

**UNOFFICIAL MINUTES
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, JULY 11, 2022**

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 and County Clerk Peggy Franken present. County Attorney Charles D. Baskins was present for a portion of the meeting. Third District County Commissioner Bobby Hall appeared briefly by teleconference.

The Kansas Chief Reporter Melanie Davis observed the entire meeting. Road Office Manager Lindsay Norris, Second Road District Foreman Sean Price, Register of Deeds Susan Shuster, Auditor Sean Gordon, CPA, Health Department/Home Health Director Sheryl Pierce, Bethani Jarrett, RN, EMS Committee Chairman Mike Brissett, EMS Committee Member Ken Stewart, Economic Development Director Leah Johnson and Husker Steel Representative Chris Adelman were present for a portion of the meeting.

Commissioner Grable made a motion to approve County Commission meeting agenda as presented. Commissioner Collins seconded the motion. Motion carried 2-0.

Commissioner Collins made a motion to approve County Commission minutes of July 5, 2022 regular meeting as written. Commissioner Grable seconded the motion. Motion carried 2-0.

Commissioner Collins made a motion to approve payroll and warrants for the period of July 15, 2022 as presented. Commissioner Grable seconded the motion. Motion carried 2-0.

Fee report for the month of June 2022 was presented to the County Commission for their review on behalf of the Register of Deeds.

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

Register of Deeds Susan Shuster presented the County Commission a proposal to purchase Recording Notification Services software through Harris Recording Solutions. The software is intended to notify a person when a document is recorded in their name as a means to prevent identity theft. Shuster said the original cost of the software is \$24,800.00, however being the first County in Kansas to implement would result in a discount of \$14,000.00 for a total cost to Doniphan County of \$10,800.00 payable from Register of Deeds budgeted funds. The Board of County Commissioners took the proposal under consideration pending the return and future discussion with Commissioner Hall.

Commissioner Grable discussed a list of road concerns with Second Road District Foreman Sean Price: 1) Lonnie Singleton 1145 Toulon Road, Wathena, Kansas, 3' tube with hole has washed out side of county road. Singleton has access to fill free of cost to Doniphan County. 2) 175th Road east of Randolph Road box culvert caving off on both north and south side of road. 3) Bridge T-445-1 approaches on structure located on 130th Road in Sections 14 and 23 Township 4 Range 21E are eroding away from the structure, fill will need to be placed to

hold approaches. And 4) Saratoga Road, north of 210th Road, needs to be bladed to allow access to hay ground property.

Road Office Manager Lindsay Norris informed the County Commission of safety workshop to be held July 22, 2022 at the Troy Community Center, for Phase 4 of the Kansas Department of Transportation Local Road Safety Plan. The Local Road Safety Plan routes generally include all major collectors and other paved roads under the county's jurisdiction with speed limits of 35 mph or above. The final product will provide a prioritized list of safety improvement projects based on risk factors determined as part of KDOT's Local Road Safety Plan pilot project. Low-cost systemic safety measures will be emphasized in the recommendation.

Lindsay Norris, Road Office Manager, presented the Commission a list of road issues following heavy rainfall July 6-7, 2022.

Commissioner Collins made a motion to approve Road Department expenditures to Murphy Tractor in the amount of \$734.32 for 2017 motor grader filters and Dave's Diesel \$971.51 for repair to #5 2018 Western Star. Commissioner Grable seconded the motion. Motion carried 2-0.

Discussion was held on repair of box culvert located on 175th Road, east of Randolph Road. Chris Adelman with Husker Steel will view the structure and make recommendation for repair. Road Office Manager Lindsay Norris will prepare bid specifications and advertise for bid. Road Foreman Sean Price was asked by the County Commission to flag the area as precaution to motorists.

Commissioner Collins asked County Attorney Charles D. Baskins where the responsibility lies if farm drain tiles are placed in the County drainage ditch and back up. County Attorney Baskins opined if drain tiles are placed by the property owner and not the county, any responsibility would fall on the landowner.

Commissioner Grable told the County Commission Vance Brothers, contracted to perform chip seal of county roadway services for Doniphan County, have chip sealed Monument Road within the city limits of Wathena, Kansas. Road Office Manager Lindsay Norris will contact representatives with Vance Brothers to discuss.

Auditor Sean Gordon, Gordon CPA presented the County Commission with the 2021 Doniphan County Financial Audit, issuing the highest and cleanest opinion. Recommendation was made for all projects greater than \$100,000 to require a performance bond pursuant to K.S.A. 60-1111. Bank reconciliations cited in past audits are up to date. Mr. Gordon thanked County Clerk Peggy Franken for her assistance with the audit providing county financial records, policies and procedures.

EMS Committee Members Mike Brissett, Chairman and Ken Stewart met with the County Commission to review proposals for operations of countywide ambulance service beginning January 1, 2023. Mr. Brissett said the current ambulance district budgets of Doniphan County Ambulance District No. 1 and Fire District No. 2 cannot support the current ambulance services without a property tax increase. "There is no way to operate the ambulance service without a new tax" said Brissett referring to the proposed 1% dedicated sales tax referendum to be placed on the August 2, 2022 primary election ballot. Ken Stewart echoed the concern for funding of ambulance service, saying "the EMS Committee will do all they can to continue providing ambulance service, but the current mill levy income will not sustain an ambulance for Fire District No. 2 after 2022." Doniphan County Ambulance District No. 1 currently operates an Advanced Life Support (ALS) ambulance service, while Fire District No. 2 operates Basic Life Support (BLS) ambulance service through a contractual agreement with AMR. AMR's contract runs through August 2022, at which time Tech's Inc. will pick up the service until December 31, 2022. Knowing the financial state of the ambulance services, the EMS Committee sent out requests for proposals for operation of countywide Advanced Life Support (ALS) ambulance service to Buchanan County EMS, Town & Country, Tech's Inc. and AMR. A summarization of proposals was given by Chairman Brissett: Of the four RFP's Buchanan County EMS and Town and Country did not submit a bid. Proposals were submitted by Tech's Inc. of Holton, Kansas and AMR, a global medical response agency. Tech's Inc. proposal is an all-inclusive cost including facilities, equipment and 24/7 365-day with Advanced Life Support staffing at an annual cost of \$1,089,000 price locked-in for a five year contract period, subject to annual review. AMR proposal for Advanced Life Support staffing is \$1,250,000 not including facilities and equipment. A third proposal was given by Fitch & Associates to assist Doniphan County with continued operations of the ambulance service at a cost of \$2,050,132 plus an additional fee of \$120,000.00 per year to provide management services. The EMS Committee recommends Doniphan County contract with Tech's Inc. of Holton, Kansas in the amount of \$1,089,000 annually for operations of countywide ambulance service, with Tech's Inc. to employ current staff who have local knowledge of Doniphan County and will lease facilities and equipment from existing Doniphan County Ambulance District No. 1 and Fire District No. 2. Contracting with Tech's Inc. is a savings of \$1,081,132 annually over Doniphan County continuing operations. Tech's Inc. is committed to offering the highest level of service (Advanced Life Support) the same service offered by Buchanan County EMS. Commissioner Grable stated "Without the passage of the 1% dedicated sales tax to fund countywide EMS, Doniphan County risks losing their ambulance service. It is not feasible to place the entire tax burden on property tax owners." He continued "What is worse than hearing an ambulance is not hearing one when it is needed." Economic Development Director Leah B. Johnson will place information about the ambulance service on the County website www.dpcountyks.com, county newspaper and radio stations to inform the public and voters of the importance of voting yes for the 1% dedicated sales tax to fund countywide EMS services. The Board of County Commissioners took no action on acceptance of contractual agreement for operations of countywide ambulance service pending the outcome of the August 2, 2022 Primary Election referendum.

At 9:44 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing and protecting the interest of non-elect road personnel with the meeting to be called back to order in the office of the Doniphan County Commission at 9:49 A.M. Commissioner Collins seconded the motion. Motion carried 2-0. County Attorney and County Clerk remained.

At 9:49 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing confidential legal matter with Counsel with the meeting to be called back to order in the office of the Doniphan County Commission at 9:54 A.M. Commissioner Collins seconded the motion. Motion carried 2-0. County Attorney and County Clerk remained.

County Clerk Peggy Franken presented the County Commission with the June 2022 departmental budget and cash summary for their review

Health Department/Home Health Administrator Sheryl Pierce, RN and Deputy Administrator Bethani Jarrett, RN met with the Board of County Commissioners to request an increase in the current county mileage reimbursement rate when using a personal vehicle for county business from .50 per mile to .62 per mile, due to high fuel costs. Commissioner Grable made a motion to increase Doniphan County's mileage reimbursement rate when using a personal vehicle for county business from .50 per mile to .62 per mile effective immediately. Commissioner Collins seconded the motion. Motion carried 2-0.

Administrator Pierce told the County Commission she is soliciting bids for replacement of the Health Department generator, purchased in 2005 and experiencing mechanical failure.

At 10:07 A.M. Commissioner Collins made a motion to recess into executive session for the purpose of discussing and protecting the interest of non-elect health department personnel with the meeting to be called back to order in the office of the Doniphan County Commission at 10:14 A.M. Commissioner Grable seconded the motion. Motion carried 2-0. County Clerk, Health Administrator and Deputy Health Administrator remained.

Health Department/Home Health Administrator Sheryl Pierce announced the resignation of full-time Homemaker Jill Thompson effective July 8, 2022.

Commissioner Collins made a motion to promote Wanda Moore to Health Department Office Manager effective July 11, 2022 and raise the pay accordingly \$2.00 per hour. Commissioner Grable seconded the motion. Motion carried 2-0.

A request for Doniphan County financial participation in Second Harvest Community Food Bank expansion project was presented to the County Commission by County Clerk Peggy Franken. The request asks for \$32,033.12 for a three year cost of fresh mobile pantries in Doniphan County and an additional \$66,201.79 for Doniphan County's portion of the Second Harvest Community Food Bank expansion project. The Board of County Commissioners took no action.

At 10:21 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing confidential legal matters with Counsel, with the meeting to be called back to order in the office of the Doniphan County Commission at 10:36 A.M. Commissioner Collins seconded the motion. Motion carried 2-0. County Attorney and County Clerk remained.

At 10:36 A.M. Commissioner Grable made a motion to extend executive session for the purpose of continuing discussion of legal matters with Counsel with the meeting to be called back to order at 10:41 A.M. in the office of the Doniphan County Commission. Commissioner Collins seconded the motion. Motion carried 2-0. Commissioner Hall joined by teleconference. County Attorney and County Clerk remained.

At 10:42 A.M. Commissioner Grable left the meeting.

Commissioner Collins made a motion to hire Urban Construction to haul rip rap and broken up concrete to bridge T-445-1 located on 130th Road in Sections 14 and 23 Township 4 Range 21E, with Doniphan County responsible for half the trucking cost and all dozer work for placement of debris, in order to hold approaches on bridge structure. Commissioner Hall seconded the motion. Motion carried 2-0.

At 10:43 A.M. Commissioner Grable returned to the meeting room and Commissioner Hall left via teleconference.

At 10:45 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing confidential legal matters with Counsel with the meeting to be called back to order at 10:55 A.M. in the office of the Doniphan County Commission. Commissioner Collins seconded the motion. Motion carried 2-0. County Attorney and County Clerk remained.

At 10:55 A.M. Commissioner Grable made a motion to extend executive session for the purpose of continuing discussion with legal Counsel on confidential legal matters with the meeting to be called back to order in the office of the Doniphan County Commission at 11:00 A.M. Commissioner Collins seconded the motion. Motion carried 2-0. County Attorney and County Clerk remained.

Chris Adelman, Husker Steel, called on the Board of County Commissioners. Mr. Adelman reported completion of bridge repair on structure T43-1 south of Denton, Kansas on 140th and Castleton Roads in Sections 10 and 15 Township 4 Range 19E. He recommended leaving the bridge closed to traffic for a period of at least 2 weeks to allow concrete to cure.

There being no further business before the Board, Commissioner Collins made a motion to adjourn at 11:06 A.M. Commissioner Grable seconded the motion. Motion carried 2-0.

DATED THIS 11th DAY OF JULY 2022.

Attest: _____
Peggy Franken, County Clerk

Wayne Grable, Chairman