

**UNOFFICIAL MINUTES**  
**DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, FEBRUARY 11, 2019**

The Board of County Commissioners met in regular session at 8:30 A.M. with Second District County Commissioner Thad G. Geiger, Chairman, calling the meeting to order. First District County Commissioner Timothy D. Collins, Third District County Commissioner Jerry P. McKernan and County Clerk Peggy Franken were present. County Attorney Charles D. Baskins was present for a portion of the meeting.

The Kansas Chief Reporter Paul Stewart and Susan Studer observed the entire regular meeting.

Commissioner McKernan made a motion, seconded by Commissioner Collins, to approve the meeting agenda as amended to include postponement of Larkinburg Road viewing. Motion carried.

Commissioner McKernan made a motion, seconded by Commissioner Collins, to approve County Commission minutes of the February 4, 2019 regular meeting as amended changing the word sunglasses to safety glasses referencing unauthorized expenditures. Motion carried.

Commissioner McKernan made a motion, seconded by Commissioner Collins, to approve payroll and warrants for the period of February 15, 2019 as presented. Motion carried.

Currently the Doniphan County Law Enforcement Center houses 13 local inmates.

Due to the observance of Presidents' Day on February 18, 2019, the Board of County Commissioners will not hold a regular meeting.

On behalf of Peggy Wood, County Clerk Peggy Franken, gave the Board of County Commissioners an accounting on the average number per day of participants eating in each of the senior citizen center meal sites for the month of January 2019 as follows: Elwood 1.5, Wathena 10, Troy 7.79 and Highland 13.2.

Landowners Jeff & Nikia Weber appeared before the Board of County Commissioners to express their opposition to placement of a low water crossing and opening a closed portion of Larkinburg Road in Sections 13 & 18, Township 4, Range 21E. In expressing their opposition, it was stated they didn't want the roadway across their property and secondly, property owners currently have access to their land, therefore it would be an unnecessary burden put upon tax payers, as money from the Road Department would be better spent improving existing opened and more heavily traveled county roadways. Mr. Weber said they have experienced several issues with poachers and ATV traffic tearing up their property, opening the roadway would only add to the destruction. In addition, north of the requested location for a low water crossing, is a 3 ton steel bridge that cannot accommodate farm equipment and would need to be replaced, as well as, three additional crossings that would need to be installed before the 4 mile stretch of roadway, with no residences, would be viable to adjoining landowners. Chairman Geiger thanked Mr. & Mrs. Weber for their input saying the Board of County Commissioners appreciates input from their constituents.

At 8:45 A.M. Commissioner Geiger made a motion, seconded by Commissioner McKernan, to recess into executive session for the purpose of discussing and protecting the interest of non-elect personnel in the Noxious Weed Department, with the meeting to be called back to order in the office of the Doniphan County Commission at 9:00 A.M. Motion carried. The County Clerk remained.

County Clerk Peggy Franken presented the Board of County Commissioners with January 2019 departmental budget and expense report for their review.

Discussion was held amongst the Board in regard to making improvements to county roadways following winter weather and after the spring freeze and thaw. Commissioner McKernan asked Commissioner Collins about the longevity of rock hauled from Schneider Quarry. Commissioner Collins said the rock makes for a great base for rocked roads, it takes twice as much rock as a normal load and when it becomes wet is slick when first hauled, however packs down and sets up well.

Correspondence was reviewed by the Board of County Commissioners from Troy Grade School organizing a community service day in an effort for students in grades Kindergarten through 6<sup>th</sup> Grade to give back to their community. The community service day will be held on April 26, 2019 from 12:30-3:00 P.M. The Board of County Commissioners was asked to submit community service projects to the Troy Grade School for their consideration. The Board tabled action pending further discussion on ideas.

Household hazardous waste collections for the month of January 2019 were presented to the Board for their review.

2019 inventory for the Emergency Management/Zoning Office, Health Department and Northeast Kansas Environmental Services were presented to the Board for their review. Chairman Geiger reminded departments to review their inventory for obsolete and unused equipment to determine if the County needs to hold a personal property sale, as well as, keeping the Board apprised of necessary purchases.

The Board of County Commissioners and County Attorney Charles Baskins held discussion on the procedure for holding tax foreclosure sales on delinquent real estate properties. County Attorney Baskins will contact delinquent property owners and revisit the status of delinquent properties with the Board of County Commissioners at their April 1, 2019 meeting. In regard to delinquent personal property, it was reported persons with delinquent personal property taxes are unable to license or renew their license plate on a vehicle until the debt has been paid.

At 9:30 A.M. Commissioner Geiger made a motion, seconded by Commissioner Collins, to enter into executive session for the purpose of discussing and protecting the interest of non-elect personnel in the Noxious Weed Department, with the meeting to be called back to order in the office of the Doniphan County Commission at 9:35 A.M. Motion carried. The County Attorney, County Clerk, Noxious Weed Director and Jim Norris remained.

Commissioner McKernan made a motion, seconded by Commissioner Collins, to hire Jim Norris to serve as the Doniphan County Noxious Weed Director upon the retirement of Francis Hubbard. The position is a full-time, year round position with the Noxious Weed Director responsible for road right-of-way maintenance, conferring with landowners, state and federal agencies on bank stabilization programs and soil erosion, performing snow removal and lawn care at the noxious weed facility and assisting at other county owned properties when necessary, as well as, assisting other departments in emergency and special circumstances during the off spraying season. Start date will be February 25, 2019 at a rate of \$18.50 per hour plus benefits. Upon completion of satisfactory 90-day probationary period, pay will increase to \$21.00 per hour on a monthly salary basis.

The Board of County Commissioners held discussion in regard to renewal of the County's 1% sales tax. It was agreed by the Board town hall meetings will be held in advance of the November 2019 election to gain input from citizens on uses of sales tax revenues for capital improvement projects and to discuss the importance of sales tax revenues to the cities throughout Doniphan County.

County Treasurer Lindsay Etherton gave an explanation to the Board of County Commissioners on the difference between farm tags (license plates) versus standard tags. Treasurer Etherton said anyone is eligible to purchase a farm tag, however they are supposed to be used for farm related purposes only.

County Clerk Peggy Franken gave the Board information on Doniphan County's Zoning Regulations relating to Wind Energy Conversion Systems (wind turbines) on behalf of Zoning Administrator Julie Meng. Chairman Geiger asked the Commissioners to review the zoning regulations in an effort to address any conflict ahead of a company making application for placement of wind turbines in Doniphan County. County Clerk Peggy Franken advised any additional parameters the Board deems necessary in regard to zoning can be set out through conditional use permitting. The Board of County Commissioners were in agreement to involve the citizenry in future discussions, along with Zoning Administrator Julie Meng.

Road Office Manager Lindsay Norris told the Board of County Commissioners there is a lack of covered storage for equipment in the First and Third Road District Shops.

Mrs. Norris also said second round of notices have been sent to landowners in violation of road right-of-way obstruction and she has not been able to make contact via telephone. Chairman Geiger said he would work with the Road Department on making contact with landowners.

Commissioner Collins made a motion, seconded by Commissioner McKernan, to purchase up to 2,500 ton of additional washed chat from Hamm's Quarry for the 2019 chip seal season. Motion carried.

Commissioner Geiger made a motion, seconded by Commissioner Collins, to approve unauthorized expenses in the Road Department as follows: Michael Todd \$2,278.28 (chains for Second Road District) and Murphy Tractor \$1,102.80 (cutting blades for Second Road District). Motion carried.

Road Office Manager Lindsay Norris presented the Board with Road and Bridge expenses, township road improvement fund balances and rock stockpiles for the month of January 2019 for their review.

The Board asked Road Office Manager Lindsay Norris to work with the Road Foremen to formulate a plan for maintaining county roads following winter weather into spring.

A memorandum has been sent to all employees of the Road Department reminding them of the Doniphan County purchasing policy and disciplinary action for making unlawful debts against the County. Chairman Geiger reminded all departments to adhere to the Doniphan County purchasing policy which allows the County Commissioners \$1,500.00 authority for emergency purchases and appointed officials a \$250.00 limit per item. All Departments are reminded to be good stewards of the tax payer dollar and only make purchases pertinent to effectively perform their duties. County Attorney Charles Baskins stated unauthorized purchases are an unlawful debts against the County and asked at what point does the County Commission or tax payer continue to pay? He said every week the Road Department is in violation of the purchasing policy and advised the County Commission to either uphold the policy by holding those in violation accountable or abolish it. Commissioner Collins said in order to keep up the County infrastructure there are times when purchases need to be made outside the Board of County Commissioners meeting and asked for the Board to set a logical spending authority limit in order to allow for such times. No action was taken on changing the current purchasing policy.

Commissioner McKernan made a motion, seconded by Commissioner Collins, to rescind the motion to purchase a bi-level water cooler with bottle filler for the first floor of the courthouse from Wynn Supply Company and purchase from Thayer Supply in the amount of \$1,413.15, as the bid from Wynn Supply Company was not as specified. Motion carried.

There being no further business before the Board, Chairman Geiger adjourned the meeting at 10:29 A.M.

DATED THIS 11TH DAY OF FEBRUARY 2019.

Attest: \_\_\_\_\_  
Peggy Franken, County Clerk

\_\_\_\_\_ Thad G. Geiger, Chairman