

UNOFFICIAL MINUTES
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, JANUARY 8, 2024

The Board of County Commissioners met in regular session in the office of the Doniphan County Commission, Troy, Kansas, at 8:49 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. Bill Rush, Sheriff Chad Clary, Health Department/Home Health Administrator Sheryl Pierce, Road Office Manager Lindsay Norris, Mary Winder, and County Treasurer Nicole Diveley were present for a portion of the meeting.

Commissioner Grable made a motion to approve amended meeting agenda to include legal executive session with Health Department/Home Health Administrator Sheryl Pierce and discussion with County Treasurer. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Grable made a motion to approve County Commission minutes of December 29, 2023, regular meeting as written. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Collins made a motion to approve added taxes in the amount of \$423.02 and abated taxes in the amount of \$7.20 to the 2023 Doniphan County tax roll. Commissioner Hall seconded the motion. Motion carried 2-0

Fee report for the month of December 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 nine local inmates.

Due to observance of the Martin Luther King Jr. Day, the Board of County Commissioners will hold their next regular board meeting Tuesday, January 16, 2024, at 8:30 A.M.

Bill Rush met with the County Commission and Sheriff Chad Clary to discuss concerns with making several attempts to contact Sheriff Clary and Deputy Ratzlaff regarding an ongoing investigation pertaining to trailers Mr. Rush bought at an auction. He said numerous calls made to the Sheriff went unreturned for over a two-week period. Chairman Grable ended the conversation pertaining to legal matters until such time as County Attorney Charles D. Baskins could be present.

Bill Rush inquired as to when Doniphan County would be holding a property tax foreclosure sale. He said he has an interest in a piece of land that adjoins his property which has been delinquent since 2008. Commissioner Grable said the County Attorney, with assistance of Attorney Joel Euler, is working to collect delinquent property tax and hold a tax foreclosure sale.

Commissioner Grable made a motion to approve the purchase of computer for the Health Department from Lockit Technologies in the amount of \$949.00, upon request of Health Department/Home Health Administrator Sheryl Pierce. Commissioner Collins seconded the motion. Motion carried 3-0.

At 9:01 A.M. Commissioner Grable made a motion to recess into executive session for consultation with County Attorney on matters deemed privileged in the attorney-client relationship, with the meeting to be called back to order in the office of the Doniphan County Commission at 9:11 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Attorney, County Clerk and Health Department/Home Health Administrator remained.

Commissioner Grable made a motion to approve 2024 County Commission inventory list as compiled by County Clerk Peggy Franken. Commissioner Hall seconded the motion. Motion carried 3-0.

The Board of County Commissioners previously discussed storage needs for county records, which included storing records in the cell block area of the old jail located in the courthouse annex building, 105 S Liberty Street, Troy, Kansas. County Clerk Peggy Franken acquired a price quote from Diamond Fab to remove the cells, bunks, benches and tables to make room for additional storage. Mary Winder appeared before the Board of County Commissioners to request the County Board consider the historic value and unique construction of the cell block area and keep it intact. She also suggested hiring a professional photographer to take pictures of the facility, preserve the Pauly Jail Company plaque (the jail company responsible for construction) and record stories of former Sheriff Jerry K. Dubach for future generations. Commissioner Grable said the County Commissioners would tour the facility with Department Heads to determine the amount of storage needed, as it is necessary to relieve the weight off the third floor of the courthouse building which currently houses stored records. The County Commissioners will consider all options and not make a rush decision.

Commissioner Hall made a motion to enter into 2024 contractual agreement between Doniphan County, Kansas, and KANZA Mental Health & Guidance Center for substance abuse and outpatient behavioral health care with Doniphan County to provide annual funding in the amount of \$30,000.00. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Hall made a motion to enter into a 2024 contractual agreement between Doniphan County, Kansas, and KANZA Mental Health and Guidance Center for crisis stabilization pass-through funds in the amount of \$14,200.00 to operate a crisis stabilization unit located in Leavenworth, Kansas, 711 Marshall Street, Leavenworth, Kansas 66048. Commissioner Collins seconded the motion. Motion carried 3-0.

County Clerk Peggy Franken presented the County Commission with 2023 departmental budget and cash summary report, showing all funds, with exception of the Sheriff's department, within budget and cash authority. The Sheriff ended \$107,532.22 over budget for the year.

Commissioner Hall addressed County Attorney Charles Baskins regarding Bill Rush's concerns about an ongoing investigation, asking Mr. Baskins to stay on top of Bill Rush's issue, as it is irritating when not called back by a public official. County Attorney Baskins said the investigation is not a county issue and is being investigated by another state agency.

Commissioner Hall made a motion to purchase safety sweatshirts for the Doniphan County Road Department. Commissioner Grable seconded the motion. Motion carried 3-0.

At 10:00 A.M. bid letting was held for removal and installation of 6' by 90' crossroad metal culvert on 140th Road, approximately 780' east of Ottumwa Road, Troy, Kansas. Bids were opened and read aloud as follows:

Luedke Excavating	\$19,000.00
Kiefer Excavating	\$ 5,360.00
Urban Construction	\$ 9,630.00 (plus hauling at \$135.00/hr)
Muse Excavation & Construction	\$23,160.00
Baird Excavating, LLC	\$24,000.00
Engemann Drainage Co., Inc.	\$12,650.00

Commissioner Grable made a motion to accept the lowest and best bid of Kiefer Excavating in the amount of \$5,360.00. Commissioner Collins seconded the motion. Motion carried 3-0.

Road Office Manager Lindsay Norris presented the County Commission bid specifications for removal of bridge T-538-2 and twin structure adjacent to, on Oxide Road, north of 215th Road, Section 35 Township 2 Range 23E. The bridges will be replaced with two 80" by 80' road tubes per structure. The Kansas Department of Transportation will grant Doniphan County \$50,000.00 for sacrificing bridge T-538-2 to be used toward replacement cost of structure RS280 located 2.7 miles west and .2 miles south of Highland, Kansas, on 240th Road, Section 29 Township 2 Range 19E.

Road Office Manager Lindsay Norris asked the County Commission to determine the number of miles of road to be chip sealed to secure a cost estimate for 2024. Dennis McKittrick, Maintenance Engineer at the Jerry K. Dubach Doniphan County Law Enforcement Center, requested the County Commission chip seal the Law Enforcement Center parking lot this year.

At 10:41 A.M. the Board of County Commissioners recessed for a break with the meeting being called back to order in the office of the Doniphan County Commission at 10:46 A.M.

Commissioner Collins told the County Board the First Road District needs to replace the 2005 Mack dump truck (#46) with a more dependable truck. Road Foreman Jason Wilson will research replacement options for the Boards' consideration.

Commissioner Hall said Second/Third District Road Department employee Harley Hartman will assist all road districts blading roads. Commissioner Hall requested a motor grader be moved temporarily from the first road district to third road district for Mr. Hartman to learn to operate the motor grader with joystick controls. Commissioner Collins made no objections and agreed to move the equipment today.

Commissioner Collins asked County Attorney Charles D. Baskins to research Commercial Drivers License (CDL) requirements for employees of the Road Department.

At 11:04 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing and protecting the interest of non-elect Economic Development personnel, with the meeting to be called back to order in the office of the Doniphan County Commission at 11:09 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Attorney and County Clerk remained.

At 11:10 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing confidential data relating to economic development, with the meeting to be called back to order in the office of the Doniphan County Commission at 11:15 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Attorney and County Clerk remained.

Discussion was held on hiring contractors to help in emergency situations with snow removal. Commissioner Grable made a motion to set the contractors rate up to \$215.00 per hour based on type of equipment used, with contractors to be notified after special meeting called by the Board of County Commissioners to grant approval based on weather and road conditions. Commissioner Collins seconded the motion. Motion carried 3-0.

Chairman Grable called County Treasurer Nicole Diveley to the County Commission meeting to discuss hours of operation in the County Treasurer's office. Currently, office staff are working 8 hours days instead of 7.5 hours as set by the Board of County Commissioners during reorganization. Commissioner Grable asked Treasurer Diveley if her office is fully staffed and trained. Treasurer Diveley said her office is at full staff and agreed to return to 7.5-hour workdays, with work hours to be revisited in the future based on workload.

Commissioner Collins told County Treasurer Nicole Diveley he has received complaints from the public about how they are treated at the window when doing business in the County Treasurer's office. He asked that Treasurer Diveley be kind and courteous to the public. Treasurer Diveley said she has no intention of being rude to the public. However, sometimes when trying to explain something to a customer, it can come across wrong. Commissioner Grable said there is an understanding that people can take things wrong and asked that everyone treat the public kindly.

There being no further business before the Board, Commissioner Grable made a motion to adjourn at 11:51 A.M. Commissioner Hall seconded the motion. Motion carried 3-0.

DATED THIS 8TH DAY OF JANUARY 2024.

Attest: _____
Peggy Franken, County Clerk

Wayne Grable, Chairman