

**UNOFFICIAL MINUTES**  
**DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, JULY 25, 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, 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. C.B. Lackey, Economic Development Director Leah B. Johnson and Second Road District Foreman Sean Price were present for a portion of the meeting.

Commissioner Grable made a motion to approve County Commission meeting agenda as amended to include 9:15 A.M. appointment with Economic Development Director and executive sessions for legal and non-elect personnel matters. Commissioner Hall seconded the motion. Motion carried 3-0.

Commissioner Hall made a motion to approve County Commission minutes of July 18, 2022 regular meeting as written. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Collins made a motion to approve payroll and warrants for the period of July 29, 2022 as presented. Commissioner Hall seconded the motion. Motion carried 3-0.

Currently the Jerry K. Dubach Doniphan County Law Enforcement Center houses 6 local inmates.

County Clerk Peggy Franken presented the Board with bids for purchase of tires for Doniphan County Transportation department on behalf of Aging Administrator Diana Crouse-Johnson. No action was taken pending acquisition of additional information.

Commissioner Grable made a motion to allow Transportation drivers to deliver Meals on Wheels in the absence of Doniphan County Services and Workskills, as long as employees are willing and remain in part-time status, with payment to be made from Title III C 2 funds. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Collins made a motion to hire Dennise Turpin, RN full-time for Doniphan County Health Department/Home Health at a rate of \$26.00 per hour including benefits effective August 15, 2022, subject to pre-employment requirements. Commissioner Grable seconded the motion. Motion carried 3-0.

Second District Road Foreman Sean Price told the County Commission road work on 150<sup>th</sup> Road continues. Replacement of 10' tube on Saratoga Road in Section 18 Township 3 Range 22E, one mile north of US Highway 36, began the week of July 18, 2022. And, Murphy Tractor assessed necessary alternator repair needed on motor grader. Commissioner Grable requested Doniphan Electric be called to disconnect overhead power lines prior to removing or resetting tube on Saratoga Road as a safety precaution, suggesting the project stop until Doniphan Electric is able to disconnect the power.

County Clerk Peggy Franken informed the County Commission a claim was made with the County's liability insurance carrier, KCAMP, regarding an incident on July 12, 2022 in which Second District Road Foreman Price was blading Larkinburg Road and pulled over to let a vehicle pass. Once the vehicle passed the vehicle stalled, claiming to have hit a clump of dirt/grass in the roadway. KCAMP determined the County was not negligent in maintaining the road and no damage, defect or activity outside of normal ongoing maintenance operations occurred.

Household Hazardous Waste collections for the period of July 12, 2022 were presented to the County Commission for their review.

The Board of County Commissioners reviewed and discussed bid received for replacement of east courthouse parking lot. The Board of County Commissioners took no action pending discussion with contractor regarding ADA accessibility to the courthouse and meeting with stone mason about extension of retaining wall into parking lot.

At 9:00 A.M. bid letting was held for trimming of trees along Elgin Road to 110<sup>th</sup> Road in order to clear the roadway for visibility. One bid was received from Tip Top Tree Service in the amount of \$8,750.00. The Board of County Commissioners tabled action pending discussion with adjoining property owners.

County Clerk Peggy Franken presented the County Commission with 2022 Notices of Estimated Ad Valorem Tax pursuant to K.S.A. 79-2988, recent law passed by the Kansas Legislature providing transparency in taxation. K.S.A. 79-2988 establishes limitations on ad valorem property tax levies by taxing subdivisions without an additional notice and hearing prior to the budget adoption. Taxing subdivisions are prohibited from levying an ad valorem property tax that exceeds the Revenue Neutral Rate (RNR) without holding a public hearing and passing a resolution. The notice includes the RNR and estimated tax, as well as the estimated tax impact from proposed budgets of taxing subdivisions levying ad valorem tax on property. Clerk Franken said she is putting a public notice in the newspaper and on the county website notifying property owners the notice is for informational purposes only. A tax statement will be mailed in November with the first half taxes due on or before December 20, 2022. Questions and inquiries regarding tax amounts should be addressed by attending the taxing subdivisions public hearing or contacting its representatives.

At 9:13 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing and protecting the interest of non-elect economic development personnel, with the meeting to be called back to order in the office of the Doniphan County Commission at 9:23 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Attorney, County Clerk and Economic Development Director remained.

At 9:23 A.M. Commissioner Collins made a motion to extend the executive session for the purpose of discussing and protecting the interest of non-elect economic development personnel, with the meeting to be called back to order in the office of the Doniphan County Commission at 9:28 A.M. Commissioner Grable seconded the motion. Motion carried 3-0. County Attorney, County Clerk and Economic Development Director remained.

Economic Development Director Leah B. Johnson and County Clerk Peggy Franken discussed with the County Commission various broadband grant initiatives through the State of Kansas and in partnership with the Iowa Tribe of Kansas and Nebraska through the National Telecommunications and Information Administration, with Doniphan County's allocation of America Rescue Plan funds to be used as matching grant funds.

Second Road District Foreman Sean Price, through text message to Chairman Wayne Grable, informed the board the tension seal on the dozer is in need of repair with Ellis McGuire to do the repairs. The Board of County Commissioners made no objection.

At 9:48 A.M. the Board of County Commissioners recessed for a break with the meeting being called back to order in the office of the Doniphan County Commission at 9:53 A.M.

At 9:54 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 10:14 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Attorney and County Clerk remained.

At 10:14 A.M. Commissioner Grable made a motion to extend the executive session for the purpose of continuing discussion on confidential legal matters with counsel, with the meeting to be called back to order in the office of the Doniphan County Commission at 10:24 A.M. Commissioner Hall seconded the motion. Motion carried 3-0. County Attorney and County Clerk remained.

At 10:25 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 10:40 A.M. Commissioner Hall seconded the motion. Motion carried 3-0. County Attorney and County Clerk remained.

Commissioner Grable made a motion for all departments to submit payroll and bills timely by the end of the pay period on the 6<sup>th</sup> and 20<sup>th</sup> of the month, unless requested earlier by the County Clerk, otherwise payment will not be made until the next regular pay period. Employees are required to clock in and out daily for each shift unless an emergency situation arises. Commissioner Hall seconded the motion. Motion carried 3-0.

There being no further business before the Board, Commissioner Grable made a motion to adjourn at 10:42 A.M. Commissioner Hall seconded the motion. Motion carried 3-0.

DATED THIS 25th DAY OF JULY 2022.

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

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Wayne Grable, Chairman