

**UNOFFICIAL MINUTES
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, MARCH 25, 2024**

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. David Weber, Bill Rush, Sheriff's Deputy Officer Jared Ratzlaff, Custodian Laura Winkel, Road Office Manager Lindsay Norris, Health Department/Home Health Administrator Sheryl Pierce, Register of Deeds Susan Shuster, and Economic Development Consultant Adrienne Neibling 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 minutes of March 18, 2024, regular meeting 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 March 28, 2024, as presented. Commissioner Collins seconded the motion. Motion carried 3-0.

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

At 8:30 A.M. the Board of County Commissioners, acting as the Board of County Canvassers, convened to canvass and certify election returns cast at the March 19, 2024, Presidential Preference Primary election, with Chairman Grable calling the canvass to order. Present were County Clerk/County Election Officer Peggy Franken, David Weber, Bill Rush, Sheriff's Deputy Officer Jared Ratzlaff and The Kansas Chief Reporter Melanie Davis. After review of votes cast, results were found to be accurate and just and are on record in the office of the Doniphan County Clerk in Election Record Book F page 26.

At 8:39 A.M. Commissioner Grable made a motion to close the election canvass. Commissioner Hall seconded the motion. Motion carried 3-0.

At 8:40 A.M. Chairman Grable called the regular meeting of the Board of County Commissioners to order.

David Weber addressed the County Commission with concerns of proposed Resolution limiting open burning within the unincorporated portions of Doniphan County, Kansas, establishing reimbursement fees for violations of the Resolution, and repealing Resolution 2015-03. He relayed his ground contains award winning habitat which must be burnt by a prescribed control burn at certain times of the year. He asked if the recently issued countywide burn ban is indefinite or could be issued daily to allow for controlled burns when

weather is conducive. Mr. Weber said he has called the Sheriff's Department administrative line several times prior to burning to notify of a controlled burn, but the line has gone unanswered. For clarification, at no time has he called the 911 emergency number and not received a response. Mr. Weber offered to allow rural Fire Districts use of his land for training purposes on prescribed controlled burning and grass fires. Commissioner Hall suggested Mr. Weber contact Emergency Management Coordinator Julie Meng regarding training for rural Fire Districts. The Board of County Commissioners said burn bans are issued by the Emergency Management Coordinator based on weather conditions and rescinded when the weather is conducive to burning, the County does not currently have an indefinite burn ban in place. After discussion the Board of County Commissioners agreed not to move forward with the adoption of a Resolution limiting open burning within the unincorporated portions of Doniphan County, Kansas, establishing reimbursement fees for violations of the Resolution, and repealing Resolution 2015-03.

Sheriff's Deputy Officer Jared Ratzlaff explained when a person calls the sheriff's office administrative land line, it may ring several times on the callers end before it rings into the sheriff's department and the dispatch computer system picks up the call and begins recording. All emergency calls should be made through the 911 emergency telephone number where they are picked up and recorded immediately, non-emergent calls should be made on the administrative line at 785-985-3711.

Bill Rush met with the Board of County Commissioners telling the County Commission the only time he can talk to Sheriff Chad Clary is at the Board of County Commissioners meetings, the Sheriff will not return his phone calls. He asked Deputy Officer Ratzlaff how many officers are currently on duty. Deputy Ratzlaff said he is currently the only officer on duty, along with the Sheriff. There are six full-time officers employed by the Department, including the Sheriff and Undersheriff. Mr. Rush asked the Commissioners to control the Sheriff through his budget. Chairman Grable explained the only authority the Commissioners have over an elected official is at the time of setting their annual budget and approval of expenditures if they have exceeded their budget, year to date the Sheriff's Department is still within budget authority. Mr. Rush also addressed concern with CDL training for members of the Road Department.

Custodian Laura Winkel presented the County Commission with price quotes to replace the courthouse water filtration system as follows:

IHP	\$1,050.00
Smith Plumbing and Small Repair	\$1,200.00

Commissioner Hall made a motion to accept the local bid of Smith Plumbing and Small Repair in the amount of \$1,200.00 for replacement of courthouse water filtration system. Commissioner Grable seconded the motion. Motion carried 3-0.

Road Office Manager Lindsay Norris gave the Board of County Commissioners current rock price lists from quarries. She told the County Board 2024 pick-up trucks for each of the Road Districts should be delivered by the end of May or early June. Commissioner Grable asked about purchasing tool beds for each of the trucks. It was agreed each Commissioner would talk to the respective Foreman to determine what they want and get a cost estimate for tool beds at that time.

Norris reached out to David Beach, Engineer with Schwab-Eaton, PA, regarding timeline for replacement of bridge RS380 on 240th Road, west of Highland, Kansas. Engineers have completed the topographical and structural field work, they are currently working on the layout, which must be done before a field check with the Kansas Department of Transportation. A geology study will then be completed, reviewed by KDOT before plans are drawn up by Schwab-Eaton, PA., reviewed by KDOT and finalized for bid. Knowing the urgency of the project, Engineers with Schwab-Eaton, PA are pushing the schedule to get documents submitted to KDOT.

Road Office Manager Lindsay Norris also told the County Commission, engineers with Schwab-Eaton, PA will be placing survey stakes this week to determine the location and legal description of County Road 234, also known as Tom Shiver's Road, in Section 22-23 Township 2 Range 21E, from Ottumwa Road to the eastern most boundary of 17.77-acre tract currently owned by Jacob and Allison Werger.

Schwab-Eaton, PA gave a cost of not to exceed \$8,000.00 for additional survey work needed to draft plans and specifications for box culvert repair on Coronado Road, north of Highland, Kansas, Section 22-23 Township 2 Range 19E. The Board of County Commissioners asked Road Office Manager Lindsay Norris to contact representatives with Husker Steel to obtain a cost estimate for repairing wing walls, prior to acting on Schwab-Eaton, PA proposal.

Commissioner Grable made a motion to approve the following Road Department expenditures:

Whetrock	\$1,001.25 (rip rap 235 th Road)
Murphy Tractor	\$ 525.99 (#184 belts and pulley)
Murphy Tractor	\$ 870.90 (#175 belts and pulley)

Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Hall asked Road Office Manager Lindsay Norris to contact the telephone company responsible for damaging asphalt on 170th Road and K-238, while boring cable.

Sheryl Pierce, RN, Health Department/Home Health Administrator, presented the County Commission with Fiscal Year 2025 Immunization, Maternal Child Health, Public Health and State Formula grants totaling \$40,631.00. Commissioner Grable made a motion to approve Kansas Department of Health and Environment grant applications as presented.

Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Grable made a motion to hire Registered Nurse Katie Toth, on recommendation of Health Department/Home Health Administrator Sheryl Pierce, RN, at a rate of \$30.00 per hour effective April 15, 2024. Commissioner Hall seconded the motion. Motion carried 3-0.

Health Department/Home Health Administrator Sheryl Pierce presented the County Commission with price quote for purchase and installation of outside awning for the Health Department building located at 201 S. Main Street, Troy, Kansas. Discussion followed on the purchase of reflective film to prevent sun shining in and for privacy. No action was taken on purchasing and installing an awning pending further research.

Sheryl Pierce, RN, Health Department/Home Health Administrator, announced a full-scale emergency exercise to take place on April 23, 2024, in conjunction with the Northeast Kansas Healthcare Coalition. Pierce also informed the County Commission recent IT services from LockIt Technologies may have exceeded her spending authority of \$500.00.

Register of Deeds Susan Shuster presented the County Commission with an estimate from Pierce Heating and Cooling for installation of 18,000 BTU Mitsubishi cooling mini split system to be installed in the computer storage room in the amount of \$7,180.00. Commissioner Collins made a motion to approve the purchase of cooling unit from Pierce Heating and Cooling in the amount of \$7,180.00 with payment to be made from New Sales Tax fund. Commissioner Hall seconded the motion. Motion carried 3-0.

At 9:43 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 9:53 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of consultation with counsel regarding information deemed privileged in the attorney-client relationship, with the meeting to be called back to order in the office of the Doniphan County Commission at 10:08 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Attorney, County Clerk and Road Office Manager remained.

At 10:14 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing confidential data relating to the financial affairs or trade secrets of corporations, partnerships, trusts and individual proprietorships, with the meeting to be called back to order in the office of the Doniphan County Commission at 10:44 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Attorney, County Clerk and Economic Development Consultant remained.

Commissioner Grable asked for discussion on 2024 chip seal and asphalt overlay road plans. Available funding from Road and Bridge chip seal line item \$625,000.00, Road and Bridge carryover \$600,000.00, Federal Funds Exchange fund \$425,000.00 and \$150,000.00 from New Sales Tax fund for hard surfacing of county roadways is available, bringing the total funding to \$1.8 million. Grable suggested splitting available funds amongst all three road districts evenly, with each Commissioner to determine use of funds either by way of chip seal, asphalt, bridge repair or combination of all three. Grable asked Road Office Manager Lindsay Norris to contact Herzog Contracting Corporation to determine the best solution for covering Taylor Hill, on Mesquito Creek Road, for safety measures during icy conditions. Commissioner Collins also asked for a cost estimate to seal the asphalted portion of Castleton Road. Norris said she should have a bid this week from Vance Brothers for chip sealing county roads. The Board of County Commissioners took no action on 2024 chip seal and asphalt overlay road plan pending cost from Vance Brothers for chip seal projects.

There being no further business before the Board, Commissioner Grable made a motion to adjourn at 11:31 A.M. Commissioner Hall seconded the motion. Motion carried 3-0.

DATED THIS 25TH DAY OF MARCH 2024.

Attest: _____
Peggy Franken, County Clerk

Wayne Grable, Chairman

