

UNOFFICIAL MINUTES
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, APRIL 7, 2025

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.

Gerald E. Pierce, Jr., Health Department/Home Health Administrator Sheryl Pierce, RN, Doniphan Electric Line Superintendent Trevor Schmille, Road Office Manager Lindsay Norris, Sheriff Mark Allen, Miller Trash Service, Inc. Representatives Cody Miller, Mike Miller, Rhonda Miller, Northeast Kansas Environmental Services Health Specialist Martha Smith, Pat Masters, Roger Engemann, Mike Kiefer and Highland City Council Members Marty Allen, Terry Gibson and Robert Ellerman were present for a portion of the meeting.

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

Commissioner Collins made a motion to approve minutes of the March 31, 2025, regular meeting as written. Commissioner Hall seconded the motion. Motion carried 3-0.

Commissioner Hall made a motion to approve abated taxes to the 2024 Doniphan County tax roll in the amount of \$515.08. Commissioner Grable seconded the motion. Motion carried 3-0.

Fee reports for the month of March 2025 were presented to the County Commission for review on behalf of the County Clerk, Register of Deeds and Sheriff.

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

Gerald E. Pierce, Jr. and Sheryl Pierce appeared before the County Commission to ask about the status of the County opening 130th Road, east of Kansas Highway 7, Section 13, Township 4, Range 20E, to allow landowners access to property east of 1206 130th Road. Chairman Grable told the Pierces the County intends to move forward later in the year with opening 130th Road as requested, most likely a summer project. Opening 130th Road will be the best solution to give landowners access to their property, according to Chairman Grable. Mr. Pierce thanked the County Commission and said if any problems arise or that need alleviation, he would be glad to assist. He asked the County Commission to be mindful of CRP ground when pushing and piling brush on landowners, so as not to jeopardize their CRP contracts with the Farm Service Agency.

Commissioner Hall made a motion to authorize the spending of \$4,905.00 in Safe Kids grant funds by the Doniphan County Health Department to purchase pack in play cribs. Commissioner Collins seconded the motion. Motion carried 3-0.

Health Department/Home Health Administrator Sheryl Pierce, RN, told the County Commission of recent mechanical issues with the Health Department generator. The County Commission asked Administrator Pierce to solicit replacement bids.

Trevor Schmille, Line Superintendent for Doniphan Electric Co-Op Association, met with the County Commission to discuss rerouting of powerlines in conjunction with T-314-1 bridge repair project on Elgin Road, north of 125th Road, Section 24, Township 4, Range 19E. Norfolk Contracting is ready to begin the project, however they need electric lines moved. Superintendent Schmille said it would be in the best interest of all parties to permanently move the lines versus a temporary placement, in the event future work is needed on the bridge structure. He recommended boring the line under the creek bed approximately 460'. The telephone service provider will also be responsible for relocating their line and would like to use the same bore. Schmille asked the County to share the cost on the project, with Doniphan Electric Co-Op Association contributing \$8,000.00 for removing and rerouting the line and Doniphan County paying the cost of the bore, approximately \$8,000.00. Following discussion, Commissioner Collins made a motion to pay up to \$8,000.00 to bore electric lines under the creek bed for repair of bridge T-314-1, with the telephone service provider to be contacted to pay a portion of the cost. Commissioner Hall seconded the motion. Motion carried 3-0.

Trevor Schmille, Line Superintendent for Doniphan Electric Co-Op Association, also thanked Second Road District Foreman Roger Clark for assisting Doniphan Electric crew members during winter storms.

Miller Trash Service, Inc. Representatives Cody Miller, Mike Miller and Rhonda Miller, along with Northeast Kansas Environmental Services Health Specialist Martha Smith, presented the County Commission with a proposal to continue operations of the Doniphan County Transfer Station under the following terms:

Miller Trash Service, Inc.

- Furnish all labor to run and operate transfer station at Miller Trash Services expense
- Provide means to transfer trash out of transfer station or hire someone to transfer it to a landfill of their choosing at Miller Trash Service's expense
- Provide computer system necessary to generate scale tickets for customers

Doniphan County, Kansas

- Provide insurance required to operate transfer station
- Provide backhoe to push and pack trash into transfer trailers
- Obtain and maintain required permits to operate transfer station
- Maintenance and upkeep of buildings, equipment, weigh scales, and graveled areas
- Provide snow and ice removal from hill between scale house and transfer building
- Pump wastewater from holding tank
- Maintenance of grounds, mowing of grass and weed control

The Board of County Commissioners took no formal action pending drafting of new contractual agreement between both parties by County Attorney Charles D. Baskins.

Miller Trash Service, Inc. will install a sign on the gate at the Doniphan County Transfer Station giving notification of contact information, dates and times of operation.

Northeast Kansas Environmental Services Health Specialist Martha Smith is working on bids to repair or replace the middle door on the transfer station building.

Pat Masters, representing Eldon Hills LLC, requested the Board of County Commissioners vacate all lots, streets and alleys in blocks 1 through 25 in the old town of Maynard, north of the old St Joseph and Grand Island Railway, Section 19, Township 3, Range 21E, in the best interest for the future plat of Eldon Hills Golf Course. County Attorney Charles D. Baskins said he will file a petition to vacate all lots, streets and alleys in blocks 1 through 25 in the old town of Maynard, give notice to adjoining landowners and set the matter for public hearing.

Commissioner Grable asked Pat Masters the status of Eldon Hills Golf Course development. Mr. Masters said they are resourcing an issue with the current dam but are moving forward with golf course development.

Pat Masters also asked the County Commission the status of 911 signage for Cottonwood Creek Drive. The subdivision was platted for eight homes; it currently has three homes, with another home to be constructed this summer and several other homes planned. According to 2002 Zoning Regulations when the subdivision was approved on June 17, 2002 by the Doniphan County Regional Planning Commission and Doniphan County Commissioners, “no private drives can be constructed within the County, therefore once the subdivision is developed the roadway would be deeded back to Doniphan County” for future maintenance. Pat Masters said Cottonwood Creek Estates would most likely asphalt the road prior to turning it over to Doniphan County. Road Office Manager Lindsay Norris told the County Commission and Pat Masters the 911 sign for Cottonwood Creek Drive has been ordered.

Sheriff Mark Allen informed the County Commission P1 Service, LLC performed maintenance on the Jerry K. Dubach Doniphan County Law Enforcement Center rooftop and heating units. During inspection, a bad heat exchanger was found on the Carrier RTU 48HJD012-H-571HY unit that needs repaired to run the heat. P1 Service, LLC is putting together proposals to repair or replace the 16-year old unit.

Road Office Manager Lindsay Norris presented the County Commission with new servicing price list for Berry Tractor, updated rock price list for Whetrock Inc. and a listing of roadway miles in Independence Township for Commissioner Collins to seek bids for rock hauling.

Manager Norris also gave the County Commission pricing options for the purchase of 78” x 158’ road tube 12-guage 3:1 \$184.48 per foot or 14-guage 3:1 \$128.64 per foot. The Board of County Commissioners took no action.

Report of a vehicular accident was made on March 31, 2025, on Oxide Road, striking bridge T-831-2, causing extensive damage to the structure, according to Road Office Manager Lindsay Norris. Engineers from Schwab-Eaton, P.A. have been requested to inspect the bridge for safety reasons. Once the accident report is completed by the Doniphan County Sheriff’s Department, a claim will be filed against the driver’s insurance company.

Road Office Manager Lindsay Norris reported temporary and supplemental work agreements between Harness Family Trust (landowners), Danny E. and Donna M. Billups (landowners) and Doniphan County, Kansas, for tube placement and road repair on 275th and Elgin Roads, Section 1, Township 2, Range 19E, have been signed by all parties. Contractor Baird Excavating, LLC, plans to complete the project during the month of April 2025.

The Board of County Commissioners reviewed Doniphan County's Dust Control Acknowledgement and Release Policy with the following changes: 1) Two (2) week notification to be made to the Road Department by property owner prior to application of dust control material. 2) Property owner responsible for placement of dust control signs at the starting and ending points of dust control material. And 3) Section emphasizing the County is not responsible for re-application of dust control material when road maintenance is required.

Brightspeed Telephone Company has made four claims against the Road Department for cut telephone cable during road maintenance projects. According to Road Office Manager Lindsay Norris, she is disputing the claims based on utility locates being called in prior to each job and correspondence between Doniphan County, Kansas and representatives of Brightspeed on each project.

Commissioner Collins made a motion to approve the purchase of 18" plastic pipe from Engemann Drainage Co. Inc. in the amount of \$1,484.00. Commissioner Hall seconded the motion. Motion carried 3-0.

At 10:00 A.M. bids were opened to push in banks, remove and install five (5) drainage replacement tubes (provided by Doniphan County) and build up 110th Road, one-half mile east from 1175 110th Road, one-half mile south and one-half mile east, totaling 1.5 miles in Sections 35-36, Township 4, Range 20E. Bids were opened and read aloud as follows:

Kiefer Excavating	\$45,000.00 (immediate start time)
Engemann Drainage Co. Inc.	\$49,250.00 (April 2025 start time weather pending)
Urban Construction, Inc.	\$51,375.00 (May 10, 2025 start time)

Commissioner Grable made a motion to accept the bid of Kiefer Excavating in the amount of \$45,000.00. Commissioner Hall seconded the motion. Motion carried 3-0.

Road Office Manager Lindsay Norris presented the County Commissioners with Temporary Work Agreements between landowners and Doniphan County, Kansas, for road work on 110th Road, Sections 35-36, Township 4, Range 20E.

This agreement is between Landowner, **Barbara J Wood**, Contractor, **Kiefer Excavating** and the **Doniphan County Board of Commissioners**, to complete road work as described below. Roadwork will take place on 110th Rd, east of Highway 7 in the Southwest Quarter of the Northwest Quarter of Section 36, Township 4, Range 20E. Legal description of property is detailed below. All parties above agree to complete the following work: **1)** Contractor will stay within a 60' construction area (40' County ROW, 20' additional work area) south of 110th Rd. The Contractor will contact Doniphan County and the Landowner if he needs to go beyond the 60' construction area. **2)** Contractor will remove trees within the agreed 60' construction area if necessary **3)** Contractor will push banks and reconstruct 110th roadway and banks staying within the south ROW of 110th Rd (40 feet), **4)** Culverts provided by Doniphan County **5)** County road will be rocked by the Road & Bridge

Department once Contractor work is complete. **6)** County road ROW will remain 40 feet once road work is complete.

Barbara J Wood ~ Legal Description

S36, T04, R20E, ACRES 58.59, W 60 AC M/L S 1/2 NW ¼

This agreement is between Landowner, **Winzer Land LLC**, Contractor, **Kiefer Excavating** and the **Doniphan County Board of Commissioners**, to complete road work as described below. Roadwork will take place on 110th Rd, east of Highway 7 in the East Half of the Northeast Quarter of Section 35, Township 4, Range 20E. Legal description of property is detailed below. All parties above agree to complete the following work: **1)** Contractor will stay within an 80' construction area (40' County ROW, 40' additional work area) south of 110th Rd. The Contractor will contact Doniphan County and the Landowner if he needs to go beyond the 80' construction area. **2)** Contractor will remove trees within the agreed 80' construction area if necessary, creating a debris pile north of the barn that is located south of 110th Rd. **3)** Contractor will push banks and reconstruct 110th roadway and banks staying within the south ROW of 110th Rd (40 feet), **4)** Culverts provided by Doniphan County **5)** County road will be rocked by the Road & Bridge Department once Contractor work is complete. **6)** County road ROW will remain 40 feet once road work is complete.

Winzer Land LLC ~ Legal Description

S35, T04, R20E, ACRES 78.03, E 1/2 NE 1/4 LESS ROW

This agreement is between Landowner, **Jared Jeschke**, Contractor, **Kiefer Excavating** and the **Doniphan County Board of Commissioners**, to complete road work as described below. Roadwork will take place on 110th Rd, east of Highway 7 in the Northwest Quarter of the Northwest Quarter of Section 36, Township 4, Range 20E. Legal description of property is detailed below. All parties above agree to complete the following work: **1)** Contractor will stay within a 90' construction area (40' County ROW, 50' additional work area) north and east of 110th Rd. The Contractor will contact Doniphan County and the Landowner if he needs to go beyond the 90' construction area. **2)** Contractor will remove trees within the agreed 90' construction area if necessary **3)** Contractor will push banks and reconstruct 110th roadway and banks staying within the east and north ROW of 110th Rd (40 feet), **4)** Culverts provided by Doniphan County **5)** Contractor will meet with Landowner to determine the best inlet tube location. **6)** County road will be rocked by the Road & Bridge Department once Contractor work is complete. **7)** County road ROW will remain 40 feet once road work is complete.

Jared Jeschke ~ Legal Description

S36, T04, R20E, ACRES 39.38, NW 1/4 NW ¼

At 10:30 A.M. the County Board recessed the County Commission meeting, reconvening on Coronado Road, north of Highland, Kansas, Sections 22-23, Township 2, Range 19E, at 10:49 A.M. for the purpose of viewing and discussing proposed repair of concrete box culvert. Chairman Wayne Grable, Commissioner Timothy D. Collins, Commissioner Bobby Hall, County Attorney Charles D. Baskins, County Clerk Peggy Franken, Road Office Manager Lindsay Norris, and Highland City Council Members Marty Allen, Terry Gibson and Robert Ellerman were present. County Attorney Charles D. Baskins, Counsel for Doniphan County, instructed the Board of County Commissioners to take immediate action on placing safety barriers along the east and west sides of the roadway, where concrete guardrails were broken off during auto accidents.

A retirement reception, honoring Doniphan County Health Department/Home Health Administrator Sheryl Pierce, RN, for her 44 years of service to Doniphan County will be held on Friday, May 2, 2025, from 1:00 P.M. – 4:00 P.M. at the Doniphan County Health Department 201 S. Main Street, Troy, Kansas.

There being no further business before the Board, Commissioner Grable made a motion to adjourn at 11:14 A.M. Commissioner Collins seconded the motion. Motion carried 3-0.

DATED THIS 7th DAY OF APRIL 2025.

Attest: _____
Peggy Franken, County Clerk

Wayne Grable, Chairman