

UNOFFICIAL MINUTES
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, AUGUST 7, 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. Road Office Manager Lindsay Norris and Register of Deeds Susan Shuster were present for a portion of the meeting.

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

Commissioner Grable made a motion to approve County Commission minutes of July 31, 2023 regular meeting as written. Commissioner Collins seconded the motion. Motion carried 3-0.

Fee reports for the month of July 2023 was presented to the County Commission for their review on behalf of the Register of Deeds and Sheriff.

The Jerry K. Dubach Doniphan County Law Enforcement Center currently houses 11 local inmates.

County Clerk Peggy Franken reviewed with the Board July 2023 departmental budget and cash summary report, sales tax collections in the amount of \$62,597.66 and EMS 1% dedicated sales tax collections in the amount of \$101,813.98.

Register of Deeds Shuster presented the County Commission with price quote for upgrading the courthouse mainframe AS400 system from IBM at a cost of \$30,783.07. Commissioner Collins made a motion to accept the price quote from IBM to upgrade the County AS400 mainframe computer system in the amount of \$30,783.07, with payment to be made from Capital Improvement fund. Commissioner Grable seconded the motion. Motion carried 3-0.

Register of Deeds Shuster also presented the Commission with a price quote from LockIt Technologies to upgrade the outdated courthouse computer server and allow room on the server to accommodate Recording Notification Service (RNS) software in the amount of \$16,429.00. Commissioner Hall made a motion to approve the purchase of new courthouse computer server from LockIt Technologies in the amount of \$16,429.00, with the expense to be allocated between Capital Improvement fund and Register of Deeds account. Commissioner Collins seconded the motion. Motion carried 3-0.

Road Office Manager Lindsay Norris gave the Board of County Commissioners reports of bridge plank inventory by Road District shop for their review.

Discussion was held on replenishing tire inventory as tires are used. The Board of County Commissioners were in agreement as tires are used Road Foremen will obtain cost estimate to replace tires in inventory and present to County Commission when the Board of County Commissioners are in session for approval prior to purchase. In the event of an emergency, the respective County Commissioner for the Road District shall be contacted for purchase approval, subject to County Commissioner spending authority. Tire and bridge plank inventory are to be shared amongst all three road districts.

Commissioner Grable made a motion to approve the purchase of 24-month 500 hour power train and hydraulic protection plan for 2021 Caterpillar skid loader (#203) from Foley Equipment in the amount of \$2,162.50, excluding travel time. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Grable made a motion to approve invoice to Urban Construction for pushing banks and leveling 150th Road on the dates of March 7-8, 2023 in the amount of \$1,827.50. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Grable made a motion to approve invoice to Murphy Tractor for new windshield on 2020 John Deere Motor Grader (#202) in the amount of \$833.78. Commissioner Hall seconded the motion. Motion carried 3-0.

Road Office Manager Lindsay Norris was asked by the County Commission to check the status on the following road projects: hard surface road crack sealant to be completed by Midwest Sealing and Construction; 4'x80' culvert replacement project on Elgin Road in Section 36 Township 4 Range 19E by Luedke Excavating; purchase of cold patch and status of repair recommendations from Engineers with Schwab-Eaton, PA for bridges T-34-2 on 180th Road in Section 21 Township 3 Range 19E and T-228-2 on Larkinburg Road in Section 7 Township 4 Range 21E.

Commissioner Hall recommended Doniphan County contracting with an individual to routinely inspect all county bridge structures and issue report to County Commissioners in order to address areas of concern, with the Commissioners to make a decision on hiring contractors to repair before repairs become more costly or lead to closure of bridge structures.

Commissioner Collins asked County Attorney Charles Baskins for guidance on County Commissioners assisting the Road Department with road repair and maintenance. County Attorney Baskins opined on separation of duties and payment for time worked per requirements of Fair Labor Standards Act and conflict of interest for incompatible offices where one office is subordinate to another and the requirements of checks and balances between positions. Attorney Baskins made a recommendation against County Commissioners acting as employees of the Road Department and suggested utilizing

County policy to hire emergency contractors to assist with road work if or when the need arises.

At 9:25 A.M. the Board of County Commissioners toured the Jerry K. Dubach Doniphan County Law Enforcement Center to view progress on hot water heater replacement project contract with Lee Grover Construction. The Commissioners returned to the County Commission meeting room at 9:43 A.M.

Commissioner Grable asked for County Commissioner consideration to adding 150th Road from the existing hard surface portion of Monument Road to K-7 Highway; 160th Road from K-20 Highway west to Brown County line (Willow Road); 175th Road from Peck Road west to K-7 Highway (including portion of 180th Road) to the long range hard surface road plan. In addition, building up and rocking 180th Road from Half Mound Road to the Severance City limits. Following discussion, Commissioner Grable made a motion to add to the long range Road and Bridge Plan hard surfacing of 150th Road from existing hard surface on Monument Road west to K-7 Highway and 160th Road from K-20 Highway west to Brown County line (Willow Road). And building up and rocking 180th Road from Half Mound Road west to Severance City limits. Commissioner Hall seconded the motion. Motion carried 3-0.

County Commissioners held discussion on grant funding and/or issuance of bonds for hard surfacing road projects. No action was taken.

County Attorney Charles D. Baskins updated the Board of County Commissioners on delinquent tax collections with the assistance of Assistant County Attorney Joel R. Euler. Attorney Baskins stated there has been a 42% collection rate, with 31 properties still due and owing, 6 properties belong to deceased individuals and will most likely be sold at the tax foreclosure sale.

There being no further business before the Board, Commissioner Grable made a motion to adjourn at 10:24 A.M. Commissioner Collins seconded the motion. Motion carried 3-0.

DATED THIS 7th DAY OF AUGUST 2023.

Attest: _____
Peggy Franken, County Clerk

Wayne Grable, Chairman