

UNOFFICIAL MINUTES
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, NOVEMBER 22, 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, Second Road District Foreman Sean Price and C B Lackey observed the entire meeting. Noxious Weed Director Jim Norris, Road Office Manager Lindsay Norris, Gerald Brox, Mike Falk, Henry Scherer, Gerald Scherer, David Van Laar, along with landowners and concerned citizens owning property along Elgin and 110th Roads were present for a portion of the meeting.

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

Commissioner Hall made a motion to approve County Commission meeting minutes of November 15, 2021 as written. Commissioner Collins seconded. Motion carried 3-0.

Commissioner Collins made a motion to approve added taxes in the amount of \$1,939.68 and abated taxes in the amount of \$12,668.32 to the 2021 Doniphan County tax roll. Commissioner Hall seconded. Motion carried 3-0.

Fee report for the period November 1, 2021 through November 17, 2021 was presented to the County Commission on behalf of the Sheriff for their review.

Currently the Jerry K. Dubach Doniphan County Law Enforcement Center houses 5 local inmates.

Noxious Weed Director Jim Norris presented the County Commission with 2022 contract between Kansas Department of Transportation and Doniphan County, Kansas, for control of noxious weeds along State rights-of-way. Commissioner Collins made a motion to enter into agreement for control of noxious weeds along State rights-of-way between Kansas Department of Transportation and Doniphan County, Kansas at a rate of \$25.00/hour for labor and \$30.00/hour equipment charge. Commissioner Hall seconded. Motion carried 3-0.

Commissioner Grable made a motion to rent chipper from Foley Equipment for brush and tree removal along County rights-of-way at a 30-day rate of \$2,320.00 plus \$300.00 delivery charge. Noxious Weed Director Jim Norris with assistance from Road Department personnel will work on brush and tree removal projects when weather is not conducive for road repair.

Noxious Weed Director Jim Norris informed the County Commission he will be sending letters to landowners requesting noxious weed control on private property. Norris also told the County Commission chemical costs are volatile at present time, with limited quantities available. Since the closure of the Noxious Weed spraying season on November 1, 2021, Director Norris has been working to winterizing equipment and assisting the Road Department on tube replacement and road maintenance projects.

Commissioner Collins made a motion to enter into agreement between Jackson County, Kansas and Doniphan County, Kansas for 2022 collections of Doniphan County Household Hazardous Waste material at a rate of \$25.50 per hour plus \$0.58 per mile and biannual base rate of \$0.16 per Doniphan County resident. Commissioner Hall seconded. Motion carried 3-0.

Commissioner Hall asked for Household Hazardous Waste materials to be moved out of the Third District Road shop to an outdoor storage location due to safety and health risk. County Clerk Peggy Franken will contact Northeast Kansas Environmental Services for storage requirements and options.

Road Office Manager Lindsay Norris presented the County Commission with Township Road Improvement Fund balances as of November 12, 2021 for their review.

Commissioner Collins made a motion to approve payment of rock from County Road Fund in the amount of \$2,970.63 hauled on St. Columbus Road in Washington Township. Commissioner Hall seconded. Motion carried 3-0.

A Request and Petition for buried cable along County rights-of-way of Coronado Road was presented to the County Commission on behalf of Requestor City of Highland. Highland City will return the road and rights-of-way to pre-existing condition following water treatment plant project. Commissioner Collins made a motion to approve Request and Petition on behalf of the City of Highland to access Doniphan County rights-of-way along Coronado Road. Commissioner Hall seconded. Motion carried 3-0.

Road Office Manager Lindsay Norris gave the County Commission email correspondence from Bryan Jones, Representative of Herzog Contracting Corporation, Inc., regarding shoulder rock along hard surfaced roadways. Mr. Jones indicated he viewed a list of roads as prepared by the Board of County Commissioners and recommended the Board of County Commissioners focus their attention on 240th Road west of Highland, Kansas, as Last Chance appears in good shape at present. Commissioner Hall made a motion to approve shoulder rock on 240th Road from Highland City limits west 3.5 miles and Last Chance Road from Troy City limits to 180th Road, with Herzog Contracting Corporation, Inc. to prepare cost estimate for completion of work. Commissioner Collins seconded. Motion carried 3-0.

Commissioner Collins made a motion to approve payment to Schwab-Eaton, PA in the amount of \$14,676.00 for engineering services for low water crossing on Oxide Road, bridge repair located on 235th Road west of Peck Road and Kansas Department of Transportation bi-annual bridge inspection on 92 of the County's 98 bridge structures. Commissioner Hall seconded. Motion carried 3-0.

Mike Falk, Tenant for Gerald and Carol Boos and spokesman for group of concerned citizens along Elgin Road, addressed the Board of County Commissioners regarding safety concerns with narrow roadway and no line of sight on Elgin Road, giving them pictures to visually see concerns. Mr. Falk said two narrow concrete box culverts (one with concrete sides) in Section 36 Township 4 Range 19E and a third on 110th Road in Section 31 Township 4 Range 20E do not allow for modern day equipment to pass and cause a dangerous situation when meeting on-coming traffic, as there is no room to get off the road. He asked for the Board of County Commissioners consideration to widening all three box culverts and clearing the road of brush and trees. David Van Laar told the County Commission the current condition of the road is also dangerous for regular vehicles with no room to pull off if meeting an on-coming vehicle and poor line of sight. Henry Scherer, Tenant for Gerald and Dorothy Brox, agreed also giving the County Commission pictures of unsafe road conditions along 110th Road where narrow box culvert makes passage dangerous. Commissioner Collins said he viewed both Elgin and 110th Roads, stating the current concrete box structures are stable, recommending removing concrete sides and inserting longer tubes to extend culverts. Road Office Manager Lindsay Norris asked the Board of County Commissioners to meet with adjoining landowners, formulate a plan for extending box culverts and widening roadways. Once a plan is in place, easements and road work agreements between Doniphan County, Kansas and adjoining landowners need to be executed prior to commencement of work. Norris also reminded the Board Independence Township Road Improvement funds could be used for repairs pursuant to K.S.A. 80-1413. County Attorney Charles Baskins concurred. Commissioner Collins said the County Road

Department will complete the projects using the County's excavator and dozer, if a local arborist can drop the trees. Commissioner Hall asked if adjoining landowners would be willing to remove trees to help the County with the project. Second Road District Foreman Sean Price suggested hauling off brush and trees and not piling them up on adjoining landowners. Chairman Grable said the County would view the roads, obtain a cost estimate for the project and secure agreements between landowners and Doniphan County, Kansas, prior to any work taking place. The Board was in agreement to doing the project right, by clearing trees and brush and widening culverts, with the project to begin in spring 2022 weather permitting and all road agreements and easements in place.

Commissioner Collins made a motion to approve work by IHP Industrial, Inc. repairing two radiator leaks and relocation of two other radiators in the Doniphan County Courthouse at a cost not to exceed \$2,364.00 with payment to be made from New Sales Tax fund. Commissioner Hall seconded. Motion carried 3-0.

County Clerk Peggy Franken told the Board of County Commissioners the courthouse boiler system did not pass annual backflow inspection, as required by the City of Troy. IHP Industrial, Inc. will provide a cost estimate and complete repairs in order to provide the City of Troy a certificate of good standing.

The Board of County Commissioners held discussion regarding 2021 budgeted transfer of \$150,000.00 from Road Department fund to Equipment Reserve fund. The Board of County Commissioners were in agreement not to make the transfer at this time.

Doniphan County landfill farm Tenant Jared Meng provided the County Commission a letter stating his interest in continuing with current farm lease for the 2022 crop year. County Clerk Peggy Franken said she would check the terms of the lease, as the 2022 crop year may require bids for cash rent.

At 9:27 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing confidential data with legal counsel, with the meeting to be called back to order in the office of the Doniphan County Commission at 9:32 A.M. Commissioner Hall seconded. Motion carried 3-0. County Attorney and County Clerk remained.

Second Road District Foreman Sean Price asked for the Board of County Commissioner's consideration in replacing the 1993 CAT backhoe located at the First Road District shop and 1994 John Deere backhoe at the Second Road District shop with a mini excavator to be used countywide. The Board took the request under consideration.

The Board of County Commissioners held discussion on Fitch & Associates, LLC Emergency Medical Services Assessment draft report. County Attorney Charles Baskins said the County has to have the service; the Board of County Commissioners are charged with determining what the service looks like and how to pay for it. The Board took no action pending further review and future discussion with the Emergency Medical Services Committee.

There being no further business before the Board, Commissioner Hall made a motion to adjourn the meeting at 9:46 A.M. Commissioner Grable seconded. Motion carried 3-0.

DATED THIS 22ND DAY OF NOVEMBER 2021.

Attest: _____
Peggy Franken, County Clerk

Wayne Grable, Chairman