

UNOFFICIAL MINUTES
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, JANUARY 10, 2022

The Board of County Commissioners met in regular session in the office of the Doniphan County Commission, Troy, Kansas, at 8:46 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 Clerk Peggy Franken and County Attorney Charles D. Baskins present.

The Kansas Chief Reporter Melanie Davis observed the entire meeting. Sheriff Chad Clary, Second Road District Foreman Sean Price, Road Office Manager Lindsay Norris and Health Department/Home Health Administrator Sheryl Pierce 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 Hall made a motion to approve County Commission meeting minutes of December 27, 2021 and December 30, 2021 as written. Commissioner Collins seconded. Motion carried 3-0.

Commissioner Collins made a motion to approve payroll and warrants for the period of January 14, 2022 as presented. Commissioner Hall seconded. Motion carried 3-0.

Commissioner Collins made a motion to approve added taxes in the amount of \$406.66 and abated taxes in the amount of \$1,652.74 to the 2021 Doniphan County tax roll. Commissioner Hall seconded. Motion carried 3-0.

Fee reports for the month of December 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 6 local inmates.

County Clerk Peggy Franken presented the County Commission with December 2021 departmental budget and cash summary. Clerk Franken informed the County Commission the Sheriff's Department ended 2021 over budget \$12,078.66. The Title IIIC-2 program ended 2021 with a negative cash balance of \$55.00.

Sheriff Chad Clary asked the County Commission to create new accounts by dividing the Sheriff's budget into separate funds for patrol and jail expenses in order to better track expenditures. The Board of County Commissioners denied the request due to 2022 budget being set, with further consideration to be given with 2023 budget year.

The Board of County Commissioners were in receipt of sales tax collections in the amount of \$69,139.68.

Second Road District Foreman Sean Price informed the County Commission the road crew finished hauling 1.25" special rock from Whetrock Quarries to stockpile at CD pit located at the Third District Road Shop. Foreman Price said the haul exceeded the 2,000 ton approved authority by 39.08 ton. Commissioner Grable made a motion to approve payment of 39.08 ton of 1.25" rock from Whetrock Quarries at a rate of \$7.00 per ton. Commissioner Hall seconded. Motion carried 3-0.

Commissioner Grable made a motion to purchase and haul the remainder or up to 2,000 ton of 1.25" special rock at Whetrock Quarries if they are willing to honor the price of \$7.00 per ton and stockpile at CD pit located at Third District Road Shop. Commissioner Hall seconded. Motion carried 3-0.

Second Road District Foreman Sean Price said scalping rock still remains at Schneider Quarry, First Road District will begin hauling January 11, 2022, with assistance from Second Road District.

Road Office Manager Lindsay Norris presented the County Commission with Road Department expenses through November 2021. She is currently working on compiling a report for year ended 2021 total expenses for the Board's review.

Commissioner Collins made a motion to approve expenditure to Pierce Heating and Cooling in the amount of \$785.00 for heater repair at First Road District Shop. Commissioner Hall seconded. Motion carried 3-0.

Commissioner Grable made a motion to contract with Schwab-Eaton, PA to review and make recommendation for repair of bridge structure on 235th and Peck Roads, removal of two bridge structures on Oxide Road and repair of low water crossing also on Oxide Road in Section 35 Township 5 Range 21E. Commissioner Collins seconded. Motion carried 3-0.

Commissioner Hall asked about tube repair on Saratoga Road in Section 18 Township 3 Range 22E. Discussion followed on using fillable flow material to repair. Second Road District Foreman Sean Price will re-inspect and look at repair options. Road Office Manager Lindsay Norris will obtain cost estimate for replacement tube for Boards consideration.

Commissioner Hall said he would like to utilize asphalt millings on roadways in Third District. Road Office Manager Lindsay Norris will contact Herzog Contracting Corporation, Inc. about Doniphan County purchasing millings from State of Kansas Highway projects.

Commissioner Hall also asked about ownership of Frontage Road between Highway K-238 and Pony Express Bridge. Road Office Manager Lindsay Norris will pull road records for Commissioner Hall.

On-site contractors meeting for tube replacement project on 140th Road in Sections 10 and 15, Township 4 Range 21E will be held on Wednesday, January 19, 2022 at 10:00 A.M. Sealed bids due to County Clerk by 5:00 P.M. Friday, January 28, 2022 with bid letting to be held at 9:00 A.M. Monday, January 31, 2022.

At 9:20 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 in the Road Department, with the meeting to be called back to order in the office of the Doniphan County Commission at 9:25 A.M. Commissioner Hall seconded. Motion carried 3-0. County Attorney, County Clerk and Road Office Manager remained.

At 9:25 A.M. Commissioner Grable made a motion to extend executive session for the purpose of continuing discussion and protecting the interest of non-elect personnel in the Road Department, with the meeting to be called back to order in the office of the Doniphan County Commission at 9:45 A.M. Commissioner Hall seconded. Motion carried 3-0. County Attorney, County Clerk and Road Office Manager remained.

County Clerk Peggy Franken informed the County Commission there is no statutory authority for the County Commission to call a non-binding advisory election, in addition Kansas Attorney General Opinions discourage the County Clerk/Election Official from holding or participating in advisory elections and further the election database cannot be used in any way to administer an advisory election. Therefore, Clerk Franken recommended mailing a survey to taxpayers of Doniphan County to gauge a response to the formation and funding of a countywide ambulance service.

Commissioner Hall made a motion to rescind motion to hold special question election on March 8, 2022 for the purpose of asking registered voters if Doniphan County shall form a countywide ambulance service and levy a tax to fund such. Commissioner Collins seconded. Motion carried 3-0.

Commissioner Grable made a motion to send a mailed survey to Doniphan County taxpayers asking if Doniphan County Commissioners should levy a tax to establish and operate a countywide ambulance district, with surveys to be returned on or before March 1, 2022. Commissioner Hall seconded. Motion carried 3-0.

The Board of County Commissioners held discussion on a road plan for the Road Department. Road Office Manager Lindsay Norris will put together a list of current projects, as well as, proposed projects including tube replacement, bridge repair/replacement, bank stabilization, building up of gravel roads, asphaltting roads and contracting of chip seal projects. Commissioner Hall requested the County Commission take action on a road plan by January 31, 2022.

Due to the observance of Martin Luther King Jr Day on Monday, January 17, 2022, the Board of County Commissioners will hold their next regular meeting on Tuesday, January 18, 2022.

There being no further business before the Board, Commissioner Grable made a motion to adjourn at 10:41 A.M. Commissioner Hall seconded. Motion carried 2-0.

DATED THIS 10TH DAY OF JANUARY 2022.

Attest: _____
Peggy Franken, County Clerk

Wayne Grable, Chairman