

**UNOFFICIAL MINUTES
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, OCTOBER 3, 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 observed the entire meeting. 63rd District State Representative Dr. John Eplee, Road Office Manager Lindsay Norris, Second Road District Foreman Sean Price, John M. Smith, Jr., and Register of Deeds Susan Shuster were present for a portion of the meeting.

Commissioner Grable made a motion to approve meeting agenda as amended to include non-elect personnel executive session. Commissioner Hall seconded the motion. Motion carried 3-0.

Commissioner Hall made a motion to approve County Commission meeting minutes of September 26, 2022 as written. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Collins made a motion to approve warrants for the period of September 30, 2022 as presented. Commissioner Hall seconded the motion. Motion carried 3-0.

Fee report for the period of September 2022 was presented to the County Commission on behalf of the County Clerk for their review.

The Jerry K. Dubach Doniphan County Law Enforcement Center currently houses 8 local inmates.

Due to the observance of Columbus Day holiday on Monday, October 10, 2022, the Board of County Commissioners will hold their next regular meeting on Tuesday, October 11, 2022 at 8:30 A.M.

The Board of County Commissioners were in receipt of Household Hazardous Waste collections for September 2022.

Sales Tax receipts in the amount of \$62,326.82 were presented to the County Commission by County Clerk Peggy Franken.

Clerk Franken informed the County Commission of damage to the 2018 Western Star rock truck in Third Road District due to overhanging tree limbs. A damage claim has been submitted to KCAMP, the County's liability insurance carrier. The Board of County Commissioners were in consensus to determine if repairs can be made by employees of the Road Department prior to submitting claim for reimbursement to County's insurance carrier.

63rd District State Representative Dr. John Eplee met with the County Commission to give an overview of the 2022 Legislative Session.

Road Office Manager Lindsay Norris presented the County Commission with a current list of Road Department employees comparing the number of former employees, per request of Commissioner Hall.

Norris reported Tip Top Tree Service will begin trimming trees along Elgin Road to 110th Road in approximately two weeks. Also, Maryville Metal Culverts should have Doniphan County's large shipment of road tubes ready within a week's timeframe.

Centurylink has made temporary repair to service along 150th Road, west of Last Chance Road, restoring internet and telephone service. After completion of the 150th Road rebuild project, Centurylink will permanently place the line, according to Road Office Manager Lindsay Norris.

Commissioner Collins informed the County Commission tube replacement on Heartland Road in Section 22 Township 2 Range 20E is on hold due to Fiat dozer equipment being broke down. Commissioner Collins made a motion to approve repair work to Fiat dozer in an amount not to exceed \$6,000.00 by Ellis McGuire. Commissioner Hall seconded the motion. Motion carried 3-0.

The County Commission held discussion on replacing Doniphan County's CAT and Fiat dozers with leased equipment. Second Road District Foreman Sean Price will contact vendors to determine cost and availability for lease of dozer for the Board's consideration.

Second Road District Foreman Sean Price told the County Commission he used 24 yards of concrete to fill the void under the low water crossing on Oxide Road in Sections 34-35 Township 2 Range 21E. Price said additional repairs are needed, but the structure is now passable.

At 9:26 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing and protecting the interest of non-elect road department personnel with the meeting to be called back to order in the office of the Doniphan County Commission at 9:41 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Attorney, County Clerk and Road Office Manager remained.

At 9:41 A.M. Commissioner Hall made a motion to enter into executive session for the purpose of discussing matters related to attorney client privilege with legal Counsel with the meeting to be called back to order in the office of the Doniphan County Commission at 9:56 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Attorney, County Clerk and Road Office Manager remained.

At 9:57 A.M. Commissioner Grable made a motion to recess for a break with the meeting to be called back to order in the office of the Doniphan County Commission at 10:02 A.M. Commissioner Collins seconded the motion. Motion carried 3-0.

Register of Deeds Susan Shuster presented the County Commission with an invoice for annual maintenance on the AS400 computer system in the amount of \$3,091.00. Commissioner Grable made a motion to approve invoice in the amount of \$3,091.00 to Sirius for annual maintenance on the County's AS400 mainframe computer system. Commissioner Hall seconded the motion. Motion carried 3-0.

John M. Smith, Jr. met with the County Commission to discuss road conditions and repairs on Heartland Road in Section 22 Township 2 Range 20E.

Commissioner Grable made a motion to award pest control services for the Doniphan County Courthouse and Courthouse annex to Schendel Pest Control at a cost of \$95.00 per quarter. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Grable made a motion to allow County Departments affected by Health Insurance Open Enrollment training to close from 10:00 A.M. until 12:00 P.M. on October 6, 2022 while attending the training session. Commissioner Collins seconded the motion. Motion carried 3-0.

County Clerk Peggy Franken informed the County Commission Doniphan County is eligible for up to \$100,000 from the Local Assistance and Tribal Consistency Fund (ARPA funding) under the Federal revenue sharing program. Based on Doniphan County's demographics, it was determined Doniphan County suffers a hardship by receiving Payment in Lieu of Tax (PILT) payments instead of actual tax dollars for land now owned by the Bureau of Land Management for Fish and Game. Clerk Franken applied to receive LATC funds with \$50,000.00 to be paid in 2022 and \$50,000.00 in 2023. The funds can be used for any purpose other than Lobbying. Funding will be deposited into the ARPA fund account for reporting requirements, with the County Commission to decide the best use of the funds.

The Board of County Commissioners agreed to seek bids for removal of pin oak tree, located on south side of the Courthouse by Tall Oak Indian monument and magnolia tree, located on southeast corner of courtyard, based on recommendation of Kim Bomberger, Northeast Kansas District Forester with the Kansas Forest Service. Forester Bomberger expressed concern with fungus growing around the base of the pin oak tree which is a sign of detrimental decay, saying the sooner the tree can be removed the better to prevent it from falling or blowing over causing damage to the courthouse building and Tall Oak Indian monument or falling on someone. In addition, the base of the Magnolia tree, on the southeast corner, is rotted almost completely through and should be removed. Bid specifications shall call for the removal of stumps and all debris, with proof of liability insurance required.

At 10:31 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing and protecting the interest of non-elect aging department personnel with the meeting to be called back to order in the office of the Doniphan County Commission at 10:36 A.M. Commissioner Hall seconded the motion. Motion carried 3-0. County Attorney and County Clerk remained.

There being no further business before the Board, Commissioner Hall made a motion to adjourn at 10:37 A.M. Commissioner Grable seconded the motion. Motion carried 3-0.

DATED THIS 3rd DAY OF OCTOBER 2022.

Attest: _____
Peggy Franken, County Clerk

Wayne Grable, Chairman