

UNOFFICIAL MINUTES
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, JULY 3, 2023

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. Zoning Administrator Julie Meng, Road Foremen Representative Sean Price, Road Office Manager Lindsay Norris, Brent Teter and Jay Watkins, TECH's EMS Co-Owners/CEO's/Directors and Wayne Rush were present for a portion of the meeting.

Commissioner Hall made a motion to approve meeting agenda as amended to include discussion on 165th Road tree removal. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Collins made a motion to approve County Commission minutes of June 26, 2023 regular meeting as written. Commissioner Hall seconded the motion. Motion carried 3-0.

Commissioner Collins made a motion to approve warrants for the period of June 30, 2023 as presented. Commissioner Hall seconded the motion. Motion carried 3-0.

Fee reports for the month of June 2023 were presented to the County Commission on behalf of the County Clerk and Register of Deeds for their review.

The Jerry K. Dubach Doniphan County Law Enforcement Center currently houses 12 local inmates.

Zoning Administrator Julie Meng presented the Doniphan County Commission notice of recommendation on behalf of Doniphan County Regional Planning Commission for change in zoning from R-O Outer Residential to A-1 Agriculture for Jeanette Simpson Estate/Ryan Grable for operation of RM Seed Solutions located at 1471 200th Road, Troy, Kansas. Doniphan County Regional Planning Commission held a public hearing on June 14, 2023 with no opposition and therefore recommends zoning change.

Commissioner Collins made a motion to accept the recommendation of the Doniphan County Regional Planning Commission and approve zoning change from R-O Outer Residential to A-1 Agriculture for property located at 1471 200th Road for RM Seed Solutions, a seed sales operation, for applicant(s) Jeanette Simpson Estate/Ryan Grable. Commissioner Hall seconded the motion. Commissioner Grable abstained. Motion carried 2-0.

Commissioner Collins made a motion to approve the purchase of replacement hand cranks and bypass release key for courthouse ADA lift in the amount of \$627.60. Commissioner Hall seconded the motion. Motion carried 3-0.

The Board of County Commissioners were in agreement with Emergency Management Coordinator Julie Meng obtaining cost estimates for purchase of replacement wheelchair to be used at the Doniphan County courthouse.

Zoning Administrator Julie Meng told the County Commission she was contacted by representatives of Every who stated they plan to seek zoning change for another location within Doniphan County, possible locations include west of Wathena, Kansas or in the Elwood, Kansas industrial park.

Road Office Manager Lindsay Norris informed the County Commission work is progressing on bridge structure T-831-1 east of Troy, Kansas, on 195th Road in Section 16 Township 3 Range 21E, with the existing structure having been demolished.

Manager Norris forwarded a copy of temporary work agreement to Luedke Excavating for culvert replacement project on Elgin Road, south of 110th Road, in Section 36 Township 4 Range 19E. She will contact representatives of the company to determine a project start date.

Commissioner Collins made a motion to approve electrical diagnostic testing expenses for #175 2017 John Deere Motor Grader in First Road District in an amount not to exceed \$1,575.00. Commissioner Hall seconded the motion. Motion carried 3-0.

Commissioner Hall requested permission to hire contractor with long reach equipment to remove trees around powerlines on 165th Road, west of K-238, in Section 36 Township 3 Range 22E. Hall stated trees blowing onto the power line caused power outage for a 25 hour period June 30, 2023. Board of County Commissioners made no objection to contacting local contractors for cost estimate for tree removal.

Road Foremen Representative Sean Price told the County Commission the road crews are working to clear downed trees from recent storms. Work on Mineral Point Road south of the old town of Doniphan is close to completion.

Commissioner Grable made a motion to purchase one load of cold patch material for Road Department. Commissioner Hall seconded the motion. Motion carried 3-0.

Commissioner Hall said he was contacted by a county resident stating the Second and Third Districts don't assist First Road District on projects. Commissioner Hall said for the record all three road districts just completed rebuilding of 195th Road, west of K-7 Highway, which consists of 1 mile in Second Road District and 1.5 miles in First Road District. In addition, Third Road District has supplied a driver to do most of the rock hauling in the First Road District. Hall said due to being short staffed the Road Department is working as a county unit assisting all road districts. Commissioner Collins

told the County Board he appreciates the extra driver from Third Road District helping to haul rock on roads in First Road District prior to harvest.

Commissioner Collins told the County Commission he has had a lot of inquiries about when repairs will be made to structure RS-380 on 240th Road, west of Highland, Kansas, Sections 20-29 Township 2 Range 19E, in order to open the road to thru traffic. The Board of County Commissioners reiterated the Road Department has applied to the Kansas Department of Transportation for grant funding to repair bridge structure RS-380 double barrel culvert where a 12' void is present under the floor. Dependent upon approval of grant funds the repair is projected to be at least a year out. Estimated repair costs are \$815,000.00. 240th Road is closed and motorists are encouraged to use an alternate route for their safety.

Commissioner Grable asked the status of hauling rock to repair 295th Road in Sections 26-27 Township 1 Range 19E where erosion has caused a large ditch along county roadway. Commissioner Collins said he will contact Urban Construction for cost estimate for hauling of rock using side dump truck.

Road Office Manager Lindsay Norris informed the County Commission she has contacted Brightspeed, formerly Centurylink, to inquire about telephone and internet line repair, referencing a family without service since June 7, 2023.

At 9:10 A.M. Commissioner Collins made a motion to recess for a break with the meeting being called back to order in the office of the Doniphan County Commission at 9:15 A.M.

The Board of County Commissioners met with Co-Owners/CEO's/Directors of TECH's EMS Brent Teter and Jay Watkins to discuss response to calls and ambulance service personnel. Mr. Teter told the County Commission each ambulance has an ALS (Advanced Life Support) technician on board. Sometimes it is necessary to call for a second ambulance when the provider on the other ambulance crew is more qualified or experienced to handle the emergent situation. At no time is Doniphan County without ambulance service coverage, even if both buses are at one location a backup plan is in place to have a third ambulance respond to other areas of Doniphan County, as well as mutual aid agreements with other service providers. Commissioner Hall thanked Mr. Teter and Mr. Watkins for their explanation and reassurance of backup plan when both Doniphan County ambulances are responding to calls. County Attorney Charles D. Baskins reminded the Board of County Commissioners and public this is the first year of a contractual agreement with TECH's EMS to operate the Doniphan County EMS service. There will be some learning curves, the important thing to know is when 911 is called someone will respond.

At 9:19 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing confidential matters related to action affecting a patient with the meeting to be called back to order in the office of the Doniphan County Commission at 9:29 A.M. Commissioner Hall seconded the motion. Motion carried 3-0. County

Attorney, County Clerk, TECH's EMS Representatives Brent Teter and Jay Watkins remained.

At 9:29 A.M. Commissioner Grable made a motion to extend executive session for the purpose of discussing confidential matters related to action affecting a patient with the meeting to be called back to order in the office of the Doniphan County Commission at 9:39 A.M. Commissioner Hall seconded the motion. Motion carried 3-0. County Attorney, County Clerk, TECH's EMS Representatives Brent Teter and Jay Watkins remained.

Commissioner Grable inquired with TECH's EMS Representatives Doniphan County EMS's policy on transporting of patients when dispatched through 911 emergency services. Grable said he was made aware of a situation where a patron called 911, the ambulance responded however said there was not a need to transport and the individual went to the hospital by private vehicle. Brent Teter, Co-Owner/CEO/Director of TECH's EMS, contracted to services Doniphan County EMS, said when called the ambulance crew should always transport if requested to do so by the patient. However the ambulance crew, after assessment, does try to educate the patient on the cost of transport and financial responsibility of such if not medically necessary. Jay Watkins, Co-Owner/CEO/Director of TECH's EMS, contracted to services Doniphan County EMS, agreed saying ambulance personnel are trained to educate patients about the reasons for transports and the costs of doing so. Anyone requesting transport, even if not medically necessary, will be transported according to both Teter and Watkins.

County Clerk Peggy Franken presented the County Commission with proposed 2024 Doniphan County Ambulance District No. 1 budget with a projected mill levy rate of 2.199 mills and tax collections remaining revenue neutral at \$348,516.00. She stated the reason for keeping tax collections the same was unknown funding from dedicated 1% sales tax generations to fund the countywide ambulance service. Commissioner Grable made a motion to publish the 2024 Doniphan County Ambulance District budget as proposed at a tax rate of 2.199 mills. Commissioner Collins seconded the motion. Motion carried 3-0.

Clerk Franken also presented the County Commission with proposed 2024 Doniphan County budget with a projected mill levy rate of 36.917 mills and tax collections remaining revenue neutral for 2024 at \$5,850,611. Commissioner Grable made a motion to publish the 2024 Doniphan County budget as proposed at a tax rate of 36.917 mills. Commissioner Collins seconded the motion. Motion carried 3-0.

Wayne Rush appeared before the Board of County Commissioners to discuss the necessity to clean out plugged tube at the intersection of 180th and Larkinburg Roads in Sections 24-25 Township 3 Range 21E. Mr. Rush volunteered to do the necessary work, with permission of Doniphan County and adjoining landowners. The Board of County Commissioners made no objection to Wayne Rush cleaning out tube on 180th and Larkinburg Road pending Doniphan County calling in utility locates and working with Commissioner Grable on the project.

County Attorney Charles D. Baskins updated the Board of County Commission on year-to-date delinquent tax collections, assisted by Attorney Joel R. Euler, in the amount of \$87,108.19.

Discussion was held in regards to rescission of or amendments to Doniphan County Resolution 2008-04 and Resolution 2014-11, resolutions pertaining to the hard surfacing of county roadways. The Board particularly discussed amending the resolution to include roadways around Iowa Tribe Tribal ground, 150th Road (First and Second District), 160th Road (First District) and 175th Road from Peck Road to Mineral Point (Second District). Commissioner Hall made a motion to rescind Doniphan County Resolutions 2008-04 and 2014-11. Commissioner Grable seconded the motion. Commissioner Collins voted no. Motioned died 2-1 as Resolution 2008-04 calls for unanimous vote of Board of County Commission to rescind.

There being no further business before the Board, Commissioner Grable made a motion to adjourn at 11:24 A.M. Commissioner Collins seconded the motion. Motion carried 3-0.

DATED THIS 3rd DAY OF JULY 2023.

Attest: _____
Peggy Franken, County Clerk

Wayne Grable, Chairman