

**UNOFFICIAL MINUTES
DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, AUGUST 24, 2020**

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 Thad G. Geiger, Chairman, calling the meeting to order. First District County Commissioner Timothy D. Collins, Third District County Commissioner Jerry McKernan and County Clerk Peggy Franken were present. County Attorney Charles D. Baskins was present for a portion of the meeting.

The Kansas Chief Reporters Paul Stewart and Melanie Davis, along with Larry Zwaduk observed the entire meeting. Attorney Joel Euler, James Scherer, CPA, First District Road Foreman Sean Price, Road Office Manager Lindsay Norris and Aging Administrator Peggy Wood were present for a portion of the meeting.

Commissioner McKernan made a motion to approve the meeting agenda as amended to include non-elect personnel executive sessions. Commissioner Collins seconded. Motion carried 3-0.

Commissioner McKernan made a motion to approve the County Commission minutes of the August 17, 2020 meeting as written. Commissioner Collins seconded. Motion carried 3-0.

Commissioner McKernan made a motion to approve abated taxes to the 2019 Doniphan County tax roll in the amount of \$166.24. Commissioner Collins seconded. Motion carried 3-0.

Currently the Doniphan County Law Enforcement Center houses 4 local inmates.

First District Road Foreman Sean Price presented the County Commission a list of tubes to be replaced following heavy rainfall events. Foreman Price said a concrete box culvert on 130th and Castleton Roads will need to be replaced with a 6' x 60' tube.

Attorney Joel Euler, on behalf of Elwood Gladden Drainage District, asked the County Commission to designate sales tax funds in the amount of \$200,000.00 per year for a period of five (5) years beginning in 2021 as local government cost share to help offset Elwood Gladden Drainage District's \$3 million required payment for levee structure repair, including under seepage berm repair, raising the height of the levee structure and acquisition of permanent easements from adjoining landowners. Kansas is responsible for \$33 million of the \$77 million federal project. Mr. Euler stated the use of sales tax would be an allowable expense as a capital improvement project to county owned property in order to protect the County's tax base from potential flood risks. Commissioner McKernan made a motion to contribute, by resolution, sales tax proceeds in the amount of \$200,000.00 per year for a period of five (5) years beginning with the 2021 year to Elwood Gladden Drainage District to assist the District with levee repair costs. Commissioner Collins seconded. Motion carried 3-0.

Commissioner Collins made a motion to reimburse the City of Elwood for fuel and pump costs associated with 2019 high water event in the amount of \$30,000.00 with payment to be made from the County General fund. Commissioner McKernan seconded. Motion carried 3-0.

Correspondence was presented to the Board of County Commissioners on behalf of the Kansas Department of Revenue Division of Property Valuation regarding 2020 substantial compliance by the County Appraiser's office.

County Clerk Peggy Franken informed the County Commission the Kansas Secretary of State's office will be providing Doniphan County with two (2) secure ballot drop boxes as a safe and convenient method for advance voters to return ballots on or before Election Day. The drop boxes will be located on the north and south side of the courthouse adjacent to the steps.

At 8:52 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 8:57 A.M.

Chairman Geiger, on behalf of the Board of County Commissioners, reminded citizens of Doniphan County to complete their 2020 Census.

Commissioner Geiger also stated Engineers with Schwab-Eaton PA have viewed the approach on bridge structure T433-3 located on 190th and Saratoga Roads, in Section 20 Township 3 Range 22E. It was recommended the road crew use hot patch to build up and smooth out the approach.

At 9:00 A.M. public hearing was held for the purpose of adopting the 2021 Doniphan County budget. James Scherer, CPA was present. There being no public comment, Commissioner McKernan made a motion to adopt the 2021 Doniphan County budget at a mill levy rate of 38.601 mills generating \$5,721,226 in ad valorem tax based on an assessed valuation of 148,212,447. Commissioner Geiger seconded. Commissioner Collins voted no. Motion carried 2-1.

Commissioner Collins made a motion to adopt the 2021 Doniphan County Ambulance District No. 1 budget at a mill levy rate of 2.246 mills with appropriations to be made to the City of Troy for operations of the ambulance district in the amount of \$144,000.00; an increase of \$50,000.00 over 2020. Commissioner McKernan seconded. Motion carried 3-0.

Commissioner Geiger reminded the County Board of the need to install guardrail and posts, previously purchased from the Kansas Department of Transportation.

Road Office Manager Lindsay Norris reported David Beach, Engineer with Schwab-Eaton, PA has recommended the closure of Treece Road near 240th Road, in Section 28 Township 2 Range 22E, to all traffic due to the severe nature of road conditions, it is feared the roadway is on the verge of collapse. Engineer Beach will formulate a plan for repair with work to be contracted out prior to fall harvest.

Commissioner Geiger made a motion to approve a request and petition on behalf of Centurylink for buried telecommunications line on 220th and Ottumwa Roads. Commissioner McKernan seconded. Motion carried 3-0.

Commissioner Geiger made a motion to approve Road Department expenditure to Bolin Auto in the amount of \$510.92 for truck #2. Commissioner Collins seconded. Motion carried 3-0.

Commissioner Geiger asked Road Office Manager Lindsay Norris to check inventory and order if necessary "Trucks Entering" signs for Monument Road at the Foley Rock Quarry.

Commissioner Geiger asked County Attorney Charles Baskins if location of 250th Road, in Section 22 Township 2 Range 20E, has been resolved. County Attorney Baskins will advise the Board at a future meeting.

Commissioner Collins made a motion to approve the purchase of 6' x 60' road tube plus bands, to replace concrete box culvert on Castleton Road in Section 22 Township 4 Range 19E, in the amount of \$7,276.50. Commissioner McKernan seconded. Motion carried 3-0.

Commissioner Geiger requested Engineers with Schwab-Eaton, PA inspect bridge T433-1 located at the intersection of 190th and Randolph Roads in Section 19 Township 3 Range 22E for stability.

At 9:36 A.M. Commissioner Geiger 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 9:46 A.M. Commissioner Collins seconded. Motion carried 3-0. The County Attorney, County Clerk and Road Office Manager remained.

Commissioner Geiger made a motion to terminate employment of Nicholas Popple, Second District Road Foreman, effective 7:00 A.M. Monday, August 24, 2020. Commissioner Collins seconded. Motion carried 3-0.

At 9:48 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 Aging Department with the meeting to be called back to order in the office of the Doniphan County Commission at 9:58 A.M. Commissioner McKernan seconded. Motion carried 3-0. The County Attorney, County Clerk and Aging Administrator remained.

Commissioner Collins made a motion to hire Kim Whitsell on a part-time basis to serve as Troy Pioneer Senior Citizens Center Site Director at a rate of \$11.50 per hour subject to pre-employment screening. Commissioner McKernan seconded. Motion carried 3-0.

County Clerk Peggy Franken asked for clarification from the Board of County Commissioners on pay for time off when an employee chooses to home school their children for COVID related purposes instead of send them to school when on-site classes are being conducted. The Board of County Commissioners asked County Attorney Charles Baskins to opine.

At 10:06 A.M. Commissioner McKernan 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 10:21 A.M. Commissioner Collins seconded. Motion carried 3-0. The County Attorney, County Clerk and Road Office Manager remained.

There being no further business before the Board, Chairman Geiger adjourned the meeting at 10:25 A.M.

DATED THIS 24TH DAY OF AUGUST 2020.

Attest: _____
Peggy Franken, County Clerk

Thad G. Geiger, Chairman