

**UNOFFICIAL MINUTES
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, SEPTEMBER 12, 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. Road Office Manager Lindsay Norris, First Road District Deputy Foreman Tom Miller, Second Road District Foreman Sean Price, Third Road District Foreman Chris Schultz, Road Employees Roy Davis and Roger Hopkins, Sheriff Chad Clary, Economic Development Director Leah B. Johnson, Appraiser Danielle Kiefer, Library District No. 1 Director Becky Etherton and Norman Meng were present for a portion of the meeting.

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

Commissioner Collins made a motion to approve County Commission meeting minutes of August 29, 2022 as written. Commissioner Hall seconded the motion. Motion carried 3-0.

Commissioner Hall made a motion to approve payroll and warrants for the period of September 15, 2022 as presented. Commissioner Collins seconded the motion. Motion carried 3-0.

Fee reports were presented to the County Commission for their review on behalf of the County Clerk, Register of Deeds and Sheriff.

The Jerry K. Dubach Doniphan County Law Enforcement Center currently houses 4 local inmates.

The Board of County Commissioners held discussion with road employees regarding culvert replacement on Heartland Road in Section 22 Township 2 Range 20E. Present in addition to the Board were Foremen Sean Price and Chris Schultz, Deputy Foreman Tom Miller, Operators Roy Davis and Roger Hopkins and Sheriff Chad Clary. Chairman Grable asked Road Foremen and Operators if they were comfortable completing tube replacement work on Heartland Road given on-going conflict with adjoining property owners and tenants; or if the County should contract out the project. Commissioners Collins and Hall both agreed Doniphan County Road Department could complete both tube replacement projects, however should not be subjected to harassment. First Road District Deputy Foreman Tom Miller said the road crew is capable of replacing the tubes and will formulate a plan with Road Office Manager Lindsay Norris on utility locates and notification of road closure. Sheriff Chad Clary stated his department will respond to any complaints of disorderly conduct and issue necessary citations. The Board of County Commissioners were in consensus to begin tube replacement projects on Heartland Road in Section 22 Township 2 Range 20E as previously agreed upon.

Commissioner Grable asked about the status of rebuilding 150th Road, particularly the portion lying in First Road District. First Road District Deputy Foreman Tom Miller said the section of 150th Road located in the First Road District, east of Kansas Highway 7, is in good condition with the exception of needing additional rock. Third Road District Foreman Chris Schultz said the road crews would start today blending 150th Road and apply the top layer of rock, beginning on the east end at Port William Road working west.

Road Office Manager Lindsay Norris informed the County Commission Chris Adelman with Husker Steel has viewed concrete box culvert on Coronado Road, north of Highland City limits, in Sections

22-23 Township 2 Range 19E. Mr. Adelman recommended removing the concrete box culvert, replacing with 10' tube. The Board of County Commissioners took no action pending review of previous repair recommendations by engineers with Schwab-Eaton, PA.

Commissioner Hall made a motion to submit to the Kansas Department of Transportation application for replacement cost reimbursement of Bridge RS160, located on 180th Road north of Severance, Kansas. Construction costs paid to Reece Construction totaled \$364,546.49, with application request for reimbursement through the Local Bridge Improvement program up to \$220,000.00. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Collins made a motion to approve the following Road Department expenditures: Foley Equipment \$1,034.65 (skid steer work not subject to warranty), Triple L Tire \$1,040.00, Mayday Trucking \$1,436.28, Foley Equipment \$772.96, Midwest Concrete \$635.00 and Primrose Oil Company \$1,478.99. Commissioner Hall seconded the motion. Motion carried 3-0.

Economic Development Director Leah B. Johnson and Doniphan County Library District No. 1 Director Becky Etherton met with the Board of County Commissioners to discuss making application to the Kansas Department of Commerce Technology Enabled Fiduciary Financial Institutions Development & Expansion (TEFFI) Strategic Economic Expansion & Development (SEED) grant. The grant opportunity supports economic development in smaller communities with a population of less than 5,000 and is available for the categories of childcare and senior programming, community vibrancy, food retail and libraries. Director Johnson said Doniphan County Library District No. 1 and Doniphan Darlings Daycare have shown an interest in submitting an application for TEFFI grant funding. One application will be compiled on behalf of all interested parties and submitted in Doniphan County's name, with Doniphan County being the administrative agency if awarded. Becky Etherton spoke of improvements needed to the Elwood Library branch, which also houses the Leisure Hour Senior Citizens Center. The Board of County Commissioners were in consensus to submit application to the Kansas Department of Commerce for TEFFI grant funds for projects of the highest priority meeting the requirements of the grants program for senior citizens, childcare and libraries.

Norman Meng, representing Doniphan County Fair Board, informed the County Commission the annual truck and tractor pull will be held at the Doniphan County Fairgrounds on Saturday, September 17, 2022. Mr. Meng requested use of the County's grader and packer to assist with the event, to be operated by Steve Schultz. Commissioner Grable made a motion to approve the request of the Doniphan County Fair Board and allow usage of County's motor grader and packer for the annual truck and tractor pull to be held Saturday, September 17, 2022. Commissioner Collins seconded the motion. Motion carried 3-0.

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

Commissioner Grable made a motion to appoint Melissa Mott and Laura Winkel to oversee destruction of August 2020 and November 2020 election ballots pursuant to K.S.A 25-2708(b). Commissioner Collins seconded the motion. Motion carried 3-0.

County Clerk Peggy Franken told the County Commission she was asked if the County Commission would follow the State of Kansas by reducing the County's portion of sales tax on food and food ingredients beginning January 1, 2023. Clerk Franken contacted the Kansas Department of Revenue on behalf of the Board of County Commissioners. According to Amy Kramer, with the Kansas Department of Revenue, "all local rates on food and food ingredients will remain at the full amounts. The legislation did not allow local governments to adjust the local rates for food and food ingredients." Therefore the County Commission does not have the authority to reduce the County's 1% sales tax on food or food ingredients.

Commissioner Collins made a motion to approve replacement of flooring in the Doniphan County Health Department building by Froeschl Floors of Falls City, Nebraska, at a cost of \$16,360.00 with payment to be made from New Sales Tax fund as capital improvement to County owned facility. Commissioner Hall seconded the motion. Motion carried 3-0.

The Board of County Commissioners were in receipt of notice from Northeast Kansas Environmental Services to property owner for non-compliant wastewater system located at 112 Commercial St. Bendena, Kansas.

Appraiser Danielle Kiefer met with the County Commission to discuss Kansas Department of Revenue Division of Property Valuation statistical non-compliance sales ratio rating for 2021. Appraiser Kiefer said the County received a non-compliant sales ratio rating due to real estate study comparison between appraised values and actual sales based on the 2021 market. Pursuant to Kansas Department of Revenue guidelines the Board of County Commissioners will hold a follow up teleconference with representatives of Property Valuation.

At 10:13 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing matters relating to attorney-client privilege with legal counsel with the meeting to be called back to order in the office of the Doniphan County Commission at 10:23 A.M. Commissioner Hall seconded the motion. Motion carried 3-0. County Attorney, County Clerk and Road Office Manager remained.

At 10:24 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 10:29 A.M. Commissioner Hall seconded the motion. Motion carried 3-0. County Attorney, County Clerk and Road Office Manager remained.

There being no further business before the Board, Commissioner Hall made a motion to adjourn at 10:30 A.M. Commissioner Grable seconded the motion. Motion carried 3-0.

DATED THIS 12th DAY OF SEPTEMBER 2022.

Attest: _____
Peggy Franken, County Clerk

Wayne Grable, Chairman