

**UNOFFICIAL MINUTES**  
**DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, FEBRUARY 26, 2024**

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. Kitchen Director Jamie Hendrix, Cindi Smith, Sheriff Chad Clary, Road Office Manager Lindsay Norris, ADA Coordinator Julie Meng, Otis Elevator Representative Kyle George, RS Electric Representative Casey Schultz, David Juhl and Martha Smith, Northeast Kansas Environmental Services, were present for a portion of the meeting.

Commissioner Grable made a motion to approve meeting agenda as amended removing 9:30 A.M. appointment due to cancellation. Commissioner Hall seconded the motion. Motion carried 3-0.

Commissioner Collins made a motion to approve minutes of February 20, 2024, regular meeting as written. Commissioner Hall seconded the motion. Motion carried 3-0.

Commissioner Hall made a motion to approve payroll and warrants for the period of February 29, 2024, as presented. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Hall made a motion to approve added taxes to the 2023 Doniphan County tax roll in the amount of \$422.84. Commissioner Collins seconded the motion. Motion carried 3-0.

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

Kitchen Director Jamie Hendrix and Cindi Smith, employee of the Doniphan County Treasurer's office, met with the Board of County Commissioners to discuss operations of the meals on wheels program and preparation of meals in the absence of Kitchen Director Jamie Hendrix. It was agreed Cindi Smith will fill in for Director Hendrix as long as it does not interfere with Mrs. Smith's duties in the County Treasurer's office. Cindi Smith is to be trained on the kitchen duties as early in March as possible.

Kitchen Director Hendrix told the County Commission the food warmer needs to be replaced, she will obtain cost estimates for Board consideration.

County Clerk Peggy Franken notified the Board of County Commissioners of notice from the Doniphan County Planning and Zoning Department of public hearing set for March 13, 2024, at 7:30 P.M. for consideration of zoning change from R-O Outer Residential to I Industrial, on behalf of Tyler Ferris for restoration company.

Sheriff Chad Clary met with the Board of County Commissioners to discuss regulations when a countywide burn ban has been issued by the Emergency Management Director. Commissioner Hall told Sheriff Clary he attended a recent Local Emergency Preparedness Committee meeting in which it was stated by a deputy of the Doniphan County Sheriff's Department the Sheriff's Department was told by the County Commissioners not to issue tickets during burn bans. Commissioner Hall said for the record, he nor the current Board, ever directed the Sheriff's Department not to issue tickets for burning while a burn ban is in place. Further saying he serves on the volunteer fire department and knows the severity of battling a fire when conditions are not conducive. Sheriff Clary said Doniphan County Resolution 2015-03, a resolution pertaining to open burning of pasture, tillable farm ground, conservation reserve program land, water ways, rights-of-ways and other land, is only enforceable as a civil matter in unincorporated areas of the county. Incorporated cities follow home rule authority and enforce their own ordinances, including those pertaining to open burning. On average, nine out of ten individuals contact the Sheriff's department to report or inquire about open burning prior to doing so, according to the Sheriff.

Commissioner Hall also asked Sheriff Clary who makes the determination to block off a county road during air shows held at Rosecrans Memorial Airport. Sheriff Clary said it is a collaborative effort amongst the Air National Guard, Kansas Highway Patrol, Sheriff's Department, local city officers and Emergency Management. Commissioner Hall said there were issues during the last air show where individuals were given a hard time for trying to access residences on roads closed during the air show. He asked that common sense be used by law enforcement and people allowed to access their property.

Road Office Manager Lindsay Norris presented the County Commission with maps of priority routes to be cleared first during inclement weather.

Contractor rates for the 2024 year were presented on behalf of Engemann Drainage Company, Inc., Kiefer Excavating, Muse Excavation & Construction, Baird Excavating, LLC and Urban Construction for Board review.

Lindsay Norris, Road Office Manager, told the County Commission she has contacted Herzog Contracting Corporation and Bettis Construction regarding cost estimates for asphalt overlay on Mesquite Creek Road, Treece Road and 240<sup>th</sup> Road based on 2023 specifications. In addition, she asked the County Commission for a list of proposed roads to be considered for chip seal during the 2024 season, in order for contractors to view prior to bid.

An updated construction project letter, mailed to contractors, for replacement of bridges T-538-1 and T-538-2 on Oxide Road, south of Ottumwa Road approximately 1,800' in Section 36 Township 2 Range 23E, was presented to the County Commission by Road Office Manager Lindsay Norris. She told the County Board 120' of additional tube plus bands has been ordered from Metal Culverts with the tubes to be available March 18, 2024. Commissioner Grable asked Norris to contact Metal Culverts to determine if they make end pieces large enough to fit the 60' and 80' x 84" tubes for this project.

The Road Office will reach out to Jeff Wagner, Wagner Excavating, for a status update on repair of bridge T-228-2 located 3.5 miles east and 1.9 miles south of Bendena, Kansas, on Larkinburg Road, Section 12 Township 4 Range 20E. And Kiefer Excavating for update on 140<sup>th</sup> Road tube replacement project, south of Ottumwa Road.

At 9:00 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 personnel, with the meeting to be called back to order in the office of the Doniphan County Commission at 9:10 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Clerk, Road Office Manager and Jarren Frump remained.

At 9:10 A.M. Commissioner Hall made a motion to extend executive session for the purpose of discussing and protecting the interest of non-elect road personnel, with the meeting to be called back to order in the office of the Doniphan County Commission at 9:20 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Clerk and Road Office Manager remained.

At 9:20 A.M. Commissioner Grable made a motion to extend executive session for the purpose of discussing and protecting the interest of non-elect road personnel, with the meeting to be called back to order in the office of the Doniphan County Commission at 9:25 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Clerk and Road Office Manager remained.

Commissioner Grable made a motion to hire Jarren Frump for the Doniphan County Road Department, with Mr. Frump to report to Second Road District and assist where needed amongst all three road districts, subject to pre-employment requirements. Commissioner Hall seconded the motion. Motion carried 3-0.

At 9:30 A.M. the Board of County Commissioners recessed for a break with the meeting called back to order in the office of the Doniphan County Commission at 9:35A.M.

Martha Smith, Northeast Kansas Environmental Services Office, met with the County Commission and County Attorney Charles D. Baskins to discuss operations of the Doniphan County Transfer Station upon termination of contractual agreement with Deffenbaugh Industries, doing business as Waste Management on October 31, 2024, and the current condition of the transfer station building. The Board of County Commissioners agreed Northeast Kansas Environmental Services, who is contracted with Doniphan County for Solid Waste services, will contact a structural engineer to have the transfer station building inspected. Upon receipt of structural engineer report, the Board of County Commissioners will meet with representatives of Waste Management to discuss expectations of both Doniphan County and Waste Management at the end of the lease term.

Kyle George, Modernization Sales Representative with Otis Elevator, and Casey Schultz with RS Electric, along with ADA Coordinator Julie Meng, appeared before the County Commission to discuss needed upgrades to the Doniphan County courthouse elevator. Otis Elevator and RS Electric will work together on project scope and cost estimate for Board of County Commissioners consideration of replacement of the 27-year-old elevator.

Commissioner Hall asked ADA Coordinator for a status update on a plan to install an ADA accessible sidewalk ramp into the courthouse building. Coordinator Meng said she has had no further contact with Schwab-Eaton, PA, engineers on the project since initially contacting them.

David Juhl discussed with the County Commission needed road repair work on Port William Road, Section 13 Township 3 Range 21E, where the roadway tube is higher than the roadbed. Mr. Juhl said he would give the County dirt from his property to build up the road to gain access in and out of the fields. Mr. Juhl also asked that brush be taken off and the road widened on the south line of Section 32 Township 2 Range 22E, west of St. Columbus Road, to allow farm machinery to travel down the road. Commissioner Grable said he would view both Port William Road and road west of St. Columbus Road to determine what the County can do to fix both locations.

There being no further business before the Board, Commissioner Collins made a motion to adjourn at 10:55 A.M. Commissioner Hall seconded the motion. Motion carried 3-0.

DATED THIS 26TH DAY OF FEBRUARY 2024.

Attest: \_\_\_\_\_  
Peggy Franken, County Clerk

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Wayne Grable, Chairman