

UNOFFICIAL MINUTES
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, NOVEMBER 12, 2024

The Board of County Commissioners met in regular session in the office of the Doniphan County Commission, Troy, Kansas, at 9:11 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 were 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, Undersheriff Mark Allen, Paul Smith, Road Office Manager Lindsay Norris, Iowa Tribe of Kansas and Nebraska Chairman Tim Rhodd, Beth Salmons, Bill Rush, Appraiser Danielle Kiefer, Emergency Management Coordinator Julie Meng and Clinton Israel were present for a portion of the meeting.

Commissioner Hall made a motion to approve the amended County Commission meeting agenda to include presentation from Iowa Tribe of Kansas and Nebraska Chairman Tim Rhodd. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Hall made a motion to approve minutes of November 4, 2024, regular meeting as written. Commissioner Collins seconded the motion. Motion carried 3-0.

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

Fee reports for the month of October 2024 were presented to the County Commission for review by the Sheriff.

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

At 8:30 A.M. the Board of County Commissioners, acting as the Board of Canvassers, canvassed election returns from November 5, 2024, General Election. Commissioner Grable made a motion to close the election canvass at 9:10 A.M. Commissioner Hall seconded the motion. Motion carried.

Paul Smith appeared before the Board of County Commissioners to negotiate claim against Doniphan County for road repair on Last Chance Road in Section 19, Township 4, Range 21E, including grading and fill dirt for re-grading road bank slope and leveling to allow for maintenance and erosion control, in the County right-of-way along Mr. Smith's property line. Mr. Smith said his lawyer told him to offer to pay \$1,000.00 of the \$3,450.00 cost estimate submitted by MCon, the County would pay the remainder of the bill. If the County was not agreeable Mr. Smith "would do something else". County Attorney Charles D. Baskins advised since a claim has been submitted to Doniphan County's insurance company, it now becomes a legal matter, to which the Board of County Commissioners should make no comment.

Tim Rhodd, Chairman of the Iowa Tribe of Kansas and Nebraska, announced the start of the Broadband Fiber to Home build project for the community of White Cloud, Kansas, expanding to Taylor Seed, per Kansas Office of Broadband Development grant. Chairman Rhodd presented the County Commission with a scope of work and engineering for the project, agreements between the City of White Cloud, Kansas Department of Transportation and Doniphan Electric for placement of fiber cable on power poles and to be bored along rights-of-way. He submitted a request and petition for use of County rights-of-way for areas within Doniphan County, presenting a map of each location. After review, Commissioner Hall made a motion to approve request and petition on behalf of applicant Grey Snow, acting on behalf of the Iowa Tribe of Kansas and Nebraska, for use of County rights-of-way for placement of broadband fiber cable to service homes in the City of White Cloud, Kansas and Taylor Seed. Commissioner Collins seconded the motion. Motion carried 3-0.

Road Office Manager Lindsay Norris told the County Commission she put in an inquest with Bettis Asphalt for the Road Department to purchase unused sand at Hamm Quarries, west of Troy, Kansas, at a cost of \$18.00 per ton. Once Bettis Asphalt replies she will bring the matter back to the County Commission for action.

Commissioner Grable informed the County Commission he approved the purchase of a valve from Construction Trailer Specialists for the 2016 Belly Dump trailer (#133) in Second Road District in the amount of \$751.30.

Road Office Manager Norris presented the County Commission with pre-approved invoices from Murphy Tractor for routine maintenance on motor graders as follows: 2020 John Deere (#201) Second District 500 hour service \$2,521.60; 2017 John Deere (#155) Third District 1,000 hour service \$2,403.98 and 2017 John Deere (#184) First District 6,000 hour service \$5,208.50.

Final repairs have been completed on the 2017 John Deere motor grader (#151), which sustained damage due to a tree falling on it while maintaining grader ditch on August 21, 2024. The invoice for repair will be submitted to Doniphan County insurance company, KCAMP, for payment.

Discussion was held regarding use of First District's 1993 CAT backhoe (#65) at the Doniphan County Transfer Station to load municipal solid waste. Commissioner Hall made a motion to relocate the 1993 CAT backhoe from First Road District to the Doniphan County Transfer Station and pay to have tires filled with foam at a cost of \$3,823.00. Commissioner Grable seconded the motion. Motion carried 3-0.

Road Office Manager Lindsay Norris presented the County Commission with rock fund balances as of November 1, 2024. She told the County Commission Second District Road Employees hauled rock from Third District rock stockpile at Servaes Quarries earmarked for roads in the Third District. She asked that tickets be marked according to ensure rock is hauled from the correct District's stockpile. Norris also recommended dividing remaining balance of Road Department rock money between each of the three Road Districts based on number of road miles for stockpile purposes. The Board of County Commissioners took no action.

Beth Salmons met with the County Commission to present updated information on the National Interest Electric Transmission Corridor (NIETC) and ask the County Commission to take formal action by adoption of resolution opposing the NIETC proposed by the Department of Energy. As proposed NIETC has eminent domain power to secure up to a 5-mile swath of land through Kansas, beginning in Russell County through Doniphan County, Kansas, for building of the energy corridor. The National Interest Electric Transmission Corridor was formed to address a

National emergency due to unstable and intermittent electricity which would have a long term affect on the power grid. Senators Moran and Marshall have proposed legislation blocking the use of eminent domain. The Board of County Commissioners took no action on passage of a resolution opposing the National Interest Electric Transmission Corridor pending review of information as presented.

Commissioner Grable made a motion to hire Michael Albert in a part-time Transportation Department driver's position subject to pre-employment screening. Commissioner Hall seconded the motion. Motion carried 3-0.

Aging Director Diana Crouse-Johnson told the County Commission she is working with the Aging Site Council to redo the women's restroom at the Troy Pioneer Senior Citizens Center. Chairman Grable asked Director Crouse-Johnson to prepare a project plan along with cost estimates for Board consideration.

Appraiser Danielle Kiefer discussed with the County Commission replacement of the Department's 2005 Jeep Laredo by the end of 2024, with a newer four wheel drive vehicle. Commissioner Hall made a motion to allow Appraiser Danielle Kiefer to seek purchase options for a vehicle for the Appraiser's office with trade of 2005 Jeep Laredo for Board consideration. Commissioner Grable seconded the motion. Motion carried 3-0.

Undersheriff Mark Allen presented the County Commissioners with an invoice from Anderson Ford for repair of transmission in a 2020 Ford F150 patrol vehicle in the amount of \$6,170.40. Commissioner Collins made a motion to approve the \$6,170.40 expenditure to Anderson Ford. Commissioner Hall seconded the motion. Motion carried 3-0.

At 10:36 A.M. Commissioner Grable made a motion to recess into executive session for matters relating to action affecting a client of the Doniphan County Transportation Department, with the meeting to be called back to order in the office of the Doniphan County Commission at 10:41 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. Aging Director, County Clerk and Undersheriff remained.

At 10:45 A.M. Commissioner Hall made a motion to recess into executive session for the purpose of employee-employer negotiations, with the meeting to be called back to order in the office of the Doniphan County Commission at 10:55 A.M. Commissioner Grable seconded the motion. Motion carried 3-0. County Attorney, County Clerk, Road Office Manager and Clinton Israel remained.

At 10:56 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of consultation with an attorney for the body or agency which would be deemed privileged in the attorney-client relationship, with the meeting to be called back to order in the office of the Doniphan County Commission at 11:01 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Attorney and County Clerk remained.

At 11:01 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of consultation with an attorney for the body or agency which would be deemed privileged in the attorney-client relationship, with the meeting to be called back to order in the office of the Doniphan County Commission at 11:11 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Attorney and County Clerk remained.

Emergency Management Coordinator Julie Meng told the County Commission members of Doniphan County Fire Departments, Doniphan County EMS, representatives of the State Fire Marshall's Office and Kansas Forest Service would be holding a meeting this evening, November 12, 2024, at the Troy Community Building to review the after action plan from the October 29, 2024, wildfire in the western portion of Doniphan County.

County Clerk Peggy Franken presented the County Commission with bids for removal of dead limbs and trimming of courtyard trees, on behalf of Custodian Laura Winkel, as follows:

Tip Top Tree Service, Hiawatha, Kansas	\$3,250.00
Meers Tree Service, Elwood, Kansas	\$3,300.00

Commissioner Hall made a motion to accept the best bid from the local contractor Meers Tree Service in the amount of \$3,300.00. Commissioner Grable seconded the motion. Motion carried 3-0.

Clerk Franken also presented the County Commission with the October 2024 departmental cash and budget summary report. She told the County Commission that the sheriff's office budget is at 90% spent with \$112,667.46 remaining. Approximately \$24,000.00 in bills are to be paid on November 15, 2024. The department will be over budget by the end of November 2024, requiring all necessary expenditures to be pre-approved by the Board of County Commissioners.

Finally, Clerk Franken told the County Commission payment for spotter trucks for use at the Doniphan County Transfer Station has been made to BTC and equipment should be ready for pickup. Doniphan County's Certificate of Liability Insurance has been sent to Hamm, Inc. for transport of municipal solid waste from the Doniphan County Transfer Station.

There being no further business before the Board, Commissioner Grable made a motion to adjourn at 11:31 A.M. Commissioner Hall seconded the motion. Motion carried 3-0.

DATED THIS 12TH DAY OF NOVEMBER 2024.

Attest: _____
Peggy Franken, County Clerk

Wayne Grable, Chairman