

UNOFFICIAL MINUTES
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, JULY 15, 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 open meeting. Paul Smith, Road Office Manager Lindsay Norris, and Sean Gordon, Gordon CPA 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 Collins made a motion to approve minutes of July 8, 2024, regular meeting as written. Commissioner Grable seconded the motion. Motion carried 3-0.

Commissioner Collins made a motion to approve payroll and warrants for the period of July 15, 2024, as presented. Commissioner Hall seconded the motion. Motion carried 3-0.

Commissioner Hall made a motion to approve added taxes in the amount of \$162.36 and \$106.08 of abated taxes 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 9 local inmates.

Paul Smith asked Commissioner Grable when rock would be hauled on Larkinburg Road, north of US Highway 36. He said if the County is not going to haul rock, he will do it himself. Commissioner Grable said he asked the Second District Road Crew to haul rock on Larkinburg Road the week before. The Road Crew will rock the road as soon as possible. Mr. Smith asked the Commission to change County policy thereby allowing citizens to rock their own roads. Commissioner Hall said allowing citizens to rock their own roads creates a liability for the County. Commissioner Collins asked Mr. Smith to give the Second District Road Department time to haul the rock as directed by Commissioner Grable.

Paul Smith stated he was getting a bid “to see what it is going to take” and will submit to County Attorney Charles Baskins, in reference to road bank along Last Chance Road in Section 19 Township 4 Range 21E.

Commissioner Grable thanked Road Office Manager Lindsay Norris for working after hours Friday, July 12, 2024, contacting Brightspeed to restore phone service to residents due to exposed phone line being cut during road maintenance.

Mary Lou Glynn contacted the Road Department to ask that the recycling trailer in Highland, Kansas, be taken to Nemaha County to be dumped. Road Office Manager Lindsay Norris will schedule a time with the Road Department to take the trailer to Nemaha County Recycling Center.

David Beach, Engineer with Schwab-Eaton, PA, will be in the County this week to inspect concrete culvert RS 110 on Ash Point and 150th Roads. Engineer Beach will compile repair recommendations for the County Commission consideration. Due to the structural integrity of the culvert, it is considered a bridge for road record purposes.

Schwab-Eaton, PA Engineer David Beach has completed plans for replacement of bridge RS 380 on 240th Road, west of Highland, Kansas. Plans will be submitted to the Kansas Department of Transportation for approval and the Doniphan County Commission for review. Bridge RS 380 replacement project is funded 85% through the Kansas Local Bridge Improvement Program for 2024 and 15% local funding.

Road Office Manager Lindsay Norris told the Board of County Commissioners several calls of concern have been received over the condition of Ottumwa Road, north of US Highway 36, due to MCON hauling a large amount of dirt out of the area. Commissioner Grable will meet with representatives of MCON to discuss road concerns and address repairing the roadway.

Commissioner Hall asked if a haul route agreement has been filed by the US Army Corp of Engineers or HB Construction for use of Treece Road and 210th Road, where the US Army Corp of Engineers has contracted with HB Construction to repair the Elwood Gladden Drainage District levee structure. No haul route agreement is on file currently.

Commissioner Collins told the County Commission road tube on Elgin Road, near Dove Creek and 275th Roads, will need to be replaced prior to fall harvest. He recommended contracting the project out. Road Office Manager Lindsay Norris will contact Doniphan County Conservation District Office to determine the number of drainage acres, order the necessary road tube and prepare bid specifications based on current bid policy.

Discussion was held regarding hiring of contractors to assist with road projects and the bid process; distinguishing between emergent projects and those where there is time to plan. It was agreed that for planned projects the bid process will be followed, and all contractors sent bid specifications. In emergency situations, Road Office Manager Lindsay Norris will cycle through the contractor list on a rotating order to determine availability of the contractor to perform the work. Road Office Manager Lindsay Norris will reach out to other counties to determine their contracting policies. She also recommended that when an engineer is hired to draw up project plans, those plans should be adhered to and not changed by the contractor or commissioners.

Auditor Sean Gordon, Gordon CPA, presented the County Commission with the 2023 Doniphan County Financial Audit. Mr. Gordon told the County Commission the 2023 Audit received the highest and cleanest opinion. There are no audit recommendations for 2023 and all prior recommendations have been addressed and cleared up. He commended County Clerk Peggy Franken and County Treasurer Nicole Diveley and staff members for internal controls to ensure all county financial records are in good standing. Commissioner Collins

asked Auditor Gordon about the ending cash balance of \$10.6 million being available in the event of a disaster. Mr. Gordon told Commissioner Collins it would depend on the actual fund balance; general, road and bridge and new sales tax, as monies available in the different fund budgets must be spent for those purposes.

Road Office Manager Lindsay Norris presented the County Commission with agreement between Doniphan County, Kansas, and Kansas Department of Transportation, relating to responsibilities of the Kansas Department of Transportation and Doniphan County in connection with the maintenance of crossovers, interchanges or local roads and service roads on Project No. 36-22 K-1876-01 and F-092-5 (32) (US Highway 36) as executed by both parties March 13, 1989.

Commissioner Hall made a motion to approve the following Road Department expenditures. Commissioner Grable seconded the motion. Motion carried 3-0.

- Redneck Diesel \$784.49 (#206 2020 Peterbilt air compressor repair)
- Redneck Diesel \$548.80 (#126 2005 Freightliner air conditioner repair)

Commissioner Collins made a motion to order 1,500' of 15" to 48" plastic road tubes from NEK Drainage Supply, LLC for a total cost of \$32,941.00. Commissioner Hall seconded the motion. Motion carried 3-0.

Commissioner Grable told the County Commission he viewed the site location for Flex Deployment Solutions, doing business as NextLink, for placement of internet pole to service the Doniphan area along Mineral Point Road, south of 115th Road, in the southwest quarter of Section 28 Township 4 Range 21E. The pole will be located outside of the fence in county road right-of-way leaving plenty of room for road maintenance. Commissioner Grable made a motion to approve erection of internet service pole by Flex Deployment Solutions to service the Doniphan area on Mineral Point Road in the southwest quarter of Section 28 Township 4 Range 21E. Commissioner Hall seconded the motion. Motion carried 3-0.

Second District Road Foreman Roger Clark relayed to Road Office Manager Lindsay Norris the rented mini backhoe will be returned at the end of the week. Four road tube projects remain in the Third Road District, with the Road Crew to work to get them installed prior to returning the equipment to Equipment Share.

Commissioner Grable informed the County Commission low water crossing at 140th and Ottumwa Roads is undermined. The roadway has been closed to thru traffic since July 12, 2024. He will meet with the Doniphan County Conservation District Office to determine the amount of drainage acres and options for repair.

Commissioner Collins made a motion to approve the purchase of 100 pill boxes for the Doniphan County Health Department from NEKS Promos at a cost of \$670.00. Commissioner Grable seconded the motion. Motion carried 3-0.

Bids were presented for replacement of rotted wood trim and installation of metal wrapping on seven windows at the Doniphan County Health Department building located at 201 South Main Street, Troy, Kansas.

Littleman Construction LLC	\$2,100.00
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Smith Plumbing & Small Repair \$1,500.00

Commissioner Grable made a motion to approve the bid of Smtih Plumbing & Small Repair to replace rotted window trim and metal wrap seven windows at the Doniphan County Health Department building in the amount of \$1,500.00. Commissioner Hall seconded the motion. Motion carried 3-0.

County Clerk Peggy Franken presented the County Commission with June 2024 departmental budget and cash summary. She advised the Commission to keep an eye on the Kitchen department cash balance through the remainder of the year.

At 9:51 A.M. Commissioner Hall made a motion to recess into executive session for the purpose of discussing confidential matters of a legal nature pertaining to roads with counsel, with the meeting to be called back to order in the office of the Doniphan County Commission at 9:56 A.M. Commissioner Grable seconded the motion. Motion carried 3-0. County Attorney, County Clerk and Road Office Manager remained.

At 9:56 A.M. Commissioner Hall made a motion to extend the executive session for the purpose of discussing confidential matters of a legal nature pertaining to roads with counsel, with the meeting to be called back to order in the office of the Doniphan County Commission at 10:01 A.M. Commissioner Grable seconded the motion. Motion carried 3-0. County Attorney, County Clerk and Road Office Manager remained.

Discussion was held on delinquent property tax sale process. No action was taken.

County Attorney Charles D. Baskins told the County Commission the air conditioning unit in the County Attorney's office is out. The County Attorney Assistant will be temporarily relocated and may need to work from home until the unit can be replaced.

Commissioner Hall asked the status of transferring operations of the Transfer Station from Waste Management, doing business as Deffenbaugh Disposal, Inc., at the end of their contract period October 31, 2024. Clerk Franken told the Board Martha Smith, Environmental Health Specialist with Northeast Kansas Environmental Services, is working on bid documents for requests for proposals. County Attorney Charles D. Baskins informed the County Commission he has a draft agreement ready for their review.

Correspondence was presented to the County Commission on behalf of Northeast Kansas Environmental Services regarding clean up notices to property owners located on Woodsdale Road in Elwood, Kansas and another property located at 750 Hwy 7 Bendena, Kansas.

There being no further business before the Board, Commissioner Hall made a motion to adjourn at 10:34 A.M. Commissioner Grable seconded the motion. Motion carried 3-0.

DATED THIS 15TH DAY OF JULY 2024.

Attest: _____
Peggy Franken, County Clerk

Wayne Grable, Chairman

