

UNOFFICIAL MINUTES
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, APRIL 22, 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. Aging Director Diana Crouse-Johnson, Roger Hopkins, Road Office Manager Lindsay Norris, Bill Rush, Undersheriff Mark Allen, Health Department/Home Health Administrator Sheryl Pierce, ADA/Emergency Management/Zoning Coordinator Julie Meng and Chris Adelman, Husker Steel Representative, were present for a portion of the meeting.

Commissioner Grable made a motion to approve meeting agenda as amended to include legal executive session, executive session for non-elect personnel, appearance of Bill Rush and meeting with Health Department/Home Health Administrator. Commissioner Hall seconded the motion. Motion carried 3-0.

Commissioner Collins made a motion to approve minutes of April 15, 2024, regular meeting as written. Commissioner Hall seconded the motion. Motion carried 3-0.

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

Commissioner Grable made a motion to increase Doniphan County Services and Workskills meals on wheels delivery fees from \$20.00 per day per center to \$25.00 per day per center, upon request of Aging Administrator Diana Crouse-Johnson. Commissioner Hall seconded the motion. Motion carried 3-0.

Aging Administrator Diana Crouse-Johnson reported during heavy rainfall on April 16, 2024 and April 18, 2024, water got in the basement of the Highland Senior Citizens Center located at 102 N. Kirkwood Street, Highland, Kansas. In addition, the gutters need to be cleaned out, the bell tower sealed, weep holes in the basement repaired and ceiling tiles knocked out during recent rental repositioned. Director Crouse-Johnson will seek individual bids to seal the bell tower and reposition ceiling tile. Another bid will be secured to clean out gutters, repair weep holes and make additional repairs to prevent water from coming into the basement of the Center.

Roger Hopkins inquired about resurfacing 240th Road, east of Highland, Kansas, asking if the County planned to mill the road prior to applying asphalt overlay. Commissioner Grable explained Herzog's bid calls for wedging the road prior to applying 2" asphalt overlay. Mr. Hopkins also told Commissioner Collins the First Road District Crew did a nice job smoothing out and rocking Freeport Road, south of Sparks, Kansas.

Dust control permits for 717 Last Chance Road and 1574 Keystone Road were received and executed by the Board of County Commissioners.

A price list for products offered by Rubble Reprocessing LLC of Atchison, Kansas, was presented to the County Commission by Road Office Manager Lindsay Norris.

Commissioner Grable made a motion to approve the purchase of four pickup truck tires for 2015 Ford (#128) from Triple L in the amount of \$1,150.93. Commissioner Collins seconded the motion. Motion carried 3-0.

Lindsay Norris, Road Office Manager, told the County Commissioners temporary repairs have been made to Treece and Valencia Roads, Sections 2-3-10-11 Township 3 Range 22E, where contractors for Missouri River levee repair are using the roads as haul routes. Shane Lyle with the US Army Corp of Engineers said the haul routes were videotaped prior to the project, per terms of the contractual agreement roadways will be restored to pre-existing or better condition when hauling is complete.

Arnie Valdemar, Inspector with Schwab Eaton, performed a 10-year follow-up inspection on the asphalt portion of Castleton Road. Road Office Manager Lindsay Norris presented the County Commission with pictures of box culvert that needs attention to an area approximately 9'x12' in the northeast corner. Mr. Valdemar, who recommended repairs be made before fall harvest, is working with First District Road Foreman Jason Wilson on repair options.

Norris is also working with David Beach, Engineer with Schwab Eaton, to narrow down bridges in need of repair or replacement that meet the requirements for submittal to the Kansas Department of Transportation's Off-System Bridge and Short-Span Bridge grant programs.

Angie Kreider, Director of Business Development with Rainbow Communications, Rick Shelley, Telecommunications Technician with RVW and Josh Bartholomaus, NCS Supervisor, updated the Board of County Commissioners on fiber broadband expansion project along US Highway 36 from east of Troy, Kansas, city limits to west city limits of Wathena, Kansas, expanding out one mile north and south. Mr. Shelley told the County Commission the construction portion of the project is wrapping up and will be completed this week, 100% of the cleanup is done. He asked the County Commission if there are any issues that need to be addressed prior to them leaving the area. Commissioner Grable said there were concerns on 190th Road, which have been addressed. Representatives of NCS will meet with Second District Road Foreman Roger Clark to determine who will make repairs to bridge approach on 190th and Saratoga Road, with NCS responsible for the cost. NCS guarantees construction work for up to one year after completion of the project and will address any issues that arise during that timeframe. Mrs. Kreider said Rainbow Communications is upgrading the electronics at their hut on Mesquito Creek Road south of US Highway 36 in Troy, Kansas. Once upgrades are complete, estimated to take 30-60 days, residential installations will begin. All residents along the route, along with those outside the one-mile radius were mailed an informational packet by Rainbow Communications on the fiber internet build, installation at no cost to the residence and high-speed internet plans.

Representatives of Rainbow Communications Angie Kreider and Julie Bergmann worked with County Clerk Peggy Franken on submittal of grant application to the Kansas Office of Broadband's BAG 4 program to expand fiber broadband service north and south of Troy, Kansas, and south of Wathena, Kansas. Grant awards will be announced on or around July 1, 2024.

At 9:17 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 9:22 A.M.

Bill Rush was present at the meeting, along with County Attorney Charles Baskins and Undersheriff Mark Allen, to discuss an ongoing investigation about trailers purchased at an auction. Commissioner Hall asked Mr. Rush why he continues to appear before the Board of County Commissioners when the matter pertains to two elected officials, outside the County Commissioners jurisdiction. Mr. Rush said the County Commission meetings are the only time he gets a response from the Sheriff's Department; Sheriff Chad Clary will not take or return his calls and refuses to meet with him.

Commissioner Collins made a motion to approve annual maintenance fees for information technology services at the Doniphan County Health Department offered by LockIt Technologies in the amount of \$2,640.00. Commissioner Hall seconded the motion. Motion carried 3-0.

Health Department/Home Health Administrator Sheryl Pierce informed the County Commission the windowsills on the Health Department building located at 201 S. Main Street, Troy, Kansas, need repair. The Board asked Administrator Pierce to obtain bids and present to the County Board.

Administrator Pierce reminded the County Commission Doniphan County will be participating in a Healthcare Coalition Chemical and Medical Response and Surge exercise put on by Northeast Kansas Healthcare Coalition April 23, 2024, from 9:00 A.M. until 12:00 P.M.

Chris Adelman, Husker Steel Representative, was present to review repair specifications for concrete box culvert on Coronado Road, located north of Highland City limits, Sections 22-23 Township 2 Range 19E. Mr. Adelman said if approved, the project would take 2-3 weeks for completion, with the road closed to through traffic during construction, which could commence late summer 2024 prior to harvest. The Board of County Commissioners took no action.

Commissioner Grable asked Commissioner Collins about two culvert repair projects in First Road District mentioned by Commissioner Collins the previous week. Commissioner Collins said both are 24" inch tube repair projects. The first on Chalk Bluff Road consists of replacing the 24" tube to keep the banks from caving off. A lot of dirt will need to be hauled in for the project, which the First District Crew does not have time or manpower to do. The second project is on Eminence Road, south of 240th Road, and calls for an extension onto the 24" road tube to widen the road. Commissioner Grable said the County needs to figure out a priority list and work together as a county road unit on making repairs. Suggesting the Road Department compile a list of projects and schedule repair based on priority, with crews from all Districts working together to get completed.

At 10:17 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing matters of legal nature with counsel, with the meeting to be called back to order in the office of the Doniphan County Commission at 10:27 A.M. Commissioner Hall seconded the motion. Motion carried 3-0. County Attorney, County Clerk and Road Office Manager remained.

At 10:27 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing matters of legal nature with counsel, with the meeting to be called back to order in the office of the Doniphan County Commission at 10:37 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Attorney, County Clerk and Road Office Manager remained.

At 10:37 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing matters of legal nature with counsel, with the meeting to be called back to order in the office of the Doniphan County Commission at 10:47 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Attorney, County Clerk and Road Office Manager remained.

Commissioner Grable made a motion to pay Fuemmeler Flatwork \$2,500.00 for concrete guardrail repair work on bridge T228-2 located on Larkinburg Road, south of 150th Road. Commissioner Collins seconded the motion. Motion carried 3-0.

ADA/Emergency Management/Zoning Coordinator Julie Meng presented the County Commission with final agreement between Doniphan County, Kansas and Otis Elevator Company for modernization and upgrade of courthouse elevator in the amount of \$135,500.00. Chairman Grable executed the agreement.

Commissioner Grable told the County Commission Third District Road Foreman Christopher Schultz contacted Mr. Grable about removing rock from the former railroad right-of-way to be used for fill while the Road Department had access to leased dozer from Equipment Share. Commissioner Grable, who owns a portion of land along the abandoned rail line, agreed and gave the rock and dirt to the county at no cost.

At 10:55 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, 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.

Commissioner Collins made a motion to forego chip seal projects in 2024 and contract with Herzog Contracting Corporation to asphalt county roadways consisting of:

- 240th Road, east of Highland City limits to Eminence Road 1) transition mill tie-in to US-36, all other transitions will be rundowns 2) apply adhesive tack coat of approximately 39,422 square yards 3) construct 2" compacted asphalt overlay of approximately 39,422 square yards or approximately 14,970' of highway 4) furnish and install shoulder aggregate along shoulder drop off. Total cost \$512,012.00

- Mesquito Creek Road from US-36 1) transition mill tie-in to US-36, all other transitions will be rundowns 2) apply adhesive tack coat of approximately 25,278 square yards 3) construct a 3” compacted asphalt overlay approximately 25,278 square yards 4) furnish and install shoulder aggregate along shoulder drop off. Total cost \$505,946.00
- Treece Road from Wathena City limits 1) transition mill tie-in to East St. Joseph Street, all other transitions will be rundowns 2) apply adhesive tack coat of approximately 34,849 square yards 3) construct 2.25” compacted asphalt overlay approximately 34,849 square yards 4) furnish and install shoulder aggregate along shoulder drop off. Total cost \$519,304.00.

With payment to be made from the Road and Bridge and Federal Funds Exchange accounts. Commissioner Hall seconded the motion. Motion carried 3-0.

There being no further business before the Board, Commissioner Collins made a motion to adjourn at 11:28 A.M. Commissioner Hall seconded the motion. Motion carried 3-0.

DATED THIS 22ND DAY OF APRIL 2024.

Attest: _____
Peggy Franken, County Clerk

Wayne Grable, Chairman