

**UNOFFICIAL MINUTES
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, FEBRUARY 21, 2023**

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, Law Enforcement Center Maintenance Supervisor Dennis McKittrick, Second Road District Foreman Sean Price and Road Office Manager Lindsay Norris 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 minutes of February 13, 2023 regular meeting as written. Commissioner Hall seconded the motion. Motion carried 3-0.

Commissioner Hall made a motion to approve abated taxes to the 2022 Doniphan County tax roll in the amount of \$826.36. Commissioner Collins seconded the motion. Motion carried 3-0.

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

The Board was in receipt of correspondence from Seth Mettling, Brownfields Coordinator, with the Kansas Department of Health and Environment notifying the governing body application, as submitted by County Clerk Peggy Franken, to the State's Phase I Brownfields Targeted Assessment program has been approved for property located at East Poplar St. and Mineral Point Road, Troy, Kansas in Section 17 Township 3 Range 21E. A Brownfields assessment is necessary to fulfill the due diligence requirements prior to the property's redevelopment to insure there are no soil contaminants, as the property once was used as a refueling station. The letter stated "The project will provide future benefits for the City, County, and its residents. KDHE commends your efforts, which represent the very goals and ideals of the Brownfields project. This project meets the definition of a "Brownfields" site. This letter officially approves the project. On behalf of the State of Kansas, a consultant with the State of Kansas will be contacting Doniphan County to arrange a site visit."

Commissioner Hall informed the County Commission and Road Department Forge Build+ in Elwood, Kansas, offers equipment rental services.

Road Office Manager Lindsay Norris presented the County Commission with issues that have arisen to date from 2023 bridge inspections being performed by Engineers with Schwab-Eaton, PA.

- T-418-2 on 110th Road south of Eminence Road heavy erosion cutting into roadway on northwest corner
- T-314-1 on Elgin Road north of 125th Road heavy vehicle erosion within 18"- 24" south of abutment, will need big rock to repair
- T-538-2 Oxide Road south of intersection with Ottumwa Road barricades need replaced
- RS 290 St. Columbus Road south of 225th Road moderate to heavy erosion on northeast, northwest and southeast corners
- Box culvert located on Monument Road in Section 26 Township 4 Range 21E eroding at northwest and southwest corners. Recommended to drive sheeting and add shot rock

Commissioner Grable made a motion, seconded by Commissioner Collins, to enter into agreement with Kansas Department of Transportation (KDOT) for replacement of bridge structure T-831-1 on 195th Road, 2 miles east of Troy, Kansas, in Section 15 Township 3 Range 21E. Motion carried 3-0. Doniphan County will be responsible for 20% of the total project costs, including engineering, pursuant to requirements of Kansas Department of Transportation Off-System Bridge Replacement Program. KDOT accepted the best and lowest bid of Contractor B & B Bridge Company of St. Paul, Kansas, in the amount of \$820,203.00. The bridge replacement including engineering fees will be funded with 80% Federal funds in the amount of \$797,122.00, 20% County funds \$180,445.00 and State of Kansas \$18,836.00 (engineering) for a total project cost of \$996,403.00.

Commissioner Grable made a motion to approve Road Department expenses to Dave's Diesel for repair of 2018 Western Star rock truck in Third Road District at a total cost of \$1,449.95. Commissioner Collins seconded the motion. Motion carried 3-0.

Road Office Manager Lindsay Norris presented the County Commission with pictures of a private citizen blading a portion of Saratoga and 145th Roads with a tractor and box blade, causing the crown to be removed and roadway flattened out.

Second District Road Foreman Sean Price told the County Commission repairs to the main wiring harness on the 2020 John Deere motor grader (#202) and DEF Filter System on 2017 John Deere motor grader (#151) in Second Road District have been completed. Front wheel hub repair on 2017 John Deere motor grader (#155) in Third Road District will be completed today.

Foreman Price said the Road Crews are working to haul rock on emergency routes, doing minimal blading as roadways are soft from previous snowfall. Commissioner Grable recommended hauling 2" rock on roadways to allow for a stronger base. He also suggested applying a heavy layer of rock when rocking a roadway, stating 1848 ton per mile is customary, re-rocking the same roads every year is not conducive. Discussion followed on application of matting material prior to placement of roadway rock. Road

Office Manager Lindsay Norris will obtain a cost estimate for matting material for Board consideration.

Sheriff Chad Clary and Law Enforcement Center Maintenance Supervisor Dennis McKittrick met with the County Commissioners to discuss relocation of hot water heating system in the Jerry K. Dubach Doniphan County Law Enforcement Center located at 219 S. Main Street, Troy, Kansas. Engineers with Lankford, Fendler & Associates recommend Doniphan County Commissioners accept the best and lowest bid of Lee Grover Construction in the amount of \$217,986.00 for replacement of hot water heating system and installation of water treatment system. The project entails removal and replacement of existing domestic hot water heating system from the main floor of the building to the lower level in the west cell block area and installing of water treatment system, with the west cell block area to be taken out of operation. Following discussion, Commissioner Hall made a motion to accept the recommendation of Alan Lankford, Engineer with Lankford, Fendler & Associates and award the Jerry K. Dubach Doniphan County Law Enforcement Center hot water heater system project to Lee Grover Construction in the amount of \$217,986.00 with payment to be made from New Sales Tax fund. Commissioner Collins seconded the motion. Motion carried 3-0.

At 9:28 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 9:33 A.M.

Commissioner Hall asked the status of repair to the parking lot located on the east side of the courthouse. Clerk Franken told the Commission Contractor Bob Rahe indicated he would begin the project once the frost is out of the ground. Commissioner Grable asked Clerk Franken to obtain a cost for replacement of stairway handrails with stainless steel to coincide with parking lot repair project.

Commissioner Hall made a motion to adopt Doniphan County Resolution 2023-03, a Resolution rescinding Doniphan County Resolution 2003-16 and appointing a Freedom of Information Officer for Doniphan County, Kansas. Commissioner Collins seconded the motion. Motion carried 3-0. Said Resolution has been recorded and is on file in the office of the Doniphan County Clerk in Resolution Book 3 page 317.

Commissioner Hall made a motion to adopt Doniphan County Resolution 2023-04, a Resolution establishing fees to be charged to person for accessing and/or copying open records and making amendments to Doniphan County Resolution 2001-09. Commissioner Grable seconded the motion. Motion carried 3-0. Said Resolution to become effective after publication in the official county newspaper, The Kansas Chief. Resolution 2023-04 has been recorded and is on file in the office of the Doniphan County Clerk in Resolution Book 3 page 319.

Road Foreman Sean Price asked about the sale of unused Road Department equipment. The Board of County Commissioners were in agreement to sell by sealed bid the following equipment, with bids due March 17, 2023 by 5:00 P.M. in the office of the Doniphan County Clerk. Bid letting to be held March 20, 2023 at 9:00 A.M. in the office of the Doniphan County Commission. Doniphan County reserves the right to refuse any and all bids.

- 1978 Caterpillar bulldozer (#40)
- John Deere 310D backhoe (#61)
- 2007 Wolfpac double drum roller (#188)
- Ferguson SP-12 roller (#15)
- John Deere 755B track loader (SW #75)
- 1997 Ford F250 4x4 (#1)
- 2001 Ford F250 4x4 (#107)

At 9:59 A.M. Commissioner Hall made a motion to recess into executive session for the purpose of discussing confidential 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 10:04 A.M. Commissioner Grable seconded the motion. Motion carried 3-0. County Attorney and County Clerk remained.

There being no further business before the Board, Commissioner Grable made a motion to adjourn at 10:05 A.M. Commissioner Hall seconded the motion. Motion carried 3-0.

DATED THIS 21ST DAY OF FEBRUARY 2023.

Attest: _____
Peggy Franken, County Clerk

Wayne Grable, Chairman