

**UNOFFICIAL MINUTES  
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, DECEMBER 30, 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. Sheriff Chad Clary, Second Road District Foreman Sean Price, First District Road Employee Roger Hopkins, Economic Development Director Leah B. Johnson, Terri Hegarty and Leslie Suba were present for a portion of the meeting.

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

Commissioner Hall made a motion to approve County Commission minutes of December 19, 2022 regular meeting as written. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Grable made a motion to approve abated taxes in the amount of \$1,096.96 to the 2022 Doniphan County tax roll. Commissioner Hall seconded the motion. Motion carried 3-0.

Commissioner Hall made a motion to approve payroll and warrants for the period December 30, 2022 as presented. Commissioner Collins seconded the motion. Motion carried 3-0.

The Jerry K. Dubach Doniphan County Law Enforcement Center currently houses 6 local inmates.

Due to observance of the New Year's Holiday, the Board of County Commissioners will hold their next regular meeting on Monday, January 9, 2023, with annual reorganization to begin at 8:30 A.M.

Sheriff Chad Clary informed the County Commission of water pump leak on the generator at the Jerry K. Dubach Doniphan County Law Enforcement Center the week of December 19, 2022. Due to inclement weather and frigid temperatures leading to potential power outages, the Sheriff rented a backup emergency generator at a cost of \$800.00 per week. CK Power is expected to make necessary repairs to the Law Enforcement Center generator today, December 30, 2022.

Sheriff Chad Clary requested permission to grant employee Hailey Hundley authority to carryover and use vacation time accrued December 3, 2022 into 2023 due to staff scheduling. Commissioner Grable made a motion to allow employee Hailey Hundley to carryover unused vacation time accrued December 3, 2022 into 2023 and use within the first quarter 2023. Commissioner Collins seconded the motion. Motion carried 3-0.

Second Road District Foreman Sean Price presented the County Commission with comparisons between D6N and D6T bulldozer options. Discussion follow. No action was taken.

The Board of County Commissioners also discussed the purchase of mini-excavator to be used by all Road Districts. The Commission was agreeable to seeking purchase bids for consideration and future discussion.

Economic Development Director Leah B. Johnson informed the County Commission of Deb Bryan and City of White Cloud's Historic Economic Asset Lifeline (HEAL) grant award in the amount of \$25,000.00, as announced by the Kansas Department of Commerce. HEAL grant funds are to be used to revitalize underused and dilapidated downtown buildings and turn them into economic drivers in Kansas communities. Deb Bryan and the City of White Cloud will use the grant funds to revitalize the historic Kelley Building, owned by Bryan. Director Johnson will inform other communities within Doniphan County of the spring 2023 HEAL grant application period and assist with the application process.

Economic Development Director Leah B. Johnson presented the County Commission with information related to challenge period of FCC (Federal Communication Commission) Broadband Map. The FCC Broadband Maps provide location-by-location broadband availability nationwide, as certified by service providers. The FCC has opened up a challenge period for governments, Tribes, consumers and other third parties to improve the accuracy of broadband coverage. The current FCC Broadband Maps show countywide coverage throughout Doniphan County. Funding for the expansion of broadband service is directly related to data on the FCC Broadband Maps. Therefore, Doniphan County residents are asked to participate in the challenge period, which ends January 13, 2023 by logging into <https://bit.ly/KSMapFCC> from your home location. Residents are also encouraged to reach out to State and Federal Representatives to express concern with the inaccuracy of the FCC Broadband Map and the need for broadband coverage in the rural areas of Doniphan County, Kansas.

Leslie Suba and Terri Hegarty met with the County Commission to request permission to access County road right-of-way on Larned Road in Section 19 Township 3 Range 21E in order to place driveway for location of home and outbuilding in blocks 43-44 in the old town of Maynard. According to survey on file in the office of the Register of Deeds, Book 10 Page 90, a 65' road right-of-way exists. Ms. Hegarty said she would be responsible for removal of walnut tree located in south County right-of-way if County would be agreeable to installing driveway tube and allowing easement to cross County right-of-way. Second District County Commissioner Wayne Grable said the County would provide 30' driveway tube, with landowner responsible to pay for additional length if necessary. Commissioner Grable and Second Road District Foreman Sean Price will view the roadway prior to taking any action.

The Board of County Commissioners thanked Roger Hopkins for his years of service with Doniphan County Road Department.

Commissioner Collins made a motion to approve transfer of sales tax funds from New Sales Tax fund to Elwood Gladden Drainage District in the amount of \$200,000.00 for repair to Elwood Gladden Drainage District levee, pursuant to 2020 agreement with Board of County Commissioners. Commissioner Grable seconded the motion. Commissioner Hall abstained due to being Elwood Gladden Drainage District Board Member. Motion carried 2-0.

County Clerk Peggy Franken gave the County Commission an update on courthouse east parking lot repair from Contractor Bob Rahe, who will begin once frost is out of the ground.

At 9:18 A.M. Commissioner Grable made a motion to recess into execute session for the purpose of discussing and protecting the interest of non-elect Road personnel and legal matters with Counsel, with the meeting to be called back to order in the office of the Doniphan County Commission at 9:28 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Attorney and County Clerk remained.

Commissioner Grable asked County Attorney Charles D. Baskins the legal requirements, according to contractual agreement between Doniphan County, Kansas and Waste Management, doing business as Deffenbaugh Disposal, Inc., for not issuing load tickets to haulers and in the event a ticket is issued, charging a fee for such. County Attorney Baskins will review the contractual agreement and opine.

There being no further business before the Board, Commissioner Hall made a motion to adjourn at 9:43 A.M. Commissioner Collins seconded the motion. Motion carried 3-0.

DATED THIS 30th DAY OF DECEMBER 2022.

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

\_\_\_\_\_  
Wayne Grable, Chairman