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The Kansas Supreme Court upheld the sentence for a Fort Scott man convicted in 2024 of a double murder. See page 2.

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The name of Fort Scott’s team in the franchise for the Mid-America League will be revealed during a slate of events July 11-13. See page 3.

# City commission continues process to become Certified Local Government

BY JASON E. SILVERS  
The Fort Scott Tribune

City officials are in the process of forming a historic preservation commission as the city proceeds with becoming a Certified Local Government.

During Tuesday’s Fort Scott City Commission meeting, Fort Scott Housing/Community Development Coordinator Lisa Dillon updated commissioners on the process. On June 17, the commission approved 4-1 a motion to adopt an ordinance for a seven-member historic preservation commission and move toward a CLG.

The ordinance adopted is No. 3782 titled “An ordinance for the purpose of establishing the Fort Scott Historic Preservation and Resource Commission to the City Code of the City of

Fort Scott, Kansas.”

Dillon said the next steps in the process involve finding members for the Fort Scott Historic Preservation and Resource Commission.

“I have put out an application for members and so far we have two received,” she said. “We will go to the end of July for the new commission board being developed for the CLG.”

Dillon said once all applications have been received, they will be brought back to the commission for a vote to determine the board. After that vote, the city can submit an application to become a CLG.

“We’re not a designated CLG as of yet,” she said, adding approval must also be obtained from the State Historic Preservation Office and the Secretary of the Interior.

Mayor Tim VanHoecke

asked if applicants are also submitting resumés. Dillon said she has only received applications, “but no resumés as of yet.”

VanHoecke said he has signed all other documents for the process, but according to SHPO guidelines, when applicants send letters in they should also send resumés.

“We don’t have resumés for applicants,” he said.

On June 17, commissioners heard feedback from members of the Design Review Board on the board’s concerns and discussed the pros and cons of the CLG concerning historic preservation, as well as the role of the Design Review Board and the impact on historic districts.

The commission also compared the draft of the ordinance with an ordinance for the city of Indepen-

dence, which was used as a template.

Concerns raised by members of the Design Review Board included enforcement as well as lack of definitions of items pertaining to a historic district.

Commissioner Matthew Wells has said a benefit of the CLG is it would streamline the approval process for modifications within the historic district and reduce the need to wait for approval by SHPO, which can take several months. He said business owners can work through the process without going to the Design Review Board or SHPO.

The historic preservation commission will eventually replace the Design Review Board, which remains an active city advisory board.

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## Meet and greet



Jason E. Silvers/Tribune photo

**Dr. Jack Welch, new president of Fort Scott Community College, speaks during a meet and greet for media Wednesday morning on the college campus. Welch has signed a two-year contract which the FSCC Board of Trustees approved June 26. Welch officially began work as president this week. Pictured with Welch is his wife, Carol.**



Jason E. Silvers/Tribune photo

**During Monday’s commission meeting, Bourbon County Commissioner Samuel Tran makes a motion to approve term limits for the District 4 and District 5 commissioners who will be elected in November.**

## Terms for new county commissioners decided

BY JASON E. SILVERS  
The Fort Scott Tribune

Bourbon County Commissioners on Monday approved the terms for the two new districts created with redistricting that occurred in late 2024 to expand the number of districts from three to five.

After a discussion, Commission Chairman David Beerbower, who represents District 2, said he would concede to a motion by Tran, who represents District 1. The commission approved Tran’s motion that the candidate elected for

District 5 will serve a three-year term and the candidate for District 4 will serve a one-year term when elected. Tran and Beerbower voted in favor, with Commissioner Mika Milburn-Kee, who currently represents District 3, abstaining as she is running for the District 5 seat.

Commissioners later voted to adopt Resolution 21-25 establishing the terms for the new districts.

Prior to the vote, County Clerk Susan Walker said as part of the redistricting process, the commission needs to assign a one-year term and three-year term to the new districts, as well as

a resolution adopting those terms.

After a pause, Milburn-Kee asked if commissioners had any suggestions.

“This is uncharted territory, right?” Tran said. “It’s not like we’ve done this before.”

Milburn-Kee, who was appointed in April to replace Leroy Kruger, said her term runs through 2027, but she is running for the District 5 commission seat. Milburn-Kee said she would have to step down in January when the commissioners for the new districts are sworn in.

“If that happens, the Republican Party will have to go back to work again,” she said. “I can’t have two seats, so I will have to step down and they’ll have to appoint.”

Later in the discussion, Kaety Bowers, parliamentarian for the commission and chairwoman of the Bourbon County Republican Party, explained the terms for each district and when they are up for re-election after a question from citizen Anne Dare.

SEE COMMISSIONERS’ TERMS ON PAGE 2

## Case against county commissioners, solar energy companies settled

BY JASON E. SILVERS  
The Fort Scott Tribune

A civil lawsuit involving Bourbon County Commissioners and solar energy companies has reportedly been settled.

While few details have been provided on the settlement, attorneys in the case filed a Notice of Settlement June 27 in Bourbon County District Court.

“The parties anticipate they will have all of the necessary paperwork completed, executed and the Stipulation of Dismissal filed within 60 day of today’s date, June 27, 2025. The parties request that all

current deadlines be stayed while the parties finalize their settlement,” the notice states.

The notice was submitted and signed by Jacob D. Bielenberg of Fisher, Patterson, Saylor & Smith, LLP of Overland Park, attorney for the defendants, the Board of County Commissioners of Bourbon County; George F. Verschelden of Stinson LLP of Kansas City, Mo., attorneys for Hinton Creek Solar LLC; Seth C. Wright of Polsinelli PC of Kansas City, Mo., attorneys for defendants Tennyson Creek Solar LLC and Tennyson Creek Solar II LLC.

The plaintiffs in the case are David Beerbower, Leroy Kruger, Brandon Whisen-

hunt, Boa Casper, Katie Casper, Timothy Emerson, Samuel Tran, Karen Tran and Michael Wunderly. The Board of County Commissioners of Bourbon County and Hinton Creek Solar LLC, Kingbird Solar Energy, LLC, Tennyson Creek Solar II LLC and Tennyson Creek Solar LLC are listed as defendants in the case.

Beerbower and Tran are current county commissioners while Whisenhunt and Kruger are former commissioners who resigned earlier this year.

On May 19, District Court Judge Richard Fisher granted a motion for partial dismissal of the plaintiffs in the case after hearing oral arguments from Bielenberg

and attorneys representing Hinton Creek Solar LLC, Kingbird Solar Energy LLC and Tennyson Creek Solar LLC.

The plaintiff’s attorney is Patrick B. Hughes.

After Hughes presented reasons why the plaintiffs should be dismissed from the case, there were no objections from either side and Fisher sustained the motion. Fisher and attorneys also discussed a 30-day extension in the case, and Bielenberg said the hope was to reach a resolution by June 30. Fisher granted an extension until June 30.

The Motion for Order of Partial Dismissal, filed by the plaintiffs April 25, requests the court dismiss

their claims against the defendants. The motion states the plaintiffs filed their petition Nov. 20 and on Jan. 30, the defense attorney for the county commissioners “filed a motion to withdraw as counsel and an order permitting her withdrawal was entered” Feb. 28.

New counsel for the commission entered an appearance March 26, filed answers and cross-claims and also withdrew the commission’s motion to dismiss, according to court records.

Bielenberg told the Tribune May 22 the motion “dismisses the plaintiff’s original claims” and there has been a realignment in the case. He said the par-


ties were realigned and the county “has adopted the original plaintiff’s position.”

“Effectively, what it does is it removes the commissioners as individual plaintiffs,” Bielenberg said. “Those commissioners were just individuals when the suit was filed, and not sitting on any commission. Now there are no original plaintiffs and the suit is effectively a dispute between the developers in the county over the validity of the contracts and its moratoriums.”

As of Thursday, no further hearings had been scheduled in the case.

WEATHER

A 40 percent chance of showers and thunderstorms. Partly sunny, with a high near 86.



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