

UNOFFICIAL MINUTES
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, MAY 27, 2025

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 meeting. Doniphan County Health Department Administrator/Home Health Director Chantal Wilburn, LPN, Road Office Manager Lindsay Norris, Mark Kiehnhoff, Doniphan County Conservation District Manager Chris Griffin, Conservation District Board Member Matt Symms, Pat Masters, Dennis Muse and Keenan Baird were present for a portion of the meeting.

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

Commissioner Hall made a motion to approve the County Commission meeting minutes of the May 19, 2025 regular meeting as written. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Collins made a motion to approve payroll and warrants for the period of May 30, 2025 as presented. Commissioner Hall seconded the motion. Motion carried 3-0.

Commissioner Collins made a motion approve abated taxes to the 2024 Doniphan County tax roll in the amount of \$869.36. Commissioner Hall seconded the motion. Motion carried 3-0.

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

Health Department Administrator/Home Health Director Chantal Wilburn, LPN, requested permission to purchase replacement batteries and pads for the AED (automated external defibrillator) at the Health Department from McKesson Medical in the amount of \$637.84. Commissioner Collins made a motion to approve the purchase of replacement batteries and pads for the Health Department AED machine in the amount of \$637.84. Commissioner Hall seconded the motion. Motion carried.

Health Department Administrator/Home Health Director Chantal Wilburn, LPN, presented the County Commission with information from the annual advisory board meeting, including changes to the Homecare Agency Annual Evaluation, HIPAA Manual changing the Administrator from Sheryl Pierce, RN to Chantal Wilburn, LPN and updated Administrative Policy and Procedure Manual adding an Acceptance of Services section, all were approved by the Board of County Commissioners. Administrator Wilburn told the County Commission she will report census figures for the Health Department/Home Health Agency on at least a monthly basis. Commissioner Collins said he attended the annual advisory council meeting and has confidence that Chantal Wilburn, LPN, the new Health Department Administrator/Home Health Director, will do a good job and be a strong leader.

Due to higher census numbers, Health Department Administrator/Home Health Director Chantal Wilburn, LPN, said the Department will be advertising to add a part-time Homemaker to the staff.

Discussion was held in regard to purchasing supplies for the annual Community Baby Shower hosted by the Doniphan County Health Department/Home Health Agency. Administrator Wilburn told the County Commission most of the funds to purchase supplies have been donated, asking if prior approval was needed to spend that money. The County Commission asked that the purchasing policy be adhered to and all expenses over \$500.00 be pre-approved by the Board of County Commissioners, in keeping with policy.

Health Department Administrator/Home Health Director Chantal Wilburn, LPN, reported to the County Commission water damage to the interior of the Health Department building, from the roof, after recent rainstorms. She has made several attempts to contact representatives of A1 Roofing Renovations and Construction, who put a new roof on the building in August 2023.

Mark Kiehnhoff thanked the Second Road District for fixing the holes along the bridge near 502 Randolph Road, Section 30, Township 4, Range 20E. He asked Commissioner Grable if the Road Department could also fix around the sides of the bridge with rip rap material.

Road Office Manager Lindsay Norris presented the County Commission with April 2025 Road and Bridge rock reports, expenses, bridge plank, road tube and tire inventories for their review.

A listing of dust control permit waivers obtained to date was presented to the Commission for their review. The Board of County Commissioners approved an additional dust control permit for 1569 150th Road.

Engineers with Schwab-Eaton, PA. have submitted applications to the Kansas Department of Transportation's Off-System Bridge Program and Local Bridge Improvement Program on behalf of Doniphan County. Notification of grant acceptance should be made by the Kansas Department of Transportation in August or September of this year.

Road Office Manager Lindsay Norris contacted Midwest Sealing and Construction regarding sealing of 170th Road. Jake Newton, Owner, said the company will start the sealing project within the next couple of weeks; they waited until school was out of session due to the high volume of traffic during the school year.

Road Office Manager Norris reported to the County Commissioners that rock approved on April 28, 2025 for Ottumwa Road has been hauled, with 172.75 tons hauled from Foley Quarry and 276.65 tons hauled from Servaes Quarry.

Norris also reported 53.75 tons of rock was hauled on Randolph Road for Washington Township in the amount of \$833.13.

Commissioner Hall asked the status of road patch work prior to chip sealing. Road Office Manager Norris said the Second and Third Road Districts have one day of patch work left between the two districts and then the crew will move the roller into First Road District to begin patch work.

Commissioner Hall told the County Commission he gave Wathena City Mayor John Hontz Herzog Contracting Corporation's cost estimate to asphalt a portion of Monument Road, for that portion lying within the Wathena City limits.

Commissioner Grable said two culverts will need to be addressed in the near future. One being near 884 Oxide Road and the other near 1679 110th Road. Road Office Manager Lindsay Norris will contact Arnie Valdemar, Inspector with Schwab-Eaton, PA, and ask him to look at both locations, making recommendations for repair.

Doniphan County Conservation District Manager Chris Griffin and Matt Symns, Conservation District Board Member, presented the County Commission with the 2026 Conservation District budget request in the amount of \$36,000.00; the same amount as 2025. State funds will increase to \$50,000.00 for 2026. Manager Griffin told the County Commission due to Federal cuts the Doniphan County Conservation District Office lost two employees and cuts region wide resulted in there being no trained technicians in the four county area to lay out projects and assist the Conservation District Office. The federal cuts affected Conservation District offices statewide resulting in employees potentially being transferred around to other offices. The Conservation District was able to purchase a new no-till drill that can be rented at low rates to landowners in the County. They are also working on education programs with K-12 students and Women in Ag.

Commissioner Hall made a motion, seconded by Commissioner Collins, to replace two concrete sidewalk slabs north of the north courthouse steps to align with new sidewalks to be poured on the east side of the building by Bottorff Construction, for an approximate amount of \$3,600.00, with payment to be made from New Sales Tax fund. Motion carried 3-0.

Commissioner Grable asked the County Commission to hold payment in the amount of \$8,433.00 to Heartland Garage Door for 16'2 x 24'1 garage door installed on the Transfer Station Building until the Board of County Commissioners have time to determine if it is properly functioning. The Board concurred.

At 9:20 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 at 9:25 A.M.

At 9:30 A.M. public hearing was held for the purpose of vacating roads and alleys located on the plat of Maynard, within Doniphan County, Kansas. Present were Pat Masters and Mark Kiehnhoff. Pat Masters, representing Eldon Hills, LLC, said he spoke to adjoining landowners Troy Hill, Julian Nelson, Jr., Doug Duncan and Curtis Anderson who made no objection to the vacation request. In addition, David Masters spoke with John Jeschke who also had no objection. Mark Kiehnhoff, who's mother-in-law owns property within 1,000 feet of the road vacation, was present but made no objections. Commissioner Collins asked if the vacation of roads and alleys would prevent emergency services from accessing the area. County Attorney Baskins said in this case the roads are platted and not developed, the vacation would have no affect on how emergency services are currently accessing the property. Commissioner Grable asked if any properties would be landlocked. County Attorney Baskins responded there would be no issue with landlocked properties in this situation. County Attorney Baskins further stated he could not foresee a reason why the County would ever have a need to open the platted streets and alleys. There being no further public comment, Commissioner Grable made a motion to close the public hearing at 9:37 A.M. Commissioner Collins seconded the motion. Motion carried 3-0.

Commissioner Hall made a motion to adopt and approve an order vacating streets and alleys located on the plat of Maynard, within Doniphan County, Kansas. Commissioner Collins seconded the motion. Motion carried 3-0.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF DONIPHAN COUNTY, KANSAS**

Re: Vacation of County Roads and Alley

ORDER

NOW on this 27th day of May, 2025, this matter comes on for hearing on the Board of County Commissioners of Doniphan County, Kansas, petition for vacation of county roads and alley.

THEREUPON, the Board of County Commissioners of Doniphan County, Kansas, upon hearing, and being duly advised in the premises, makes the following findings:

1. The Board of County Commissioners of Doniphan County, Kansas, have jurisdiction to hear this matter pursuant to the provisions of K.S.A. 68-102.
2. The Board of County Commissioners of Doniphan County, Kansas, are satisfied that due and regular notice has been given as required by law.
3. The public will suffer no loss or inconvenience by the proposed vacation and no private rights will be injured or endangered thereby.
4. That these vacation order is subject to any and all existing utility easements.

IT IS THEREFORE ORDERED AS FOLLOWS:

- A. That the above findings be and are hereby made a part of the order of this Commission.
- B. That the following described real property located on the plat of Maynard, within Doniphan County, Kansas, shall be vacated in favor of the adjoining landowners, to-wit:
 1. That portion of Zimmerman Street lying north of the north right of way line of the St. Joseph and Denver City Railroad to the North City Limit line.
 2. That portion of Glick Street lying north of the north right of way line of the St. Joseph and Denver City Railroad to the North City Limit line.
 3. That portion of White Street lying north of the north right of way line of the St. Joseph and Denver City Railroad to the North City Limit line.
 4. That portion of Maynard Street lying north of the north right of way line of the St. Joseph and Denver City Railroad to the North City Limit line.
 5. All Alleys in blocks 1 through 25
 6. All of Fourth, Fifth, Sixth and Seventh Streets.
- C. That the above-described real property be listed for taxation for other purposes as though it had never been platted for purposes of road.
- D. That a certified copy of this Order be recorded in the Office of the Register of Deeds of Doniphan County, Kansas, by the Doniphan County Clerk.
- E. That the costs of the proceedings, including publication and recording fees, shall be assessed to the Board of County Commissioners, petitioners therein.

- F. That this Order is subject to any and all existing utility easements
Wayne Grable, Chairman
Timothy D. Collins, Commissioner
Bobby Hall, Commissioner

Attest: Peggy Franken, Doniphan County Clerk

Commissioner Collins asked if the 911 road sign for Cottonwood Creek Drive has been installed and asked the Road Department to get it put up, if not.

Commissioner Grable offered further explanation on the additional amount paid to Kieffer Excavating for materials on 110th Road. He said the County was responsible for providing the road tubes which accounted for \$3,548.00 of the invoice (\$5,182.49). The remaining \$1,634.49 was for the purchase of 400' of tile to tie into an existing tube instead of installing a new culvert. The adjoining landowner gave the dirt for the road project. Commissioner Grable, using his spending authority, approved the purchase of the tile in the amount of \$1,634.49.

Correspondence was received by the Board from the City of Highland regarding cost share on Coronado Road culvert repair project, included in the northern Highland City limits, Sections 22-23, Township 2, Range 19E. The letter stated the City Council is in favor of supporting the County's request to contribute \$10,000.00 to repair the culvert with the following requests, to which the County complied:

1. A copy of the approved bid for the bridge repair/improvements
2. A copy of the plans for the work to be completed
3. A proposed completion date for the project

Commissioner Collins made a motion to approve bid from Urban Construction, Inc. (originally to the City of Highland) for repair of box culvert on Coronado Road, Sections 22-23, Township 2, Range 19E, in the amount of \$71,895.00, removing box culvert and replacing it with a 120' x 6' galvanized tube. Contingent upon the City of Highland making payment to Doniphan County in the amount to \$10,000.00. Commissioner Hall seconded the motion. Motion carried 3-0.

Keenan Baird of Baird Excavating, LLC and Dennis Muse with Muse Excavation and Construction, Inc. met with the Board of County Commissioners to discuss culvert replacement project on 275th Road and Elgin Road, Section 1, Township 2, Range 19E.

At 10:12 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of consultation with legal counsel 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 10:19 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Attorney, County Clerk and Road Office Manager remained.

At 10:20 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing confidential data relating to the financial affairs or trade secrets of corporations, partnerships, trusts and individual proprietorships, with the meeting to be called back to order in the office of the Doniphan County Commission at 10:30 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Attorney, County Clerk, Road Office Manager, Keenan Baird and Dennis Muse remained.

At 10:30 A.M. Commissioner Hall made a motion to recess into executive session for the purpose of discussing confidential data relating to the financial affairs or trade secrets of corporations,

partnerships, trusts and individual proprietorships, with the meeting to be called back to order in the office of the Doniphan County Commission at 10:40 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Attorney, County Clerk, Road Office Manager, Keenan Baird and Dennis Muse remained.

At 10:41 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing confidential data relating to the financial affairs or trade secrets of corporations, partnerships, trusts and individual proprietorships, with the meeting to be called back to order in the office of the Doniphan County Commission at 10:45 A.M. Commissioner Hall seconded the motion. Motion carried 3-0. County Attorney, County Clerk, Road Office Manager, Keenan Baird and Dennis Muse remained.

At 10:46 A.M. Commissioner Collins made a motion to recess into executive session for the purpose of discussing confidential data relating to the financial affairs or trade secrets of corporations, partnerships, trusts and individual proprietorships, with the meeting to be called back to order in the office of the Doniphan County Commission at 11:06 A.M. Commissioner Hall seconded the motion. Motion carried 3-0. County Attorney, County Clerk, Road Office Manager, Keenan Baird and Dennis Muse remained.

At 11:11 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of consultation with legal counsel 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 11:21 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Attorney, County Clerk and Road Office Manager remained.

Discussion was held on hiring a county engineer or engineering firm to oversee road projects. No action was taken.

At 11:37 A.M. Commissioner Grable made a motion to recess 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 11:47 A.M. Commissioner Hall seconded the motion. Motion carried 3-0. County Attorney and County Clerk remained.

Commissioner Grable asked the County Commission to come up with a three-year plan for asphaltting and chip sealing county roadways prior to 2026 budget discussions.

There being no further business before the Board, Commissioner Grable made a motion to adjourn at 11:50 A.M. Commissioner Hall seconded the motion. Motion carried 3-0.

DATED THIS 27TH DAY OF MAY 2025

Attest: _____
Peggy Franken, County Clerk

Wayne Grable, Chairman