

UNOFFICIAL MINUTES
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, OCTOBER 11, 2016

The Board of County Commissioners met in regular session at 8:30 o'clock A.M. with First District County Commissioner Timothy D. Collins, Chairman, calling the meeting to order. Second District County Commissioner Terry W. Horner, Third District County Commissioner Jerry P. McKernan and County Clerk Peggy Franken were present. County Attorney Charles D. Baskins was present for a portion of the meeting.

The Kansas Chief Reporter Paul Stewart and Susan Studer observed the entire meeting.

Commissioner Collins made a motion, seconded by Commissioner McKernan, to approve the minutes of the October 3, 2016 meeting as written. Motion carried.

Commissioner Collins made a motion, seconded by Commissioner McKernan, to approve payroll and warrants for the period of October 14, 2016 as presented. Motion carried.

Currently there are 15 local inmates housed in the Doniphan County Law Enforcement Center.

Commissioner Collins informed the County Board he met with Representatives of the Natural Resource Conservation Services to look at road projects for consideration for federal funding through the Emergency Water Protection program. A report of findings will be submitted to Doniphan County by the Natural Resource Conservation Services office.

John Wayne Cluck, Project Manager for Doniphan County Rural Water District No. 6, was in attendance to address road concerns and future action on road repairs on Eminence Road, located Section 32, Township 2, Range 20E, as the waterline is ready to be installed in the area. The Board of County Commissioners advised the tube replacement project is a FEMA approved project and will take priority over all other road projects, with a completion date no later than the FEMA deadline of January 1, 2017.

Rural Water District No. 6 Project Manager John Wayne Cluck also inquired about the status of Eminence Road in Section 8, Township 3, Range 20E where four areas of the roadway washed away during the recent rain events forcing the closure of the road. Commissioner Collins advised Representatives with the Natural Resource Conservation Services viewed the area on Thursday, October 6, 2016 and stated the project costs would be exuberant to repair. The roadway has been moved twice due to being washed by current from the Wolf River. Future discussion will be held on closing the current section of roadway and relocating the road.

Bids were presented for installation of tubes in three locations in Doniphan County, Kansas, with Doniphan County to furnish tubes, material, dirt and hauling: Eminence Road (S32 T2 R19E), 205th Road (S9 T3 R19E), 260th and Buffalo Roads (S10, T2, R19E):

• Muse Excavation & Const. Inc	Eminence Road	\$28,220.00
	205 th Road	\$24,940.00
	260 th Road	\$29,580.00
• Kiefer Excavating	Eminence Road	\$24,000.00
	205 th Road	\$14,400.00
	260 th Road	\$55,224.00
• Jim Miller Construction	Eminence Road	\$24,600.00
	205 th Road	\$21,800.00
	260 th Road	\$25,900.00

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| Luedke Excavating | Eminence Road | \$41,800.00 |
| | 205 th Road | \$18,250.00 |
| | 260 th Road | \$34,125.00 |

Commissioner Collins made a motion not to accept the bids as presented and have the Doniphan County Road Employees install the tubes. Motion died for lack of second.

Commissioner Collins made a motion to table all bids until October 17, 2016. Commissioner Horner seconded the motion and it carried.

The Board of County Commissioners held discussion on the Board of County Commissioners bid procedure and Kansas State Statute KSA 19-214. Commissioner McKernan advised the Board has a policy that all bids be solicited with written bid specifications. Commissioner Horner said he thought bids obtained for less than the required \$25,000.00 State law limit are considered estimates and not actual bids, therefore not subject to written bid specifications. Commissioner Collins stated if the project amount is within the County Commissioners spending authority of \$5,000 per project, the County Commissioner has the right to make their own decision without full Board approval.

Commissioner Horner said he would be in favor of taking action on bids obtained for installation of emergency road tubes on all bids submitted in an amount less than \$25,000.00. No action was taken.

Observer Susan Studer voiced her opinion as a taxpayer that the Board should have a standard order of procedure for obtaining bids as a way to keep the taxpayer informed of open governmental spending.

County Attorney Charles Baskins advised the Board of County Commissioners, as legal counsel, not to violate the Cash Basis Law.

Undersheriff Mark Allen informed the County Board the recording on the Doniphan County Sheriff's Department administrative line was changed to advise the caller to "please stay on the line".

At 9:53 A.M. Commissioner Collins made a motion, seconded by Commissioner Horner, to enter into executive session for a period of 15-minutes for the purpose of discussing legal matters with counsel. Motion carried. The County Attorney and County Clerk remained. The executive meeting was held in the Law Library.

The meeting reconvened at 10:08 A.M. with no action taken.

Aging Administrator Joi Davies requested permission to purchase a refrigerator for the Wathena Keen-Age Center at an approximate cost of \$950.00 with partial reimbursement from Northeast Kansas Area Agency on Aging in the amount of 40%. Commissioner Collins made a motion, seconded by Commissioner Horner, to approve the purchase of a refrigerator for the Wathena Keen-Age Center in an amount not to exceed \$950.00. Motion carried.

Commissioner Horner made a motion, seconded by Commissioner McKernan, to execute letter of support and letter of authority for Aging Administrator Joi Davies in applying for Section 5311 Kansas Department of Transportation grant funds for the purchase of a transportation van. Motion carried.

County Clerk Peggy Franken presented the Board with Sales Tax collections for the month of August 2016 in the amount \$38,064.40 and the September 2016 departmental budget and expense report.

Commissioner Collins told the Board of County Commissioners survey work has been completed by Clark Land Surveying for a piece of property located in Section 28 Township 2 Range 20E, commonly known as Friendship and 250th Roads, for the Boards consideration in purchasing for the relocation of the roadway. The Kansas Chief Reporter Paul Stewart inquired as to how many acres of land would be purchased for the new roadway. Commissioner Collins said the amount of land to be considered for purchase will be known once the survey has been presented to the Board of County Commissioners for their review.

Second District Road Foreman Danny Adkins inquired about the purchase of 5,000 ton of rip rap from Whetrock Inc. at a cost of \$10.00 per ton in order to make repairs to 180th Spur Road. Currently the roadway is closed and 180th Road is being used as a detour route. Commissioner Horner said no action would be taken on the purchase of rip rap until a repair report is filed with the Board of County Commissioners by the Natural Resource Conservation Services office.

Commissioner Horner stated the Road Department should look at purchasing a trailer to haul rip rap instead of paying \$4.00 a ton to haul by local contractors. Road Supervisor Bob Edie expressed safety concern with purchasing a round end dump trailer to haul rip rap, stating that type of trailer has a history of overturning, as he has experienced himself on numerous occasions.

Commissioner Horner made a motion to purchase a 1999 Western ½ round end dump trailer from Highway Trailer Sales, Inc. of Kansas City, Missouri, in the amount of \$21,900.00 with the purchase to be made from the Equipment Reserve Fund. Commissioner McKernan seconded the motion. Commissioner Collins cast a nay vote citing concerns with budgeted funds, safety and the need to wait on the report on emergency road projects from the Natural Resource Conservation Services office. Third District Road Foreman Steve Gerdes told the County Board once received he will make necessary adjustments to the trailer to stabilize the 5th wheel to try to prevent it from tipping.

There being no further business before the Board, Commissioner Collins made a motion to adjourn at 10:55 A.M. Commissioner McKernan seconded the motion and it carried.

DATED THIS 11th DAY OF OCTOBER 2016.

Attest: _____
Peggy Franken, County Clerk

Timothy D. Collins, Chairman