

UNOFFICIAL MINUTES
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, APRIL 15, 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. Road Office Manager Lindsay Norris, Bill Rush, Register of Deeds Susan Shuster and Sheriff Chad Clary were present for a portion of the meeting.

Commissioner Grable made a motion to approve meeting agenda as amended to include legal executive session and appearance of Bill Rush. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Hall made a motion to approve minutes of April 8, 2024, regular meeting as written. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Hall made a motion to approve payroll and warrants for the period of April 15, 2024, as presented. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Grable made a motion to approve added taxes to the 2023 Doniphan County tax roll in the amount of \$117.48. Commissioner Collins seconded the motion. Motion carried 3-0.

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

The Board of County Commissioners were in receipt of correspondence from Alan Gast, Engineer with Schwab Eaton, regarding building investigation and inspection of the Doniphan County Transfer Station building located at 1144 St. Columbus Road, Wathena, Kansas. After conferring with County Attorney Baskins, the Commission agreed to forward the letter of findings onto representatives of Waste Management, doing business as Deffenbaugh Industries, Inc. to determine what action they plan to take prior to turning operations of the Transfer Station back over to Doniphan County on October 31, 2024.

Commissioner Hall told the Board he was contacted by an individual regarding TextCaster, an informational messaging system used by Doniphan County. The individual expressed concern with the County paying to send out messages regarding burn ban activity when the County Commissioners directed the Sheriff not to issue tickets during burn bans. For the record, Commissioner Hall, Commissioner Grable and Commissioner Collins each stated the Board of County Commissioners **definitely did not nor have they ever** told the Sheriff not to issue tickets during burn bans or otherwise.

Dust control permits for 1164 and 1168 140th Road were received and executed by the Board of County Commissioners.

Road Office Manager Lindsay Norris presented the County Board with March 2024 Road Improvement Fund balances, road tube, tire and bridge plank inventory, as well as Road Department expenses for their review.

Lindsay Norris, Road Office Manager, reported \$36,346.19 worth of AB3 rock hauled on Freeport Road, south of Sparks, Kansas, to complete road repair. Commissioner Collins asked for the rock to be paid out of the County Road Fund. Commissioners Grable and Hall agreed to pay for the rock from Road Improvement funds or Road District stockpile prior to County Road funds.

Norris also reported that \$9,043.70 or 620 tons of rock was hauled on Heartland Road in Section 22 Township 2 Range 20E and paid from County Road funds, as previously agreed upon.

Road Office Manager Lindsay Norris presented the County Commission with updated road proposals from Herzog Contracting Corporation to place 3" asphalt overlay on a portion of Mesquito Creek Road and 2.25" asphalt overlay on a portion of Treece Road. County Clerk Peggy Franken reviewed prior year, current expenditures and estimated Road Department budget figures with the Board of County Commissioners. The Board of County Commissioners took no action on approving asphalt road overlay projects pending costs for 240th Road, east of Highland, Kansas.

Road Office Manager Lindsay Norris suggested the County Commission consider creating a road and equipment plan then establish a Road Improvement Capital Outlay fund, along with the current Equipment Reserve Fund, with Road Department cash balance overages from the prior year to be transferred into. Thus, allowing funds to complete road projects and purchase equipment.

Midwest Sealing & Construction contacted the Road Office with amended cost to apply two coats of Coal Tar Sealer on approximately 1.5 miles of Castleton Road in the amount of \$30,240.00. The amended amount was due to not having final product costs at the time of submitting the original amount. The Board of County Commissioners took no action.

Lindsay Norris, Road Office Manager, presented the County Commissioners pictures of Treece and Valencia Roads, Sections 2-3-10-11 Township 3 Range 22E, where contractors for Missouri River levee repair are tearing up the county roads. Commissioner Hall said the hard surfaced portion of Treece Road will be a total loss. Road Office Manager Lindsay Norris contacted Shane Lyle with the US Army Corp of Engineers who assured her the Contractor will be responsible to pay for any damages incurred.

Commissioner Grable told the County Commission three roads in Second District were built up last year but didn't have finishing rock applied, making a motion to purchase from County Road Fund 660 ton of rock for Mineral Point Road, 408 ton of rock for Ottumwa Road and 500 ton for Old Kiowa Road, at a total cost of \$21,750.00. Commissioner Hall seconded the motion. Motion carried 3-0.

Register of Deeds Susan Shuster, who also serves as IT Coordinator, informed the County Commission preparations are complete to relocate the courthouse AS400 and mainframe computer system. The project will take place on Friday, April 26, 2024, which may cause disruptions until the system is back up and running. She requested the County Commission close county courthouse offices to the public from 8:00 A.M. until 10:00 A.M. Friday, April 26, 2024, with employees to work regular schedules. The Board of County Commissioners agreed to close the county courthouse offices to the public from 8:00 A.M. until 10:00 A.M. on Friday, April 26, 2024, to relocate the courthouse computer system with employees working regular schedules, any issues that arise will be addressed at that time.

Bill Rush asked about the status of holding a tax foreclosure sale. County Attorney Baskins told Mr. Rush Attorney Joel Euler is assisting with the collection of delinquent taxes, he could not say if Severance properties would be included this year or not. Chairman Grable said he would speak to Attorney Euler to determine the status of collecting delinquent taxes and holding a tax foreclosure sale.

At 9:58 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing matters of legal nature with counsel, with the meeting called back to regular session in the office of the Doniphan County Commission at 10:08 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Attorney and County Clerk remained.

At 10:08 A.M. the Board of County Commissioners recessed for a break, with the meeting called back to order at 10:13 A.M.

The Board of County Commissioners called for Sheriff Chad Clary to attend the Board of County Commissioners meeting to inquire about employee's personal electric vehicle plugged into the Law Enforcement Center electricity to charge during the employee's work shift. Sheriff Clary said he was unaware of the situation and would address it with the employee. Commissioner Grable said the incident on Friday of the prior week was not the first time the employee has been using the County's electricity to charge their personal vehicle. The Board restated County Policy against using County property for personal use, including electricity to charge or fuel for personal vehicles.

Sheriff Chad Clary announced the resignation of Dennis McKittrick, Maintenance Engineer at the Jerry K. Dubach Doniphan County Law Enforcement Center, effective May 20, 2024.

Commissioner Collins told the County Board of two large road tube repair projects in First Road District, the first on Chalk Bluff Road and the second on Eminence Road. The Board agreed to put together repair specifications and submit for bid prior to taking any action.

There being no further business before the Board, Commissioner Hall made a motion to adjourn at 10:29 A.M. Commissioner Grable seconded the motion. Motion carried 3-0.

DATED THIS 15TH DAY OF APRIL 2024.

Attest: _____
Peggy Franken, County Clerk

Wayne Grable, Chairman

