

February 24, 2025

Monday, 5:30 p.m.

The Board of Bourbon County Commissioners met in open session with all three Commissioners and Deputy County Clerk Jennifer Hawkins present.

Clint Walker, Rachel Walker, JD Handly, Jessica Handly, Michael Hoyt, Pete Owenby, Jean Tucker, Don Tucker, Mike Wunderly, Jason Silvers, Lindsay Madison, Anne Dare, and Mary Pemberton were present for some or all of the meeting.

Brandon opened the meeting with the flag salute, David led the prayer, and Jennifer took roll call.

David made a motion to approve the agenda. Leroy seconded the motion and all approved.

Leroy made a motion to approve the minutes from 2/10/2025. David seconded the motion and all approved.

David made a motion to approve items A-F on the consent agenda which includes approval of 2-14-25 accounts payable totaling \$453,861.50, approval of 2-21-25 accounts payable totaling \$217,892.22, approval of 1-10-25 accounts payable totaling \$320,719.40, approval of 1-23-25 accounts payable totaling \$5,142.39, approval of 1-10-25 accounts payable totaling \$207,748, and approval of 2-21-25 accounts payable totaling \$296,329.92. Leroy seconded the motion and all approved.

Item G of the consent agenda, approval of the 2024 inventory list per K.S.A. 19-2687, was discussed with Brandon stating he wasn't able to look at it. David said he had some reservations regarding the setup and would want to look at it more before he would sign a certificate. David said by the statute we have time if we want to conduct inventories and look over the books. Leroy made a motion to table the inventory until next week for further discussion. David seconded the motion and all approved.

Item H of the consent agenda, tax roll corrections, was discussed with Brandon stating he was unsure what they were so he asked Jennifer to explain it to him. Jennifer explained that tax roll corrections can be used for several reasons such as a resident sold personal property, such as a truck with a heavy tag, sometime during the year so their tax bill is abated to charge them for the amount of time they owned the vehicle. Homes destroyed by fire or tornados that have submitted the proper documentation to the county are also abated to only charge for the time before the home was destroyed. Jennifer stated Susan sent the tax roll corrections out in an email, but she has the original documents available if the

Commissioners would like to review them. Leroy made a motion to table this until next week as well until they have a chance to look at it. Brandon seconded the motion and all approved.

Item I of the consent agenda, approval of ESAC report, was discussed with Sheriff Bill Martin explaining the background of the report. Sheriff Martin stated their department helped Homeland Security with some investigations a few years ago and during that investigation money was seized and a portion of which was then earmarked for Bourbon County. The Sheriff's Department has not received the funds yet, but they still must submit a report stating such to the federal government. Leroy made a motion to approve the ESAC report and to allow the Chairman to sign it. David seconded the motion and all approved.

Jennifer explained that item J of the consent agenda, CMB licenses, were updates to two cereal malt beverage licenses that were approved earlier this year. Jennifer said they were contacted by the state and notified that the expiration date for the two permits for Hidden Valley at 93 Hackberry Road needed to be the end of the calendar year not one year from the date of approval. Brandon made a motion that the Chairman signs the updated retail dealer's license for Hidden Valley at 93 Hackberry Road. David seconded the motion and all approved.

Brandon asked how often the other Commissioners would like to hold work sessions and reminded them the first they have scheduled is March 12th at 4:00. David said he would like to have a work session every other week. Leroy said he feels they have a lot to discuss and a lot to accomplish so he suggested starting next week with a work session. Brandon said we could open the meeting and approve the bills and payroll and have a short meeting then close and open the work session. It was determined next week's meeting will remain a regular meeting with a work session beginning on March 10th.

Leroy said he met with representatives from Freeman as well as Nevada Regional Medical Center to look at the equipment at the hospital building. Leroy said he was able to view all the equipment that will be sold at auction. Brian Allen has agreed to be the auctioneer and will not charge us to do so. Leroy said he will have a tentative date for the auction that he will announce at next week's meeting. Leroy said he will talk to KRI and Freeman but the auction will probably be held in their parking lot. David said at a prior meeting the County Clerk mentioned other county property that is not being used that could potentially be added to the auction. Leroy said he would prefer to keep the hospital equipment separate and that time is of the essence with Freeman and he does not want to delay the auction. Leroy said he thinks the proceeds need to go to a charity and that at a later meeting the Commissioners could present which charities they are interested in.

Clint Walker said he was disappointed that there were no county officials at the State Representative public forum last weekend. Clint said that Rick James and Tim Shallenburger were present and that we should make an effort to meet with them as they have good information to share. Brandon said he did

not know about the event until that day and he was unable to take off work, but agreed there should have been county representatives present. Leroy agreed and stated he did not know until after the fact. Clint said that it was advertised in the local newspaper as well as on the radio and the Chamber of Commerce sends out a mailing list of upcoming events to your email.

Michael Hoyt said Don Tucker is the new Chairman of the landbank and Heather Madison is now the landbank Treasurer. Brandon asked what exactly the landbank does. Michael said they offer to sell properties and most are sold with quit claim deeds. Michael stated a few have been sold with warranty deeds in which individuals are able to obtain a loan to build on. Matthew Wells is working with the City of Fort Scott to get David Beerbower on the landbank board.

Eric Bailey, Public Works Director, said that they will need to move electric lines for the bridge project at 60th Street and Grand Road. Eric said the total project cost will be approximately \$900,000 with the county contributing approximately \$100,000. Brandon stated the price of \$19,000 seemed steep to move the lines and asked how much it cost to move electric for other projects. Eric said since he was hired in 2020, they have not had to move electric lines. Eric explained that he was able to negotiate the price down with Heartland as it was originally higher. Eric stated that the public works crew will be cutting trees for the move and the electric company will move the poles and lines. David stated given his experience the price was cheap. Brandon made a motion that we sign and go ahead and have Heartland remove the power lines going through. David seconded the motion, and all approved. Eric notified the Commissioners that public works employee John Weikel will be retiring after almost 20 years of service. Eric said they will be holding a retirement party at noon on Friday if the Commissioners would like to attend. Brandon and David were unable to attend due to prior commitments, but Leroy said he would go thank John for his years at the county. David told Eric that his crew did a great job with the snowstorm and he was impressed with how Eric kept him updated during the storm. Brandon and Leroy reiterated David's statement and praised the public works crew and Eric. Eric stated he has a great crew who did an outstanding job. Eric explained they worked in shifts to remove the snow and had minimal equipment issues with minor gelling issues due to the extreme cold.

David stated one of his campaign issues was regarding zoning and discussed maybe adding that to the March 10th work session. Brandon said Eric Noreen with Advance Power would like to come in and have a public meeting on March 19th or March 26th. David asked if there was a venue picked out for the meeting yet. Brandon said he would like to hold it at the courthouse so that it could be recorded. Leroy asked permission to start looking at the zoning work that has already been completed by county employees since he deals with it at the city. Brandon made a motion that Leroy head up the zoning and special use permit research team. David seconded the motion and all approved. Leroy will update the other Commissioners at future meetings and work sessions.

The Chamber of Commerce sent a renewal invoice for the Commissioners to be members. The cost is \$110 per Commissioner and an optional \$10 technology fee. Lindsay Madison, President and CEO of the

Fort Scott Area Chamber of Commerce, stated she saw the item on the agenda and wanted to be present to answer any questions the Commissioners may have. Lindsay invited the Commissioners to attend a Community Connection luncheon on April 9th from 11:45-1:00 at the Empress Center. Lindsay said that several entities such as the City of Fort Scott, USD 234, USD 235, Fort Scott Community College, and Bourbon County REDI will be in attendance and they give 7-minute updates on what is going on with their organizations. Lindsay stated that the events will now be televised live. Lindsay brought each Commissioner a membership application packet and stated the information is on their website as well. Lindsay stated the Chamber is a membership organization whose mission is to support commerce, build community, and promote spirit in Fort Scott, Bourbon County, and the surrounding area. Brandon made a motion to pay the membership fee, including the technology fee, and remain part of the Chamber of Commerce. David seconded the motion and all approved. Lindsay told the Commissioners if they are looking for charities to donate the hospital equipment proceeds to the Fort Scott Area Community Foundation and that the Chamber also has a separate Foundation. Lindsay said they would be open to any ideas for the use of the donations. The Commissioners thanked Lindsay for coming and for all of the information she provided.

The Commissioners tabled the Area Agency on Aging board member appointment until a representative can come in and explain their organization.

David suggested having a slot on the agenda for elected officials to be able to speak. Leroy said if an elected official were to show up, he would be ok with recognizing that individual and allowing them to speak. David said in his review of Facebook, he saw several individuals commenting on lack of animal control in the county and abandoned animals. David went over a 2017 Pierce County analysis that outlined their shelter operations at two million dollars annually. David said that anything bigger than domestic animals equals more money. Brandon questioned how many employees that county had and David stated 12 employees. Leroy said that large animals such as cattle and horses can easily find homes and that those who mistreat animals can be fined.

Leroy asked the Commissioners to take what he said as learning for all of us and he is not slighting anybody. Leroy said we need to step up our game on communication and gave the example of an emergency management event that two Commissioners were invited to attend by two different people. They were not both able to attend the event, so there was not an issue this time, however; Leroy said the Commissioners need to communicate with Susan to let her know of all the events so that two or more Commissioners do not unknowingly show up to the same function in the future. Leroy asked David if he had attended a juvenile detention board meeting in Girard yet? David stated he has not but has had a conversation with the Sheriff. Leroy asked Sheriff Martin to come to the table to answer a few questions regarding juvenile detention. Leroy asked if it was still extremely difficult to get a juvenile placed in detention due to the scoring system? Sheriff Martin said the juvenile would have to commit a serious person to person crime to be placed in juvenile detention. Sheriff Martin said he feels we pay a high rate and he is looking into Johnson County which is a pay as you use facility. Brandon asked if we

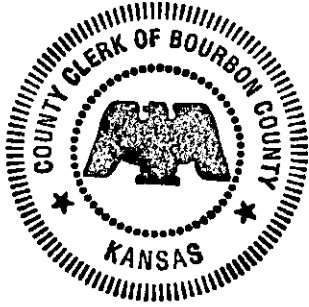
used the juvenile detention facility in Girard last year. Sheriff Martin said he didn't bring any information regarding that as he was not aware the topic would be discussed tonight.

Brandon said we need to hire a solar attorney and stated that Bob Johnson, our County Counselor, was unable to be here tonight. Brandon said he received an email that he can send to the County Clerk to forward on to the other Commissioners so they know what the solar attorney's cost is. Brandon said that the attorney will take care of the deal that went to court today and all of the solar negotiations for us. David asked if Brandon was talking about Jacob, and Brandon stated yes. David made a motion to hire him. Brandon seconded the motion and all approved. David said that we have money set aside for this and Brandon said that in the long run it should pay off and get all of our money back anyway. Brandon said the public works department did an outstanding job during the snowstorm and Eric stayed on top of it and gave him updates every couple of hours and he thinks we need to figure out a way to really tell the guys thank you and that they earned it. Brandon stated he is glad our meetings have calmed down.

Samuel Tran asked to speak to the Commissioners regarding the zoning that was discussed tonight. Samuel asked if we are going set up deliverables and milestones for the zoning. Leroy said we are not far enough along yet for him to feel like he can comment on too much of it because he wants to be able to deliver concrete facts. Samuel said he would like to see the process move forward and asked what tools will be used to initiate the zoning. Leroy said we have been researching things that are as close to apples to apples as possible to make it fit and then tweak them to meet our needs. Leroy said right now it is larger than what he is personally comfortable with. Samuel asked what Leroy meant by larger. Leroy stated there is more in there as far as regulations and zoning and that he would like to protect everybody and not infringe and he feels it currently goes beyond that. Samuel asked if once the zoning is finalized if it is something the residents will vote on or if the county is going to just go ahead and execute. Leroy said the Commissioners will vote on the zoning but they will not hide the discussion and there will be public review and input along the way. David said in the past he felt there were no public hearings before decisions were made and stated the public will have the right to speak. Leroy said there will be several drafts before the zoning is finalized and that would be a great time for community involvement. David said that Bob Johnson has done zoning in the past and he feels confident with his experience. Samuel thanked the Commissioners for allowing him to speak this evening.

Kyle Parks said west of town on Highway 54 there is a lot of trash and debris along the roadways and in the trees. Kyle stated he feels it reflects poorly on our community when that is one of the first thing visitors see coming into town. Kyle said in the past prisoners were taken out to clean up trash and that other organizations in the past have done adopt-a-highway and asked if something could be done. JD Handly stated since it is a state highway KDOT would have to be involved. Sheriff Martin said he would address this when it is warmer.

The meeting was adjourned at 6:43.



THE BOARD OF COMMISSIONERS
OF BOURBON COUNTY, KANSAS

[Signature] Chairman
[Signature] Commissioner
[Signature] Commissioner

ATTEST:

[Signature]
County Clerk

3/3/25
Date Approved