

**UNOFFICIAL MINUTES  
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, MAY 31, 2022**

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 and Second Road District Foreman Sean Price observed the entire meeting. Road Office Manager Lindsay Norris, Aging Director Diana Crouse-Johnson and County Attorney Intern Preston Duncan 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 minutes of May 23, 2022 regular meeting as written. Commissioner Hall seconded. Motion carried 3-0.

Commissioner Hall made a motion to approve payroll and warrants for the period of May 31, 2022 as presented. Commissioner Collins seconded. Motion carried 3-0.

Fee report for the month of May 2022 was presented for review on behalf of the County Clerk.

Currently the Jerry K. Dubach Doniphan County Law Enforcement Center houses 7 local inmates.

The Board of County Commissioners were in receipt of a thank you from Kansas Silver Haired Legislative Committee for Doniphan County contribution.

Aging Director Diana Crouse-Johnson requested permission to donate chairs from the Elwood Leisure Hour senior citizens center to a church organization, as they are no longer needed after Doniphan County Library District No. 1 acquired the Lincoln School building. The Board of County Commissioners made no objection, subject to local jurisdictions not needing chairs.

Director Crouse-Johnson also told the County Commission several community volunteers painted the Elwood Leisure Hour senior citizens center. She requested permission to obtain bids to replace the flooring in the Center, with funds from the Elderly budget. The County Commissioners agreed to acquire bids for replacement of flooring and thanked community volunteers for their work in painting and fixing up the Elwood Leisure Hour senior citizens center.

Second Road District Foreman Sean Price told the County Commission the road crews began road patch work the week of May 23, 2022. Weather permitting they will continue patch work this week.

Road Office Manager Lindsay Norris presented the County Commission with Road department and Road Improvement Fund balances as of April 30, 2022 for their review.

Norris also gave the Board of County Commissioners and Road Foremen a list of residents who have applied for dust control permits, encouraging them to erect “no blading” signs as a reminder for the road crew. Foreman Price said a company applied dust control before the road was built and ready. Commissioner Grable reminded residents to contact the road office prior to applying and reiterated if road maintenance is necessary, dust control may be disturbed.

Commissioner Collins told the County Commission First Road District Deputy Foreman Tom Miller contacted tree trimmers to give a cost estimate for trimming trees along Elgin Road in Section 36 Township 4 Range 19E, in order to clear the roadway of obstructions. Discussion followed on removing trees from the county road right-of-way. Commissioner Collins will talk to adjacent landowners about removal of trees or solutions for clearing the road right-of-way.

Temporary work agreements approved by adjoining property owners Samuel Marvin and Valerie Lyn Smith and Brandon N. Smith were presented to the County Commission for approval for tube replacement project on Heartland Road in Section 22 Township 2 Range 20E, by Road Office Manager Lindsay Norris. Following review, Commissioner Grable made a motion to execute temporary work agreements on behalf of Doniphan County, Kansas. Commissioner Collins seconded. Motion carried 3-0.

This agreement is between Samuel Marvin and Valerie Lyn Smith and the Doniphan County Board of Commissioners to complete road work as described below. Road work will take place on Heartland Rd, North of 240<sup>th</sup> Rd in the Southeast quarter of the Southwest quarter of Section 22 Township 2 Range 20E. Legal description for property is detailed below. The County agrees to complete the following work: 1) Slope banks along east and west ROW, not to exceed 40 feet east and west of existing county ROW (40 feet), 2) Install crossroad culvert, 3) Build up road and re-rock once work is complete, 4) County road ROW will remain 40 feet once road work is complete.

S22, T02, R20E, ACRES 40.3, SE 1/4 OF THE SW1/4 OF SEC 22 THIS IS A PROPERTY DESCRIPTION ONLY

This agreement is between Brandon N. Smith and the Doniphan County Board of Commissioners to complete road work as described below. Road work will take place on Heartland Rd, North of 240<sup>th</sup> Rd in the Southeast quarter of the Southwest quarter of Section 22 Township 2 Range 20E. Legal description for property is detailed below. The County agrees to complete the following work: 1) Slope banks along east and west ROW, not to exceed 40 feet east and west of existing county ROW (40 feet), 2) Install crossroad culvert, 3) Build up road and re-rock once work is complete, 4) County road ROW will remain 40 feet once road work is complete.

S22, T02, R20E, ACRES 16.84, POB NW COR SE 1/4, E 220' ALONG NORTH LINE TO POB, E 904', SW 697.65', W 355.15', SW 317.92', W 91.84', SW 144.23', SW 275.75', S 178.52', SW 116.40' TO THE WEST

LINE SE 1/4, N 1052.47', E 280', N 600' TO POB, EXCEPT 3 AC NW/C OF  
SE ¼

Lindsay Norris, Road Office Manager, reminded the Board of County Commissioners and the public that bridge RS160 on 180<sup>th</sup> Road northeast of Severance, Kansas in Section 23 Township 3 Range 19E, is not yet open to thru traffic following replacement. Barricades owned by Reece Construction have been removed and destroyed. The structure will be opened once it has passed final inspection. For safety reasons, the public is asked not to travel on closed roadways and bridge structures; and not to destroy safety warning signs including road barricades.

Commissioner Collins asked the Board of County Commissioners if they had a chance to review Schwab-Eaton, PA cost estimate for repairing concrete box culvert on Coronado Road north of Highland, Kansas in Sections 22 and 23 Township 2 Range 19E. Cost estimate for 6'x12'x10' extension is currently \$98,693.00. Commissioner Grable said he looked at the structure and questioned the number of drainage acres. Road Office Manager Lindsay Norris said engineers with Schwab-Eaton, PA indicated the culvert took on a lot of water and drainage west from the City of Highland. Foreman Price concurred, saying it wasn't necessarily the number of drainage acres but the amount and swiftness of the water running through the culvert that warranted the size. Discussion was held on asking the City of Highland to cost share on the repair project, due to the structure taking drainage from the City. Road Office Manager Lindsay Norris will contact the City of Highland prior to the County Commission taking any action.

Commissioner Grable, in addressing a recent social media post on Facebook about road equipment for sale, said he doesn't use social media and usually doesn't respond to negative messages, however a text message between a constituent and someone who the constituent thought was Commissioner Grable accusing him of talking inappropriately and not addressing county matters was posted to Facebook; it has since been taken down and no public apology given. Commissioner Grable wants the public to know they can call him at any time about any county issue or problem and he will address it in a respectful, polite and timely manner.

County Attorney Charles D. Baskins presented the Board of County Commissioners with Charter Resolution 2022-03, a charter resolution exempting the County of Doniphan, State of Kansas, from article 61, charter 65, Kansas Statutes Annotated, providing additional provisions on the same subject; and authorizing the levying of taxes to create a special fund for the purpose of providing ambulance service. Charter Resolution 2022-03, if approved by the Board of County Commissioners, would expand Doniphan County Ambulance District No. 1 from the current boundaries of the Fire District No. 1 and Fire District No. 5 to a countywide district. The expanded boundaries of such district shall be the county line on the north, the county line on the south, the county line on the east and the county line on the west. Charter Resolution 2022-03 shall be published once each week for three (3) consecutive weeks in the official county newspaper and shall take effect in accordance with K.S.A. 65-6113(c) subject to a 60 day protest petition. Commissioner Grable made a motion to adopt Doniphan County Charter Resolution 2022-03, a charter resolution expanding the boundaries of Doniphan County Ambulance District No. 1. Commissioner Hall seconded the motion to adopt Doniphan County Charter Resolution 2022-03. Motion carried 3-0. Said

charter resolution has been recorded and is on file in the office of the Doniphan County Clerk in Resolution Book 3.

County Attorney Charles D. Baskins presented the Board of County Commissioners with Doniphan County Resolution 2022-04, a resolution to submit to the qualified electors of Doniphan County, Kansas, the proposition of levying a one percent (1%) countywide retailers' sales tax and pledge the revenue received therefrom for the purpose of financing countywide Emergency Medical Services pursuant to K.S.A. 12-187(b)(5). Commissioner Grable made a motion to adopt Doniphan County Resolution 2022-04, placing the following referendum on the August 2, 2022 primary election ballot:

Shall the following be adopted? Shall a countywide retailers' sales tax in the amount of one percent (1%) be imposed in Doniphan County, Kansas, with the revenue produced therefrom to be utilized to fund operations of countywide emergency medical services (EMS) pursuant to K.S.A. 12-187(b)(5)?

Commissioner Hall seconded the motion adopting Doniphan County Resolution 2022-04. Motion carried 3-0. Said resolution has been recorded and is on file in the office of the Doniphan County Clerk in Resolution Book 3.

The Board of County Commissioners made no objections to having the antique clocks on the District Court level repaired, upon request of County Attorney Charles D. Baskins.

Discussion was held in regard to purchasing attachments for skid steer to assist with snow removal. Foreman Price was asked to obtain attachment options and cost estimates.

Commissioner Collins suggested the County Commission consider replacing road tube inventory due to issues with supply and demand. The Board agreed saying the Road department should have a countywide tube inventory, when a tube is used a replacement should be ordered to replenish stock. Road Foreman Sean Price will get a list of road tubes needed for countywide inventory.

County Clerk Peggy Franken was asked to contact contractors to prepare bid specifications for repair of east courthouse parking lot.

There being no further business before the Board, Commissioner Grable made a motion to adjourn at 9:46 A.M. Commissioner Hall seconded. Motion carried 3-0.

DATED THIS 31st DAY OF MAY 2022.

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

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Wayne Grable, Chairman