

BOURBON COUNTY
CLERK & ELECTION OFFICER

Susan Walker

March 16, 2026

Members of the board and members of the public,

I welcome a review of the attached documents and the claims that have been made against me and my office. Transparency is not something I fear, it is something I have always supported. If a review uncovers minor clerical errors, we will address them just as any responsible office would. But let me be absolutely clear: **you will not find manipulation of numbers, and you will not find my office illegally processing payments.**

What you will find instead is that the accusations being made against my office and my staff are unfounded.

Making false allegations, especially to law enforcement, is not a political tactic. It is a serious matter. Filing false reports, making knowingly false statements, or providing false testimony can carry significant legal consequences, including criminal charges, fines, and civil liability for defamation and damages.

A document from your legal counsel to the Attorney General has been distributed on social media accusing my office and employees past and present of “likely” criminal activity. Mr. Tran you stated you have “empirical” evidence. Tonight, I am providing “irrefutable” evidence available to the public. It contains documentation and evidence demonstrating that my office and my employees are being falsely accused of criminal conduct.

I also possess a recording that directly supports the innocence of my former deputy. If necessary, that evidence can be presented. My goal, however, is not to turn this into a spectacle. My goal is for the truth to be acknowledged and for this board to focus on governing responsibly rather than continually attacking me.

These kinds of claims are not only distracting, but they also undermine the integrity of this board and the work that needs to be done for the public.

My office and another county office have been subjected to repeated attacks and scrutiny, and we are the only offices that have experienced budget cuts. At the same time, I continue to carry out the statutory duties required of the Clerk – contrary to what some have been led to believe. The three of you removed responsibilities that are not my statutory duty from my office not because I refused to perform them, but because you chose to take control of them.

210 S National Avenue
Fort Scott, KS 66701

OFFICE: (620) 223-3800 Ext. 191

CELL: (620) 644-7927

countyclerk@bourboncountyks.org

BOURBON COUNTY
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Susan Walker

Despite the political rhetoric and the accusations, I will continue to do my job. I will continue to follow the law, fulfill my statutory duties, and serve the public with transparency and integrity.

If this board wishes to proceed with audits, investigations and reviews, I suggest reviewing the attached documents giving a full account of the events that took place. My office carried out the duties of these payments and made corrections when necessary. If there is any question it is what happened after the approval was given to my clerk to process the payment. There would be no reason for us to believe that a document had not been signed.

I am calling for collaboration again like I did in October of 2025 between this board and my office and to knock off the pomposity and move forward.

I have a recording that can be played now, but I would suggest it be played in executive session.

Timeline of events – Accusation # 1 Payout to Employee

July 15, 2025 – Email to Dr. Cohen after employee 45-day resignation notice regarding payout. Information requested by Dr. Cohen by phone. (attached)

August 25, 2025, through September 7, 2025 – County Clerk on vacation with limited access to email or phone to visit a failing family member in Washington State.

August 29, 2025 – Payroll Clerk notifies Dr. Cohen, County Counselor Bob Johnson, David Beerbower, Mika Milburn-Kee, and Sam Tran regarding payout calculations to run payroll the following week. She also confides in previous County Clerk, Jennifer Hawkins on how to properly handle the situation since the current county clerk was out of the office on vacation. She advised to document and request in writing the approvals. (attached)

September 1, 2025 – Dr. Cohen responds to Payroll Clerk that the commission has elected to disregard the payout calculations and instead opted for making a payment outside the accruals and that he will let the Payroll Clerk know if he accepts the offer. (attached)

September 2-4, 2025 – Payroll is calculated and processed by the payroll clerk. (short payroll week due to the holiday on the 1st – requiring timely notice) All ACH files must be to the bank by 9/4/25 at 4:00 PM for release on 9/5/25.

September 2, 2025 – Payroll Clerk contacts Dr. Cohen to see if employee has accepted their offer and is there a timeframe for payment. (attached)

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September 2, 2025 – Payroll Clerk sends register to County Clerk to review. County Clerk calls payroll clerk with some minor changes to the register and asks that she keep her apprised of the decision on employee payout. (attached)

September 3, 2025 – Payroll Clerk again contacts Dr. Cohen regarding employee's payout. Dr. Cohen sends email to Payroll Clerk at 8:02AM stating employee has accepted the offer of \$20,000 and says that they are presenting him with an agreement. Phone recording where Dr. Cohen offers on behalf of the commission the gesture from the commission of a "severance", "good job", "bonus" – whatever they want to call it.

September 3, 2025 – Preliminary payroll register sent to County Counselor, David Beerbower, Mika Milburn-Kee and Sam Tran to review with employee's \$20,000 payout included at 11:45AM. (attached)

September 4, 2025 – Dr. Cohen contacts payroll clerk on her personal cell phone at 11:07AM with direction to payout employee \$20,000 on the 9/5/25 paycheck. (attached) The County Clerk's office would not receive any documentation since this was a legal document. All she was given was verbal directions from Dr. Cohen to cut the check.

September 5, 2025 – Payroll is issued.

September 8, 2025 – Commission approves payroll with no questions as reflected in the minutes and signed by all three commissioners. County Counselor Bob Johnson signed a separate log approving all accounts payable and payroll registers for 2025. (attached)

October 1, 2025 – County Clerk submits KOMA complaint against Mika Milburn-Kee to Attorney General for an email sent to all commissioners on 09/29/25. (attached)

October 7, 2025 – Emergency Special Commission Meeting called at 8:15AM. County Clerk is out of the office and Deputy Amber Page conducts the meeting. (Minutes attached)

Executive sessions for non-elected personnel with David Beerbower and Mika Milburn-Kee, and Steve Cohen and Bob Johnson by phone.

Previous County Treasurer enters meeting telling Deputy Clerk that she has what Mika Milburn-Kee is needing for their executive session.

Returned to executive session for non-elected personnel with David Beerbower, Mika Milburn, Bob Johnson, Dr. Cohen and Jacob Bielenburg.

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Mika Milburn-Kee moves to give Jennifer Hawkins access to payroll and accounts payable by the end of day.

October 8, 2025 – County Clerk submits a complaint to the Attorney General regarding meeting held where she is discussed in executive session without being present violating statute. (attached)

October 13, 2025 – Employee is contacted by County Counselor for the first time to sign an agreement with Bourbon County regarding his payout of which the document can be obtained from said Employee if they choose to release. (attached)

October 16, 2025 – Payroll Clerk is asked to provide information to Dr. Cohen regarding the payout for employee. She provides phone call screenshots to Dr. Cohen, Bob Johnson, County Clerk, David Beerbower, Mika Milburn-Kee and Sam Tran. (attached)

October 23, 2025 – Response from County Clerk for a call of Collaboration to Commission after negative comments by Commission regarding financial controls and statutory duties. (attached)

November 20, 2025 – County Clerk submits KOMA violation to Attorney General for a serial meeting between Dr. Cohen and the Commission discussing Longevity. (attached)

November 20, 2025 – Email to David Beerbower concerning Longevity with no response. Dr. Cohen sends threatening email to County Clerk. (attached)

November 21, 2025 – County Clerk responds to Dr. Cohen regarding Longevity. (attached)

November 24, 2025 – County Legal Representative responds to Attorney General Allegations (which is still an open case). County Clerk was not aware of the response nor the criminal accusations until a KORA request was made by a citizen on 02/27/26 and released by County Counselor, Bob Johnson directly to the citizen on 3/1/26. (attached)

March 2, 2025 – County Attorney verifies to the County Clerk that he will not be pursuing the investigation.

Timeline of Events Accusation #2 – Shane Walker Substantial Overpayment

Shane Walker was laid off on July 9, 2025. Shane was paid for five days of pay rather than 3 days. With an hourly rate of \$42.60 Mr. Walker was overpaid \$681.60 but the payment was pulled back and corrected once the payroll clerk was apprised of the issue on 07/29/25.

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- The Pay date for this payroll was 07/25/25.
- The Commission received notice of the payroll on 07/22/25 to review and identify issues before payroll processed.
- Mika Milburn-Kee notifies the payroll clerk on 07/29/25 with issues regarding Mr. Walker's pay.
- County Clerk is made aware of the issue and contacts HR about what has happened.
- County Clerk asks for an executive session with the Commission regarding the process of payroll and not receiving termination paperwork timely for my payroll clerk. I also asked for some "Grace" due to the lack of communication between HR and my payroll clerk as I dealt with figuring life out with the layoff of my husband and his health.
- County Clerk sends email to Dr. Cohen recapping the events. (attached)
- Email from Payroll Clerk regarding Payroll processes and asking for an opportunity to work together. (attached)

Any other accusations are opinion based and I will not respond to opinions.

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countyclerk@bourboncountyks.org

County Clerk

From: County Clerk
Sent: Tuesday, July 15, 2025 11:28 AM
To: steve@oncallhrgroup.com
Cc: David Beerbower
Subject: Eric Bailey Payout

Dr. Cohen,

Here is the amount for Eric Bailey to payout his contract at the end of his 45 days. If for some reason he is replaced before August he would have 8 hours less in pay for Sick Leave Accrual.

Eric Bailey Contract Payout Calculations

Date of Hire: 10/1/2020

Hourly Rate = \$33.72 Annual Pay \$70,137.60

Eric Bailey	2023	2024	2025	Comments
Sick Leave Hours Accrued	96	96	64	12 Days per Year and No cap per September 26, 2008 Mi
Vacation C/O Accrued	224	224	224	Per contract
Vacation Hours Accrued			120	Earns 20 days each year that must be used by EOY
Total Hours Accrued	320	320	408	

	Hours	Total Due
Total Vacation/Sick Due	1048	\$ 35,338.56
		<u>\$ 35,338.56</u>

Susan E. Walker

Bourbon County Clerk
210 S National Avenue
Fort Scott, KS 66701

620.223.3800 X 191
620.644.7927 Direct Line

E. Bailey



AP

To: stevecohen82@gmail.com; Bob Johnson <bob@jvpallaw.com>
Cc: County Clerk; David Beerbower
Bcc: Mikka Milburn-Kee; Sam Tran



Fri 8/29/2025 9:25

You forwarded this message on Thu 2/19/2026 9:44

View conversation



E. Bailey Term.pdf
115 KB



Attached is the payout calculations I have received, payroll will be ran next week. I am sending for approval.

Respectfully,

Sefena Williams

Deputy Clerk/Accounts Payable

210 S. National

Fort Scott, KS 66701

Phone: (620)223-3800 Ext. 102

Cell: (469)383-4156



Reply



Reply all



Forward

County Clerk

From: Steve Cohen <stevecohen82@gmail.com>
Sent: Monday, September 1, 2025 11:38 AM
To: AP
Cc: bob@jvpalaw.com; County Clerk; David Beerbower
Subject: Re: E. Bailey

Some people who received this message don't often get email from stevecohen82@gmail.com. [Learn why this is important](#)
Thank you. The Commission has elected to disregard this and opted instead for making a payment outside the accruals. I will let you know if he accepts the Commission's offer and what the number is. Hope you had a good weekend. steve

On Fri, Aug 29, 2025 at 9:25 AM AP <ap@bourboncountyks.org> wrote:

Attached is the payout calculations I have received, payroll will be ran next week. I am sending for approval.

Respectfully,

Selena Williams

Deputy Clerk/Accounts Payable

210 S. National

Fort Scott, KS 66701

Phone: (620)223-3800 Ext. 102

Cell: (469)383-4156

--

Steve Cohen Ed.D

Principal

HR Solutions On-Call

210 SW Market St #101

County Clerk

From: County Clerk
Sent: Tuesday, September 2, 2025 11:58 AM
To: AP
Subject: Re: Payroll 9.5.25

Looks good. Let me know what they decide on Eric.

Sent from my iPhone

On Sep 2, 2025, at 9:46 AM, AP <ap@bourboncountyks.org> wrote:

I have attached everything for the payroll for 9.5.25, if there is anything else you need to approve let me know. I am still waiting on the payout for E. Bailey, I sent out an email this morning asking for it again.

Respectfully,

Selena Williams

Deputy Clerk/Accounts Payable
210 S. National
Fort Scott, KS 66701
Phone: (620)223-3800 Ext. 102
Cell: (469)383-4156

<rTCPlusTimeImportRpt.pdf>
<Payroll Detail-2025-09-02-07-52-15.pdf>
<rPayrollReg 3 REVIEW.pdf>
<To Do List 9.5.25.pdf>

Re: E. Bailey

From Steve Cohen <stevecohen82@gmail.com>

Date Wed 9/3/2025 8:02

To AP <ap@bourboncountyks.org>

Salena, he has accepted the offer. As soon as he signs the agreement document I can let you know to cut the check. Thank you. Hope you had a nice holiday weekend. Steve

On Tue, Sep 2, 2025 at 9:45 AM AP <ap@bourboncountyks.org> wrote:

Do we have a time frame on when we will know if Eric is accepting the offer? As well as when will I receive the documents supporting, to complete payroll.

Respectfully,

Selena Williams

Deputy Clerk/Accounts Payable

210 S. National

Fort Scott, KS 66701

Phone: (620)223-3800 Ext. 102

Cell: (469)383-4156

From: Steve Cohen <stevecohen82@gmail.com>

Sent: Monday, September 1, 2025 11:38 AM

To: AP <ap@bourboncountyks.org>

Cc: bob@jvpalaw.com; County Clerk <countyclerk@bourboncountyks.org>; David Beerbower <dbeerbower@bourboncountyks.org>

Subject: Re: E. Bailey

Thank you. The Commission has elected to disregard this and opted instead for making a payment outside the accruals . I will let you know if he accepts the Commission's offer and what the number is. Hope you had a good weekend. steve

On Fri, Aug 29, 2025 at 9:25 AM AP <ap@bourboncountyks.org> wrote:

Attached is the payout calculations I have received, payroll will be ran next week. I am sending for approval.

Respectfully,

Selena Williams

Deputy Clerk/Accounts Payable

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Phone: (620)223-3800 Ext. 102

Cell: (469)383-4156

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Steve Cohen Ed.D

Principal

HR Solutions On-Call

210 SW Market St #101

Lee's Summit, MO 64063

913.927.0229 (cell)

--

Steve Cohen Ed.D

Principal

HR Solutions On-Call

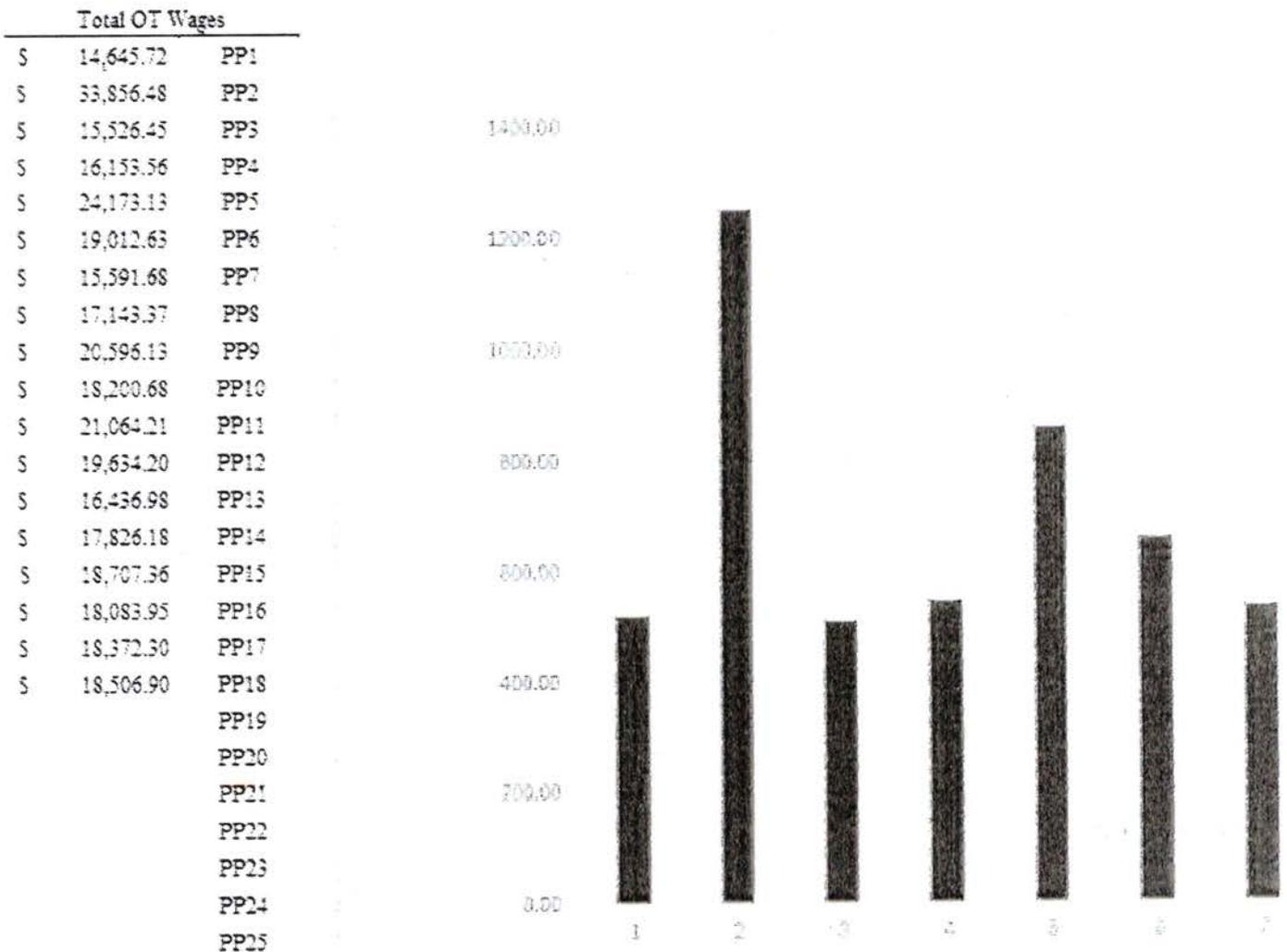
210 SW Market St #101

County Clerk

From: AP
Sent: Wednesday, September 3, 2025 11:45 AM
To: David Beerbower; bob@jvpalaw.com
Cc: County Clerk
Subject: Payroll 9.5.25
Attachments: rCICEarnedHoursByType.pdf; rWagesByDept.pdf

Payroll 9.5.25.

Departments	1	2	3	4	5	6	7	8	9	10
Appraiser		1.25	1.00			0.50	0.25			
IT										
Treasurer		0.25				0.50				3.
Bailiff		0.33								
ROD										
R&B Nox Weed	33.25	445.50		0.50	165.00	2.00	2.00			
Clerk		2.33	1.18		5.00	10.59	6.00	26.00	19.92	
Custodial		12.50	5.25	9.25	11.25	10.50	10.50	10.50	5.50	
Attorney		29.25	13.25	14.00	12.75	1.00	1.50	4.50	2.50	0.
Corrections	77.90	165.31	53.94	48.44	54.95	34.33	19.65	12.00	41.31	45.
Sheriff	77.00	226.75	54.67	169.67	194.25	173.25	154.17	153.85	196.92	86.
Commision										
Ambulance	333.67	370.50	382.75	309.00	419.66	430.74	347.00	374.33	423.50	489.
Pay Period Totals	521.82	1253.97	512.04	550.86	862.86	663.41	541.07	581.18	689.65	626.



Respectfully,

Selena Williams

Deputy Clerk/Accounts Payable

210 S. National

Fort Scott, KS 66701

Phone: (620)223-3800 Ext. 102

Cell: (469)383-4156

Employee Hourly Breakdown

From 9/5/2025 To: 9/5/2025

Dept:

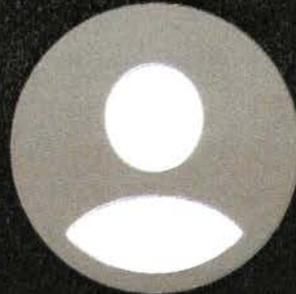
Cost Center:

Emp:

Emp ID	Name	Hours	Amt	Check Dept	Default Department Desc
[REDACTED]	[REDACTED]			24	AMBULANCE
375-24 AMBULANCE					
	[REDACTED]	[REDACTED]	[REDACTED]		
	[REDACTED]	[REDACTED]	[REDACTED]		
Total Hours / Amt By Cost Center:		[REDACTED]	[REDACTED]		
Total Hours / Amt By Emp:		[REDACTED]	[REDACTED]		
BAIER01	BAILEY, ERIC W			40	PUBLIC WORKS
220-00 ROAD & BRIDGE					
	ALG - LONGEVITY	0.000	\$3.75		
	PSA - REG. SALARY PAY	1.000	\$2,697.60		
	VAPO - VACATION PAYOUT NO	1.000	\$20,000.00		
Total Hours / Amt By Cost Center:		2.000	\$22,701.35		
Total Hours / Amt By Emp:		2.000	\$22,701.35		
[REDACTED]	[REDACTED]			40	PUBLIC WORKS
220-00 ROAD & BRIDGE					
	[REDACTED]	[REDACTED]	[REDACTED]		
	[REDACTED]	[REDACTED]	[REDACTED]		
Total Hours / Amt By Cost Center:		[REDACTED]	[REDACTED]		
Total Hours / Amt By Emp:		[REDACTED]	[REDACTED]		
[REDACTED]	[REDACTED]			07	CUSTODIANS

1:01 

 5G 



KANSAS CITY, KS

+1 (913) 927-0229



message



call



video



mail



pay

September 4, 2025

11:07 AM **Incoming Call**
3 minutes

Share Contact

Create New Contact

Add to Existing Contact

Add to Existing Contact

Add to Emergency Contacts

Respectfully,

Selena Williams
Deputy Clerk/Accounts Payable
210 S. National
Fort Scott, KS 66701
Phone: (620)223-3800 Ext. 102
Cell: (469)383-4156

Payroll Register

Check date: 9/5/2025

Bourbon County

8/17/2025 To 8/30/2025

Dept EMP # EmployeeName

Categ Rate Hours Amount MTD YTD

Type	Current	YTD	Hours
Deductions:	\$71,020.53	\$1,068,644.77	
Earnings:	\$226,605.25	\$3,081,171.41	8654.97
Benefits:	\$99,867.91	\$1,507,458.24	

County Clerk Availability of Funds:

Jan E Walker
9/8/25 County Clerk

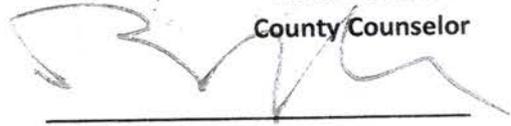
Approved and Allowed by County Commissioners:

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

County Counselor Approval of Payroll & Accounts Payable Bills

This is to certify that the County Counselor of Bourbon County, Kansas has viewed the county's 2025 expenses and hereby approves them for 2025.

Robert Johnson
County Counselor



Attest:



County Clerk

September 8, 2025

Monday, 5:30 p.m.

The Board of Bourbon County Commissioners met in open session with Commissioners Beerbower, Tran, and Milburn, County Counselor Bob Johnson, and County Clerk Susan Walker present.

Gregg Motley, Joseph Smith, Teri Hulseley, Marlon Merida, Jason Silvers, Clint and Rachel Walker, Jennifer Wiggans, Haylea Evans, John Lowry, Kyle Parks, Mike Wunderly, Dale Griffiths, Anne Dare, and Lora Holdridge were present for some or all of the meeting.

David opened the meeting with the flag salute and led the prayer.

David suggested setting time limits to the meetings. Meetings will start at 5:30, as already established and will run to 7:30, at which time the Commissioners will evaluate and table topics as needed to future meetings. Susan asked that the Commissioners let her know by Thursday each week which topics they want on the agenda so that she can try and streamline her process to send the agenda out only once, instead of having to send out multiple revised agendas. Sam commented that he thinks they should have all the information on a topic in front of them prior to putting it on the agenda.

David moved to adopt the following meeting procedures: Start meetings at 5:30 PM and follow the agenda to 7:30, moving anybody that travels to the top of the agenda. Setting the agendas before adjourning for the next week's meeting and otherwise will adjourn at 7:30 PM. Sam seconded and all approved.

Mika asked that the Salary Resolution be moved up underneath consent agenda. David moved to approve the agenda as corrected. Sam seconded and all approved.

David moved to approve the minutes from 8-25-25 and 8-29-25 as corrected. Sam seconded and all approved.

Susan discussed concerns with the Salary Resolution.

David moved to approve the consent agenda: Accounts Payable for 9-5-25 totaling \$308,641.44, Payroll for 9-5-25 totaling \$326,473.16, Approval of Resolution 31-25 Salary Resolution for Elected and Appointed Officials voted and approved on 8-11-25. Mika seconded and all approved.

Lora Holdridge, Register of Deeds, discussed concerns she has about her budget being cut, and that one of her employees would be cut to part-time. She asked the Commissioners if 20-hours of that employees pay came from the general fund and she paid the other 20-hours from her tech fund, if the county would still pay her benefits and holiday pay. It was decided to table this topic until next week's meeting as the Commissioners believe an executive session is needed to discuss it further.

Lora then discussed 95th and Unique Rd. She said, in July of 2021, Eric said that they would maintain 1,057 feet of the driveway. Lora said the landowner used to drive a bus so the county used to do his whole entire driveway. The landowner to the north has access, he is not landlocked, but Security 1st needs to have a resolution to be in Lora's books so they can do title insurance. They cannot go off the minutes. They need a resolution. County Counselor, Bob Johnson, questioned why the county needed to do this. Mika helped explain more details. The Commissioners, with advice from Bob, decided against doing a resolution to have the county maintain the driveway. They feel that it is not in the best interest of the county or the taxpayers.

David moved to go into executive session pursuant to KSA 75-4319(b)(1) to discuss personnel matters of individual non-elected personnel to protect their privacy for job performance. The session will include the three Commissioners and County Counselor Bob Johnson and they will return at 6:45 PM. Mika seconded and all approved.

David said "Return to session with action" at 6:45 PM. Mika seconded and all approved.

Sam made a motion for the Commission to allow him to engage Dr. Cohen on an issue for administrative action. Mika seconded and all approved.

David moved pursuant to KSA 75-4319(b)(2) for consultation with an attorney for the public body of the agency which would be deemed privileged in the attorney client relationship for 10-minutes with the three Commissioners and the County Counselor to return at 7:00 PM. Sam seconded and all approved. David moved to return back to session at 7:01 PM. Sam seconded and all approved.

Public Comments:

Mike Wunderly wanted to thank the gentleman that mowed 135th and Poplar Road.

The Commissioners discussed Union Street from 125th to Highway 31. For the county to take maintenance responsibility back from the City of Mapleton, it will cost 700 tons which is roughly \$36,729 to pave. Clint Walker spoke and said it is a very traveled road and is a school bus route.

Sam motioned for himself to be allowed to talk to public works and if we have the asset, manpower and material to do it, that we be allowed to do it. David added that Sam also talk to the Mapleton Mayor. David seconded the motion. Mika wanted further discussion and said that she believes we got the bridge grant, but we need to come up with \$100,000 to match it. She said she thinks Sam should see what the City of Mapleton can put towards the cost of fixing the road before he makes a motion. Sam pulled his motion and the topic was tabled until next week's meeting.

David spoke of an email he had received on August 27th from Nick Dobenmeyer, account executive with SLED Zoom video communications, which stands for State, Local, and Education, refers to Zoom's focus on providing its video and communication platform to government and educational institutions in the United States. The platform offered by this company includes video conferencing, team chat, and phone services. David had referred this representative to the IT liaison, Commissioner Milburn: and asked her if there had been any follow-up. She said she had received the emails but that it's not on her list of priorities right now and that if David wanted to take it, he was welcome to. He said no, that he just wanted to see if there had been any follow-up because we'd already had two other phone companies come in. Mika said she had no follow-up. David asked if they want these gentlemen to present. Mika said he was welcome to put them on the agenda so they can come present their services.

David also discussed a software company called Diligent that had contacted him by email. They streamline governments for public sector boards. Sam thinks we should hold off until Stronghold fixes our network and then reassess.

David gave an update on the Hospital Equipment sale. There are 3 lots that did not sell, and David asked if they should run it for another week. After discussion, the Commissioners decided to run the auction another week and lower the opening bids to see if the remaining lots will sell.

David asked to scratch the FSACF Grant topic.

David announced that they were now at 7:39 PM and asked if they wanted to continue. They decided to go until 8:00 PM.

The Commissioners had a brief discussion on Security Cameras and then tabled the topic for two weeks.

The Commissioners discussed Craw-Kan and Bob was going to look at the contract, so they will reach out to him to ask his thoughts.

Sam wanted to know if we were moving forward with clearing the overburden at Elm Creek Lake per two previous commissioners' direction. David expressed his concerns on moving forward. Joseph Smith said the decision should be left up to the county engineer which we do not have. Sam said he trusts Mr. Smith's advice.

Sam decided to table the Elm Creek topic until he has more information. Clint Walker spoke as a citizen that lives next to a rock quarry. He said he thinks that people over-blow what the noise that rock quarries make and over-blow the traffic in it. He said he doesn't have a problem with that because it's progress for our county.

David said they were closing in on 8:00 PM so he was going to move that anything with his name on it except for the Freeman agreement be tabled until a future meeting.

David moved to adopt the second amendment to the emergency department funding agreement. Mika seconded and all approved.

Mika discussed admin access to the county webpage, Craw-Kan, Verizon, and Facebook. Mika moved to add Chairman Beerbower as full admin access to Facebook, Verizon, Craw-Kan, and the web page for Bourbon County. David seconded and all approved.

Mika spoke about Freeman taking on EMS. She said "although I've brought it up several times and several times before there was a liaison, so not to step on Mr. Beerbower's toes, but Mercy used to run the EMS. When they left, the county took it because it's important to have. Now Freeman's back and I'd been told several times in the past that they wouldn't hear a discussion about managing that again. But I did go ahead and reach out to them and thought I'd take a shot in the dark and they are open to conversation to doing that with Bourbon County. I went a little further and looked into some agreements that we have and spoke to City Manager Brad, and the Fire Chief, and we have an agreement with the city. They can go out on six calls a month before charging us more when our bus is out on a call. And they had that agreement when Mercy was here and they would talk about carrying that over if Freeman were to take EMS for us as well. At the beginning of the year when I sat down with Susan, the numbers that we weren't collecting in EMS is about 300,000, but that was what we budgeted for minus what we billed for and got reimbursed for. The number was 300,000. But our benefits are not included in that budget for some reason. The benefits for all departments are not included in their budgets. So those numbers are greater than that. I would estimate around 700,000 and I believe Mercy used to carry us. We used to contribute under 300,000 to Mercy." She asked the other Commissioners if they would be open to discussions with Freeman. Sam asked Mika "what is ultimately your goal of having EMS moved over to Freeman?" Mika responded "it would take a financial burden from the county and I think that's what we're trying to do here is, if services can be provided elsewhere and our residents of our county would not suffer otherwise and we could save the county money at the same time, isn't that our goal here at this table?" Sam asked "What happens if Freeman goes belly up?" Mika said "Well, the same thing that happened when Mercy left, we would take it back." Sam asked "was that a painless endeavor or was it pretty painful to start from scratch?" Mika said "Nothing's painless. I am just asking to continue to have conversations with Freeman and be open to the dialogue. I'm asking you guys to sit down and listen to what they have to say if they can save our county money by taking something." Sam said "Well, Commissioner Milburn, that's an easy answer for me. I will listen to anybody. I may not agree with you, but I will listen to you. If this ask is about a communication, fact finding, I'm all for it." Mika said "There's no use in me pursuing if commissioners aren't on board. And I don't know why commissioners wouldn't be on board if it stands to not lose any services for the residents of our county and save the residents of our county money." David said "Regarding this issue, we already had a discussion regarding the liaison and the stepping over that. So regarding the issue over control of EMS to Freeman, I am not for this and there are several reasons. First, and Commissioner Tran did elaborate on that a little bit, Freeman Fort Scott just opened last week. So to have this discussion is kind of premature. They got a lot on their plate that they're going to have to take care of before they

know that we should even have this discussion. The opening of the hospital is a great achievement for this county and I do remember when Mercy left and I do understand the pains that it took for this community and for when the county took over the EMS has been the one bright and shining star of all this. In the last year, we didn't even have an ER. And they're the ones that stepped up, and I imagine you could fill this room with people that would come in here and say that if it hadn't been for Bourbon County EMS, they wouldn't be sitting here today or wouldn't be able to talk here today. Mika started saying "I know you have more..." David said "Let me finish. Secondly, EMS is not a burden. They're not even a tax levy funded department. They're getting ready to get more income because of the increase in transfers on down streaming from Freeman. I think we hold off and wait and see how the numbers are in another year, rather than jump the gun now and start doing something. We don't know how this is going to pan out, and right now, they're in our corner. And if something bad happens and we don't have the hospital tomorrow, we still got an EMS that can get people to where they need to go. And I think having to start all over again, when we don't have to, is a mistake." Mika said "I believe that you're vilifying what I'm trying to do. I'm trying to save the county money and I'm not trying to take away services from the county." David said "I think we're rushing it, because they've only been here for a week, not even a week, and we're ready to hand over our EMS that's been built up by employees and this county for years since Mercy left." Mika responded with "So, what is bad about Freeman, just like Mercy operating EMS, what would be wrong with Freeman operating EMS?" David said "I'm not saying that it's wrong. I'm saying it's premature. I'm saying that we're rushing into it without Freeman being established here as a hospital." Mika said "Well, discussions take a while. How long until you're satisfied that they're established that we could talk to them?" David said "I would say that this is probably a subject that would be better for five commissioners than three because we're not that far out from that part." Mika said "And I imagine that it'll spill over to five, the discussion would?" David said "I'm just saying that if we're going to look at it, that's four months down the road and when we would have a five-commission board and if then we wanted to breach this subject and..." Mika stopped David saying "So you are asking me to stop. Don't information gather. Don't find out what is cost us. Don't find out anything. Just stop." David said "because you've already crossed the line. It should have been you bringing it to the table and handing it over to me as the liaison and me making these contacts. That's how the liaison system was supposed to work." Mika responded with "Oh, I'm sorry. Did Diligent call, didn't you call and find out stuff to bring to the table." David said "I brought it to you." Mika said "So maybe the liaison does not work because I'm not going to sink in the sand. I'm going to roll. I'm going to keep moving." David said "Even if this board says not to." Mika said "So you don't want to have any discussion about how to save the county money." David said "I just think you're putting an ultimatum on to this board that either we allow you to go forward with this or we..." Mika said "But, you don't want me to do anything." David said "I want the board to make a vote on this." Mika asked "why would you want the board to vote about discussing something, why wouldn't you discuss something? See if it's a viable option and then vote and if it is a viable option, who says it is? Why be offended about talking about something?" David said "I'll start off with in the manner that it was presented to me. I go to EMS to do a tour and the first thing that I hear from employees there that are worried and scared that a commissioner walked in and told them that they were no longer going to be called operational, they were going to be farmed out to somebody else."

Mika responded with "Well, that's not how that was said either, so if that's how it was displayed to you." Teri Hulsey spoke from the audience and said "I said exactly what you said, that there's going to be talks with Freeman about you handing EMS over to... Mika said "That's exactly right, talks with Freeman. So what you're saying is not what I said. Also, you were sent an email and I will read it. I sent it to Bob. Bob sent it to everybody. Bob, the commission is aware of Freeman's opening and now I would like to start discussion on the possibility of Freeman taking back EMS. EMS was a function of Mercy Hospital before Mercy left our community. The county of Bourbon took EMS to fill the gap when Mercy left. Now Freeman has filled that gap. Mercy left and Freeman is open to a conversation about the management of EMS in our county." David said "I received a copy of that email after you've already talked to Freeman, after you already talked to the city manager, after you already talked to the fire chief and also made a phone call to the EMS director." Mika said "just talked to them today actually." David said "When did you talk to Freeman? When did you make the phone call to EMS? We could go round and round on this. If we're honoring the liaison process that Dr. Cohen brought into this, then you should have never made the comment to begin with until you came to this board and said 'Hey, I want permission or I want the liaison to make contact with Freeman and move this forward.'" Mika responded with "Do you want me to ask for permission to find ways to save this county money?" David said "I want you not to step on somebody else's toes doing it." Mika said "Well, I'm sorry that I hurt your toes." David said "The point is that you brought it to the table. I voiced my opinion. I'm not for it. I think it's too premature that they've not been here long enough." Mika said "So you don't want in any of the discussion, if we have discussions. Commissioner Tran has agreed to set in discussions; you are going to exclude yourself." David said "I'm saying you shouldn't be continuing the discussion with Freeman on this." Sam said "I think everybody needs to step back from the table for a little bit. Just take a deep breath. I understand what you're trying to do. I also understand you. You guys are very passionate about what you do and I appreciate that. I appreciate being part of this team, but we got to stay a team. You can't go down this road. I think it is premature. I do. But, I also know Commissioner Milburn, I watch you and it's like you are going to do what you think is best for the county and you're going to push ahead and do it. I also know Commissioner Beerbower. I understand where he's coming from. I think right now, with everything that's happening in Freeman, I think they're going to talk to you. I think they're going to do the magnanimous thing which is to talk to a commissioner. They're not going to sit there and say, 'I don't want to talk to you.' I also think that Freeman bit off a lot more than they're letting on in terms of monetary. They bent over backwards to come in here and I think they put a lot of money into the hospital. What I am saying is, let us just take that wait and see attitude. Do I think that you can talk? Sure. Talk is talk is talk. So I understand that point, but I also understand where Commissioner Beerbower is coming across like you just got to give a little bit of time. So, if I may suggest, do what you think you need to do, but don't be in such a hurry to change things just yet." Mika said "I don't think I'm in a hurry. I think I mentioned this, been mentioning this for months actually. So, that's not a rush to me." Sam said "With all due respect, Ma'am, this is first I've heard of it, and I've been here two months. So, I'm not doubting what you said." Mika said "Like I told Dr. Cohen when he asked me if anybody paid attention, I mean you could find it on the videos. I've mentioned it several times. And Susan had mentioned it to me when I had first started."

Anne Dare said she would like to see the liaison responsibilities that were set by the Commissioners be followed again. She thinks that the Commission's goals should also be how they treat and talk to each other.

Greg Motley stated that Freeman is being polite in talking to the Commission but that they are not interested in taking on EMS at this time.

Teri asked where EMS had cost the county money outside of what they subsidize by state statute. Teri saved the county \$165,000 in grants last year, and with Freeman now open, they will have more transfers that will bring in more money to EMS.

Mika said she does not understand why people are being abrasive to the conversation. Sam asked if he could answer that and said, "Change without a clear vision scares people. And when it comes out of left field, and people are not sure what's happening, they get scared. It's not that they're being defensive. They're scared. There's a lot that has gone on in this room in the last two months. A lot of stuff. And I'm speaking from me. I'm not speaking to you as commissioner. I'm speaking to you as a fellow human being, fellow citizen. You're very good with what you do and keep it up, but they need, we need to slow down a little bit. What I mean is don't slow down what you're doing. Slow down on how we do things. It's like not everything has to be done immediately. We can start a conversation. It should have started with a conversation at the table." Mika said "and it did. Like I said, I've mentioned it at the table for several meetings. I'm sorry that everybody failed to pay attention, but it did start as a conversation at the table, several meetings. I can probably go back and find three time stamps for you where I've mentioned this. So really it shouldn't be surprising. If it's surprising, then somebody wasn't paying attention. So that once Freeman was up and running, I surveyed a lot of people. I survey a lot of people for a lot of things. And so once they were up and running, I just thought, you know what? Actually, I think I've asked Gregg at the table and he said they weren't interested. And then I just thought, well, it's worth a try. Let's just ask them. They're up and running. And so I asked them and they said 'Sure, we'd be open to conversation.' And I know Gregg said they were just being nice, but there's no reason for that. If you are open to talking it, then you say, 'Sure, let's have a conversation.' If you can't sustain it, you say 'No, I don't think we can sustain that'. So, there is no reason to be dishonest, which is, I guess, what Greg is saying that they were doing." Sam said "No, I don't think Greg is saying that. I think Greg was saying that they're being magnanimous. That's what he's trying to say." Mika said "Well I mean if you can't do it, then there's no reason wasting anybody's time. But they didn't say that. So, they're going to have to back that off. This isn't to be vilified, this is not to poke at anybody or anything, but it's just to explore options. And if we didn't have the conversation like this at the table then everything was wrapped up and it was brought to the table to vote on, well then I guess people would say 'well, you're not being transparent.' So pick one, folks. Which way shall we operate?" David said "You said at least three times you've mentioned this at the table. At any of those three times were you approved by the board to speak on our behalf and go have these conversations?" Mika spoke over David and said "On your behalf? Nobody is speaking on behalf of the board. I will not accept that comment. Not even for..." David said

"You're going to let me finish because I let you finish." Mika said "No, you said something that was untrue about me and I will not.. David said "And what I'm saying, is in those three conversations that you said you brought this to the board that at any time did that board say go ahead Commissioner Milburn, go ahead and do the research, go ahead and make contact with..." Mika said "So you want me to ask this board to do any research." David continued with "Did any of those times happen before the liaison? You would have to have done it entirely before the liaison process was done. You would have had to have this conversation with the board." Mika said "I'm sorry, I didn't know that the liaison was going to cut my Achilles to where I couldn't do anything or I wouldn't have agreed to it." David said "What happens if I would have gone to Freeman?" Mika said "Mr. Beerbower, you went to Diligent, you went to Mr. Bryars, you went to several." David said "They contacted me, I didn't contact them. And I brought them to you at this table." Mika said "Well, I'm not going to hang up on anybody." David asked "Did they call you? Did Freeman." Mika said "No, I reached out to Freeman." David said "We're just going to keep going round and round. And the bottom line is that we have a liaison process that you overstepped and you're going to try to justify it that you had brought this up in conversations." Mika said "Well I don't accept that because everybody oversteps on things and I'm not seeing it the same way you are." David said "As far as I'm concerned, we're done."

Mika said a citizen had reached out to her and asked if we could explore the possibility of creating a benefit district for the purpose of redoing and re-servicing a private neighborhood road 190th St. The length is approximately 1,156 feet by 10 to 11 feet. There are four houses in the neighborhood. They're willing to pay for the road through a 10-year agreement with the county. Mika has also already talked to Bob about it and he is looking into what it would take to create a benefit district. The topic was tabled until Bob can get more information.

David moved to allow the Clerk to do the necessary computer application to get the opioid settlement. Sam seconded and all approved.

The Commissioners tabled the Planning Commission Selection Process until next week's meeting.

The Commissioners then discussed the items that have been tabled from this meeting and past meetings to have an idea of what will be on the agenda next week.

The Commissioners set a date of September 19st at 7:00am for a fence viewing.

Commissioner Comments:

David and Sam had no comments.

Mika believes this commission still has work to do, and felt it necessary to thank David and Sam for what they're doing for our county.

David moved to adjourn the meeting at 9:02 PM. Sam seconded and all approved.



THE BOARD OF COMMISSIONERS
OF BOURBON COUNTY, KANSAS

[Signature] Chairman

[Signature] Commissioner

[Signature] Commissioner

ATTEST:

[Signature]

Susan Walker, Bourbon County Clerk

09/15/25 Approved Date



STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

KRIS W. KOBACH
ATTORNEY GENERAL

MEMORIAL HALL
120 SW 10TH AVE., 2ND FLOOR
TOPEKA, KS 66612-1597
(785) 296-2215 • FAX (785) 296-6296
WWW.AG.KS.GOV

October 1, 2025

Susan Walker
210 S National Avenue
Fort Scott, KS 66701
Sent Via E-Mail Only To: countyclerk@bourboncountyks.org

RE: KOMA Complaint - Bourbon County Commissioner Mika Milburn
Our File Number PP-25-000258

Dear Ms. Walker:

On October 1, 2025, we received your KOMA complaint that you submitted online October 1, 2025. In your complaint, you alleged that the Bourbon County Commissioner Mika Milburn violated the Kansas Open Meetings Act (KOMA).¹

This matter remains pending. We will contact you if further information is needed relating to your complaint. Additionally, we will advise you of the results of our review when it is concluded.

We appreciate your patience as we continue our review of this matter.

Sincerely,

Open Government Enforcement Section
Office of the Kansas Attorney General

¹ K.S.A. 75-4317 *et seq.*

County Clerk

From: Mika Milburn-Kee
Sent: Monday, September 29, 2025 9:59 AM
To: County Clerk; Sam Tran; David Beerbower
Subject: Re: Minutes

9/15 changes

Oharah discussed concerns about a piece of property he believes is a road in Bourbon county. Jesse Walker was involved in the discussion as well. Oharah and/or Walker indicated they had legal counsel and the bocc advised them to have their legal counsel contact the county counselor to discuss the matter and ascertain whether the piece of property in question is a road or it is not

9/15 changes

more background on another spot requiring a more thorough documentation.....this is pulled directly from video: Michael asked about a justification for a 8000 payment to hite, fanning, David said that was a payment to progress a civil case between the county and a plaintiff,the case was going to cost money to go to court to set aside, so that payment was to that process. Michael asked if David made that decision alone, David replied the council was involved . Mika asked what David said Sam answered Mika saying "so we can go to court" David explained continuing to go to court to set aside was costing us money and this was to allow this process to discontinue. David said commission made that decision. Michael said that is not legal. David said we made the decision at the table, Michael told David "no you didn't, the amount was not mentioned."David said "we will take that up with our council"

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From: Mika Milburn-Kee <mmilburn@bourboncountyks.org>
Sent: Monday, September 29, 2025 9:35:28 AM
To: County Clerk <countyclerk@bourboncountyks.org>; Sam Tran <stran@bourboncountyks.org>; David Beerbower <dbeerbower@bourboncountyks.org>
Subject: Re: Minutes

Susan I listened to the video and typed this as I listened. Hope this helps you. I believe it is the 9/16 please double check.

David said I'm just wanting to make sure that this that we got last night is the budget that we published Susan said this is not the budget we published but it is the same levy amount, Sam asked why it is not the same budget published Susan said because you made an adjustment from here to here pointing at a paper you were leaving 37000 here now you are levying 50000 and the adjustment came here. You don't have to make that change but Tri Valley will probably come to the table and ask you to pay that allocation. David asked further questions, there was further discussion from Michael Hoyt from the audience then Mika asked if we are required to levy the 55000 amount and questioned if the change to 37000 was done by design when the budget was adopted for publication. Susan went over actual numbers and expenses and how numbers were carried to the next column. Mika went over her understanding of what Susan is describing and explained if the commission wants to allocate 37000 rather than 55000 as recommended then that is the choice of the commission Susan then stated 55000 was requested Mika let Susan know she understood, a lot are not getting what is requested this

year and Susan said commission has that purview Mika stated the bac set it and Susan said the bac didn't understand it just came to light this week so Mika said so did the fair board Susan cautioned to read the statute. Further discussion on requests and statutes came to discussion from a document presented by the clerk it was determined that the health board, elderly, and the coroner was the only shall by statute. Discussion circled back to intellectual disabilities and the commissioners questioned the change from the 37000 the budget committee put in the doc and the 55000 that was in the draft in front of us Susan stated she changed the appropriation the night before, Sam went over that he needs all changes to be changed at the table to keep things clean Susan said she is trying to avoid them coming to the table to ask for the allocation. Mika explained we are talking about 2026 not 2024. Susan stated she is trying to fix a mistake from 2024. Sam explained that the 3 people in the hotseat are responsible for every move, and we did not know this move until just now. Sam said we need to know every move and Susan said this was the only time she had to present it Sam said she could have alerted us to the change before now at the table. David said all a sudden we are back to the first draft. Susan said that is what she presented before this change came up this week for tri valley. Mika explained we cut Conservation District by approximately half. David wanted Mika to show him where the draft shows the 37,000. Mika explained the costs are hurting everyone and the Conservation District may have 3 to sell assets because of cuts. Sam asked how late everyone wanted to stay to fix this. David spoke of changes. Sam recommended reviewing statutes again and found that intellectual disabilities was a may. Sam asked if we wanted to levy anything for it. Mika said she thought we should levy something. The Commission spoke about the Fair Board again. Sam said just give the Fair their 5g. Elderly appropriations was moved back to 48,600 because of statute. Later in the discussion it was decided to not produce for 2024 budget regarding intellectual disabilities and to leave it at 37,000cut.

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From: County Clerk <countyclerk@bourboncountyks.org>

Sent: Monday, September 22, 2025 8:49:00 AM

To: Mika Milburn-Kee <mmilburn@bourboncountyks.org>; Sam Tran <stran@bourboncountyks.org>; David Beerbower <dbeerbower@bourboncountyks.org>

Subject: Minutes



STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

KRIS W. KOBACH
ATTORNEY GENERAL

MEMORIAL HALL
120 SW 10TH AVE., 2ND FLOOR
TOPEKA, KS 66612-1597
(785) 296-2215 • FAX (785) 296-6296
WWW.AG.KS.GOV

October 8, 2025

Susan Walker
210 S National Avenue
Fort Scott, KS 66701
Sent Via E-Mail Only To: countyclerk@bourboncountyks.org

RE: KOMA Complaint - Bourbon County Commission, Mika Milburn and David Beerbower
Our File Number PP-25-000268

Dear Ms. Walker:

On October 8, 2025, we received your KOMA complaint that you submitted online October 7, 2025. In your complaint, you alleged that the Bourbon County Commission, Mika Milburn and David Beerbower violated the Kansas Open Meetings Act (KOMA).¹

This matter remains pending. We will contact you if further information is needed relating to your complaint. Additionally, we will advise you of the results of our review when it is concluded.

We appreciate your patience as we continue our review of this matter.

Sincerely,

Open Government Enforcement Section
Office of the Kansas Attorney General

¹ K.S.A. 75-4317 *et seq.*

Minutes of the Special Meeting of the Board of Bourbon County Commission
Held on Tuesday, October 7, 2025, 8:15 AM

ATTENDANCE

Bourbon County: Commissioner Beerbower, Commissioner Milburn-Kee, and Amber Page, Deputy Clerk.

Audience (for some or all the meeting): Patty Love

OVERVIEW

The meeting depicts a county commission meeting where the commissioners, David Beerbower and Mika Milburn-Kee, along with other county officials, discuss various matters. The meeting begins with the Pledge of Allegiance and a prayer, followed by the commissioners going into executive session to discuss personnel matters. After the executive session, the commissioners return to the public session and make several decisions regarding access to payroll and accounts payable, as well as giving the commission sole authority to direct the public works department. The meeting concludes with a motion to adjourn.

KEY TOPICS

Executive Session

- The commissioners, along with the County Counselor, and Dr. Cohen, went into executive session to discuss personnel matters of individual non-elected personnel to protect their privacy.

Access to Payroll and Accounts Payable

- The commissioners gave the clerk direction to give immediate access to payroll and all accounts payable to Jennifer by noon.

Public Works Direction

- The commissioners decided to allow only the commission to give public works direction.

SPEAKER OVERVIEW

Here is a summary of the meeting organized by speaker:

Mika Milburn-Kee

- Moved to give the clerk direction to give immediate access to payroll and accounts payable to Jennifer by noon
- Moved to allow only the commission to give public works direction

ACTIONS DURING THE MEETING

Beerbower motioned to go into executive session pursuant to KSA 75-4319(b)(1) to discuss personnel matters of individual and non-elected personnel to protect their privacy, with the two commissioners, HR Dr. Cohen, Bob Johnson, County Counselor, by phone for 15 minutes to return at 8:30 AM. Milburn-Kee seconded and all approved.

Beerbower motioned to return to normal session with no action at 8:30 AM. Milburn-Kee seconded and all approved.

Beerbower motioned to go into executive session pursuant to KSA 75-4319(b)(1) to discuss personnel matters of individual and non-elected personnel to protect their privacy, with the two commissioners, HR Dr. Cohen, Bob Johnson, County Counselor, Jacob Bielenberg, other counsel, by phone for 15 minutes to return at 8:46 AM. Milburn-Kee seconded and all approved.

Beerbower motioned to return to normal session with action at 8:49 AM. Milburn-Kee seconded and all approved.

Milburn-Kee moved to give the Clerk direction to give Jennifer Hawkins access to payroll and accounts payable by noon. Beerbower seconded and all approved.

Milburn-Kee moved to allow only the Commission to give public works direction. Beerbower seconded and all approved.

ADJOURNMENT

Beerbower moved to adjourn the meeting at 8:51 AM. Milburn-Kee seconded and all approved.

ATTEST:

THE BOARD OF COMMISSIONERS
OF BOURBON COUNTY, KANSAS



[Signature], COMMISSIONER

[Signature], COMMISSIONER

[Signature], COMMISSIONER

[Signature]
Susan E. Walker, County Clerk

10/27/25
Date Approved

From: Bob Johnson <bob@jvpalaw.com>

Date: October 13, 2025 at 8:11:32 AM CDT

To: [REDACTED]

Here is the agreement, give me a call with any questions.

Thanks,

bob

-----Original Message-----

From: fileclerk@jvpalaw.com <fileclerk@jvpalaw.com>

Sent: Monday, October 13, 2025 8:11 AM

To: bob@jvpalaw.com

Subject:

TASKalfa 5004i

[00:17:c8:e0:d2:57]

E. Bailey

From AP <ap@bourboncountys.org>

Date Thu 10/16/2025 13:12

To steve@oncallhrgroup.com <steve@oncallhrgroup.com>

Cc County Clerk <countyclerk@bourboncountys.org>; Bob Johnson <bob@jvpalaw.com>; David Beerbower <dbeerbower@bourboncountys.org>

Bcc Mika Milburn-Kee <mmilburn@bourboncountys.org>; Sam Tran <stran@bourboncountys.org>

On 9.04.25 was when I received the phone call to approve Eric's pay.

1:01

5G% 



KANSAS CITY, KS

+1 (913) 927-0229



message



call



video



mail



pay

September 4, 2025

11:07 AM Incoming Call
3 minutes

Share Contact

Create New Contact

Add to Existing Contact

Add to Emergency Contacts

I was elected, not appointed when I ran for County Clerk. I ran on the fact of being transparent. I am here today deeply concerned about the direction you have taken regarding major organizational decisions—decisions that were made unilaterally, without consultation with other elected officials. These are not small, routine matters; they are critical components of our county's operations—payroll & benefits.

Over the past two months, my team has worked diligently to provide all necessary information for the payroll system conversion. However, today was the first time we were given access to view the actual payroll and time management systems. Despite this being our initial opportunity to see the systems firsthand, employees are expected to complete enrollment and begin clocking time by this Sunday. In addition, we must still train department heads how to approve time during the most critical time of an election. The election is my number one priority presently.

I believe this timeline is premature, as not all programming components have been fully configured or tested. At first glance, I see errors that need addressed and do not think it is fair that I must spend 15-hour days and weekends to keep us on this timeline. While I understand that some of these delays are the result of time constraints, I must emphasize that the Clerk's Office manages many other statutory responsibilities that require significant attention and coordination. At no point was I consulted to determine whether this implementation schedule would be feasible within the existing workload of my office.

Mr. Beerbower, I appreciate your willingness to listen and treat me with respect the past few meetings. I called you on Tuesday following our training to express my concern that this payroll conversion is moving too quickly. As of today, I have not received a return call. I want to reiterate that my intent in reaching out was to communicate legitimate operational concerns—concerns that directly impact our ability to ensure a smooth and accurate transition for all employees. Timely communication on matters of this magnitude is essential to the success of this process and to maintaining trust among all offices involved.

Nonetheless, I have continued to cooperate in good faith and have made every effort to keep up with the process. It is important to note that the period from August through November represents the busiest time of year for the Clerk's Office. During this time, we are responsible for producing more than 30 budgets, preparing for elections, open enrollment for benefits and setting tax levies—each of which requires substantial time, precision, and staff resources.

In addition, I have been removed from benefit-related discussions, which has proven to be problematic as shown earlier. My office has received numerous calls from employees about open enrollment and I have no information, yet I am expected to run the process. Excluding key offices from these conversations has created unnecessary confusion and inefficiencies. It is unfortunate that, as Commissioners, you have not been willing to set aside personal grievances to collaborate on matters as important as payroll and employee benefits—issues that directly affect the very people who keep this county running.

I want to remind you that your employees are also your customers. They are the face of county government to the public and should be valued and appreciated accordingly. A successful organization depends on mutual respect, cooperation, and communication among its leadership

and staff. I truly hope that moving forward, we can return to a more collaborative and respectful working relationship—one that serves both our employees and the taxpayers we represent.

The decision to remove payroll responsibilities from the Clerk's office was portrayed as cost savings and improving processes. I must say plainly—this was not an operational improvement; it was a political move. I have repeatedly explained that this change increases costs for taxpayers. Yet, instead of engaging in a transparent discussion or reviewing the data, this Commission has chosen to rely on the assurances of a salesman, who claims this move will “solve all our problems” (Yet, we had none) and “free up time in the Clerk's office.”

That claim is simply not true. In fact, this decision adds unnecessary administrative oversight, no integration with our current accounting systems, increases the risk of human error, and fails to meet the governance requirements we must adhere to as a county. It undermines efficiency rather than improving it. Even though payroll is not a statutory duty of the Clerk, the Clerk is required to approve all expenditures of the county and book them to accordingly per K.S.A. 311-318.

In addition, during recent public discussions and commission comments a commissioner questioned the integrity of the County Clerk's financial processes and implied a failure to perform statutory duties. The County Clerk's office is dedicated to transparency and adhering strictly to state law, and I feel I must clarify the established financial controls.

1. Clarification of Statutory Roles and Financial Controls

The duties of the County Clerk and County Treasurer are distinct and are defined by Kansas Statute Annotated (KSA), which establishes a crucial separation of powers:

- The County Treasurer's Office is responsible for the collection of all county revenues and collector of taxes and tax distributions.
- The County Clerk's Office is responsible for auditing, recording, and approving all county expenditures, maintaining records of financial statements, and ensuring budget compliance.

This separation is the cornerstone of financial controls and checks and balances for the county. The Clerk and Treasurer work collaboratively to ensure the general ledger and tax accounts are accurate and reconciled. Any action that circumvents these established roles places the county at risk of internal control failures.

2. Standardized Accounts Payable and Payroll Process

Our current process ensures that all expenditures are approved by the Commission before being paid, in full compliance with state law.

- **Process Implementation:** Since 2021, I assisted in implementing a process has implemented a process where Accounts Payable (AP) and Payroll details are included in

Commission agenda packets and must be formally approved prior to payment processing as CFO. In the past this was not included in agenda packets for transparency.

- **Commission Oversight:** The Commission and County Counselor are provided ample time and opportunity for oversight:
 - **Payroll:** Details are delivered the Wednesday prior to payday, allowing Commissioners time to review and question any payment.
 - **Accounts Payable:** Detailed registers are presented at every Commission meeting. The Commission and county counselor has the right and duty to pull any invoice or register item for review and withhold payment.

To imply that any payment has been processed without proper oversight or approval is factually incorrect and misrepresents the established, auditable procedure. The detailed records are available at every meeting, and my staff stands ready to answer any questions regarding invoices or the review process.

In addition, another layer of control is in place with the current Human Resources representative, Dr. Cohen, identifying and giving direction on any exceptions to normal procedures.

3. Call for Collaboration and Education

My office has repeatedly invited the Commission to review our operations and receive clarification on our statutory duties. A functioning government requires clear, consistent communication and mutual respect for all elected and appointed offices.

The continued focus on gossip and unsubstantiated opinions, rather than on fact-finding and process education, is unproductive and has had a demonstrable negative impact on the morale and retention of critical county staff.

I say this not out of defiance, but out of duty. It is my responsibility to protect taxpayer dollars, ensure compliance with the law, and maintain the integrity of the Clerk's office. Decisions made out of spite or political motivation hurt not only the employees who must carry them out, but also the citizens we are all here to serve.

In the end, it will be the taxpayers, the employees, and the operations of this county that will suffer the consequences of these shortsighted decisions. I urge the Commission to reconsider its approach—to restore collaboration, transparency, and fiscal responsibility in these matters. The people of this county deserve nothing less.



**STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL**

KRIS W. KOBACH
ATTORNEY GENERAL

MEMORIAL HALL
120 SW 10TH AVE., 2ND FLOOR
TOPEKA, KS 66612-1597
(785) 296-2215 • FAX (785) 296-6296
WWW.AG.KS.GOV

November 20, 2025

Susan Walker
210 S National Ave
Fort Scott, KS 66701
Sent Via E-Mail Only To: countyclerk@bourboncountyks.org

RE: KOMA Complaint - Bourbon County Commission
Our File Number PP-25-000355

Dear Ms. Walker:

On November 20, 2025, we received your KOMA complaint that you submitted online November 20, 2025. In your complaint, you alleged that the Bourbon County Commission violated the Kansas Open Meetings Act (KOMA).¹

This matter remains pending. We will contact you if further information is needed relating to your complaint. Additionally, we will advise you of the results of our review when it is concluded.

We appreciate your patience as we continue our review of this matter.

Sincerely,

Open Government Enforcement Section
Office of the Kansas Attorney General

¹ K.S.A. 75-4317 *et seq.*

County Clerk

From: Bob Johnson <bob@jvpalaw.com>
Sent: Friday, November 21, 2025 7:44 AM
To: County Clerk; 'Steve Cohen'
Cc: David Beerbower
Subject: RE: longevity pay

Susan:

I think it would be beneficial perhaps, for you to provide a list of the employees who had a lapse or interruption in service that seems to be the issue. I believe you told me there were 18. With each employee please give us the date they quit or were let go and the date of restart of employment. Thanks

bob

From: County Clerk <countyclerk@bourboncountyks.org>
Sent: Thursday, November 20, 2025 7:03 PM
To: Steve Cohen <stevecohen82@gmail.com>
Cc: Mika Milburn-Kee <mmilburn@bourboncountyks.org>; bob@jvpalaw.com; David Beerbower <dbeerbower@bourboncountyks.org>; Sam Tran <stran@bourboncountyks.org>
Subject: Re: longevity pay

Mr. Cohen,
Please explain what I have done to harm the employees and myself. It was too late for me to process longevity by the time you sent the email.

Sent from my iPhone

On Nov 20, 2025, at 6:29 PM, Steve Cohen <stevecohen82@gmail.com> wrote:

Ms Walker. You have misunderstood the circumstances of the past. I read through all of the relevant minutes. Each were each 1 time motions none of which were made into a procedure, or an addendum to the handbook. Discussions and 1 time motions were made by the commissioners in office at the time decisions were made on that administration's thought process not protocol, precedence and certainly not procedure. You have no authority to do what you have done. You are harming the affected people and yourself. Please reverse your actions and desist from any further controversial actions. If you have questions about personnel matters please email me. Thank you.
Steve Cohen

Steve Cohen Ed.D

Principal

HR Solutions On-Call

210 SW Market St #101

Lee's Summit, MO 64063

913.927.0229 (cell)

On Thu, Nov 20, 2025 at 4:24 PM County Clerk <countyclerk@bourboncountyks.org> wrote:

Dr. Cohen,

My office was following procedures that were set in 2020 – please see attached. These procedures have been followed each year with the addition of elected officials with prior years of service as an employee in 2023. Not everything is reflected in the handbook that was approved for the county and we are following our payroll practices as have been approved rather in a public meeting or as an addendum to the handbook. Communication with the appropriate departments administering processes is the key to running effectively. There are many employees affected by this sudden change and I might add without a meeting. Not to mention it has caused extra work on our end to reverse the payroll. This could have been avoided by calling me to discuss. The commission has every right to change procedures but it should be with a vote in a public meeting. I have sent a memo to all department heads stating their employees will not receive longevity until after the meeting on December 1st.

Susan E. Walker

Bourbon County Clerk

210 S National Avenue

Fort Scott, KS 66701

620.223.3800 X 191

620.644.7927 Direct Line

From: Steve Cohen <stevecohen82@gmail.com>
Sent: Thursday, November 20, 2025 1:17 PM
To: County Clerk <countyclerk@bourboncountyks.org>
Cc: Mika Milburn-Kee <mmilburn@bourboncountyks.org>; bob@jvpalaw.com; David Beerbower <dbeerbower@bourboncountyks.org>; Sam Tran <stran@bourboncountyks.org>
Subject: Re: longevity pay

Claw it back please

Steve Cohen Ed.D

Principal

HR Solutions On-Call

[210 SW Market St #101](#)

[Lee's Summit, MO 64063](#)

913.927.0229 (cell)

On Thu, Nov 20, 2025 at 1:16 PM County Clerk <countyclerk@bourboncountyks.org> wrote:

It isn't that easy. It is a bank draft not checks and why didn't anyone call me.

Sent from my iPhone

On Nov 20, 2025, at 1:12 PM, Steve Cohen <stevecohen82@gmail.com> wrote:

Please do void any checks that contained the inappropriate payment. Thank you. Steve Cohen

Steve Cohen Ed.D

Principal

HR Solutions On-Call

210 SW Market St #101

Lee's Summit, MO 64063

913.927.0229 (cell)

On Thu, Nov 20, 2025 at 1:10 PM County Clerk
<countyclerk@bourboncountyks.org> wrote:

Payroll has already been processed. We will have to void it and see if we can pull it back from the bank.

Sent from my iPhone

On Nov 20, 2025, at 12:51 PM, Steve Cohen
<stevecohen82@gmail.com> wrote:

To: County Clerks office Current Administrator of Payroll and
Longevity Payment
From: Dr. Steve Cohen

Subject: Guidance on Longevity Calculation for Rehired Employees

Dear office of the County Clerk of Bourbon County to include anyone
administering payments of payroll or longevity for Bourbon County.

This letter is to provide clarification regarding the calculation of longevity for employees who have previously separated from employment and were later rehired.

After review of current practice and consultation with the County Counsel, it has been confirmed that longevity is intended to reflect continuous, uninterrupted service. Because the purpose of longevity is to recognize sustained commitment over an unbroken period, prior periods of employment that ended in separation are not to be combined with current service time.

Although the employee handbook does not explicitly outline all scenarios regarding breaks in service, the County Counsel has affirmed that the intent of the longevity program is to base the calculation on consecutive employment only, using the employee's most recent rehire date as the starting point.

Accordingly, effective immediately, all longevity calculations must align with the following:

- Only continuous service from the most recent rehire date shall be used when determining longevity, eligibility and amounts.
- Previous employment prior to a separation may not be added or combined with current service time.
- No payments are to be made outside this scope without a written deviation approved by the Current Commission of David Beerbower, Samuel Tran, and Mika Milburn-Kee.

Please update any pending or future calculations to reflect this standard. If you have questions, or if any current cases require review for compliance, HR is available to assist.

Thank you for your cooperation and attention to ensuring consistency and accuracy in our payroll practices.

Sincerely, Steve Cohen

--

Steve Cohen Ed.D

Principal

HR Solutions On-Call

[210 SW Market St #101](#)

[Lee's Summit, MO 64063](#)

913.927.0229 (cell)

Please note if you are a non-exempt employee on an approved flexible work arrangement; overtime hours will be computed only on those hours worked in excess of a forty- (40) hour work week.

Your supervisor must approve all overtime in advance.

Pay Cycle

pg 51
Every other Friday
Biweekly
26
Semi-Monthly Pay Cycle

Payday is normally the 15th of the month and the last working day of the month. The Board of County Commissioners shall approve all wages submitted and sign payroll warrants every other Monday. The semi-monthly pay schedule is made up of twenty-four (24) pay periods per year.

Whenever Bourbon County holidays or closings interfere with the normal pay schedule, payday will be on the preceding scheduled workday.

Paycheck Distribution

Paychecks will be distributed to you by your supervisor or mailed to your home address. Paychecks may not be delivered to another person unless appropriate prior authorization is made in writing and filed with the County Clerk.

Pay Increases

Pay increases are subject to the approval of the Department Head and the Board of County Commissioners. An annual cost-of-living pay increase may be given as approved by the Board of County Commissioners. The Board of County Commissioners has also established a longevity pay plan for anyone employed with the County for two and one-half (2-1/2) years or more (see table below for longevity pay plan). Employee performance evaluations will be considered in determining salary increases within limits established in the pay plan, as a factor in determining the order of layoffs, and as a means of identifying employees who should be promoted or transferred, or who, because of their low performance should be demoted or dismissed.

Longevity Pay Plan for Non-Elected Employees	
Years of Service	Monthly Rate
2-1/2	\$ 2.50
5	\$ 5.00
7-1/2	\$ 7.50
10	\$10.00
12-1/2	\$12.50
15	\$15.00
17-1/2	\$17.50
20	\$20.00
22-1/2	\$22.50
25+	\$25.00

provided the Commissioners with a case from the Supreme Court where there was a ruling that if a road had been maintained by a County then it would be required to be an open road, but said that didn't mean they would have to keep the road maintained. Mr. Walker asked that the road be graded or maintained a few times each year. Justin Meeks said they started this process two years ago and said in 1986 the County re-did their maps, he said they have a lot of roads that they were unsure of if they were vacated or not. Justin said in 1986, there were public hearings held about roads that were opened or closed. Justin said they are looking for a Resolution from 1986 and said then the Commissioners can decide whether or not to maintain the roads. Mr. Walker said he had a load of gravel put on this road and asked what his liability was for doing this. Justin said there is a process to petition to have a closed road opened.

The Commissioners discussed the OMNI lockbox option; Justin said adding a new endeavor would create a new universal position and that position could do the work regarding a new building, accounts receivable and budgets, HR director functions, business management, medical mall; Jeff said OMNI had been contracted to do the EMS billing, but said the universal position could possibly do the billing. Lynne made a motion that he be allowed to work with Justin Meeks to come up with a comprehensive list of items for this job description, Jeff seconded and all approved. The Commissioners recently hired a 1099 person to do the EMS receivables. Lynne said they could identify different areas where they could save money by hiring a universal employee.

The Commissioners discussed the holiday gift cards for County employees; Jeff said he had received feedback that employees were in favor of supporting local businesses, Lora Holdridge said getting Chamber Bucks helps local businesses and helps the Chamber. Jeff made a motion to select Chamber Bucks for the holiday gift cards, and that each employee (non-elected, elected, part-time and full-time, with the exception of the Commissioners) receive \$25 worth of Chamber Bucks, Clifton seconded and all approved.

2020 The Commissioners discussed the proposed longevity pay; Jeff said the County currently has longevity pay plan, he said some employees have worked for the County more than one time, he suggested taking the prior service time and combining it with current service to come up with the total years of service. Jeff suggested doing \$100/year for year 5 and on. \$51,000 has been budgeted for 2020 for the one-time longevity pay. Jeff said this is a one-time payout, but said if the County could afford it in future years it could be paid out with each paycheck. Bobby Reed questioned if the employees would still receive their current longevity pay; the Commissioner said yes, Bobby asked if department heads came to the Commissioners with future budget requests asking for a wage increase for employees if they would be told they were given longevity pay instead of a raise; Lynne said the discussion of the longevity pay instead of a wage increase was never discussed. Jeff made a motion to do a one-time longevity payout, in addition to the current longevity pay, of \$100/year of service beginning at year 5 with the effective date of 12/31/2020, excluding elected officials,

(5 years of service as of 12/31/2020 = a one-time \$500 longevity payout) to be paid by 12/31/2020 on a separate check and to include prior years of service, Clifton seconded, it was stated that an elected official doesn't qualify, but if in the future they came back to work for the County as a non-elected employee, they would have elected and non-elected years of service combined, all approved the motion.

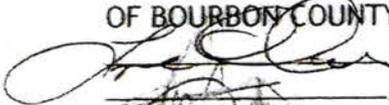
Clifton made a motion to go into a 20 minute executive session for confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts and individual proprietorships, and reconvene in the Commission room, Jeff seconded and all approved, (the session included the Commissioners and Justin Meeks). No action was taken.

Clifton made a motion to go into a 24 minute executive session for confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts and individual proprietorships, and reconvene in the Commission room, Lynne seconded and all approved, (the session included the Commissioners and Justin Meeks). Clifton made a motion to go back into session, Jeff seconded and all approved.

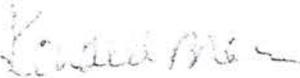
Lynne made a motion to amend the agenda to discuss department head salaries, Clifton seconded and all approved. Lynne said the 2021 budget included raises for two employees in the Correctional Center and for the I/T department, he said they needed to do a salary resolution for the increases. Lynne made a motion to give the two employees in the Correctional Center (major and captain positions) a 10% increase and to give the I/T person a \$10,000 raise in 2021, Clifton seconded and all approved. Lynne said these positions weren't given a raise last time and said they had given the I/T person a lot more responsibility and said they expect that job function to increase.

At 12:16, Clifton made a motion to adjourn, Jeff seconded and all approved.

THE BOARD OF COMMISSIONERS
OF BOURBON COUNTY, KANSAS

 Chairman
_____, Commissioner
_____, Commissioner

ATTEST:



Kendell Mason, Bourbon County Clerk
12/8/20, Approved Date



2021
Diligence. I don't think there was for fiscal year 2021. Just to cover it to be safe and for Ashley's sake, I'd say make another motion and vote on it. I don't know how big that motion was. I know there was some banter about someone that stopped and started and I think that precedence has already been set. I think if someone has worked here three years, took two years off, came back and worked another three years I think that that's five instead of three. Jim made the motion for the commission to approve a longevity pay as we did in 2020 following the same guidelines. Clifton seconded. All approved.

Jim asked to talk with Bill Martin regarding trains. Jim asked Bill, can you do anything about the trains blocking Jayhawk Road for an hour and a half. Bill stated no. Jim asked Bill in their state statute does it state they can block it so many minutes and they got to move? Bill stated several years ago the same topic or discussion was brought up. There were several individuals and this was the area of the Hammond crossing. Burlington Northern came down had a meeting which can be looked up and discussed by federal statute that's federal property and I can't enforce federal law states does not supersede federal. That's where the issue came. One of the issues or discussion was why is it taking so long is because people are now using trains more. There are more tracks, there's more trains, there's more products being pushed and so it's difficult. There's no leeway. That was discussed several years ago and I'll have to look that up. We can contact them and we even got phone numbers from Burlington Northern so we could say hey, you know you have a train here just in case. Supposedly what they're supposed to do is that they're going to be there for a certain amount of time they're supposed to break the train.

Clifton made a motion that all three commissioners can meet at the Empress Event Center at 12 noon today for a meeting with the city commissioners that is open to the public. It will not be viewed on YouTube because there is no way to do that there. Of course, we will not be making any decisions while we were there. Jim seconded. All approved. Lynne clarified this is a work session with the city commission.

Justin discussed 13 acres south of the landfill that they are considering buying from the city. He provided a map for clarification of area. The city owns and the deed to the city was done in 1972. They've owned it continuously since then. The 512 licensing is through the county and has been continuously since the 80s. 1986 is as far back as we can go so, we're actually monitoring this. If the city wanted to use this for C & D they'd have to get their own 512. Eric and I figured around \$4,500 an acre. Jim stated that if they did a stand-alone, they have to be 50-foot from property lines. They have to have six to one slope and now we're cutting their property in half here right now. If you figure that they can only go 10 feet high where we're 20 feet high and they're about 65,000-ton capacity total. Now they come off our property they can maintain that 20 feet and do away with that north boundary. That's got the potential 134,000 ton. Justin stated Jim you are the only person throughout here that was in that meeting with the prior city manager or city business manager and we had a long conversation about taxes and when I had this conversation in the past everyone in the county pays the county tax. This is one of those things where we really want to

November 15, 2022,

Tuesday, 9:00 a.m.

The Bourbon County Commission met in open session with all commissioners and the County Clerk present.

Anne Dare, Jason Silvers, Rob Harrington, Tiana McElroy, Susan Bancroft, Mark McCoy, and Shane Walker were present for some or all of the meeting.

Clifton made a motion to approve the minutes from the previous week. Nelson seconded. All approved.

Eric Bailey, asphaltting on 195th on the east side of the lake is completed. No more big projects. A little patching we would like to do, weather permitting. Onyx on Soldier to Native is complete except for one lane mile from Native to Osage. We had a little trouble with the weather. They will be back to apply the rest, weather permitting. Eric stated that we will watch and see how it holds up. We were going to 75th from 54 to Maple but they didn't feel it was a good candidate for putting that surface on so we will have to look at chip and seal for that. Kaw Valley completed the geotechnical engineering report on our bridge on 160th and Fern and received the report. Eric stated they plan to start the North sidewalk project on the later part of this week or early next week. We will start on the east end first and work our way west. We will inconvenience some people for a little while but it will be a nice product when finished. Eric stated 260th & Kansas tube was replaced yesterday. We still need to do a little ditching. Eric stated that winter storm prep was done by getting a couple of trucks ready with spreaders and plows. We are full on salt. The John Deere skid steer went down with DEF issues. Eric stated that all the guys from Public Works wanted me to thank you for the longevity pay.

2022
Courtney Goucher discussed longevity pay that was just paid out. She shared feedback from the employees who greatly appreciated it. There were some questions regarding taxes because it is taxed income and they must pay KPERs on that. Those that received \$100 after taxes it was about \$86. There were a few employees that have added deductions removed, for example an additional \$50 - \$60 withheld from their pay stubs. Some employees only received \$20 out of the \$100. People who received more didn't notice that but people from new to below 5 years. We had an employee with \$100 additional deduction on their federal and they would have had to pay the County. Another issue was the Service Purchase Credits. Those with KPERs and were in the military and they are buying back those years of service they are doing a withholding every pay period. That is also required out of longevity pay. I have some suggestions for this in the future if we do it next year. For those receiving \$100 for years of service less than 5 years is Visa Gift Cards. Courtney also stated that if this is done again next year she would appreciate a little more lead time because there is a lot of prep work in the system to be done in order to do a special payout. Courtney stated there were also those employees that were for a time an elected official and do those years count toward longevity. Last year we didn't pay anyone for the years that they were an elected official. We used that rule again this year but please let me know if you want to do something different next year. Courtney presented Accounts Payable to the Commissioners for approval and signature.

Courtney
11/15/22

2022
you only have to approve them once per month. I do not like that option because I would rather you look at them as we go. Since payroll is an exemption, then the payroll liabilities would be an exemption as well. What we would like to do is on Monday mornings on payroll week have all the invoices entered by 9 a.m. and run a report. Justin can then stop by and review and once he says its okay, then we would e-mail to all three commissioners for review. We would then have it on the agenda for the following day to answer any questions you might have and then approve it. I've talked with others that are involved in the process and they agree that this process will work for them. The commission agreed. Ashley continued with a question for the commission regarding longevity pay. She has had several employees ask if they will receive that this year. Susan stated that the longevity pay was taken out for this year. Jim stated he wanted to discuss this a little more. He stated he wasn't aware it had been removed. Susan stated that the cash balance will be too low to give it, but we can watch toward the end of the year and see if there is money. Jim stated he wanted it watched as that is a good bonus for the employees especially if they are not getting a raise.

Bob Reed stated he requested to be on the agenda to answer any questions the commission might have after watching last week's meeting. Jim stated he didn't really have any questions, but that it was brought to their attention that inmates were being held over for a matter of days when they could go to DOC. Bobby presented reports and discussed process information. DOC accepts inmates on Monday, Wednesday and Friday for men and Tuesday and Thursday for women. We get them to DOC as soon as possible, but if they have additional court dates or bonds, we hold so as to not transport back and forth as many times. We had to pick up a female in Minnesota that filed rit. She was here for six months before she went back and as soon as she was sentenced on our case on 12/15/21 and I got the paperwork on 1/5/22 but because she went back to Iowa to a federal prison, I transferred her out on 12/17/21 two days later. Bob finished with a request that if you have questions, please call me.

Jon Lowery – EMS Call Update: reports were handed to the commission. There were 678 911 calls that were transported to the ER in Fort Scott. There were 313 transfers from the ER to Pittsburg. There were 124 transfers to other surrounding facilities. We've flown 19 patients. There were 63 other patients that have been taken to the ER from home that are bed-bound that need a way back home. We've had 603 dry runs; this includes football, rodeo, search warrant standbys, and also includes patient refusals on scene. There were 63 patients taken to other ERs. As of September 30th, we've made 1,863 calls. Jon also stated that the boys (Austin and Trace) wanted some workout equipment. Two weeks ago, Emily from Bourbon County REDI, contacted me and said that we had been awarded \$3,500.00 to buy workout equipment. Shane is going to order it for us.

Clifton made a motion to move the bid opening for the North Sidewalk/Parking Lot Project to the end of the meeting. Nelson seconded. All approved.

Clifton made a motion for executive session KSA 75-4319(b)(1) to discuss personnel matters of individual nonelected personnel to protect their privacy including three commissioners for 7 minutes returning here at 9:42 a.m. Nelson seconded. All approved. Clifton made a motion to return to normal session at 9:42 a.m. with no action. Nelson seconded. All approved.

October 11, 2022,

Tuesday, 9:00 a.m.

The Bourbon County Commission met in open session with all commissioners and the County Clerk present.

Matt Quick, Teri Hulsey, Clint Walker, Anne Dare, Jon Lowery, and Kevin Schafer were present for some or all of the meeting.

Clifton made a motion to approve minutes from the previous meeting. Nelson seconded. All approved.

Clifton made a motion to approve minutes from special meeting held on October 10, 2022. Nelson seconded. All approved.

Eric Bailey gave an asphalt update. We have produced enough ¼ inch chips in the last week to be able to continue with Grand from 205th to 7 and 39. We think we can do that with one pass then we'll move to the lake. Crusher belt broke last Friday, we got another one in and got it on and now back to crushing. Buckley Powder scheduled Shepherd quarry next. We are going to take the crusher with us and are going to clean up what we already have there. We'll move to Beth quarry and do a blast. We only have funds for one more blast. Jim stated that when it's time to renew the Beth contract, we need to look at possibly updating it. Eric stated Onyx is scheduled for next week. We worked on our bean pad last week over at the landfill. Jim stated he hoped to get enough revenue the first year to pay off the building early. Eric stated the hailstorm in April/May we had large hail at the shop with six vehicles damaged. We heard yesterday we will be receiving a check for \$18,918.36 on those vehicles. One vehicle was a total loss. We haven't heard anything on our roofs yet. We are working on culvert on Jayhawk between 115th and 120th. Public Works has been hit with sickness. We have four off now due to sickness and another one or two not feeling well. Eric stated that he and Dustin Hall will be attending the KAC Conference next week. Nelson stated that he received a text regarding 215th and Range Road west was treated with dust control and now has massive pot holes. Eric stated it may need to go back to gravel.

Jim mentioned that KAC conference is next week. He will not be attending. Clifton made a motion to cancel next weeks' meeting. Nelson seconded. All approved.

Discussion regarding locking in gas prices at the jail and courthouse. Clifton made a motion to allow the county clerk to lock in gas at jail and courthouse for \$7.44 or lower. Nelson seconded. All approved.

Ashley stated that we are starting early voting on October 26th and would like to use the commission room as it is located close to our office and close to the handicap entrance. She requested no commission meeting on November 8th as that is Election Day. The commission agreed. Ashley continued with discussion of the accounts payable process that was brought up the prior week. She did research to make certain that they are in compliance. She also visited with Justin Meeks, County Counselor, about it. By statutes, the County Counselor is to sign off on accounts payables before they are presented to the Commission for approval. Technically,

will administer and who is going to create the programming. Discussion was had about Bourbon County receiving such a small amount. Susan stated that 75% goes to Kansas Fights Addiction first. Susan reminded the commission that we have EMS Medical Director agreement that has to be renewed in January. Susan requested an executive session.

Clifton made a motion for executive session KSA 75-4319(b)(1) regarding job duties and performance including three commissioners, Susan Bancroft, Eric Bailey and Justin Meeks for seven minutes returning here at 10:20 a.m. Nelson seconded. All approved. Clifton made a motion to return to normal session at 10:20 a.m. with no action. Nelson seconded. All approved.

2023
Susan is looking at the general fund for longevity. Eric has enough in his budget to give longevity. Susan suggested to the commission that those employees who have been here for 1 – 5 years receive \$100. Susan further suggested this be done in November rather than December. Susan requested that she will report back at the next meeting where all the funds will come from. Everyone will receive it. Susan stated that longevity wasn't in the budget for next year. Jim made a motion to approve longevity for 2023. Clifton seconded. All approved.

Shane Walker – Chief Information Officer: Towers are on PurpleWave, also. They are cheap and could put one at the landfill and would be tied to here. We have been working on the new flood maps. There will be a FEMA meeting at the McAuley Center at the Medical Building. There are a lot of people coming out of the flood plain and there are 16 more going in. The meeting will give these people an opportunity to talk with FEMA that are doing the maps. Shane continued that we are testing a ticket system for IT issues and the city and on the 15th of November it will be started here.

Clifton made a motion for executive session KSA 75-4319(b)(2) for consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship possible litigation with possible action including three commissioners and Justin Meeks for seven minutes returning here at 10:41 a.m. Nelson seconded. All approved. Clifton made a motion to return to normal session with action. Nelson seconded. All approved. Clifton made a motion to allow Justin Meeks to take legal action against an entity that we have paid but work was not done. Nelson seconded. All approved.

Clifton made a motion for executive session KSA 75-4319(b)(1) to discuss personnel matters of individual nonelected personnel to protect their privacy regarding job performance for four minutes including three commissioners, Justin Meeks and Ashley Shelton returning here at 10:47 a.m. Nelson seconded. All approved. Clifton made a motion to resume normal session with no action. Nelson seconded. All approved.

Clifton made a motion for executive session KSA 75-4319(b)(12) to discuss matters relating to security measures, if the discussion of such matters at an open meeting would jeopardize such security measures regarding security including three commissioners, Ashley Shelton and Patty Love for 10 minutes returning here at 11:00 a.m. Nelson seconded. All approved. Clifton made a motion to return to normal session with no action. Nelson seconded. All approved. Clifton made a motion to add an executive session to Justin Meek's time. Nelson seconded. All approved. Clifton made a motion for executive session KSA 75-4319(b)(12) to discuss matters

feels the contractor should come in and discuss the project and do some research to see if it would affect MIH. It was decided to wait to see what the City of Fort Scott does at their meeting tomorrow.

Jim requested a 15-minute executive session.

Clifton made a motion to go into a 15-minute executive session under KSA 75-4319 (b)(1) to discuss personnel matters of individual nonelected personnel to protect their privacy to include all three Commissioners and Justin Meeks and will return at 6:54. Nelson seconded the motion and all approved. Clifton made a motion to resume normal session at 6:54 with no action. Nelson seconded the motion and all approved.

Nelson said he wonders what people want to do and questioned if they want to spend \$500,000 for an emergency room. Jim stated it is either spend \$500,000 for an emergency room or spend at least that for more EMS. Jim said he has heard from a lot of people and they are mainly of yes and a few no. Clifton said he has heard a lot of support. Nelson questioned about next year and asked if we should throw good money after bad. Clifton said healthcare is pay to play and that there will have to be a subsidy by the city, county, or REH. Clifton addressed Michael's comment that we failed three times with an emergency room and said we succeeded for years with Via Christi. Clifton also said if we would have kept the building, we would have had to spend at least \$2,000,000 on it. There have been comments made online about putting an EMS station in western Bourbon County and Clifton stated that would cost at least \$1,000,000. Jim reiterated Clifton's comment that there would have to be a subsidy by someone. **Jim informed the County Clerk and Susan Walker to issue the budgeted longevity around Thanksgiving as we did last year.**

2023

Clifton made a motion to adjourn the meeting at 7:04. Nelson seconded the motion and all approved.



ATTEST:

Jennifer Hawkins
Jennifer Hawkins, Bourbon County Deputy Clerk
10-23-23 Approved Date

THE BOARD OF COMMISSIONERS
OF BOURBON COUNTY, KANSAS

[Signature], Chairman

_____, Commissioner

[Signature], Commissioner

November 13, 2023

Monday, 5:30 p.m.

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

Michael Hoyt, Deb McCoy, Patty Ropp, Teri Hulse, Trace Evans, Clint Walker

Clifton made a motion to approve the consent agenda which includes approval of payroll totaling \$214,950.58, approval of accounts payable totaling \$248,178.11 and approval of minutes from 10/30/2023. Nelson seconded the motion and all approved.

There were no public comments.

Susan Walker requested a 15-minute executive session to discuss non-elected personnel. Clifton made a motion to go into a 15-minute executive session under KSA 75-4319 (b)(1) to discuss personnel matters of individual nonelected personnel to protect their privacy to include all three Commissioners, Susan Walker, Jennifer Hawkins, Selena Alvarado and Justin Meeks and will return at 5:47. Nelson seconded the motion and all approved. Clifton made a motion to resume normal session at 5:47 with no action. Nelson seconded the motion and all approved.

Clifton made a motion to go into a 10-minute executive session under KSA 75-4319 (b)(1) to discuss personnel matters of individual nonelected personnel to protect their privacy to include all three Commissioners, Susan Walker, Jennifer Hawkins, Selena Alvarado, and Justin Meeks and will return at 5:58. Nelson seconded the motion and all approved. Clifton made a motion to resume normal session at 5:58 with no action. Nelson seconded the motion and all approved.

2023
Susan Walker discussed the approved longevity pay and asked the Commissioners if elected officials would be included in this pay. In the past elected officials have not received the longevity payment. It was discussed how that would be paid and Susan explained that the elected official would receive a payment for the number of years they worked for Bourbon County as an employee before they were elected. Jim said the longevity pay was established to reward our employees for their long-term service. Jim said he worked 11 years for Bourbon County before becoming Commissioner and did

not want to be paid for his years of service and Nelson stated he did not want to be paid longevity either. Nelson made a motion to allow elected officials to be paid longevity for their years of service as a Bourbon County employee prior to being elected and to exclude himself and Chairman Harris from that payment. Clifton seconded the motion and all approved.

Eric Bailey, Public Works Director, presented the culvert installation report for October. Eric discussed the fuel report that was emailed to the Commissioners and stated their October bill was \$67,857.51. Eric said they are almost finished paving Eagle Road from 69 Highway to 230th Street. Eric said he wanted to give a lot of credit to the guys who were working daylight to dark running the rock crusher to make sure we had enough chips and those who stayed and were laying asphalt in the dark to race against Mother Nature. Jim thanked Eric and the crew for the asphalt work on Eagle Road. Eric notified the Commissioners that a truck sold on Purple Wave but the buyer could not pay, so it went to the next highest bidder who tried to put a lower bid in so Eric did not accept it and they are trying to decide what the next step will be for that truck. Eric said it is time to do the annual bridge inspections and will present an estimate next meeting. Nelson gave Eric a name and phone number of an individual who called about Yale Road.

Lora Holdridge, Register of Deeds, asked the Commissioners if they would pay for the holiday dinner again this year. Last year it was \$1300 for 100 employees and the caterer is willing to do it again this year. Lora said they have reserved the 4=H building and asked to close the courthouse on December 8th from 11:30-1:30 so all employees can attend. Clifton made a motion to allow for a holiday dinner and allow Cheryl Blythe to cater for approximately \$1560 and close the courthouse on December 8th from 11:30-1:30 to allow all employees to attend if they choose. Jim seconded the motion and all approved. Jim said he felt it is a very inexpensive way to tell 120 employees thank you and have a Merry Christmas.

Teri Hulsey, EMS Director, said they have been approached by Osage Ambulance about a trade-in ambulance that will be available. Teri said it is a 2023 used Osage remount that is being traded in by Crawford County. Trace Evans explained that this is a brand new E450 chassis with a used box that would be \$54,000 after a trade in of a truck we have that has approximately 240,000 miles on it. Decals would have to be removed and ours added and they have built in a \$5,000 allowance to make any repairs to the box that might be necessary so the grand total would be \$62,500. Jim asked what a new 2023 ambulance would be and Teri said \$350,000. Jim asked Susan if we could purchase the ambulance and she said yes. Clifton made a motion to purchase a 2023 E450 used

County Clerk

From: County Clerk
Sent: Thursday, December 11, 2025 3:39 PM
To: David Beerbower
Cc: Bob Johnson
Subject: FW: Updated Longevity 2025 12.9.25
Attachments: Longevity 2025.xlsx

Longevity, as Requested.

Susan E. Walker

Bourbon County Clerk
210 S National Avenue
Fort Scott, KS 66701

620.223.3800 X 191
620.644.7927 Direct Line

From: Lesley Herrin <lherrin@bourboncountyks.org>
Sent: Tuesday, December 9, 2025 4:50 PM
To: County Clerk <countyclerk@bourboncountyks.org>
Subject: Updated Longevity 2025 12.9.25

You can also access this in the Human Resources Folder > Payroll > Longevity

This is also for my information because it took me a while to find it. 😊

Lesley Herrin

Deputy Clerk/Payroll
Bourbon County Clerk's Office
210 S. National Ave.
Fort Scott, KS 66701
Phone: 620-223-3800
lherrin@bourboncountyks.org

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Department	Last Name	First Name	Rehire Date	Longevity Date	Longevity Based on Yrs of Service
40 PUBLIC WORKS LANDFILL	ALEXANDER	SHAUN		6/14/2022	\$ 100
40 PUBLIC WORKS LANDFILL	ALLEN	KENNETH		9/22/2025	\$ 100
24 AMBULANCE SERVICE	BAILEY	CHRISTOPHER		5/20/2024	\$ 100
40 PUBLIC WORKS LANDFILL	BAILEY	WESLEY	5/16/2022	10/17/2018	\$ 700
40 PUBLIC WORKS LANDFILL	BALLOU	DIANA	10/22/2014	10/22/2014	\$ 1,100
40 PUBLIC WORKS LANDFILL	BEERBOWER	GILBERT		4/23/2014	\$ 1,100
06 COUNTY SHERIFF/CORRECTIONAL	BOWMAN	CHRISTOPHER		5/14/2025	\$ 100
06 COUNTY SHERIFF/CORRECTIONAL	BRAZEAL	PATRICK		10/17/2018	\$ 700
09 CORRECTIONAL CENTER	BROWN	BREYA		10/6/2025	\$ 100
09 CORRECTIONAL CENTER	CARPENTER	DYLAN		1/2/2025	\$ 100
09 CORRECTIONAL CENTER	CAVIN	ASHLEY		4/17/2019	\$ 600
06 COUNTY SHERIFF/CORRECTIONAL	CLARKSON	LORA		9/12/2016	\$ 900
09 CORRECTIONAL CENTER	COX	KASSIDY	2/17/2024	11/1/2020	\$ 500
04 COUNTY ATTORNEY	CRUX	JAMES		1/8/2024	\$ -
40 PUBLIC WORKS LANDFILL	CRYSTAL	MARK	3/22/2021	3/22/2011	\$ 1,400
06 COUNTY SHERIFF/CORRECTIONAL	DAVIDSON	KEVIN	11/13/2018	4/12/2015	\$ 1,000
06 COUNTY SHERIFF/CORRECTIONAL	DAVIS	THOMAS		3/25/2008	\$ 1,700
95 APPRAISER	DEMOTT	JACKIE		4/28/2021	\$ 100
24 AMBULANCE SERVICE	EVANS	HAYLEA		2/3/2023	\$ 100
24 AMBULANCE SERVICE	EVANS	TRACE		4/1/2019	\$ 600
09 CORRECTIONAL CENTER	FORTENBERRY	VICTORIA	2/22/2023	4/3/2019	\$ 600
40 PUBLIC WORKS LANDFILL	FORTENBERRY	CHASE	2/6/2023	4/1/2017	\$ 800
40 PUBLIC WORKS LANDFILL	FOXX	TODD		10/27/2014	\$ 1,100
06 COUNTY SHERIFF/CORRECTIONAL	GOODRUM JR	KEVIN		8/9/2021	\$ 100
40 PUBLIC WORKS LANDFILL	GRAHAM	KEVIN		9/15/2025	\$ 100
03 COUNTY TREASURER	HALL	ASHLEY		1/20/2020	\$ 500
40 PUBLIC WORKS LANDFILL	HALL	DUSTIN	8/3/2025	11/1/2014	\$ 1,100
40 PUBLIC WORKS LANDFILL	HALL	ROBERT	8/20/2025	10/16/2017	\$ 800
95 APPRAISER	HALL	HERBERT		3/4/2019	\$ 500
95 APPRAISER	HARPER	JANET		10/1/2010	\$ 1,500
09 CORRECTIONAL CENTER	HARRISON	BURKE		2/26/2024	\$ 100
06 COUNTY SHERIFF/CORRECTIONAL	HAWKESWORTH	BRET		2/8/2025	\$ 100
03 COUNTY TREASURER	HAWKINS	JENNIFER		7/1/2014	\$ 1,000
40 PUBLIC WORKS LANDFILL	HAWKINS	GENE		11/1/2022	\$ 100
40 PUBLIC WORKS LANDFILL	HAWKINS	LARRY		7/5/2023	\$ 100
24 AMBULANCE SERVICE	HAWTHORNE	MICHAELA		5/1/2022	\$ 100
95 APPRAISER	HAZEN	MICHAEL		4/28/2025	\$ 100
40 PUBLIC WORKS LANDFILL	HECKMAN	JOHN		9/1/2023	\$ 100
40 PUBLIC WORKS LANDFILL	HECKMAN JR	JERRY		6/1/1996	\$ 2,900
02 COUNTY CLERK	HERRIN	LESLEY	11/3/2025	6/26/2008	\$ 1,700
05 COUNTY REGISTER OF DEEDS	HOLDRIDGE	LORA		8/30/2017	\$ 600
04 COUNTY ATTORNEY	HOOD	JUDY		11/1/2008	\$ 1,700
09 CORRECTIONAL CENTER	HOWARD	LOUELLA			\$ 100
09 CORRECTIONAL CENTER	HUDNALL	TYLER		12/4/2024	\$ 100
24 AMBULANCE SERVICE	HUESTON	MICHAEL		6/29/2020	\$ 500
24 AMBULANCE SERVICE	HULSEY	TERI		4/1/2019	\$ 600
40 PUBLIC WORKS LANDFILL	HURD	BLAKE		8/20/2025	\$ 100
40 PUBLIC WORKS LANDFILL	HYMER	JAY		7/22/2024	\$ 100
04 COUNTY ATTORNEY	JOHNSON	JADE		11/1/2021	\$ 100
08 COUNTY CORONER	JOHNSON	ROBERT		2/1/2025	\$ 100
09 CORRECTIONAL CENTER	JOHNSON	JEREMIAH		8/7/2023	\$ 100
40 PUBLIC WORKS LANDFILL	KARLESKINT	JEREMY		2/20/2024	\$ 100
06 COUNTY SHERIFF/CORRECTIONAL	KOMMA	MATTHEW		10/1/2025	\$ 100
40 PUBLIC WORKS LANDFILL	LAWRENCE	LARRY		5/11/2022	\$ 100

24	AMBULANCE SERVICE	LEISURE	ROBERT		4/1/2019	\$	600
09	CORRECTIONAL CENTER	LEMCKE	RILEY		4/28/2025	\$	100
40	PUBLIC WORKS LANDFILL	LORD	JARED		3/31/1997	\$	2,800
24	AMBULANCE SERVICE	LOWERY	JONATHAN		4/1/2019	\$	600
03	COUNTY TREASURER	MALOUN	KELLY		10/18/2021	\$	100
06	COUNTY SHERIFF/CORRECTIONAL	MARTIN	WILLIAM		2/1/2009	\$	1,500
09	CORRECTIONAL CENTER	MCCAIN	ANGELA		9/23/2024	\$	100
06	COUNTY SHERIFF/CORRECTIONAL	METCALF	ALVIN		2/24/2015	\$	1,000
24	AMBULANCE SERVICE	MILLER	MICAH		4/28/2025	\$	100
05	COUNTY REGISTER OF DEEDS	MOORE	JOIE		1/11/2023	\$	100
09	CORRECTIONAL CENTER	MOORE	TYLER		1/30/2021	\$	100
06	COUNTY SHERIFF/CORRECTIONAL	MURPHY	BRYAN		1/21/2025	\$	100
06	COUNTY SHERIFF/CORRECTIONAL	NELSON	STEVEN		7/1/2024	\$	100
03	COUNTY TREASURER	NEVILLE	DORETTA		10/18/2019	\$	600
07	COURTHOUSE MAINTENANCE	NEVILLE	DAVID		11/1/1998	\$	2,700
40	PUBLIC WORKS LANDFILL	O'DELL	TANNER		8/11/2025	\$	100
04	COUNTY ATTORNEY	OLIVER	ELIZABETH		9/14/2024	\$	100
02	COUNTY CLERK	PAGE	AMBER		9/6/2023	\$	100
40	PUBLIC WORKS LANDFILL	PATOSA	MICHAEL		5/27/2025	\$	100
40	PUBLIC WORKS LANDFILL	PITTS	BLAINE		5/27/2025	\$	100
40	PUBLIC WORKS LANDFILL	PITTS	WILLIAM	3/30/2024	3/30/2012	\$	1,300
06	COUNTY SHERIFF/CORRECTIONAL	PRITCHETT	SHAWN	8/16/2021	11/1/2010	\$	1,500
95	APPRAISER	QUICK	MATTHEW		8/20/2018	\$	700
40	PUBLIC WORKS LANDFILL	REED	BOBBY		7/1/2011	\$	1,400
40	PUBLIC WORKS LANDFILL	REED	JEFFREY		7/22/2024	\$	100
40	PUBLIC WORKS LANDFILL	RHODES	NOVA		12/4/2023	\$	100
10	DISTRICT COURT	RICHARDSON	MICHAEL		12/12/2023	\$	100
09	CORRECTIONAL CENTER	RICHEY	CHRISTOPHER		5/13/2024	\$	100
40	PUBLIC WORKS LANDFILL	ROBERTSON	REBECCA		3/12/2023	\$	100
40	PUBLIC WORKS LANDFILL	ROBERTSON	THOMAS		1/8/2024	\$	100
24	AMBULANCE SERVICE	ROSENBLAD	CHRISTIAN		11/1/2023	\$	100
40	PUBLIC WORKS LANDFILL	RUHL	LEROY		9/1/2020	\$	500
10	DISTRICT COURT	RUSSELL	KEVIN		9/17/2012	\$	1,300
40	PUBLIC WORKS LANDFILL	SCHNICHELS	KYLE		10/18/2016	\$	900
40	PUBLIC WORKS LANDFILL	SCHNICHELS	WESTON		8/18/2025	\$	100
06	COUNTY SHERIFF/CORRECTIONAL	SCHWAB	KIM		12/25/2021	\$	100
09	CORRECTIONAL CENTER	SHADDEN	JOSEPH		9/18/2024	\$	100
06	COUNTY SHERIFF/CORRECTIONAL	SHARP	TREY		7/11/2021	\$	100
06	COUNTY SHERIFF/CORRECTIONAL	SHULER	ISAAC		9/25/2023	\$	100
05	COUNTY REGISTER OF DEEDS	SIMHISER	MAXINE		2/2/2015	\$	1,000
09	CORRECTIONAL CENTER	SMITH	HAILEY		1/2/2025	\$	100
40	PUBLIC WORKS LANDFILL	SNYDER	KIP		10/1/2009	\$	1,600
09	CORRECTIONAL CENTER	STALLINGS	ANTHONY		10/7/2025	\$	100
06	COUNTY SHERIFF/CORRECTIONAL	TAYLOR	JOHNATHAN		1/6/2025	\$	100
40	PUBLIC WORKS LANDFILL	TENNISON	KEVIN		8/12/2025	\$	100
40	PUBLIC WORKS LANDFILL	THORNE	DALE		2/20/2024	\$	100
40	PUBLIC WORKS LANDFILL	TINKEY	PRESTON	7/31/2023	7/2/2017	\$	800
40	PUBLIC WORKS LANDFILL	UHLER	DAVID		5/19/2025	\$	100
40	PUBLIC WORKS LANDFILL	UNDERWOOD	DAVID		9/13/2010	\$	1,500
02	COUNTY CLERK	WALKER	SUSAN		11/1/2021	\$	100
05	COUNTY REGISTER OF DEEDS	WALKER	SHANE	11/17/2025	12/1/2005	\$	2,000
24	AMBULANCE SERVICE	WIGGANS	DONNIE			\$	100
24	AMBULANCE SERVICE	WIGGANS	JENNIFER		6/1/2021	\$	100
04	COUNTY ATTORNEY	WILSON	ANGEL		1/16/2002	\$	2,300
03	COUNTY TREASURER	YEAGER	DIANA	12/11/2017	1/1/2012	\$	1,300
						\$	60,200

November 24, 2025

Via e-mail

Mr. David Van Parys
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A Limited Liability Partnership

RE: **Bourbon County, Kansas, Response to KOMA complaints**

Dear Mr. Van Parys:

Please accept the following as the Bourbon County Commission's written response to complaints PP-25-000258, 000268, 000270, and 000277. This Response addresses file numbers PP-25-000268, 000270 & 000277 together as they concern the same meeting and allegations. File Number PP-25-000258 is addressed separately below under its own section header. Finally, the Commission sets out its responses to the specific requests for information contained in your October 21, 2025, letter in the final section below. As a reminder, the Commission's response was originally due on November 10, 2025, but that deadline was graciously extended by your office to November 24, 2025. If, after reading, you determine something is missing or omitted, please do not hesitate to reach out as we will seek to provide the information forthwith.

Submissions PP-25-000268, 000270 & 000277

The Complaints all more or less allege the same thing: "On October 7, 2025, the Commission held an emergency meeting during which they entered into an executive session under the stated exception for non-elected personnel. Upon returning to open session, the Commission discussed matters clearly involving an elected official, the County Clerk, and proceeded to vote to take action requiring that she provide accounts payable (AP) and payroll system login credentials to the County Treasurer." Submission 436149. Submissions 4381954 and 4378081 appear to take issue with the fact that the Commission "talked about the clerk's office."

On the morning of October 7, 2025, the Bourbon County Commission convened for an emergency special meeting. Video of the meeting was made publicly available via <https://www.youtube.com/watch?v=cly-EgHr4wg>. Commissioner Mika Milburn and David Beerbower were present in person.¹ County Counselor Robert E. Johnson and Dr. Steven Cohen, the County's HR representative, were present via telephonic means. The Commission went into

¹ It is worth noting that Bourbon County created two new Board positions in late 2024 due to redistricting and will soon have a five-member board of commissioners.

executive session “pursuant to KSA 75-4319(b)(1)” to discuss matters of non-elected personnel to protect their privacy. The vote was held in public and can be watched at: <https://www.youtube.com/live/cly-EgHr4wg>. The executive session was for 15 minutes.

After 15 minutes, the Commissioners came out of executive session taking no action. The commissioners then went back into executive session “pursuant to KSA 75-4319(b)(1)” to again discuss matters of non-elected personnel to protect their privacy. The same individuals were present at that meeting, via the same means, with the addition of the County’s other attorney Jacob Bielenberg present by telephone. The session was for another 15 minutes, and the vote can be seen on the same YouTube Link as above. The commission then returned to public session with action determined. That action, along with corresponding votes, is stated on the YouTube link as well and involved reassigning payroll duties from the Clerk’s office.

The content of the executive session was premised on an issue that arose concerning the severance pay of an employee of public works. Prior to the meeting, the Commission was in the process of negotiating a severance agreement with the public works employee, which contemplated a payment of \$20,000.00 to the individual in exchange for certain considerations. Prior to the executive session, the commissioners became aware that, despite no severance agreement being reached and considering the ongoing nature of formal negotiations, the assistant clerk directed and made payment to the public works employee without approval from the County leadership. The Public Works Employee was a W-2 employee and not contractually entitled to a payout under the current terms of his employment, and as such there was no legal basis for the disbursement made to the employee and no budgetary authority or commission approved mechanism to justify it. Accordingly, the executive session discussions concerned the facts underlying the payment and the status of payroll in general, which was handled by the clerk’s assistant.

The County Clerk was tangentially related to those discussions as payroll was, at the time, handled by her office. Thus, any discussion of her subordinates inherently includes mention and reference to the Clerk, even if she is not the topic of the discussion. Relatedly, any discussion of removing payroll from the assistant clerk, necessarily included discussion of the Office of the County Clerk.

Background information is also relevant here. Under a previous Commission, three individuals were employed by the County on a contractual basis: Eric Bailey with Public Works, Shane Walker with I.T. and Susan Walker, who at the time was the County’s CFO. These individuals were made W-2 employees and their contracts terminated. Eventually, Susan Walker, now the elected County Clerk, sued the County alleging wrongful termination and breach of contract. The Clerk and her husband Shane Walker each currently have two pending Human Rights/EEOC complaints against the County.

Shane Walker, the husband of the County Clerk and one of the Complainants here, was eventually laid off by the Commission. Shortly after, an improper and substantial overpayment was made to Shane Walker resulting in a payout that exceeded what was rightfully owed to him. At the time, the assistant clerk who was under the control of the County Clerk was aware of Mr. Walker’s actual termination date but remitted the money anyway. Accordingly, with this instance

and the payment to the public works employee, the Commission identified an obvious pattern of manipulation of payroll functions without authority, inappropriate disbursements of County funds, and willful ignorance of internal controls.

Accordingly, the Commission held the emergency meeting on October 7, 2025, to address the payroll issues referenced above. Because payroll was being completed by the assistant clerk, the actions taken by the Commission necessarily implicated the Clerk's Office, even if the County Clerk was not the focus of those discussions.

As you are aware, K.S.A. 75-4319 authorizes closed sessions to discuss matters of non-elected personnel. (b)(1) Also, though not used for justification in the motion here, KOMA also authorizes closed sessions for "Consultation with an attorney for the public body or agency, which would be deemed privileged in the attorney-client relationship." K.S.A. 75-4319(b)(2). Accordingly, based on the facts above, it is clear the content of the session was justifiable under KOMA. The fact the discussions necessarily included reference to the Clerk's office, does not in and of itself mean there was a violation of KOMA. Kansas case law further supports this conclusion.

In *Olathe Hospital Foundation, Inc., v. Extendicare, Inc.*, the Kansas Supreme Court recognized the purpose of the KOMA requirements is to "make public every official's vote on the public's business" in order to prevent secret balloting." 217 Kan. 546, 562 (1975). In that case, the Supreme Court found it dispositive that the public body there voted unanimously and as part of the public record. *Id.* The Court found that the meeting could have been lawful but all that was missing was a formal motion to that effect, but nevertheless the meeting was not "subterfuge to defeat the purposes of the act." *Id.* Accordingly, there was no violation of the spirit of the Act and there was nothing indicating the Court should void the actions taken in a meeting that was in substantial compliance with the act. *Id.*

Further, in *State v. Board of Educ. Of United School Dist. No. 305*, the Kansas Court of Appeals took up the issue of whether there was a violation of KOMA when discussions in a closed meeting go beyond the stated reasons for going into the session, which was for discussion of non-elected personnel. 13 Kan. App. 2d 117, 118 (1988). The court recognized that while KOMA does not define "personnel matters," it is generally accepted the purpose of the exception is to "protect privacy rights of employees, save personal reputations, and encourage qualified individuals to remain in government employ." *Id.* at 119. There, the court recognized that "if segregation of exempt and nonexempt topics would make coherent discussion impossible, then it may be reasonable to close an entire meeting." *Id.* at 120. Accordingly, the court determined there was no KOMA violation because the segregating the topics into open and closed sessions would have been burdensome, impractical, and indeed impossible given the common thread connecting all the individuals, whose privacy should be protected. *Id.*

The events alleged in the complaint fall directly under these two holdings. First, the motions for the closed sessions, and the ultimate actions taken, were held in full public view available to anyone with an internet connection to YouTube. There was no secret balloting or subterfuge, and the spirit of KOMA was maintained. The content of the discussion, while focused on non-elected personnel, carried inextricable links to the Clerk's office and other non-elected

employees such that it would have been impossible to segregate the material and maintain privacy and a coherent discussion of the issue. It is also worth noting that while KOMA prevents discussions about an elected official in executive session, nothing in the Act contains a prohibition on talking generally about an elected official's *office* and general duties. As such, the actions taken were justifiable under KOMA and legal under Kansas law. *See, e.g., Perry v. Board of County Commissioners*, 281 Kan. 801 (2006).

The reality is likely the Clerk and her husband (both complainants of the current issues here and both suing the county for personal benefit) worked together to manipulate public funds through the clerk's assistant and undergo inappropriate payroll actions. They then disliked the actions taken by the Commission and are now contriving open records and open meetings complaints as a means to gain leverage in the underlying litigation.

Nevertheless, regardless of the motives, it is clear there was no violation of KOMA, and the closed meetings were proper under the Act. The Commission maintains the content of the closed sessions was appropriate. Even if there is a technical violation, however, it is abundantly clear any such violation was neither knowing or purposeful. Accordingly, no further action should be taken in response to the complaints.

Submission PP-25-000258

Submission 4363427, submitted by County Clerk Susan Walker, states "This particular issue was a commissioner sending email correspondence to me and CC'ing the other two commissioners." The Submission also generally complains vaguely about "incorrectly" making motions to go into executive session.

It is admittedly difficult to address the allegation that the Commission makes motions incorrectly to go into executive session as the Complaint is devoid of any detail or fact. Accordingly, the Commission maintains the position it has always made proper motions and no KOMA violation has occurred.

Concerning the primary allegation related to emails that include more than one commissioner, there is no violation on the face of the documents presented. It appears the Complainant takes issue with unsupported notion that the emails attached show a "meeting" of the BOCC, which was not properly noticed and was conducted in secret. Kansas law, however, refutes this preposterous assertion.

K.S.A. 75-4317a defines a "meeting" as "any gathering or assembly in person or through the use of a telephone *or any other medium for interactive communication by a majority of the membership of a public body* or agency subject to this act *for the purpose of discussing the business or affairs of the public body or agency.*" (emphasis added). Your office opined in 2009, that "'Interactive communication,' for the purposes of the Kansas Open Meetings Act (KOMA), requires a mutual or reciprocal exchange between members of a body or agency subject to KOMA." A.O. 2009-22. There, the Attorney General opined on an instance where a constituent emailed a Board Member and that Board Member shared "both the original message and the comments with" other board members. The Attorney General's office based its opinion on a

previous Attorney General's opinion recognizing that "simply sending a message to other board members would not constitute interactive communication within the meaning of KOMA." A.O. 95-13. Ultimately, your office concluded, "'interactive communication,' for the purposes of KOMA, requires a mutual or reciprocal exchange between members of a body or agency subject to KOMA." A.O. 2009-22.

Here, there is nothing in the emails attached to the Complaint evidencing a mutual or reciprocal exchange between members of the Board of County Commissioners. As such, the emails do not constitute an "interactive communication" under KOMA. The emails were between Commissioner Milburn and the County Clerk, Susan Walker. Admittedly, Commissioners Tran and Beerbower were also included in the emails. However, there is no indication Tran or Beerbower responded in any way, nor is there any indication the emails concerned a discussion of the affairs of the public body other than a mere recitation of what was said at a previous public meeting. At best, Commissioners Tran and Beerbower were passive recipients of the emails. Importantly, the email chain here appears to have originated from an email sent by the County Clerk (the complainant here) to all three of the commissioners. *See* email sent September 22, 2025, at 8:49 a.m.. It perplexes the undersigned that the Complainant would file the Complaint on the basis that the commissioners were all included on the same emails, when she herself created the situation.

As noted above, this Complaint is simply an act in furtherance of the Clerk's attempts to gain leverage in her pending litigation. The emails subject to the complaint do not rise to the level of a KOMA or KORA violation and no further action should be taken.

Specific Requests for Information

The undersigned acknowledges your office requested specific information beyond a narrative explanation of the events alleged. Those requests are answered below.

1. The names, positions/titles, terms of office, and contact information for the Bourbon County Commission.

County Commissioner Mika Milburn, 620.215.5880
County Commissioner David Beerbower, 620.215.5821
County Commissioner Samuel Tran, 575.430.5186

All can be reached at 210 S. National Avenue, Fort Scott, KS, 66701

2. Have any of the individual commission members or the Bourbon County Commission as a whole, ever been found in violation of the KOMA? If so, please describe the circumstances under which the violation was found to have occurred. How was the violation resolved? Provide a copy of any resolution.

Not that the undersigned or the Commissioners are aware of. Moreover, the clerk could not locate any other historical instance where the commission was found to violate KOMA.

3. Have any of the commission members attended training about the KOMA? If so, when was the training conducted and by whom? Please provide a copy of any handouts or training materials provided during the training.

The undersigned is not aware of any, except commissioner Beerbower attended the Kansas Association of Counties New Commissioner Orientation from January 15, 2025 to January 17, 2025. The New Commissioner Orientation included a session entitled "The Commission(er)'s Role in Ensuring Transparency, Complying with the Kansas Open Meetings Act, and Running/Participating in Effective Meetings."

4. To your or any commissioner's knowledge, have there been any formal or informal complaints or concerns regarding improper use of executive session? If so, how was the complaint(s) or concern(s) resolved?

None other than the complaints at issue here.

5. To your or any commissioner's knowledge, have there been any formal or informal complaints or concerns regarding serial communications or discussion outside of an open meeting? If so, how was the complaint(s) or concern(s) resolved?

None other than the complaints at issue here.

6. Copies of any policies, decisions, directives, or other written documents that describe the executive session procedures used by the county commission from January 1, 2025, to the present. If there are no written documents, provide a detailed explanation of the process the county commission uses to recess into executive session.

The undersigned is aware of no written procedures. The Commission follows the procedures proscribed by the Kansas statutes and the advice of counsel to legally recess into executive session.

7. Copies of any notes taken by the clerk, any deputy or assistant clerk, county commissioners, or any other county appointee or employee during the October 7, 2025 executive session.

There were no notes taken.

8. Copies of any draft or final approved meeting minutes for the October 7, 2025, county commission meeting. Additionally, please provide copies of final approved meeting minutes for all county commission meetings from January 1, 2025, to the present.

See attached.

9. If different from the motion(s) reflected in the meeting minutes, a copy of the complete motions for each executive session held on October 7, 2025. Be sure to identify who made and seconded the motion for executive session, how the county commissioners voted, the subjects to be discussed and justification, as well as the place and time that the open meeting would resume

The votes can be viewed at: <https://www.youtube.com/watch?v=clv-EgHr4wg>

10. Identify each person present (including the individual's title or job) during each executive session held on October 7, 2025, and the reason for the individual's presence during the executive session. Please also provide the individual's contact information, including address and phone number.

County Commissioner Mika Milburn, 620.215.5880. Commissioner Milburn was there pursuant to her duties as County Commissioner.

County Commissioner David Beerbower, 620.215.5821. Commissioner Beerbower was there pursuant to her duties as County Commissioner.

County Counselor Robert Johnson, 620.365.3778, P.O. Box 866, Iola, Kansas, 66210. Mr. Johnson was present for the purposes of overseeing the commission and giving advice pursuant to his role as Bourbon County County Counselor.

Attorney, Jacob Bielenberg, 913.386.7720, 9393 W. 110th Street, Suite 300, Building 51, Corporate Woods, Overland Park, Kansas 66210. Mr. Bielenberg was present given his knowledge of the pending litigation and in his advisory capacity regarding the negotiations over the Public Works employee's severance negotiations.

HR director Dr. Steven Cohen. 816.600.04215, 210 SW Market Street, 101, Lee's Summit, Missouri 64063. Dr. Cohen was present in his capacity as Director of Human Resources for input on the ongoing negotiations with the Public Works employee and to lend advice concerning payroll issues.

11. A detailed description of any and all communications between the commissioners or the commissioners and Ms. Walker outside of an open meeting concerning the procedure for drafting meeting minutes and approval or suggestions for meeting minutes from January 1, 2025 through the date of this letter.

The Clerk prepares draft minutes and emails them to the commissioners, Then the Commission emails the Clerk any proposed changes. The Clerk prepares the final minutes based on Commission feedback, then the Commission approves them in open session.

David Van Parys
November 24, 2025
Page 8

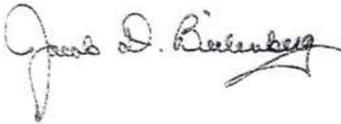
12. Does the commission or commissioners discuss any other county business or make decisions outside of an open meeting? If so, explain what business is discussed or decisions are made, why the business is discussed or acted on outside of an open meeting, and when this happens. Are any of these matters ever eventually discussed, reported or acted on in an open meeting.

Not that the undersigned is aware of.

The information contained in this request is true and correct. It has been reviewed by all individuals providing information, and the Commissioners have reviewed it, and attest to its truth and veracity.

If you have any follow-up questions or concerns, please do not hesitate to contact me.

Regards,



JACOB D. BIELENBERG
PARTNER
jbielenberg@fpsslaw.com
O 913.386.7720

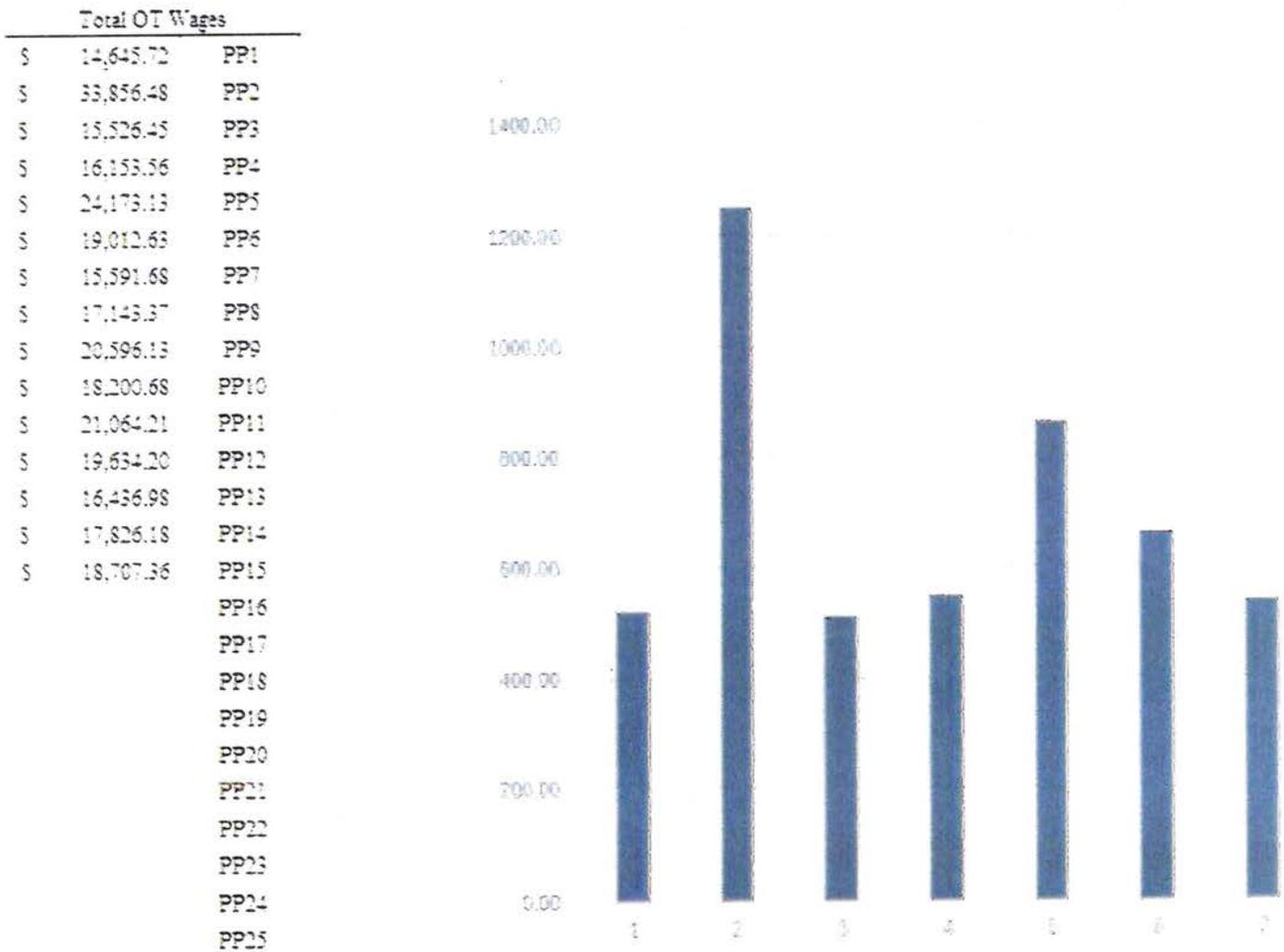
(2)

County Clerk

From: AP
Sent: Tuesday, July 22, 2025 11:10 AM
To: David Beerbower; bob@jvpalaw.com
Cc: County Clerk
Subject: Payroll 7.25.25
Attachments: rCIEarnedHoursByType.pdf; rWagesByDept.pdf

Payroll is ready to be approved.

Departments	1	2	3	4	5	6	7	8	9	10
Appraiser		1.25	1.00			0.50	0.25			
IT										
Treasurer		0.25				0.50				3.
Bailiff		0.53								
ROD										
R&B Nox Weed	33.25	445.50		0.50	165.00	2.00	2.00			
Clerk		2.33	1.18		5.00	10.59	6.00	26.00	19.92	
Custodial		12.50	5.25	9.25	11.25	10.50	10.50	10.50	5.50	
Attorney		29.25	13.25	14.00	12.75	1.00	1.50	4.50	2.50	0.
Corrections	77.90	165.31	53.94	48.44	54.95	34.33	19.65	12.00	41.31	45.
Sheriff	77.00	226.75	54.67	169.67	194.25	173.25	154.17	153.85	196.92	86.
Commision										
Ambulance	333.67	370.50	382.75	309.00	419.66	430.74	347.00	374.33	423.50	489.
Pay Period Totals	521.82	1253.97	512.04	550.86	862.86	663.41	541.07	581.18	689.65	626.



Respectfully,

Selena Williams

Deputy Clerk/Accounts Payable

210 S. National

Fort Scott, KS 66701

Phone: (620)223-3800 Ext. 102

Cell: (469)383-4156

County Clerk

From: County Clerk
Sent: Tuesday, July 29, 2025 1:39 PM
To: steve@oncallhrgroup.com
Cc: Bob Johnson
Subject: RE: Shane's Pay

Dr. Cohen,

I went over to the bank this morning and had them pull back the ACH from our personal account which is demonstrated below for a total of \$1,148.81 for Shane's most recent pay on 07.25.25. The reason there are two transactions is because we have \$150 deposited into our savings each pay check. So this is from two different accounts for us. I also contacted the Treasurer at 10:08AM to let her know that these transactions would be coming back through Bourbon County's Bank. Once I receive confirmation I will forward that information to you as well. I spoke with Patty at 12:12PM to confirm the money had been deposited into Bourbon County's Account and said she will watch for it. In addition, I told Patty to please keep this confidential and I hope you can re-iterate that to her as well.

Again, for clarification of everything that has transpired over the past few days. Mrs. Milburn contacted my payroll clerk yesterday morning at 9:19 AM to discuss Shane's pay. Selena explained what she could and told her to contact me with any further questions. Selena is out today but will be sending you a statement. Mr. Tran was the individual that led the discussion during the executive session last night. As I explained last night during our executive session, our payroll process has a system. The system involves Selena completing payroll changes documenting them and once the register is complete I review her changes based on payroll change forms. Since we had not received Shane's change to payroll form it was overlooked. I take full responsibility for not catching the mistake. Something I didn't mention last night was all of this could have been avoided and corrected before payday as the commission is always sent payroll to approve several days ahead of the pay date (see below). In this case the date was 07.22.25 for a pay date of 07.25.25. Since January, there has not been a single question regarding payroll nor approval other than at the meetings each week. The commission has a responsibility each week to review this information in a timely manner as well – before payroll is processed. I am human and will be the first to admit when I have made an error. I also asked the Commission for some "Grace" last night since my family's world has been turned upside down the past 30 days. The stress this has caused on me personally is enormous as we try to navigate the decisions made by the commission. In addition, I was also the only person in the office last week so was a bit overwhelmed with phone calls, taking care of the public and keeping my head above water when reviewing payroll. Once Selena returns tomorrow we will be processing a special payroll to pay Shane for his days of work. As discussed, it will be for July 7-9th a total of 24 hours. He will have reimbursed pay for benefits in the amount of \$119.40.

Payroll 7.25.25



AP

To: David Beerbower; Bob Johnson
 Cc: County Clerk
 Bcc: Mika Milburn-Kee; Sam Tran



rCICEarnedHoursByType.pdf
430 KB



rWagesByDept.pdf
193 KB

Payroll is ready to be approved.

OT by Department by Pay Pe

Department	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Appraiser		1.07	1.06			0.50	1.07					0.73		
IT														
Treasurer		1.07				0.00				3.92				
Build		1.05												
R/D												0.00		
R&B New Weed	10.07	447.50		0.00	180.00	0.00	0.00							
Clerk		0.00	1.10		0.00	10.00	0.00	06.00	10.00	10.00	0.00		0.00	0.00
Control		10.00	0.00	0.00	0.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00
Assessor		00.00	10.00	14.00	12.00	0.00	0.00	4.00	2.00	0.00	0.00	0.00	4.00	0.00
Commission	77.00	140.00	50.00	40.00	54.00	34.00	18.00	10.00	40.00	40.00	50.00	40.00	50.00	02.00
Shediff	77.00	220.00	70.00	100.00	104.00	170.00	104.00	100.00	100.00	00.00	140.00	50.00	77.00	100.00
Commission														4.00
Arbitrator	000.00	0.00	000.00	000.00	410.00	400.00	040.00	074.00	420.00	400.00	400.00	000.00	410.00	400.00
Pay Period Totals	001.00	1000.00	100.00	000.00	000.00	000.00	040.00	000.00						

Displaying: Transaction Type: All Transaction Types; Date Range: Last 90 Days

Date ↓

Description ↑

Type ↑

Pending

> 07/29/2025

ACH Manager Bourbon County T (Pending)

Withdrawal

Date ↓

Description ↑

Type ↑

Pending

> 07/29/2025

ACH Manager Bourbon County T (Pending)

Withdrawal

Susan E. Walker

Bourbon County Clerk
210 S National Avenue
Fort Scott, KS 66701

620.223.3800 X 191
620.644.7927 Direct Line

From: County Clerk
Sent: Monday, July 28, 2025 5:00 PM
To: steve@oncallhrgroup.com
Cc: Bob Johnson <bob@jvpalaw.com>
Subject: Shane's Pay

Dr. Cohen,

Shane and I discussed this and we will be returning the pay to the County in full and I will ask Selena to run a new payroll for the correct amounts. This way there is not any issues moving forward. This is my mistake for not catching the extra days. He will be paid for a full 8 hours for Monday – Wednesday. I will document everything to you tomorrow once the check is deposited and a new check is reissued. Please keep in mind his pay will reflect \$119.40 additional pay for reimbursement of premiums paid in advance. Thank you.

Susan E. Walker

Bourbon County Clerk
210 S National Avenue
Fort Scott, KS 66701

620.223.3800 X 191
620.644.7927 Direct Line

County Clerk

From: Steve Cohen <stevecohen82@gmail.com>
Sent: Thursday, July 31, 2025 3:16 PM
To: AP
Cc: County Clerk; David Beerbower; Mika Milburn-Kee; Sam Tran; bob@jvpalaw.com
Subject: Re: Improving Payroll Processing

Yes, please do. steve

On Wed, Jul 30, 2025 at 8:43 AM AP <ap@bourboncountyks.org> wrote:

Good morning,

I'm writing in regard to a recent payroll issue that occurred with the 7/25/25 payroll cycle. Unfortunately, due to not receiving termination paperwork in a timely manner, I now have to void a paycheck that was already processed. This creates complications not only with payroll, but also with benefits payments, KPERS, and state and federal reporting.

To help avoid these issues moving forward and ensure a smoother process, I would like to request that all termination paperwork and benefit coverage updates be submitted no later than the week prior to payroll processing.

For context, my current payroll schedule is as follows:

- The week before payroll, I finalize any terminations, benefit adjustments, and calculate any owed leave etc.
- On Monday of payroll week, I begin reviewing timesheets and preparing the payroll batch.
- Payroll is completed and submitted to the commissioners by Wednesday of payroll week for approval.

Would it be helpful if I sent over a payroll calendar outlining all payroll deadlines for the rest of the year? That way, we can ensure everyone is aware of the timelines and expectations.

My goal is to make this process as efficient and accurate as possible. Voiding paychecks and correcting records after the fact not only disrupts the system but adds unnecessary strain on an already busy workload.

Please let me know how we can work together to improve this process. I appreciate your time and support.

Thank you and have a great day!

Respectfully,

Selena Williams

Deputy Clerk/Accounts Payable

210 S. National

Fort Scott, KS 66701

Phone: (620)223-3800 Ext. 102

Cell: (469)383-4156

--

Steve Cohen Ed.D

Principal

HR Solutions On-Call

210 SW Market St #101

Lee's Summit, MO 64063

913.927.0229 (cell)

In Kansas, causing a false criminal charge is illegal under

"Interference with Law Enforcement" statutes (K.S.A. 21-5904). It is a Class A nonperson misdemeanor to knowingly report false information to law enforcement with the intent to trigger an investigation against an innocent person, or to obstruct police, punishable by up to 364 days in jail and fines.

Key Aspects of Kansas Law on False Reports:

- **Interference with Law Enforcement (K.S.A. 21-5904):** Falsely reporting to a law enforcement officer or agency that a specific person committed a crime, knowing it is false, is a crime.
- **Intent:** The reporter must act with the intent to induce the officer to rely on false information.
- **Penalties:** This is generally a Class A nonperson misdemeanor, which can carry penalties of up to 364 days in county jail and fines up to \$2,500.
- **Felony Level:** If the false report leads to an investigation for a felony, or if the false report causes a person to be charged with a felony, the offense can be elevated.

Trying to frame someone for a felony in Kansas involves several potential violations of the Kansas Criminal Code, primarily centered around

interference with law enforcement and false information. Key statutes include:

- **Making a False Information/Claim (K.S.A. 21-5824/21-6207):** Knowingly initiating a false police report, framing someone with false evidence, or providing misleading information to law enforcement to initiate an investigation is a crime.
- **Criminal Solicitation (K.S.A. 21-5303):** Soliciting or encouraging another person to commit a felony or to aid in the framing is a crime.
- **Conspiracy (K.S.A. 21-5302):** Agreeing with others to frame someone, if an overt act is committed in furtherance of that, is a conspiracy.
- **Obstruction of Justice/Law Enforcement (K.S.A. 21-5904):** Knowingly obstructing, resisting, or opposing a law enforcement officer in the performance of duty, which includes misleading them in a felony investigation.

Severity Levels: These offenses can range from Class A misdemeanors to severe felonies, depending on the nature of the false claim and whether it involves, for instance, a person felony or substantial harm to the framed individual.

21-5824. Making false information.

(a) Making false information is making, generating, distributing or drawing, or causing to be made, generated, distributed or drawn, any written instrument, electronic data or entry in a book of account with knowledge that such information falsely states or represents some material matter or is not what it purports to be, and with intent to defraud, obstruct the detection of a theft or felony offense or induce official action.

(b) Making false information is a severity level 8, nonperson felony.

History: L. 2010, ch. 136, § 110; July 1, 2011.

21-6103. Criminal false communication. (a) Criminal false communication is:

(1) Communicating to any person, by any means, information that the person communicating such information knows to be false and will tend to:

(A) Expose another living person to public hatred, contempt or ridicule;

(B) deprive such person of the benefits of public confidence and social acceptance; or

(C) degrade and vilify the memory of one who is dead and to scandalize or provoke surviving relatives and friends; or

(2) recklessly making, circulating or causing to be circulated any false report, statement or rumor with intent to injure the financial standing or reputation of any bank, financial or business institution or the financial standing of any individual in this state.

(b) Criminal false communication is a class A nonperson misdemeanor.

(c) In all prosecutions under this section the truth of the information communicated shall be admitted as evidence. It shall be a

M E M O R A N D U M

Date: February 18, 2026

To: File

FR: Gregg Motley, 4th District Commissioner

RE: Bailey Separation Payout

On February 13, 2026, I scheduled an interview at the Courthouse with KSN 16, Joplin news reporter, Jake Cooperman. During the interview, he asked me about the alleged fraud that had occurred in the payroll department. I told him that despite my inquiries, I had not learned that the fraud alleged during the recent commission meeting was regarding our payroll account.

On February 13, 2026, I learned the specific transaction in which alleged fraud occurred from another commissioner: the Bailey separation payout. Because I could not know for certain if fraud actually occurred, I did my own forensic audit to assure myself that the county had not suffered loss or compromise due to this transaction.

I asked for copies of all pertinent emails and phone records from the payroll clerk, I called Eric Bailey and got his emails and recordings of phone records, and called Dr. Steven Cohen to get his verification of what I discovered. Here is a short timeline of events:

- On 9/3/2025, Eric Bailey sent an email to Dr. Cohen agreeing to the payout terms outlined to him by Dr. Cohen, which included a \$20,000 cash payout.
- On 9/4/2025, Dr. Cohen placed a phone call to the payroll clerk, approving the cash payout. I spoke to Dr. Cohen to verify the content of the call as described by the payroll clerk, and he affirmed her recollection and confirmed to me that he had approved the payout.
- On 9/5/2025, the payroll clerk paid out \$20,000 as approved.
- On 9/8/2025, the commission approved the consent agenda which included the payroll files with the \$20,000 payout to Eric Bailey included.

My conclusion is that there was no fraud, or intent to defraud the county inherent in the transaction.