

UNOFFICIAL MINUTES
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, JULY 29, 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. Cindi Smith, Darren Booth with Theel Insurance and Financial Services, Roger Engemann with Engemann Drainage Company, Custodian Laura Winkel, Road Office Manager Lindsay Norris, and Register of Deeds Susan Shuster 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 22, 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 July 31, 2024, as presented. Commissioner Collins seconded the motion. Motion carried 3-0.

The Jerry K. Dubach Doniphan County Law Enforcement Center currently houses 8 local inmates.

At 8:33 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. The meeting to be called back to order in the office of the Doniphan County Commission at 8:43 A.M. Commissioner Hall seconded the motion. Motion carried 3-0. County Clerk and Cindi Smith remained.

Darren Booth, Representative with Theel Insurance and Financial Services, met with the Board of County Commissioners to discuss services offered by Freedom Claims, a third party insurance administrator. The County Commission took no action.

Roger Engemann, Engemann Drainage Company, appeared before the Board of County Commissioners to ask them to repeal a decision made by the County Board on July 15, 2024, to purchase 1,500' of 15" and 18" plastic road tubes from NEK Drainage Supply, LLC of Robinson, Kansas, in the amount of \$32,941.00. Mr. Engemann said the promotion should not have been offered to the County but only to distributors. As a Distributor for NEK Drainage Supply, LLC, the County cut into Engemann's commission by purchasing direct from the dealer. Being a taxpayer in Doniphan County, Roger asked the County Commission to either rescind their motion and buy the tubes directly from him or run the billing through Engemann Drainage Company and he would reduce his commission fee. Commissioner Collins said he wasn't in favor of rescinding his motion, the job of the Commission is to save all taxpayers money, the promotion was presented to the County from NEK Drainage Supply,

LLC and accepted by the Board of County Commissioners. Commissioner Hall stated the issue is between the supplier and distributor; the County shouldn't be out any additional money. Commissioner Grable also said the County Commission tries to save money where they can and still buy local whenever possible. Further saying, the County still intends to do business with Engemann Drainage Company, the purchase of tubes from NEK Drainage Supply, LLC, was for stockpile. The County Commission took no action on rescinding the motion to purchase tubes from NEK Drainage Supply, LLC.

Roger Engemann asked the County Commission to chip seal the eastern lane of Last Chance Road, south of Troy, Kansas, extending to the southern property line of 1194 Last Chance Road. The City of Troy chip sealed their portion of the western lane in 2023. Chairman Grable said the County would reach out to the company chip sealing the City of Troy streets to obtain a cost estimate and determine if it is feasible to do this year or not.

Custodian Laura Winkel told the Board a metal cover plate over the brick sidewalk on the west side of the courtyard needs to be replaced. The County Commission recommended contacting Diamond Fab to fix the cover plate when they repair the courthouse steps and handrails.

Register of Deeds Susan Shuster met with the County Commission to discuss maintenance of the County Poor Farm Cemetery located on Peck and 175th Roads in Section 26 Township 3Range 21E. Currently Mike Studer of Studer Farms, adjoining landowner, is maintaining the cemetery. As owners of the property, Doniphan County is responsible for maintenance and will need to take over when Mr. Studer is no longer willing and able.

Susan Shuster, Register of Deeds, told the County Commission several Deed Record index books are in the attic of the courthouse and need to be moved to another location. She recommended moving the index books into one of the cell block areas at courthouse annex building (former jail) which currently houses the Doniphan County Extension Office. The Board of County Commissioners made no objections.

Road Office Manager Lindsay Norris, in her weekly meeting with the Commissioners, told the Board she reached out to Atchison County Road Department to determine their contractor project policy. Like Doniphan County, Atchison County follows a bid process for non-emergent projects. In an emergency, all contractors on the county contract list are contacted, apprised of the situation, asked to give a cost estimate along with timeframe for completion of the project, then the County Commission reviews each estimate and acts on the best choice to proceed.

Norris presented the County Commission with metal tube sizing chart based on drainage acres for their reference.

Commissioner Grable made a motion to approve request and petition on behalf of Centurylink for buried cable along 210th Road, east of St. Columbus Road. Commissioner Hall seconded the motion. Motion carried 3-0.

Pictures of debris along and under bridge structure T-616-1 on Eminence Road, north of 110th Road, were presented to the County Commissioners for review. Commissioner Collins told the County Commission the First District Road Crew will work to remove the debris from around the structure.

Commissioner Grable and Road Office Manager Lindsay Norris told the Board the Road Department has an extra bucket for the 2021 Caterpillar skid loader. Foley Equipment for even exchange of the extra bucket will give the County pallet forks to fit the skid loader. The County Commission made no objections to the even exchange of skid steer extra bucket for pallet forks with Foley Equipment.

Road Office Manager Lindsay Norris presented the County Commission with an invoice from EquipmentShare for damage to the rented mini excavator boom cylinder guard, which was bent and the cylinder broke. The cost of damage repair was \$326.25. Commissioner Grable made a motion to pay EquipmentShare \$326.25 for damage to rented mini excavator. Commissioner Hall seconded the motion. Motion carried 3-0.

Commissioner Hall made a motion approve the following Road Department expenses:

| | |
|--------------------------------|---|
| Murphy Tractor | \$731.39 (filters) |
| Schwab-Eaton PA | \$1,344.00 (inspection reports RS110) |
| Herzog Contracting Corporation | \$506,516.70 (asphalt overlay 240 th Rd) |
| | \$514,856.37 (asphalt overlay Treece Rd) |

Commissioner Grable seconded the motion. Motion carried 3-0.

Commissioner Grable told the County Commission the low water crossing on Moonlight Road, near the intersection of 140th Road, Section 9 Township 4 Range 21E, needs replaced. The County can purchase an old 37' x 6' boiler tube for \$1,500.00 and dirt from Foley Quarry at a cost of \$40.00 per load. The Board of County Commissioners agreed to contracting out replacement of the low water crossing with 37' x 6' boiler tube. Contractor responsible for removing existing low water crossing, hauling and installation of tube, hauling of dirt to job site, using existing low water crossing structure for rip rap and hauling and placement of additional rip rap to complete the installation project. Sealed bids due in the office of the Doniphan County Clerk's Office by 5:00 P.M. August 2, 2024.

Commissioner Grable asked Road Office Manager Lindsay Norris to contact contractors with Rainbow Communication, responsible for installation of fiber optic cable in county right-of-way, about damage caused to Randolph Road, south of US Highway 36.

County Attorney Charles D. Baskins informed the County Commission he and Road Office Manager Lindsay Norris would be doing citizen education on the layout of county roadways.

At 10:25 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing matters pertaining to roads and deemed legal in nature with Counsel. The County Commission meeting to be called back to order in the office of the Doniphan County Commissioners at 10:30 A.M. Commissioner Hall seconded the motion. Motion carried 3-0. County Attorney, County Clerk and Road Office Manager remained.

At 10:30 A.M. Commissioner Hall made a motion to recess into executive session for the purpose of discussing matters pertaining to roads and deemed legal in nature with Counsel. The County Commission meeting to be called back to order in the office of the Doniphan County Commissioners at 10:40 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Attorney, County Clerk and Road Office Manager remained.

County Clerk Peggy Franken presented the County Commission with countywide sales tax collections in the amount of \$68,611.94 and EMS 1% sales tax collections of \$112,236.40. A portion of the countywide sales tax is divided amongst the eight incorporated cities within Doniphan County based on property tax and population.

The Board of County Commissioners agreed to place an article explaining the countywide sales tax and August 6, 2024, Primary Election ballot initiative in The Kansas Chief.

Clerk Franken also informed the County Board notices of property tax increase and public hearings will be mailed to taxpayers within the week. The notices are for informational purposes only, no payment is due currently as the notice reflects an estimate of tax. Property tax statements will be issued around November 1, 2024, after mill levy rates are finalized and taxes calculated.

There being no further business before the Board, Commissioner Grable made a motion to adjourn at 10:52 A.M. Commissioner Hall seconded the motion. Motion carried 3-0.

DATED THIS 29TH DAY OF JULY 2024.

Attest: _____
Peggy Franken, County Clerk

Wayne Grable, Chairman