

**UNOFFICIAL MINUTES
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, AUGUST 17, 2020**

The Board of County Commissioners met in regular session in the office of the Doniphan County Commission, Troy, Kansas, 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 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 observed the entire meeting. Road Office Manager Lindsay Norris, Custodian Richard Blanton, Troy USD 429 Superintendent Pat McKernan, Health Department/Home Health Administrator Sheryl Pierce, Marla Cummings, Dillon Clary, Sharon Simpson, Doreene Whetstine, Pete Duncan, Colleene Duncan, John W. Peden, Harry Smith, David Clary, Sabrina Hagar, Kenny Shelton and Kyla Lepez were present for a portion of the meeting.

Commissioner McKernan made a motion to approve the meeting agenda as amended to include non-elect personnel executive session. Commissioner Collins seconded. Motion carried 3-0.

Commissioner Collins made a motion to approve the County Commission minutes of the August 10, 2020 meeting as written. Commissioner McKernan seconded. Motion carried 3-0.

Currently the Doniphan County Law Enforcement Center houses 3 local inmates.

Commissioner Geiger expressed concerns with Treece Road, near the intersection of 240th Road, in Section 28 Township 2 Range 22E showing cracks, being undermined and unstable. Geiger stated the road is a main route to the east out of Burr Oak and sees a lot of traffic during harvest. The Board of County Commissioners agreed to contact Engineers with Schwab-Eaton, PA. to inspect the roadway and determine specifications for repairs, with the intention of having repair work contracted out prior to fall harvest.

Road Office Manager Lindsay Norris informed the County Commission repair work on bridge T314-1 located in Section 24 Township 4 Range 19E on Elgin Road has been completed by Husker Steel and Norfolk Contracting at a cost of \$32,744.00. Commissioner Collins requested the US Corp of Engineers view the area to determine if the creek channel can be altered or moved.

Norris also reported survey field work has been completed on Coronado Road along the city/county boundary in Sections 22 and 23, Township 2 Range 19E where box culvert is in need of repair work. A final survey is expected by August 24, 2020.

Commissioner Collins made a motion to submit application to the Kansas Department of Transportation Off-System Bridge Replacement Program for bridge structure T43-1 on 140th Road in Section 10 Township 4 Range 19E for application year 2022. The Off-System Bridge Replacement Program is an 80-20% matching funds grant for fracture critical bridges. Commissioner McKernan seconded the motion. Motion carried 3-0.

Road Office Manager Norris presented the Board of County Commissioners with completed geotechnical engineering report by Terracon for Peck Road, south of 245th Road, northeast of Troy, Kansas, in Section 23 Township 2 Range 21E. The Board of County Commissioners will review the report and hold further discussion at their regular meeting on August 24, 2020.

Commissioner Geiger made a motion to accept the bid of Pierce Heating & Cooling for new furnace at the Doniphan County annex building currently housing Doniphan County Extension Office, in the amount of \$2,155.00 with the expense to be paid from the New Sales Tax fund. Commissioner Collins seconded. Motion carried 3-0.

Troy USD 429 Superintendent Pat McKernan was present to determine if the Board of County Commissioners have made any changes or had any updates on COVID-19 requirements. The Board of County Commissioners stated there have been no changes or further updates to the current order whereby masks are not required but are strongly recommended, along with proper hygiene and social distancing.

The Board of County Commissioners reviewed the July 2020 departmental cash and budget summary as prepared by County Clerk Peggy Franken.

Economic Development Director Leah B. Johnson reviewed with the Board of County Commissioners Kansas Governor Laura Kelly's second round of CARES Act funding totaling more than \$130 million in grants for economic development and broadband connectivity. Director Johnson said the second round of funding will be a competitive grant process with applications opening August 19, 2020 at 12:00 P.M. Grants will be awarded on a first come first serve basis across the entire state. She has contacted all Doniphan County businesses recommending they visit [kansascommerce.gov/covidrelief](https://www.kansascommerce.gov/covidrelief) for further information on the grants program.

Commissioner Geiger asked Economic Development Director Leah B. Johnson to expand on Lieutenant Governor Lynn Rogers' Office of Rural Prosperities Program. Director Johnson said the Rural Prosperities Program is an initiative to help grow and develop rural Kansas. Prior to the coronavirus pandemic the Rural Prosperities program was doing in person tours of rural Kansas, virtual tours are now taking place. A virtual tour of northeast Kansas will be held on September 16, 2020 at 5:30 P.M. with Director Johnson facilitating on behalf of Doniphan County. Commissioner Geiger asked Director Johnson to set up a webinar in order for the Board of County Commissioners to view the virtual tour.

Commissioner Collins made a motion to authorize Doniphan County Clerk Peggy Franken to submit on behalf of Doniphan County Reimbursement and Direct Aid Plans to the State of Kansas for Coronavirus Relief Funding. Commissioner McKernan seconded. Motion carried 3-0.

Marla Cummings, Dillon Clary, Sharon Simpson, Doreene Whetstine, Pete Duncan, Colleene Duncan, John W. Peden, Harry Smith, David Clary, Sabrina Hagar, Kenny Shelton and Kyla Lepez appeared before the Board of County Commissioners to discuss employment status of the Troy Pioneer Senior Citizens Center Site Director. Marla Peden, spokeswoman, read a prepared statement protesting the termination of Troy Pioneer Senior Citizens Center Site Director Shirley Clary. Chairman Geiger thanked those in attendance for addressing the Board further stating personnel matters are confidential in nature and no public comment would be made, however the Board of County Commissioners would take their comments under consideration.

At 9:39 A.M. Commissioner Collins made a motion to recess into executive session for the purpose of discussing and protecting the interest of non-elect personnel within the Road Department with the meeting to be called back to order in the office of the Doniphan County Commission at 9:54 A.M. Commissioner McKernan seconded. Motion carried 3-0. The County Attorney, County Clerk and Road Office Manager remained.

At 10:05 A.M. Commissioner Collins made a motion to recess into executive session for the purpose of discussing and protecting non-elect personnel within the Health Department with the meeting to be called back to order in the office of the Doniphan County Commission at 10:15 A.M. Commissioner McKernan seconded. Motion carried 3-0. The County Attorney, County Clerk and Health Department/Home Health Administrator remained.

Commissioner Collins made a motion to hire Sandy Simpson as full-time Registered Nurse for the Doniphan County Health Department/Home Health Agency at a rate of \$25.00 per hour, subject to acceptance of job offer and pre-employment requirements. Commissioner McKernan seconded. Motion carried 3-0.

The County Commission asked Health Department/Home Health Administrator Sheryl Pierce for the number of COVID-19 cases in Doniphan County. Figures were not available at meeting time.

At 10:35 A.M. Commissioner Collins made a motion to enter into executive session for the purpose of discussing and protecting the interest of non-elect personnel in the Aging Department with the meeting to be called back to order in the office of the Doniphan County Commission at 10:45 A.M. Commissioner McKernan seconded. Motion carried 3-0. The County Attorney and County Clerk remained.

The Board of County Commissioners announced the termination of Troy Pioneer Senior Citizens Center Site Director Shirley Clary effective August 12, 2020.

Scot Loyd, Swindoll Janzen Hawk & Loyd, LLC, Consultant hired to assist Doniphan County with requirements of the State of Kansas Coronavirus Relief Funding, was asked about the legitimacy of applying for CARES Act and Coronavirus Relief Funding to pay salaried employees for overtime compensation. Mr. Loyd stated overtime for salaried officials is not allowed under wage and hour laws and therefore would not be a legitimate expense subject to reimbursement or direct aid funds.

There being no further business before the Board, Chairman Geiger adjourned the meeting at 10:55 A.M.

DATED THIS 17TH DAY OF AUGUST 2020.

Attest: _____
Peggy Franken, County Clerk

Thad G. Geiger, Chairman