and approval of payroll totaling \$306,687.17. Jim seconded the motion and all approved.

Casey Brown, Community Engagement Coordinator with SEKCAP, distributed a handout to the Commissioners that outlined the transportation services they offer within Bourbon County. General public transportation services are offered in all towns throughout the entire county with riders in Fort Scott totaling 81% of the rides. Mr. Brown stated they are applying for a Kansas Department of Transportation grant and asked Bourbon County to submit a letter of support for their transportation services that they could submit with the grant application. Jim made a motion to approve the support letter for SEKCAP. Brandon seconded the motion and all approved. Mr. Brown stated Bourbon County previously contributed \$3,000 to SEKCAP to help with the transportation costs and he asked that we match the City of Fort Scott's \$5,000 contribution. Brandon asked if the CFO should be consulted before we approve any type of contribution. Jim stated the Commissioners have \$70,000 in a discretionary fund. Susan Walker, CFO, stated there are funds in the discretionary fund, however; she is concerned where we may end up at the end of the year. Mr. Brown said they only need a letter to submit to the state with the amount we would contribute next year, and do not need the cash in hand until their fiscal year of 7-1-2025 to 6-30-2026. Susan asked if they are associated with the Area Agency on Aging and suggested tabling the discussion until next week so they can determine who all they contribute to for transportation services. Brandon agreed to wait until next week to agree to a dollar amount for the SEKCAP transportation services.

Eric Bailey, Public Works Director, stated FEMA was here Tuesday to review roads that haven't been completed and they will be back today to drive roads north of 54 Highway. Eric said that the core drilling

at Elm Creek has been completed and he will have a representative from the company do a presentation next week. Eric asked for a 7-minute executive session for acquisition of real estate to include the Commissioners, Justin Meeks, and himself. Brandon made a motion to go into a 7-minute executive session under KSA 75-4319 (b)(6) for the preliminary discussion of the acquisition of real property to include both Commissioners, Justin Meeks, and Eric Bailey and will return at 9:16. Jim seconded the motion and all approved. Jim made a motion to resume normal session at 9:16 with action. Brandon stated a low water crossing at 60<sup>th</sup> Street and Grand Road needs to be replaced and he made a motion to allow Public Works to spend up to \$2,200 to purchase land to complete the project. Jim seconded the motion and all approved.

Jennifer Hawkins, County Clerk, presented a form for KWORCC to nominate a voting delegate for the upcoming Kansas Association of Counties conference. Jim made a motion to nominate Jennifer Hawkins as Bourbon County's voting delegate for KWORCC. Brandon seconded the motion and all approved. Jennifer said they had a total of 6508 voters during the General Election which equals a 51.04% turnout. Jennifer stated they have 163 provisional ballots that were cast. Jennifer said they have had questions about the election results reports where invalid is listed by write-in. Jennifer explained that for federal, state, and county offices an affidavit of write-in candidacy had to be filed in order for the write-in votes to count, so anybody who did not file an affidavit is listed under the invalid section. Jim said he would like Eric to be his canvassing delegate.

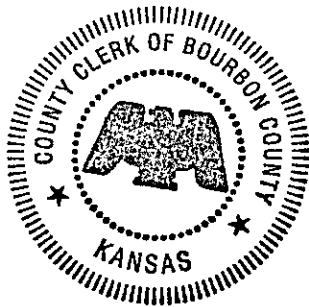
Susan handed out a report to the Commission for next week that she said was emailed that shows if every department spends all their budget the contingency will not be available.

Brandon said he has a statement that he would like to make and to not be interrupted until he is finished saying what he has to say. Brandon said he "is extremely concerned with the behavior of the two of you and County Counselor Meeks. Last week's meeting is an embarrassment to the democratic process. When you do not allow the citizens of our county to participate and actually listened to during important decisions like what you pass last week with solar agreements, without discussion I might add, makes many people question your motives. It is very clear that you moved the meetings to a day and time to make it difficult for me to participate. I was outnumbered in the vote so I'm stuck with this until January. I do not buy it that Harris and Meeks had conflicts on Monday evenings and Meeks does not need to attend the meetings anyway. If we have legal questions, we can call him or get answers for the next meeting time. I spoke with the County Clerk and we have always had the meetings in the Commission room during early voting week. Moving the meeting to the commons area was an attempt to not have the meeting recorded. The County Clerk and I were set up to fail last week. Mr. Meeks you are to blame. Counselor Meeks the lack of professionalism and courtesy to alert us with a phone call about the addition to the agenda is par for the course with you. A call would have been an appropriate gesture knowing I work evenings and Jennifer was in the middle of an election. I find it interesting that we receive agreements hours before our meeting on Thursday, but the schools agreed to donation agreements at their meetings before ours and the representatives from Advance Power had booked flights 10 days prior to our meeting. Leaves me to believe this was all part of the plan, the underhanded

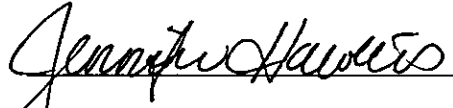
tactics you use to literally screw the taxpayers of our county, and not as you stated Mr. Harris in the paper that you are looking out for all taxpayers. You were only looking out for those families that will benefit millions of dollars each year. Commissioner Beth, Harris, and Counselor Meeks obviously had all met prior to this meeting as they discussed nothing during the Commission meeting and had no questions about the agreements. This is why you were voted out in August and it is clear since the two of you lost in the primary you are making sure those who follow are left to clean up the mess of poor decisions you have made over the past three to four years." Jim said he was going to respond to everything Brandon said. Jim said "I don't know who told you what I do on Monday nights but it's really none of your business if I don't want to be there on Monday nights. I did have a conflict of interest, I met with Counselor Meeks and it was in his best interest also on Thursday mornings. I don't know what you do on Monday night, I don't care what you do on Monday nights, it's none of my business what you do on your personal time so to insult me like this is ridiculous you have no idea what I do on Monday nights with my family. I really take offense to your comments what I do in my personal time. You can tell it pissed me off I haven't been pissed off here before this year but you just pissed me off. Furthermore before moving the meeting my understanding the County Clerk asked us if she could use this room and we can move it to the foyer, she asked us that and you can check the minutes and I said yes and everybody else said yes so that is why it was moved. I'm hiding nothing I sent the updates to the agenda to the County Clerk at 3:40 and she said she had some personal things going on nothing in hiding. Me and Commissioner Beth had no meetings I talked to Justin Meeks, Counselor, and the counselor for the solar panel people several times that week trying to get better agreements for the people. Where you're wrong Brandon is my job and your job, that you seem to forget, you haven't protected all property rights of the people that's taken those solar panels have just as many rights as the people that don't like them and you've forgot that. You said I didn't represent all the people and I do represent all the people and that's why I got in trouble because I represent all the people every one of these people have rights by the Constitution and you have failed to notice that. What did you do to help protect the people that's getting the solar panels? Nothing." Brandon said he has talked to them several times and that he got cut out of the entire conversation. Jim said that Brandon has talked to the solar companies on the phone because they told him they did and that you had supper with them. Brandon said "I he did I didn't hide that fact to anybody but all of a sudden we're voting on it without discussion on the council, we didn't even have an executive session about it, Jim, you guys decided to pass these damn things and let these things come in without a discussion with the Commissioners." Jim said, "that is right, we discussed it a little bit that morning, and we've been talking about it for a year how much longer do we need to talk about it?" Brandon said, "you just cut the county out." Jim said, "that was interesting for the donation agreements, I don't know what you mean, but God bless us for not helping the kids in Bourbon County." Brandon said, "no, I'm not mad that the schools are getting some money but yet they're getting all of it you could have helped the entire county out. We could have got that money and lowered property taxes the next two or three years and still gave the school money." Jim said, "it would have been dangerous to lower very much because in 10 years you'd have a problem because the depreciation might come in at zero and the Commissioners in 10 years might have to raise it up." Brandon said, "maybe we couldn't have lowered property taxes but we could have maybe taken care of some business." Jim said, "I appreciate your comments, that's why we're here today. I disagree with 99% of what you said and again what I do on Monday nights is nobody's business in this room including yours so keep that in mind if you stick your nose in Jim Harris' business cause it ain't none of your business what I do and you need to remember that." Brandon said, " I don't care what you do Jim on your spare time." Jim said, "you

brought it up, you said you knew what I did I had no reason not to come to any meetings. How in the world do you know my personal business?" Brandon said, "I just think it's funny that we had these meetings on Monday night at 5:30 for four years now." Jim said, "No, we changed it we had I think Monday morning for a long, long time and we decided we'd open it up to evenings for public comments and we didn't get many comments we just kept getting the same people. The public didn't really attend. I've got like four more meetings and I can't resign because if you want to know my business is because my life insurance won't carry over if I leave early so that's everybody else's business." Brandon said, "that's fine." Jim said, "well you stuck your nose in my business let's just go all the way here." Brandon said, "I didn't ask you to resign, did I ask you to resign in what I read?" Jim said, "no, I want to let you know why I'm not but you stuck your nose in my business when you said I have no right to change my meeting on Monday to Thursday. That's my business. I made the motion and it was seconded. When you're sitting here the next guy can make what motions you want but until then you keep your nose of out of my person business and furthermore, my turn if you're done. We need to remove the burn ban someone said last week it didn't have any validity in it anyway as far as the Sheriff couldn't do anything so I'll make a motion to remove the burn ban." Brandon seconded the motion and all approved. Jim said all the hospital equipment has had the repairs needed and are up and running and that Freeman is very happy. Freeman said they'll be putting up some nice signs hopefully this week saying welcome to Bourbon County and I think they posted some jobs for the Fort Scott facility.

Jim made a motion to adjourn the meeting at 9:29. Brandon seconded the motion and all approved.



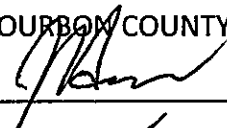
ATTEST:

  
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Jennifer Hawkins, Bourbon County Clerk

11-14-2024 Approved Date

THE BOARD OF COMMISSIONERS  
OF BOURBON COUNTY, KANSAS

  
\_\_\_\_\_, Chairman

  
\_\_\_\_\_, Commissioner

  
\_\_\_\_\_, Commissioner