

**UNOFFICIAL MINUTES
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, DECEMBER 4, 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, Sheriff Chad Clary, Appraiser Danielle Kiefer, Representative Dr. John Eplee, Jason Smith, Angie Kreider, Julie Bergman, Ken Smith, Gary Satter, Becky Etherton and Aging Director Diana Crouse-Johnson were present for a portion of the meeting.

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

Commissioner Hall made a motion to approve County Commission minutes of November 27, 2023 regular meeting as written. Commissioner Collins seconded the motion. Motion carried 3-0.

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

Commissioner Grable made a motion to approve added and abated tax changes in the amount of \$684.66 to the 2023 Doniphan County tax roll. Commissioner Collins seconded the motion. Motion carried 3-0.

The Jerry K. Dubach Doniphan County Law Enforcement Center currently houses 10 local inmates.

Commissioner Collins announced the retirement of Michael Simmons from the First Road District shop effective December 1, 2023.

County Clerk Peggy Franken presented the County Commission with sales tax receipts for the month of September 2023 in the amount of \$74,869.10. And EMS 1% sales tax receipts for the same time period in the amount of \$121,920.33.

Commissioner Grable made a motion to adopt Doniphan County Resolution 2023-05, a Resolution proposing certain amendments to the Neighborhood Revitalization Plans of Doniphan County, Kansas, and all local taxing districts therein, proposing a sixth extension of all such Neighborhood Revitalization Plans for an additional five years from and after January 1, 2024, and providing for a public hearing thereon. Commissioner Collins seconded the motion. Motion carried 3-0. Said Resolution was recorded in Resolution Book 4 and is on file in the office of the Doniphan County Clerk.

Commissioner Grable made a motion to adopt Doniphan County Resolution 2023-06, a Resolution proposing certain amendments to the Neighborhood Revitalization Plans of Doniphan County, Kansas, and all local taxing districts therein and providing for a public hearing on December 29, 2023 at 9:00 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. Said Resolution was recorded in Resolution Book 4 and is on file in the office of the Doniphan County Clerk.

Road Office Manager Lindsay Norris presented the County Commission with October 2023 Road Improvement Fund balances, October Road Department expenses and bridge plank, tire and tube inventory for their review. Norris reported a balance in the Doniphan County Road Department rock fund line item of \$236,102.97. She asked the Commission to decide how the remaining funds would be split amongst the three road districts to purchase stockpile rock for the winter; advising the Board there would be no rock purchased or hauled through the remainder of the year other than for stockpile. The Board took no action pending discussion.

Bid specifications for replacement of 6'x90' cross road culvert on 140th Road, east of Ottumwa Road, Section 10 Township 4 Range 21E, were presented to the County Commission by Road Office Manager Lindsay Norris. The Board took no action on submitting for bid pending further discussion with County Attorney Baskins on additional language needed in bid specification documents.

Commissioner Collins made a motion to execute project agreement between the Secretary of Transportation, Kansas Department of Transportation and Doniphan County, Kansas, for replacement of bridge RS-380, located 2.7 miles west of Highland, Kansas, on 240th Road, Sections 20-29 Township 2 Range 19E, pursuant to the Kansas Department of Transportation Local Bridge Improvement Program. The State of Kansas will provide 90% of the construction costs not to exceed \$700,000.00. Doniphan County will be responsible for 10% participating construction costs, preliminary engineering, right-of-way acquisition and utility adjustments. Commissioner Grable seconded the motion. Motion carried 3-0.

Commissioner Collins made a motion to enter into agreement with Schwab-Eaton, PA for engineering services required for replacement of bridge RS-380, located 2.7 miles west of Highland, Kansas, on 240th Road, Sections 20-29 Township 2 Range 19E, pursuant to requirements of the Kansas Department of Transportation Local Bridge Improvement Program in an amount not to exceed \$70,000.00. Commissioner Grable seconded the motion. Motion carried 3-0.

Commissioner Hall made a motion to approve request and petition for MCon for utility work in County right-of-way at 577 Monument Road. Commissioner Grable seconded the motion. Motion carried 3-0.

The Board of County Commissioners held discussion on purchasing rip rap from Ideker and hauling to County C&D Pit to be used on road projects including shoring up ten bridges in need of immediate repair. The Board of County Commissioners tabled action pending obtaining additional information on timeframe for hauling.

Sheriff Chad Clary appeared before the Board of County Commissioners to request the following expenses be approved and paid for the Doniphan County Sheriff's Department:

- Cintas (rugs) \$ 14.57
- US Foods (dish detergent) \$ 82.64
- Casey's Business MasterCard (fuel) \$1,294.15
- P1 Service, LLC (control mtc.) \$1,556.50
- TS Conard Inc. (IT Services) \$ 446.00
- Nemaha Valley Motors (2020 Durango) \$ 182.00
- Wash-ena Car Wash \$ 0.85
- Reed Chevrolet (2023 Durango) \$ 187.44
- Conoco (fuel) \$2,581.41
- Evergy (repeater utilities) \$ 68.55
- Graham Tire (tires) \$ 651.12
- Quill (office supplies) \$ 633.19

Commissioner Grable made a motion to approve Sheriff's Department expenses as presented in the amount of \$7,698.42. Commissioner Hall seconded the motion. Motion carried 3-0.

Commissioner Grable made a motion to pay P1 Services, LLC \$1,028.80 for freezer maintenance from the Kitchen fund. Commissioner Hall seconded the motion. Motion carried 3-0.

Sheriff Clary told the County Commission DirecTV agreed to reduce the October billing statement for pay per view channels and sent a new statement. However, when the statement was received it contained additional charges not accrued by the Sheriff's Department. Sheriff Clary asked the County Commission to take no action on paying the DirecTV invoice until such time as all charges are reviewed and approved by his department.

Commissioner Collins made a motion to approve installation of air antenna at the Jerry K. Dubach Doniphan County Law Enforcement Center for inmate television services at a one-time cost of \$290.28 by Channel Master. Commissioner Grable seconded the motion. Motion carried 3-0.

Representatives with Rainbow Communications Jason Smith, General Manager and CEO; Angie Kreider, Director of Business Development and Julie Bergman, Senior Business Development Specialist, met with the Board of County Commissioners to give an update on the US Highway 36 corridor broadband expansion project. A partnership project between Doniphan County, Kansas, and Rainbow Communications to expand high speed internet from the US Highway 36/Last Chance Road interchange east to the western city limits of Wathena, Kansas, broadening out one mile north and south of US Highway 36. Mrs. Kreider told the County Commission construction on the project began December 1, 2023 and is expected to last five to six weeks, subject to weather and three week holiday break. Customers can expect to be online beginning June or July 2024. She explained that due to funding, the project was cut down from the original two miles north and south of the highway. However, depending on the number of users interested in signing up for the service, the line could be extended out. Residents interested in high speed fiber internet service are asked to contact Rainbow Communications.

Jason Smith, Rainbow Communications General Manager and CEO, told the Board of County Commissioners Doniphan County and Rainbow Communications were not successful in their grant application to the Kansas Broadband Office for LINC grant funding for expansion of internet service into the rural areas of Doniphan County. Mr. Smith will meet with representatives of the Kansas Broadband Office to get an explanation on why Doniphan County was not selected despite being told by the State office to reapply after our first application was not successful and going through the second interview phase.

Representative Dr. John Eplee appeared before the County Commission to give an update on the 2023 Legislative session and to discuss with the Board and Appraiser Danielle Kiefer the method for valuing semi-truck tractors with a gross weight of 24,000 pounds or greater. Commissioner Grable, using his own tax bill as an example explained the value of a 2000 Peterbilt in 2022 was 5,004. In 2023 the value on the same truck increased to 49,208, a valuation increase of over 600%. Chairman Grable said in some instances taxpayers saw an increase of over 1200% when values went from 100 (2022) to 1,287 (2023). Appraiser Kiefer explained pursuant to K.S.A. 79-1412a *Sixth* “The county appraiser or district appraiser in setting values for various types of personal property, shall conform to the values for such property as shown in the personal property appraisal guides devised or prescribed by the director of property valuation.” The current valuation of semi-truck tractors involves a third party vendor setting values based upon vehicle identification numbers (VIN) and formula derived by the director of property valuation. The Appraiser’s procedure for valuing trucks is the same as in past years; the third party valuation company that the Kansas Department of Revenue uses increased values drastically. Representative Eplee said there seems to be a flaw in the methodology for deriving the value and will speak to Mike Burghart, Secretary for the Kansas Department of Revenue, on a broader way to look at valuing semi-truck tractors.

Ken Smith, rural Troy, Kansas, met with the County Commission to thank First Road District for road work and rock on 150th Road. Mr. Smith inquired about the rules and regulations for assisting the County with snow removal, saying he has equipment available to help. The County Commissioners were in agreement they appreciate the help and there shouldn’t be too many complaints from the public if he is assisting for the benefit of the county. Commissioner Collins said a good practice would be to leave the blade up 2” above the road level when blading snow to avoid the road bed.

Gary Satter, RC&D Council, gave the Board of County Commissioners an annual update on the programs offered by the RC&D Council. Commissioner Grable made a motion, seconded by Commissioner Collins, to approve annual support of the RC&D Council in the amount of \$3,000.00. Motion carried 3-0.

Becky Etherton, Doniphan County Library District No. 1 Director, told the Board of County Commissioners the Library has four site locations in Elwood, Wathena, Troy and Highland along with five sharing libraries in Bendena, Denton, Severance, Leona and White Cloud. Over 700 books have been processed through the sharing libraries this year. In addition, the Library has a summer reading program, daily story time and after school program. Through the different programs the Library has served over 900 lunches and provided over 2,000 snacks. The Library District recently updated the Elwood site, which also houses the Elwood Leisure Hour Senior Citizens Center, investing \$160,000.00 in the facility with another

\$160,000.00 planned for revitalization of the building structure, including tuck pointing of the brick on the historic building, known as the former Lincoln School.

Director Etherton presented the County Commission with actual expense costs to operate the Elwood Library; the Aging Department pays a monthly rental fee of \$200.00 for use of the facility. Mrs. Etherton requested the County Commission increase the monthly rental fee to \$300.00 per month to help offset utility expenses. Commissioner Hall made a motion to increase the monthly rental amount paid by Elwood Leisure Hour Senior Citizens Center to Doniphan County Library District No. 1 from \$200.00 to \$300.00. Commissioner Collins seconded the motion. Motion carried 3-0.

Aging Director Diana Crouse-Johnson informed the County Commission the dishwasher purchased for the Elwood Leisure Hour Senior Citizens Center could not be installed due to electrical outlet needing to be relocated. She has contacted Smith Plumbing & Small Repair to move the outlet and install the dishwasher.

At 10:50 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 Aging Department, with the meeting to be called back to order in the office of the Doniphan County Commission 10:55 A.M. Commissioner Hall seconded the motion. Motion carried 3-0. County Attorney, County Clerk and Aging Director remained.

Commissioner Collins informed the County Commission the 2013 Chevrolet pickup (#108), used to push snow on hard surfaced roads in First Road District, needs to be repaired or replaced. The Board of County Commissioners were in agreement to having the truck assessed and repaired by Randy Reed.

Commissioner Collins also said the 2015 Ford F250 pickup (#127) in the First Road District needs to be assessed to determine necessary fix for display warning signal. The Board of County Commissioners took no action.

The Board of County Commissioners were in agreement to having the 2018 Western Star (#5) rock truck in First Road District assessed for necessary repairs to the DEF system. County Attorney Charles Baskins advised the Board of County Commissioners not to delete or alter the DEF systems on any County equipment.

Commissioner Hall reminded the Road and Sheriff's departments to keep updated records on all vehicle repairs.

At 11:25 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing and protecting the interest of non-elect Appraiser personnel, with the meeting to be called back to order in the office of the Doniphan County Commission at 11:30A.M. Commissioner Collins seconded the motion. Motion carried 3-0. Appraiser, County Attorney and County Clerk remained.

Commissioner Collins told the County Commission he received a call from a constituent regarding the poor condition of 150th Road leading to her father's residence, who is in ill health. He asked about purchasing rock to fix the road. Commissioner Grable reminded Commissioner Collins rock purchases were halted November 15, 2023. Commissioner Collins will haul stockpiled rock to repair the road.

There being no further business before the Board, Commissioner Grable made a motion to adjourn at 11:39 A.M. Commissioner Hall seconded the motion. Motion carried 3-0.

DATED THIS 4th DAY OF DECEMBER 2023.

Attest: _____
Peggy Franken, County Clerk

Wayne Grable, Chairman