

**UNOFFICIAL MINUTES**  
**DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, FEBRUARY 4, 2019**

The Board of County Commissioners met in regular session at 8:00 A.M. with Second District County Commissioner Thad G. Geiger, Chairman, calling the meeting to order. First District County Commissioner Timothy D. Collins, Third District County Commissioner Jerry P. McKernan and County Clerk Peggy Franken were present. County Attorney Charles D. Baskins was present for a portion of the meeting.

The Kansas Chief Reporter Paul Stewart observed the entire regular meeting.

Commissioner McKernan made a motion, seconded by Commissioner Collins, to approve the meeting agenda as presented. Motion carried.

Commissioner McKernan made a motion, seconded by Commissioner Collins, to approve County Commission minutes of the January 28, 2019 regular meeting as written. Motion carried.

Commissioner Collins made a motion, seconded by Commissioner McKernan, to approve abated taxes in the amount of \$1,766.02 to the 2018 Doniphan County tax roll. Motion carried.

Fee reports for the month of January 2019 were presented to the Board for their review on behalf of the County Clerk, Register of Deeds and Sheriff.

Currently there are 16 local inmates housed in the Doniphan County Law Enforcement Center.

At 8:00 A.M. the Board of County Commissioners held interviews for the position of Noxious Weed Director. No action was taken.

County Clerk Peggy Franken presented the Board with sales tax collections in the amount of \$63,534.62.

The Board of County Commissioners were in receipt of 2019 departmental inventory pursuant to K.S.A. 19-2687 for all departments with the exception of Emergency Management/Zoning, Health Department and Sheriff's Department, which have not yet been filed with the County Clerk. The Board of County Commissioners requested each department review current inventory for personal property no longer in use that can be sold and asked department heads to keep the Board up to date on purchases.

County Clerk Peggy Franken presented bids for replacement of the water drinking cooler on the first floor of the Doniphan County Courthouse as follows:

- Thayer Supply \$1,413.15
- Waggoner Water Conditioning No Bid
- Global Industries \$1,500.00
- Amazon \$1,498.00
- Wynn Supply Co. \$ 900.93

Commissioner Collins made a motion, seconded by Commissioner McKernan, to accept the bid of Wynn Supply Co. for the purchase of a water drinking cooler to replace the water drinking cooler on the first floor of the Doniphan County Courthouse. Motion carried.

Discussion was held by the Board in regard to the County Personnel Policy and Procedures handbook regarding sick leave for part-time employees. It was the consensus of the Board current policy is strong and should stand, whereby part-time employees, regardless of status, are not entitled to sick leave benefits.

The Board of County Commissioners asked County Clerk Peggy Franken to send a memo to all County employees reminding of policy which prevents smoking in County owned buildings and county owned vehicles. Violation of County policies is subject to reprimand up to and including termination.

Commissioner Collins made a motion, seconded by Commissioner McKernan, to repair the 2005 Etnyre chip spreader at a cost of \$25,409.05 by Van Keppel. Motion carried.

Road Office Manager Lindsay Norris informed the County Board she sent correspondence to Herzog Contracting regarding a list of roads considered for hard surface by use of asphalt for their review. Once Herzog has a chance to view the roadways they will submit a proposal to the Board of County Commissioners.

Lindsay Norris, Road Office Manager, told the County Commission second round of road right-of-way violation letters have been mailed, with the additional 15-day timeframe for removal of obstructions having lapsed. The Board asked Mrs. Norris to make telephone calls to those in violation asking obstructions be removed prior to the Board taking further action.

Commissioner Collins made a motion, seconded by Commissioner McKernan, to enter into an agreement with Schwab-Eaton, PA to perform bi-annual bridge inspection on 72 structures at a cost of \$153.00 per structure, pursuant to Kansas Department of Transportation requirements. Motion carried.

Road Office Manager Lindsay Norris presented the Board with the following unapproved expenditures for their review and approval: Van Keppel (roller analyzation) \$1759.06; Highland Hardware (2<sup>nd</sup> District shop supplies) \$735.00; Franken Auto Parts (1<sup>st</sup> District maintenance items); St. Joseph Tractor \$292.95 and Big State Industrial Supply \$673.00 (1<sup>st</sup> District gloves and sunglasses). Commissioner Geiger made a motion to approve all expenses with the exception of Big State Industrial Supply. Commissioner Collins seconded the motion and it carried.

County Attorney Charles Baskins stated the order to Big State Industrial Supply should be cancelled and items returned, as it is an unlawful debt against Doniphan County. Commissioner Collins said all items ordered for the Road Department should be shipped to the Road Office Manager at the Doniphan County Courthouse. Chairman Geiger asked Road Office Manager Lindsay Norris to send a reminder memo to each of the Road Foremen reminding them of the County's purchasing policy requirements and restrictions.

G.E. Pierce, Sheryl Pierce, Jay Johnson, Bob Brown, Barbara Wood, Doug Meng and Tim Grable met with the Board of County Commissioners to request a low water crossing on Larkinburg Road, in Sections 13 & 18, Township 4 Range 21E allowing landowner's property access. The Board of County Commissioners will review road records, previous County Commission actions and view the roadway with landowners on February 11, 2019 following the County Commission meeting.

Cheril McKay appeared before the Board of County Commissioners to make them aware of a potential rock quarry development by Miller Family Partnership in Section 29, Township 2, Range 23E along Freeport Road, south of 240<sup>th</sup> Road. Mrs. McKay was in objection to having a rock quarry within 1,000 feet of her home. Zoning Administrator Julie Meng told the Board of County Commissioners rock quarries are allowed in agricultural use areas with conditional use. In order for a quarry to be in operation, an application would be made with the Doniphan County Planning Commission for recommendation to the Board of County Commissioners. Zoning Administrator Meng would notify all property owners within 1,000 feet of the application for change in zoning, with a public hearing date set and held before the Doniphan County Planning Commission. The Board of County Commissioners have final say on zoning changes in unincorporated areas. Zoning Administrator Meng also stated rock quarries are subject to special permitting through the Kansas Department of Health and Environment.

Chairman Geiger asked County Attorney Charles Baskins for discussion at the next regular County Commission meeting on the requirements of holding a tax foreclosure sale.

There being no further business before the Board, Chairman Geiger adjourned the meeting at 9:54 A.M.

DATED THIS 4TH DAY OF FEBRUARY 2019.

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

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Thad G. Geiger, Chairman