

**UNOFFICIAL MINUTES  
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, DECEMBER 16, 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 were present. County Attorney Charles D. Baskins was present for a portion of the meeting.

The Kansas Chief Reporter Melanie Davis, Undersheriff Mark Allen, Road Office Manager Lindsay Norris, Glacial Hills RC&D Council Executive Director Gary Satter, Northeast Kansas Environmental Services Health Specialist Martha Smith, Cody Miller, Rhonda Miller and Appraiser Danielle Kiefer were present for a portion of the meeting.

Commissioner Hall made a motion to approve the County Commission meeting agenda as presented. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Collins made a motion to approve minutes of December 9, 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 December 16, 2024, as presented. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Collins made a motion to approve added taxes in the amount of \$413.94 and abated taxes in the amount of \$2,189.16 to the 2024 Doniphan County tax roll. Commissioner Hall seconded the motion. Motion carried 3-0.

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

County Clerk Peggy Franken presented the County Commission with November 2024 departmental budget and cash summary report. The November report shows the Register of Deeds, Sheriff and Kitchen funds will be over budget by year end 2024. Clerk Franken explained that the Register of Deeds and Sheriff's funds are within the County General fund, therefore these funds do not require a budget amendment as the overall County General fund has adequate budget authority. However, the Kitchen fund is a stand alone budgeted fund and will need to be amended for the 2024 budget year. Commissioner Grable made a motion to publish 2024 budget amendment for the Kitchen fund, with public hearing to be held December 30, 2024. Commissioner Hall seconded the motion. Motion carried 3-0.

Clerk Franken also told the County Commission, due to the increased cost of food, supplies and the purchase of a new warmer and the fact that the Kitchen fund is a reimbursable fund through the Meals on Wheels program and Sheriff's inmate meals, there is not adequate cash to operate the Kitchen fund through the remainder of 2024. Commissioner Collins made a motion to transfer \$15,000.00 from County General fund to the Kitchen fund for 2024 operating expenses. Commissioner Hall seconded the motion. Motion carried 3-0.

Commissioner Grable made a motion to transfer \$12,350.00 from County General fund to Extension Council fund to meet 2024 appropriations. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Grable made a motion to send notice to Independence Township Board for 2025 cereal malt beverage license application on behalf of Weiland's Grocery. Commissioner Collins seconded the motion. Motion carried 3-0.

The Board of County Commissioners were in receipt of correspondence from Northeast Kansas Environmental Services updating them on wastewater complaint for property located at 889 Sheridan Road, Wathena, Kansas. According to the landowners the trailer is vacant and will be removed from the property.

County Clerk Franken informed the County Commission current tenant for the County's 22.5 acre row crop farm ground, Rodger Groves, does not wish to exercise the option to extend the current cash rent lease for another year. Clerk Franken will place an advertisement for cash rent for the 2025 crop season.

Commissioner Hall made a motion to approve repair bills to Doniphan County Diesel in the amount of \$3,097.18 for 1997 Ottawa Kalmar yard truck repair, with payment to be made from Solid Waste fund. Commissioner Collins seconded the motion. Motion carried 3-0.

County Attorney Charles D. Baskins executed a release for the consideration of twenty-seven thousand sixty dollars (\$27,060.00) paid to Kiefer Excavating by North Central Service for full satisfaction and settlement of a claim against Rainbow Communications, LLC and North Central Service, Inc. for repair work on Port William Road, following fiber optic cable installation by North Central Service, Inc. for Rainbow Communications, LLC.

Road Office Manager Lindsay Norris told the County Commission she was contacted by a landowner along Valencia Road, Section 2, Township 3 Range 22E, asking about posting a gate across Valencia Road to prevent poachers on their property. The Board of County Commissioners did not approve the request.

First District Deputy Road Foreman Tom Miller will obtain a cost estimate from Berry Tractor for repair work needed on 2014 Komatsu Excavator (#190) for insurance purposes. The equipment was damaged on November 25, 2024, while being used to move dirt at the former Hamm Quarry located north on Friendship Road.

The Board of County Commissioners were in receipt of correspondence from the Kansas Department of Transportation regarding KDOT's High Risk Rural Roads (HRRR) program for federal fiscal year 2027. To be eligible the project must meet certain criteria including having a Local Road Safety Plan on file with KDOT. The deadline to make application for grant funding is January 31, 2025.

Commissioner Collins made a motion to approve invoice to Schwab-Eaton, PA in the amount of \$28,000.00 for office field check plans on RS380, a bridge replacement project on 240<sup>th</sup> Road, west of Highland, Kansas, in Sections 20-29, Township 2, Range 19E. Commissioner Hall seconded the motion. Motion carried 3-0.

Road Office Manager Lindsay Norris presented the County Commissioners with pictures of bridge structure T314-1 located on Elgin Road, Section 19, Township 4, Range 20E. The pictures indicate a large amount of debris accumulated under the structure and severe erosion at the abutment. Norris will contact representatives of Schwab-Eaton, PA to inspect the bridge for structural damage and make recommendation for repairs.

November 2024 expense reports, along with County rock and Road Improvement Fund balances as of December 6, 2024, were presented to the County Commission for review by Road Office Manager Lindsay Norris. The Road and Bridge rock fund has a remaining balance of \$260,625.19 pending any expenses throughout the remainder of the year.

Norris reported Engineers with Schwab-Eaton, PA have the survey completed on County Road 234, known as Tom Shivers Road, and will file the survey with the Doniphan County Register of Deeds office by year end.

Glacial Hills RC&D Council Executive Director Gary Satter gave the County Commission an update and overview of 2024 happenings with Glacial Hills RC&D Council.

Commissioner Collins made a motion to approve payment of \$3,000.00 to Glacial Hills RC&D Council for 2024 support. Commissioner Grable seconded the motion. Motion carried 3-0.

Undersheriff Mark Allen presented the County Commission with invoices for approval in the amount of \$10,304.43 for operations of the Sheriff's Department. Commissioner Grable made a motion to approve payment for general operational expenditures for the Sheriff's Department in the amount of \$10,304.43. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Grable asked Undersheriff Mark Allen his plan once he assumes the office of Sheriff in 2025 for staying within budget authority. Sheriff-Elect Mark Allen told the County Commission he plans to watch the amount of work subject to overtime, evaluate contracts and house out-of-county inmates to bring in additional revenue. Commissioner Hall previously asked about performing an audit on the Sheriff's budget to ensure Sheriff-Elect Mark Allen has a clean slate going forward. Sheriff-Elect Allen asked the County Commission to give him a year in office to determine where funds are being spent and where savings are possible. Discussion followed on moving the Sheriff's budget outside of the County General fund beginning with the 2026 budget year in order to track inmate income and expenses. No action was taken.

Miller Trash Service, LLC Representatives Cody Miller and Rhonda Miller, along with Northeast Kansas Environmental Services Health Specialist Martha Smith, met with the County Commission to discuss operations of the Doniphan County Transfer Station. Cody told the County Board Miller Trash Service, LLC, has to charge a minimum fee of \$25.00 for trash brought into the Transfer Station, as they are paying \$50.50 per load to Hamm's to transfer out the solid waste to a permitted disposal site. Waste Management, doing business as Deffenbaugh Disposal, Inc. was able to charge a minimal fee of \$9.00 due to them being a large nationwide company with fewer disposal and hauling costs. Discussion was also held on repair bills for the Transfer Station building and equipment. The County Commission asked that Miller Trash Service, LLC, present any invoices for equipment and building repairs to the County Clerk for prior approval by the Board of County Commissioners. The Board of County Commissioners will include representatives from Miller Trash Service, LLC, in future conversations during the Board of County Commissioners via telephone if they are unable to be present in person.

Commissioner Hall made a motion to purchase a 300 gallon fuel tank and pump to be placed at the Doniphan County Transfer Station. Commissioner Grable seconded the motion. Motion carried 3-0.

At 10:12 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 office at 10:14 A.M.

The Board of County Commissioners met with Appraiser Danielle Kiefer to discuss the procedure for applying for property tax exempt status with the Board of Tax Appeals. Particularly for applicant Doniphan County Services and Workskills (DCSW). Appraiser Kiefer said DCSW filed an application for exempt status with the Board of Tax Appeals in February 2024, the County is awaiting a ruling from the Board of Tax Appeals before the property is deemed tax exempt. She advised the current tax due should be paid with an abatement of tax to be issued upon order of the Board of Tax Appeals.

At 10:38 A.M. Commissioner Hall made a motion to enter into executive session for the purpose of discussing and protecting the interests of non-elect Sheriff's Department personnel, with the meeting to be called back to order in the office of the Doniphan County Commission at 10:43A.M. Commissioner Grable seconded the motion. Motion carried 3-0. County Attorney and County Clerk remained.

The Board of County Commissioners held discussions on 2025 employee wage increases, budgeted funds and the national cost of living increase. No action was taken.

Discussion was held amongst the Board on stockpiling rock from leftover County Road and Bridge rock funds. The Board agreed to split \$60,625.19 evenly between the three road districts for rock stockpiles from Servaes Quarry and leave the remaining \$200,000.00 in the County Road and Bridge fund as cash carryover.

The Board of County Commissioners also discussed snow removal at the Doniphan County Health Department building. No action was taken.

At 11:56 A.M. Commissioner Grable made a motion to enter into executive session for the purpose of consultation with County Attorney 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 12:01 P.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Attorney and County Clerk remained.

There being no further business before the Board, Commissioner Grable made a motion to adjourn at 12:02 P.M. Commissioner Collins seconded the motion. Motion carried 3-0.

DATED THIS 16TH DAY OF DECEMBER 2024.

Attest: \_\_\_\_\_  
Peggy Franken, County Clerk

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Wayne Grable, Chairman