

**UNOFFICIAL MINUTES  
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, DECEMBER 6, 2021**

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, County Attorney Charles D. Baskins and County Clerk Peggy Franken present.

The Kansas Chief Reporter Melanie Davis observed the entire meeting. C B Lackey, Noxious Weed Director Jim Norris, Second Road District Foreman Sean Price, Road Office Manager Lindsay Norris, Sheriff Chad Clary, John M. Smith, Jr., Aging Director Diana Crouse-Johnson and Register of Deeds Susan Shuster were present for a portion of the meeting.

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

Commissioner Collins made a motion to approve County Commission meeting minutes of November 29, 2021 as written. Commissioner Hall seconded. Motion carried 3-0.

Commissioner Hall made a motion to approve abated taxes in the amount of \$165.92 to the 2021 Doniphan County tax roll. Commissioner Collins seconded. Motion carried 3-0.

Fee reports for the month of November 2021 were presented to the County Commission for their review on behalf of the County Clerk, Register of Deeds and Sheriff.

Currently the Jerry K. Dubach Doniphan County Law Enforcement Center houses 5 local inmates.

Commissioner Hall made a motion to recess into executive session at 8:31 A.M. for the purpose of discussing and protecting the interest of non-elect personnel in the Noxious Weed Department, with the meeting to be called back to order in the office of the Doniphan County Commission at 8:36 A.M. Commissioner Collins seconded. Motion carried 3-0. County Attorney, County Clerk and Noxious Weed Director remained.

County Clerk Peggy Franken presented the County Commission with sales tax collections in the amount of \$36,846.35.

Commissioner Grable made a motion to replace the courthouse panic alarm system, originally installed in August 2000, with intrusion/panic button system at a cost of \$7,396.37 by INAlert, with cost to be paid from County General fund. Commissioner Collins seconded. Motion carried 3-0.

Sheriff Chad Clary presented the County Commission with consultant's report of actuarial certification moving Doniphan County law enforcement officers from Kansas Public Employees Retirement System (KPERs) to Kansas Police and Fire (KP&F). Since the agency is currently covered by KPERs an unfunded actuarial liability payment in the amount of \$210,029.00 would be due January 1, 2023. The Board of County Commissioners will be required to adopt a Resolution affiliating with KP&F by December 15, 2021. Beginning January 1, 2022 Doniphan County would begin contributing 16% of gross wages for law enforcement employees towards

retirement benefits. The Board of County Commissioners took no action pending review of affiliation documentation and actuarial information as presented.

Second Road District Foreman Sean Price informed the County Commission the Second Road District has completed hauling rock on school bus routes, requesting \$3,279.60 from County Road fund for rock on Keystone Road (T425). Commissioner Collins made a motion to approve the purchase of rock for Keystone Road as requested by Foreman Price. Commissioner Hall seconded. Motion carried 3-0.

Commissioner Grable asked about hauling rock stockpiles to each Road District shop. Commissioner Hall requested 500 ton for the Third Road District, Commissioner Grable 1,000 ton for the Second Road District and Commissioner Collins 1,000 ton for First Road District. Commissioner Collins said First Road District stockpile will be held at Servaes Quarries. County Clerk Peggy Franken was asked to contact County Auditor Sean Gordon, Gordon CPA to determine if rock can be purchased this year and acquired in 2022.

Road Office Manager Lindsay Norris presented the County Commission Township Road Improvement fund balances as of November 24, 2021. The Board of County Commissioners were in agreement to set the deadline for hauling rock on roadways as December 15, 2021.

Lindsay Norris, Road Office Manager, discussed with the Board of County Commissioners bid documents for culvert replacement on 140<sup>th</sup> and Ottumwa Road, ½ mile east on 140<sup>th</sup> Road from 708 Ottumwa Road to existing cross road culvert in Sections 10 and 15 Township 4 Range 21E. The Board of County Commissioners were in agreement to contract out culvert replacement by advertising for sealed bids. On-site contractor meeting scheduled for December 22, 2021 with sealed bids due to the County Clerk by 5:00 P.M. January 7, 2022. Bid letting to be held Monday, January 10, 2022.

At 9:00 A.M. zoning hearing was held for consideration of zoning change from R-O Outer Residential to A-1 Conditional Use for property located at 505 N. Second Terrace, Troy, Kansas owned by Chapple Farms, LLC. The purpose of zoning change is to operate farm winery consisting of winemaking operations and wine tasting events. Tim Chapple, owner, was present. Zoning Administrator Julie Meng told the Board of County Commissioners the Doniphan County Regional Planning Commission held a hearing on November 10, 2021 receiving letters from three individuals in favor of the zoning change and no one opposed. Tim Chapple spoke to the operations, saying wine tasting would take place a couple of Saturdays a month and private tasting events held, with the farm winery being in operation by 2023. Commissioner Collins made a motion to accept the recommendation of the Doniphan County Regional Planning Commission and approve change in zoning for Chapple Farms, LLC located at 505 N. Second Terrace, Troy, Kansas from R-0 Outer Residential to A-1 Conditional Use to operate a farm winery consisting of winemaking operations and wine tasting events. Commissioner Hall seconded. Motion carried 3-0.

Chairman Grable executed notice to Independence Township Board for application of annual cereal malt beverage license for Weiland's Grocery for sale in original and unopened containers.

Discussion was held in regard to 2022 employee wage increases. For discussion purposes, Commissioner Grable proposed .50 per hour for hourly employees, .75 per hour for appointed/salaried employees and \$1.00 per hour for elected officials, with concessions to be made for some employees. Commissioner Hall voiced concern with all part-time Road employees starting at the same rate of pay, not hiring some individuals at a higher rate. He also suggested the County not hire additional Road Department staff instead increase the pay of current employees and contract out more road projects, allowing employees to concentrate on maintenance and contractors to do larger projects, thus being more time efficient and cost effective. Commissioner Collins said consideration needs to be given to raising all county wages including courthouse and jail staff, as some are not making a decent wage. C B Lackey asked if the County has ever established a wage range per job responsibility. County Clerk Peggy Franken advised previous Boards of County Commissioners have but with change in composition of Board Members every two years, salary schedules were done away with. Action was tabled pending further discussion.

Commissioners Grable and Hall recommended setting out short and long term road plans beginning January 1, 2022.

Diana Crouse-Johnson, Aging Director, informed the County Commission the 2018 Dodge Grand Caravan Transportation Van was struck by an uninsured driver while in Atchison, Kansas on November 16, 2021. County Clerk Peggy Franken told the County Board KCAMP, the County's liability insurance carrier, has agreed to pay the cost of repair less deductible with KCAMP to pursue recouping the loss for both KCAMP and Doniphan County through small claims court if necessary. Director Crouse-Johnson presented two repair bids as follows:

Reed Chevrolet	\$3,519.66
Davis Body Shop	\$3,239.70

Commissioner Collins made a motion to accept the low bid of Davis Body Shop subject to Doniphan County \$1,000.00 deductible. Commissioner Hall seconded. Motion carried. 3-0.

Commissioner Grable made a motion to recess into executive session at 9:34 A.M. for the purpose of discussing confidential legal matters with Counsel, with the meeting to be called back to order in the office of the Doniphan County Commission at 9:44 A.M. Commissioner Collins seconded. Motion carried 3-0. County Attorney and County Clerk remained.

At 9:44 A.M. Commissioner Grable made a motion to extend executive session for the purpose of continuing discussion of confidential legal matters with Counsel, with the meeting to be called back to order in the office of the Doniphan County Commission at 9:49 A.M. Commissioner Collins seconded. Motion carried 3-0. County Attorney and County Clerk remained.

Gary Satter, Executive Director of Glacial Hills Resource Conservation & Development (RC&D), called on the Board to give an update of 2021 activities. Glacial Hills RC&D is in their 31<sup>st</sup> year of operations; developing and implementing local and regional rural development projects and programs in Northeast Kansas.

Commissioner Collins made a motion to approve 2021 annual support payment to Glacial Hills RC&D Council in the amount of \$3,000.00. Commissioner Hall seconded. Motion carried 3-0.

John M. Smith, Jr. appeared before the Board of County Commissioners to address road concerns along 250<sup>th</sup> Road and Heartland Road. Mr. Smith outlined projects done to the roads since he bought his property in the 1990's. He asked the Board of County Commissioners to put 250<sup>th</sup> Road back in the center, properly drain, build up and rock the road. He said he would give the Board the opportunity to fix the road right, if not completed by summer 2022 he will get a petition started against First Road District Commissioner Timothy D. Collins. The Board of County Commissioners will talk to adjoining landowners to have road work agreements executed in order to place drainage tubes on Heartland Road, north of 240<sup>th</sup> Road and south of 250<sup>th</sup> Road in Section 22 Township 2 Range 22E.

At 10:21 A.M. the Board recessed for a break with the meeting being called back to order at 10:26 A.M.

Register of Deeds Susan Shuster presented the County Commissioners a cost estimate from LockIt Technologies to purchase battery backup for AS400 system in the amount of \$1,597.00. Commissioner Grable made a motion to purchase battery backup from LockIt Technologies in the amount of \$1,597.00, with payment made from Capital Improvement fund. Commissioner Hall seconded. Motion carried 3-0.

At 10:42 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing and protecting the interest of non-elect personnel, with the meeting to be called back to order in the office of the Doniphan County Commission at 10:52 A.M. Commissioner Hall seconded. Motion carried 3-0. County Attorney and County Clerk remained.

The Board of County Commissioners will hold regular meetings Monday December 13, 2021, December 20, 2021 and December 27, 2021. A special meeting will be held Thursday, December 30, 2021 for the purpose of paying year end warrants. No County Commission meeting will be held Monday, January 3, 2022.

There being no further business before the Board, Commissioner Grable made a motion to adjourn at 10:59 A.M. Commissioner Hall seconded. Motion carried 3-0.

DATED THIS 6th DAY OF DECEMBER 2021

Attest: \_\_\_\_\_  
Peggy Franken, County Clerk

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Wayne Grable, Chairman