

Doniphan County meeting minutes

Unofficial minutes

By Clerk Peggy Franken

On December 9, 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, Aging Director Diana Crouse-Johnson, Road Office Manager Lindsay Norris, Noxious Weed Director Jim Norris, Foley Equipment Representatives Kevin Bell and Jesse Godfrey, Richard Grable, Larry Kuhnert, State Director for Senator Roger Marshall's office Katie Sawyer, Congressman-elect Derek Schmidt Representative Fran Oleen, Kitchen Director Jamie Hendrix and Sheriff Chad Clary were present for a portion of the meeting.

Commissioner Hall made a motion to approve the County Commission meeting agenda as amended to include executive session to protect the privacy and interest of non-elect personnel in the Kitchen Department. Commissioner Grable seconded the motion. Motion carried 3-0.

Commissioner Collins made a motion to approve minutes of December 2, 2024, regular meeting as written. Commissioner Hall seconded the motion. Motion carried 3-0.

Fee reports for the month of November 2024 were presented to the Board on behalf of the Register of Deeds and Sheriff for their review.

Commissioner Hall made a motion to approve change orders to the Doniphan County Tax Roll: added taxes \$96.18 and abated taxes \$9,467.80 Board of Tax Appeals ruling for Highland Christian Church tax year 2023; \$18,033.18 Board of Tax Appeals ruling for Highland Christian Church tax year 2024; and \$102.26 for individual personal property tax. Commissioner Collins seconded the motion. Motion carried 3-0.

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

Chairman Grable approved the purchase of three tires for 2019 Dodge Grand Caravan for Doniphan County Transportation Department in the amount of \$533.43.

Commissioner Collins made a motion to hire Lawrence Michael Gabriel in a part-time substitute meal delivery position for the Meals on Wheels program subject to pre-employment evaluation. Commissioner Grable seconded the motion. Motion carried 3-0.

Clerk Peggy Franken informed the County Commission the Department of Labor's rule to increase the minimum salary for exemption effective July 1, 2024, which raised the amount of salary subject to overtime compensation from \$684 per week to \$844 per week. And a future increase beginning January 1, 2025, from \$844 per week to \$1,128 per week was vacated by the United States District Court for the Eastern District of Texas on November 15, 2024, therefore returning the minimum salary requirement for exemption subject to overtime to that prior to July 1, 2024, of \$684 per week.

Correspondence was received from the Kansas Development Finance Authority regarding issuance of Agricultural Development Revenue Bonds to finance the acquisition of agricultural land and related improvements through the "Beginning Farmer Program" for Landon E. Jeschke in Section 33 approximately 4 miles east of Highland, Kansas, on 240th Road, two miles south on Freepoint Road and .25 miles east on 220th Road.

Commissioner Grable made a motion to approve payment of invoice to Diamond Fab, LLC for work on north courthouse step replacement project in the amount of \$25,630.00 and \$800.00 for drain repair on brick sidewalk west of the courtyard, pay-

ment to be made from New Sales Tax fund. Commissioner Hall seconded the motion. Motion carried 3-0.

Chairman Grable opened bids for sale of Appraiser's Department 2005 Jeep Grand Cherokee vehicle. Richard Grable was present. Bids were opened and read aloud as follows:

Richard Grable \$2,880.00

Eric Tracy \$2,886.00

Commissioner Grable made a motion to accept the best and highest bid of Eric Tracy for purchase of the Appraiser's Department 2005 Jeep Grand Cherokee in the amount of \$2,886.00. Hall seconded the motion. Motion carried 3-0.

Grable made a motion to enter into contractual agreement with Jackson County, Kansas, for hauling and disposal of Household Hazardous Waste materials for Doniphan County, Kansas, beginning January 1, 2025, at a rate of \$29.50 per hour and \$0.67 per mile. Commissioner Hall seconded the motion. Motion carried 3-0.

Road Office Manager Lindsay Norris reported preliminary work is close to completion for replacement of structure RS380 located on 240th Road, west of Highland, Kansas, Section 20-29, Township 2, Range 19E. According to Engineer David Beach, with Schwab-Eaton, PA, the Kansas Department of Transportation will be ready to bid the project at the beginning of 2025.

Dennis Snyder, First District Road Employee in charge of sign maintenance, while checking to make sure barricades were in place at structure RS380 on 240th Road, west of Highland, Kansas, Section 20-29, Township 2, Range 19E, noticed the northeast wall of the box failed causing debris to fall close to the gas line. Kansas Gas Service representatives and Schwab-Eaton, PA Inspector Arnie Valdemar inspected the line, recommending all debris be removed from around the gas line.

Road Office Manager Lindsay Norris presented the County Commission with Road Improvement Fund and Road and Bridge Fund rock balances as of November 29, 2024.

Collins made a motion to approve the following Road Department invoices:

Triple L Tire \$660.32 (#208 sign truck tires)

Murphy Tractor \$583.29 (#151 lamp and strobe light repair)

Mayday Trucking Service \$596.73 (#46 2005 Mack truck repair)

Anderson Ford \$973.03 (#106 2003 Ford repair)

Triple L Tire \$1,495.48 (#46 2005 Mack truck repair)

Concrete Ready Mix \$5,490.00 (RS110 structure repair)

Hall seconded the motion. Motion carried 3-0.

Angie Kreider, Director of Business Development for Rainbow Communications and Julie Bergman, Senior Business Development Specialist with Rainbow Communications, met with the County Commissioners to update them on the US Highway 36 broadband expansion project, which was partially funded with Doniphan County American Rescue Plan Funds (ARPA). After the update on construction and installation of services, Mrs. Kreider requested final ARPA payment in the amount of \$369,052.75. Commissioner Grable made a motion to approve final payment of ARPA funding to Rainbow Communications for US Highway 36 broadband expansion project in the amount of \$369,052.75. Collins seconded the motion. Motion carried 3-0.

Julie Bergman, Senior Business Development Specialist with Rainbow Communications, apprised the County Commission on upcoming 2025 projects which include grant funds from the Kansas Office of Broadband 4.0 BAG grant to expand fiber broadband service south of Wathena, Kansas, and north and south of Troy, Kansas. Rainbow Communications will also be completing their fiber overbuild in the cities of Elwood, Highland, Troy and Wathena for future expansion. The overbuild in the cities would be a benefit of \$12.4 million to the County, broken down as follows: Elwood City \$3 million 1095 customers; Highland City \$1.8 million 870 customers; Troy City

\$2.9 million 949 customers and Wathena City \$4.7 million 1,210 customers. And finally, Rainbow Communications, in partnership with the Iowa Tribe of Kansas and Nebraska, will be expanding fiber broadband services to the City of White Cloud and Taylor Seed Farm, with Rainbow Communications to manage the service for the Iowa Tribe of Kansas and Nebraska upon completion of installation.

Hall addressed concerns the County Commission has with Rainbow Communications fiber construction contractor, NCS, damaging county roadways during installation and not paying the cost of repair. Angie Kreider, Director of Business Development for Rainbow Communications, said she is aware of the issues on Port William Road and will follow up with NCS on the status of reimbursement to Doniphan County for repair work. Commissioner Grable said he spoke with representatives from NCS who are working towards a solution to prevent damage to county roadways going forward.

Kevin Bell and Jesse Godfrey, Sales Representatives with Foley Equipment, presented the County Commission with a price quote to purchase a 2024 CAT 309 excavator with attachments and Towmaster T-30T Trailer. Mr. Bell presented specifications for the purchase of the 2024 CAT 309 excavator, clarifying from the previous meeting the equipment is a 2024 model and not 2025 as reported. The cost of the equipment is \$197,640.00. Discussion followed on trade value for Doniphan County's 2012 Hyundai 250 excavator (#189) and unused bucket off of 420 CAT 2013 backhoe. Following discussion and review of the Road and Bridge 2024 budget, Commissioner Collins made a motion to purchase a 2024 CAT 309 excavator from Foley Equipment in the amount of \$197,640.00 less trade of 420 CAT 2013 backhoe bucket in the amount

of \$2,000.00 for a total purchase price of \$195,640.00. Commissioner Hall seconded the motion. Motion carried 3-0.

Jesse Godfrey, Foley Equipment Representative, presented the County Commission with a price quote and information for the purchase of a Towmaster T-30T 34' trailer in the amount of \$38,792.28. The Board of County Commissioners tabled action.

Katie Sawyer, State Director for Senator Roger Marshall and Fran Oleen, Representative for Congressman-Elect Derek Schmidt's office, along with Larry Kuhnert, met with the County Commission to discuss the Department of Energy's proposed National Interest Electric Transmission Corridor (NIETC), particularly the Midwest Plains Corridor, with a proposed Kansas route through Doniphan County. Ms. Sawyer told the County Commission the main objective of Senator Marshall is to keep the federal government out of the regulatory process and keep it on a local level with the State of Kansas to regulate. In response to Chairman Grable's inquiry on adoption of a County Resolution opposing the Midwest Plains Corridor, Ms. Sawyer said several counties along the proposed Midwest Plains Corridor have adopted and submitted resolutions opposing the Department of Energy's proposed NIETC corridor, and if adopted Doniphan County should send a copy of their resolution to the Department of Energy.

Commissioner Grable asked State Director for Roger Marshall's office, Katie Sawyer, Senator Marshall's point of view on confirmation of President-Elect Donald Trump's cabinet members. Ms. Sawyer said Senator Marshall is set to meet with many of the proposed cabinet members this week and is not making any decisions until he meets with each one face to face.

At 10:55 A.M. the Board recessed for a break with the meeting being

called back to order in the office of the Doniphan County Commission at 10:58 A.M.

Grable made a motion to approve previous monthly rental of CAT 309 excavator from Foley Equipment for trimming of brush and trees along county roadways in the amount of \$9,006.10. Hall seconded the motion. Motion carried 3-0.

Grable made a motion to transfer \$50,000.00 Local Assistance and Tribal Consistency Funds (LATCF) for payment in lieu of tax from CARES Act/ARPA Account into County General for general government operating expenses, thereby closing out the CARES Act/ARPA Account. Collins seconded the motion. Motion carried 3-0.

Clerk Peggy Franken informed the County Commission of tenant Sherman Smith's notification to continue for a period of one year, beginning January 1, 2025, rental of the County's 9.5 acre hay ground at the rate of \$77.00 per acre.

At 11:04 A.M. Grable made a motion to recess into executive session for the purpose of discussing and protecting the interests of non-elect personnel in the Kitchen Department, with the meeting to be called back to order in the office of the Doniphan County Commission at 11:19 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County

Attorney and County Clerk remained.

At 11:19 A.M. Commissioner Grable made a motion to recess into executive session for the purpose of discussing and protecting the interests of non-elect personnel in the Kitchen Department, with the meeting to be called back to order in the office of the Doniphan County Commission at 11:33 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Attorney and County Clerk remained. Kitchen Director Jamie Hendrix appeared via telephone.

Commissioner Hall asked County Clerk to keep an accounting on operating costs for the Doniphan County Transfer Station from November 1, 2024, through April 1, 2025.

At 11:44 A.M. Commissioner Hall made a motion to recess into executive session for the purpose of discussing and protecting the interests of non-elect personnel in the Kitchen Department, with the meeting to be called back to order in the office of the Doniphan County Commission at 11:54 A.M. Commissioner Collins seconded the motion. Motion carried 3-0. County Attorney, County Clerk and Sheriff Clary remained.

There being no further business before the Board, Commissioner Grable made a motion to adjourn at 12:06 P.M. Collins seconded the motion. Motion carried 3-0.

Doniphan Co. Health Dept./HH

Walk-In Wednesdays Immunization Clinic

9:30 - 11:30 a.m. and 1:30 - 4:00 p.m. (Or call to make an appt. for a different day.)
COVID-19 updated 2024-25 Moderna variant is now available!



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