

October 31, 2024

Thursday 9:00 a.m.

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

Clint Walker, Rachel Walker, Anne Dare, Rep Lime Creek LLC, Debbi Shepard, deb McCoy, Mary Pemberton, Marla Heckman, Monte Carriker, Jean Tucker, Don Tucker, Eric Noreen, Catherine Leigh, Alan Claus Anderson, Tim Emerson, Shanda Stewart, and Mike Wunderly were present for some or all of the meeting.

Jim opened the meeting and led the flag salute.

Clifton made a motion to approve the consent agenda which includes approval of minutes from 10/21/2024. Brandon seconded the motion and all approved.

Eric Bailey, Public Works Director, stated he needed the Chairman's signature on cost closure forms required by the state for the landfill. Eric stated there is a new regulation that requires entities with a landfill to keep the amount the closure of the landfill would cost in the fund. Eric said the landfill is not closing, but they must comply with the new regulations and that the funds would come from the landfill and the remaining from the general fund. Eric stated that the landfill will receive FEMA reimbursement for the flood damage and that in the future the landfill fund will cover the entire cost. Clifton made a motion to allow Chairman Harris to sign the cost closure paperwork for the state. Brandon seconded the motion and all approved. Eric said the City of Bronson wants to do an interlocal agreement as they have funds they need to use by the end of the year. Eric said he is asking if the Commission would like to do this and that he can bring more information and numbers to the next meeting. Jim said if we do this for Bronson then we will have to do for all. Clifton said we don't have time to do our own stuff and this would add to list. He stated we didn't get near what we wanted to completed, and he feels if we do this it will be opening a can of worms. Clifton said he was concerned about manpower but stated he has no problem with having an interlocal agreement with everybody. Jim said he would like any future interlocal agreement to state if or when we have time.

Jennifer Hawkins, County Clerk, presented longevity for employees totaling \$55,900 and asked for approval and to issue a special payroll to pay the longevity out before Thanksgiving. Clifton said this is something we have done every year. Brandon made a motion to approve the longevity and to issue a special payroll. Clifton seconded the motion and all approved. Jennifer said as of this morning they have had 1883 early voters and that she is expecting a large turnout. Jennifer said that Lisa Robertson with

Healthy Bourbon County Action Team and Lea Kay Karleskint with CHC and K-State Extension brought information about a countywide food drive into her office and asked if Bourbon County would like to participate and be a drop off location. The Commissioners stated they have no problem with the county participating and the courthouse being a drop off location. Jennifer presented a real property relief application for Ian and Brandee Peery at 660 N. Main Street in Mapleton. Jennifer said the applicants told her they had previously applied when their home was destroyed by fire on 3-10-2020, however; Jennifer looked in her records and could not find an application and she checked with Matt Quick, Appraiser, and he could not find an application either. The application presented today is for the 2020 tax year. Clifton made a motion to approve the relief property relief application for 660 N. Main Street in Mapleton. Brandon seconded the motion and all approved. Jennifer said that Tri-Valley sent her a letter of support for their transportation services that they would like the Commissioners to sign. Jennifer said this is the same letter of support the Commissioners signed last week for Building Health for their KDOT grant application. Clifton made a motion to approve and sign the transportation support letter for Tri-Valley.

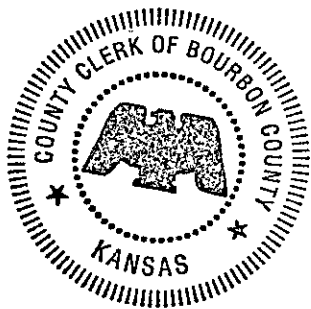
Brandon presented and made a motion to approve Resolution 13-24 which is in support of Operation Greenlight. Brandon explained this is stating that Bourbon County supports our Veterans and encourages citizens to replace their porch light with a green bulb to show support for Veterans. Operation Greenlight is November 4 through November 11. Clifton seconded the motion and all approved. Jim said we can't do enough for our Veterans. Jennifer said the Courthouse has green bulbs along the front of the building and have green covers for our flood lights.

Jim presented Resolution 14-24 which is a resolution rescinding the moratorium on solar projects and terminating current agreements with Hinton Creek Solar. Jim explained they put the moratorium in place several months ago at the urging of the citizens and he feels it is time to rescind and move forward. Jim said he thinks they have done everything they have been asked to. Jim made a motion to adopt resolution 14-24. Jim explained that Hinton Creek is agreeing to our setbacks so we have to terminate prior agreements. An audience member asked about the short notice of the amended agenda. Jim said he sent the information to the Clerk at 4:00. The County Clerk said she received the first email at 4:00 however she had left early to take her child to the doctor and amended the agenda at 6:30 this morning when she saw the email. Clifton asked if terminating the agreements and rescinding the moratorium are in the same motion. Jim said it is all in the resolution. Clifton seconded the motion. Brandon said he doesn't think we are ready to lift moratorium and that more research is needed. Brandon stated he has not read the agreements as he did not receive them until 5:30 last night while he was at work but he thinks it is ok to scrap the original Hinton Creek agreements. Jim asked Alan Anderson, an attorney representing a solar company, to come speak. Mr. Anderson said that Hinton Creek revised their agreement to include setbacks that are further than the committee recommended. Mr. Anderson said it is giving people the choice of land use and allowing people to use their land. Doral executed four donation agreements with Fort Scott Community College, USD 234, and USD 235 and the other two companies will do that as well. Jim said he is aware of the donation agreements and we desperately need this in Bourbon County. Jim asked Justin Meeks, County Counselor, if he had any additional questions. Justin stated he had two other attorneys look at the agreements and they have

strengthened the decommissioning agreements and there is a 3300-foot setback with barrier near homes. Jim said this has been a controversial subject and they are trying to protect existing homes. Jim said he suggested citizens get legal advice and there is always civil action. Jim made a motion to adopt all three agreements with all three companies. Clifton seconded the motion. Brandon said it is funny how last week we changed the meetings to 9:00 and the first meeting that can't be on YouTube is when this is brought up. Brandon said overwhelmingly the people of Bourbon County don't want solar. Clifton disagreed with that and Brandon asked if solar was going in by Jim or Clifton's homes. Audience members asked many questions including how many signatures were needed to pass the agreements. Jim said only two signatures. Jim and Clifton agreed to the motion while Brandon was opposed. The motion carried 2-1. Anne Dare asked if the public can know the donation amounts. Clifton said we couldn't have stopped solar even if we wanted to. Brandon asked then why we instated the moratorium?

Brandon asked how much time he had during his comments section and Jim said he had all the time he needed. Brandon said he would like to use his comments section to allow the public to speak. Jim said he would not allow that. Several audience members started asking questions. Clifton said the burn ban is still in effect and that violation of that ban is a civil matter not criminal and that the Sheriff cannot give tickets.

Clifton made a motion to adjourn the meeting at 9:26 and Jim seconded the motion.



THE BOARD OF COMMISSIONERS
OF BOURBON COUNTY, KANSAS

[Signature], Chairman

[Signature], Commissioner

_____, Commissioner

ATTEST:

[Signature: Jennifer Hawkins]

Jennifer Hawkins, Bourbon County Clerk

11-7-2024 Approved Date