

UNOFFICIAL MINUTES
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, AUGUST 5, 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 absent.

The Kansas Chief Reporter Melanie Davis and Ruthanna Seward observed the entire open meeting. Road Office Manager Lindsay Norris, Sheriff Chad Clary, Northeast Kansas Environmental Services Health Specialist Martha Smith, Health Department/Home Health Administrator Sheryl Pierce, RN, Cody Miller, Mike Miller, Rhonda Miller, Roger Engemann, and Register of Deeds Susan Shuster were present for a portion of the meeting.

Commissioner Hall made a motion to approve amended County Commission meeting agenda to include non-elect personnel executive session. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Collins made a motion to approve minutes of July 29, 2024, regular meeting as written. Commissioner Hall seconded the motion. Motion carried 3-0.

Fee reports for the month of July 2024 were presented to the County Board for their review on behalf of the County Clerk, Register of Deeds and Sheriff.

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

Ruthanna Seward, Wathena resident, appeared before the Board of County Commissioners to discuss concerns with the landing at the top of the interior courthouse steps from the basement to the first floor where the tile meets the wood being an uneven surface. And the handrail needing to be extended to allow more grip power, suggesting the county commission take action to address the issues post haste. Commissioner Hall told Ms. Seward the County Commissioners would check out the steps to determine what actions are needed.

Secondly, Ms. Seward spoke about a holding pond created on Monument Road, south of Wathena, Kansas, and adjacent to the Missouri River, where the Corp of Engineers removed dirt. The area has created a holding tank for Missouri River water overflow causing a mosquito infestation. She asked about installing four solar aerators to circulate the water and spraying the area to control the mosquito population. The Board of County Commissioners stated the US Army Corp of Engineers owns the property and is responsible for the holding reservoir. The County does not spray mosquitos. County Clerk Peggy Franken recommended Ms. Seward reach out to Northeast Kansas Environmental Services with her concerns as well.

Thirdly, Ms. Seward said a pond on Court Street in Wathena, Kansas, is holding stagnant water, which is also a breeding place for mosquitos. The County Commission suggests Ms. Seward talk to the landowner about concerns with the pond and the City of Wathena about spraying to control the mosquito population.

Road Office Manager Lindsay Norris told the County Board the cost to rent double drum roller from EquipmentShare for two days rental is \$546.18. The machine was rented to complete road projects.

Josh Bartholomaus, Representative of North Central Services (NCS), subcontractor of Rainbow Communications for installation of fiber optic cable, has been contacted by Road Office Manager Lindsay Norris about repeated concerns and issues on Port William Road, 190th Road near the intersection with Saratoga Road and on Randolph Road south of US Highway 36. Norris asked Mr. Bartholomaus to contact Road Foreman Roger Clark to discuss the responsible party for paying for repairs to the asphalt road surfaces. Midwest Sealing and Concrete will begin repairs on 190th Road, near the intersection with Saratoga Road and on Randolph Road, south of US Highway 36, the week of August 5, 2024.

Norris told the County Commissioners bids will be solicited for trimming trees along Treece and Toulon Roads, with work to be completed before fall harvest.

Correspondence from the Kansas Department of Transportation regarding completion of census data for Functional Classification System of Federal-aid highway system, was presented to the County Commission by Road Office Manager Lindsay Norris. The Highway Functional Classification Summary depicts four sections of roadway within Doniphan County that Kansas Department of Transportation proposes to reclassify: RS-28 from major collector to local road (County owned), RS-823 Atchison/Doniphan County line to RS-28 from major collector to minor collector, RS-28 beginning at RS-823 to RS-825 from major collector to minor collector and RS-201 from 334th Road to K-20 Highway major collector to minor collector. The Board of County Commissioners will need to act and notify the Bureau of Transportation prior to the end of September 2024 if there are any objections or suggested changes to the proposed Functional Classification System revisions.

Commissioner Grable made a motion to grant Road Office Manager Lindsay Norris authority to act on behalf of the Board of County Commissioners and execute application to the US Army Corp of Engineers for water resources permit relating to replacement of bridge structure RS 380 on 240th Road, west of Highland, Kansas, Sections 20-29 Township 2 Range 19E, pursuant to Kansas Department of Transportation Local Bridge Improvement Program requirements. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Grable made a motion to contract with Terracon Consultants, Inc. for geotechnical engineering services for replacement of bridge structure RS 380 on 240th Road, west of Highland, Kansas, Sections 20-29 Township 2 Range 19E, pursuant to Kansas Department of Transportation Local Bridge Improvement Program requirements, in an amount not to exceed \$7,000.00. Commissioner Collins seconded the motion. Motion carried 3-0.

A draft of project bid letter for 5' x 90' tube replacement on 275th Road, near the intersection with Elgin Road, was presented to the County Commission for their review by Road Office Manager Lindsay Norris. Discussion was held regarding using metal versus plastic road tube, depending on drainage acres and a determination if the site is suitable for a plastic tube. A final copy of the bid document will be presented to the County Commission for approval at their August 12, 2024, meeting.

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

| | |
|-----------------------|---|
| Redneck Diesel Repair | \$714.50 (hydraulic pump #11 2018 Western Star) |
| Foley Equipment | \$804.20 (cutting edge blades) |

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

Commissioner Collins asked the status of repairing box culvert RS 110, located at Ash Point and 150th Roads. The Board of County Commissioners agreed to seek repair cost estimate from Husker Steel and Norfolk Contracting.

Commissioner Collins also asked about the status of insurance claim to assist in repairing concrete box culvert on Coronado Road, north of Highland City limits, Sections 22-23 Township 2 Range 19E, damaged by two separate motor vehicle accidents on June 22, 2024. Sheriff Chad Clary said the accident reports are complete, and he will get a copy to the Road Office for a claim to be filed with both drivers insurance companies.

Road Office Manager Lindsay Norris told the County Commission utility request and permission permit for NextLink, approved at the July 15, 2024, County Commission meeting 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 would need to be rescinded. As approved, the location interferes with an airstrip within 250' of the proposed tower sight. Representatives of NextLink are in the process of finding another site location and submitting a new permit.

County Clerk Peggy Franken was asked by Ronnie Wissler, NEK Drainage Supply, LLC of Robinson, Kansas, to clarify to the Commission and for the official record that he nor any representative of NEK Drainage Supply, LLC reached out to Doniphan County representatives regarding the purchase of 15" and 18" plastic road tubes. In fact, Doniphan County reached out to NEK Drainage Supply, LLC when pricing plastic pipe for a road project. Through the course of that conversation the County found out about NEK Drainage Supply, LLC's tube promotion. At the previous meeting, the Board of County Commissioners were told by Roger Engemann of Engemann Drainage Company, Inc. that NEK Drainage Supply, LLC mistakenly reached out to Doniphan County and should not have; the promotion was for distributors only.

Northeast Kansas Environmental Services Health Specialist Martha Smith reviewed with the Board of County Commissioners draft Request for Proposals for operations of the Doniphan County transfer station. Mike Miller, Rhonda Miller and Cody Miller, with Miller Trash Service, were present. No action was taken on submitting for bid the Request for Proposals pending review by the Board of County Commissioners.

Commissioner Grable made a motion to approve request and permission permit for Engemann Drainage Company, Inc. doing business as Rural Water District No. 5, to bore Mesquito Creek Road from 1457 Mesquito Creek Road to 1488 Mesquito Creek Road for placement of 2" watermain to residence. Commissioner Hall seconded the motion. Motion carried 3-0.

Roger Engemann, Engemann Drainage Company, Inc., again asked the Board of County Commissioners to rescind the 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, thus allowing him his 5% commission. The Board of County Commissioners took no action.

Health Department/Home Health Administrator Sheryl Pierce, RN, presented the County Board with Kansas Department of Health and Environment Aid to Local Program universal contract and the Health Information Protection Policy. Following review, Chairman Grable executed both the contract and policy.

Sheriff Chad Clary asked for Board consideration on chip sealing the law enforcement center parking lot at a cost of \$5,900.00 by Approved Paving, LLC. The Board of County Commissioners took no action pending a cost estimate from Approved Paving, LLC, for their consideration on chip sealing a portion of Last Chance Road, from the Troy City limits to the southern most property line of 1194 Last Chance Road.

Sheriff Clary asked about disposing of an old patrol car no longer in service. The County Commission agreed to gather a list of unused property countywide and hold a surplus property sale.

Finally, Sheriff Clary asked about obtaining a WEX fuel card, thereby eliminating the need to carry Casey's, Conoco, and Berwick credit cards. Commissioner Collins said he was not in favor of obtaining any additional credit cards. No further action was taken.

Register of Deeds Susan Shuster presented the County Commission with a picture 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.

Cost estimates for repair of low water crossing on Moonlight and 140th Roads were opened and read aloud as follows:

| | |
|--------------------|--|
| Baird Excavating | \$21,950.00 plus \$120.00/hr hauling start date 8/7/2024 |
| Kiefer Excavating | \$ 7,100.00 plus \$150.00/hr hauling start date 8/5/2024 |
| Luedke Excavating | \$19,230.00 plus \$140.00/hr hauling start date 9/3/2024 |
| Muse Excavation | \$10,000.00 plus \$115.00/hr hauling start date 8/19/2024 |
| Urban Construction | \$30,500.00 plus \$110.00 - \$150.00/hr hauling start date 8/19/2024 |
| Engemann Drainage | \$6,250.00 plus \$95.00/hr hauling no start date given |

Commissioner Hall made a motion to accept the lowest and best bid of Engemann Drainage Company, LLC. In the amount of \$6,250.00 plus \$95.00 per hour hauling. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Collins made a motion to contract with Diamond Fab to provide metal drain cover plate over the brick sidewalk on the west side of the courtyard in the amount of \$800.00. Commissioner Grable seconded the motion. Motion carried 3-0.

Correspondence was presented to the County Commission from Northeast Kansas Environmental Services regarding property clean up located at 2426 170th Road, Wathena, Kansas.

The Board of County Commissioners received and accepted an invitation from Summit Truck Bodies to attend their groundbreaking ceremony on August 14, 2024, at 11:00 A.M. Summit Truck Bodies is constructing a 220,000 square foot production facility onto their current facility located at 990 Vernon Road, Wathena, Kansas.

At 10:41 A.M. Commissioner Collins made a motion to recess into executive session for the purpose of discussing and protecting the interest of non-elect personnel in the Road Department. With the meeting to be called back to order in the office of the Doniphan County Commission at 10:51 A.M. Commissioner Grable seconded the motion. Motion carried 3-0. County Clerk remained.

There being no further business before the Board, Commissioner Grable made a motion to adjourn at 10:53 A.M. Commissioner Hall seconded the motion. Motion carried 3-0.

DATED THIS 5TH DAY OF AUGUST 2024.

Attest: _____
Peggy Franken, County Clerk

Wayne Grable, Chairman