

UNOFFICIAL MINUTES
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, SEPTEMBER 27, 2021

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 Wayne Grable, Chairman, calling the meeting to order. First District County Commissioner Timothy D. Collins, Third District County Commissioner Bobby Hall and County Clerk Peggy Franken present. County Attorney Charles D. Baskins was present for a portion of the meeting.

The Kansas Chief Reporter Melanie Davis observed the entire meeting. Road Office Manager Lindsay Norris, Second Road District Foreman Sean Price, Sheriff Chad Clary and Kitchen Director Judy Allen were present for a portion of the meeting.

Commissioner Hall made a motion to approve County Commission meeting agenda as presented. Commissioner Collins seconded. Motion carried 3-0.

Commissioner Collins made a motion to approve County Commission meeting minutes of September 20, 2021 as written. Commissioner Hall seconded. Motion carried 3-0.

Commissioner Hall made a motion to approve payroll and warrants for the period of September 30, 2021 as presented. Commissioner Collins seconded. Motion carried 3-0.

Currently the Jerry K. Dubach Doniphan County Law Enforcement Center houses 12 local inmates.

The Board of County Commissioners were in receipt of notice from Doniphan County Planning and Zoning Department regarding public hearing for consideration of amending zoning from A-1 Agriculture to A-1 Conditional Use for adjoining property owner Kathryn M. Boyle Trust, represented by TG Hamm of Hamm Quarries for property located approximately ¼ mile south of 210th Road on Eminence Road. Said hearing will be held on October 13, 2021 at 7:30 P.M. at the Doniphan County Courthouse.

County Clerk Peggy Franken informed the County Commission of 2022 open enrollment for County employees on the County's health insurance plan. The Board of County Commissioners were in agreement to make attendance at the 2022 health insurance open enrollment meeting October 7, 2021 from 10:00 AM-12:00 PM mandatory for County employees enrolled in the health insurance.

Letter of resignation was presented to the County Commission on behalf of Laura Winkel, Kitchen Director, effective October 1, 2021.

At 8:41 A.M. Commissioner Hall made a motion to recess into executive session for the purpose of discussing and protecting the interest of non-elect Kitchen personnel with the meeting to be called back to order in the office of the Doniphan County Commission at 8:46 A.M. Commissioner Collins seconded. Motion carried 3-0. County Clerk remained.

Second Road District Foreman Sean Price asked the County Commission about allocation of rock funds by Road District in order to get roadways rocked and in shape prior to winter, with each Road District Foreman to figure the amount of rock needed for immediate use. The Board of County Commissioners took the request under consideration.

Commissioner Grable asked Second Road District Foreman Sean Price to check the approaches on two bridge structures on Larkinburg Road, south of 150th Road, with the Road Department to smooth out, rock and shore up.

Commissioner Collins stated bridge planks have been added to bridge structure T133-1 located on 190th Road north of Severance, Kansas, in Section 18 Township 3 Range 20E and will be open to thru traffic upon installation of three (3) ton limit signage.

Road Office Manager Lindsay Norris presented the County Commission with rock fund balances as of September 17, 2021 for their review. Norris also gave the County Commission a listing of Road Department personnel including job function and salary.

Lindsay Norris, Road Office Manager, presented the County Commission with a list of hard surfaced roadways in need of shoulder rock:

- District 1: 240th Road west of Highland 3.5 miles
315th Road west of Highland 2 miles
Castleton Road north of County line 1.5 miles
- District 2: Last Chance Road
195th Road from Troy, Kansas to US Highway 36
195th Access Road
Mesquito Creek Road
180th Road west to K-7 Highway
- District 3 165th Road west of Elwood, Kansas

Road Office Manager Norris will check into equipment to apply shoulder rock.

Commissioner Hall made a motion to enter into a temporary road work agreement between Doniphan County, Kansas and adjoining landowners Tyler J. and Kaitlyn R. Smith to complete road work as described:

Road work will take place on Heartland Rd, South of 250th Rd in the Northeast quarter of the Southwest quarter of Section 22 Township 2 Range 20E. Legal descriptions for properties are detailed below. The County agrees to complete the following work: 1) Rebuild ditch along west ROW, not to exceed 20 feet west of existing county ROW (40 feet) 2) Bring terrace out 3) Install crossroad culvert 4) Clean out ditch just north of existing driveway 5) Fence currently located at the driveway of physical address 1731 Heartland Rd, Highland, KS will be temporarily moved by the landowner, to allow the county to complete ditch work and install crossroad culvert north of the address. Once work is complete, the landowner will put fence back in its same location on private property 6) Build up road and re-rock once work is complete 7) County road ROW will remain 40 feet once road work is complete.

S22, T02, R20E, ACRES 38.53, NE 1/4 OF THE SW1/4 OF SEC 22 EXEPT THE SE COR EAST OF HEARTLAND RD.THIS IS A PROPERTY DESCRIPTION ONLY

Commissioner Collins seconded. Motion carried 3-0.

Commissioner Collins discussed with the County Commission entering into temporary road work agreement with adjoining landowners for road work on 195th Road west of Troy, Kansas. Commissioner Grable cautioned scheduling the project around fall harvest. The Board took no action pending discussion with adjoining landowners.

Commissioner Grable made a motion to approve the purchase of rock for tube projects located on Treece Road in the amount of \$1,038.77 and St. Columbus Road in the amount of \$1,100.08 with payment to be made from Road and Bridge fund. Commissioner Hall seconded. Motion carried 3-0.

Sheriff Chad Clary told the Board of County Commission Motorola Solutions, Inc. will relocate the 911 Repeater on top of the grain elevator in Denton, Kansas, due to structural concerns. Costs associated with the relocate will include lift rental and labor, with an early October 2021 completion date scheduled.

Commissioner Collins made a motion to approve holiday pay for employees of the Doniphan County Sheriff's Department who work on the date of an actual holiday instead of County observed holiday. Commissioner Hall seconded. Motion carried 3-0.

Commissioner Collins informed Sheriff Chad Clary of illegal dumping taking place at the First Road District shop located at 552 240th Road, Highland, Kansas. Sheriff Clary said the Sheriff's Department will patrol the area.

County Attorney Charles Baskins told the Board of County Commissioners a petition for Writ of Habeas Corpus has been filed by an inmate of the Doniphan County Law Enforcement Center against Sheriff Chad Clary on the grounds that he is illegally detained. The inmate is being held on a warrant charge from North Carolina and is objecting to extradition. County Attorney Baskins has filed the civil claim with KCAMP, Doniphan County's liability insurance carrier, to assist subject to 50-50% rate charge.

At 9:38 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing and protecting the interest of non-elect Kitchen personnel with the meeting to be called back to order in the office of the Doniphan County Commission at 9:48 A.M. Commissioner Hall seconded. Motion carried 3-0. County Clerk, Kitchen Director remained.

The Board of County Commissioners will conduct interviews for the position of Kitchen Director during their October 4, 2021 County Commission meeting.

There being no further business before the Board, Commissioner Grable made a motion to adjourn the meeting at 9:56 A.M. Commissioner Hall seconded. Motion carried 3-0.

DATED THIS 27th DAY OF SEPTEMBER 2021.

Attest: _____
Peggy Franken, County Clerk

Wayne Grable, Chairman