

Doniphan County meeting minutes

Unofficial minutes By Peggy Franken

On October 6th, 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 absent.

The Kansas Chief Reporter Melanie Davis observed the entire meeting. Aging Director Diana Crouse-Johnson, Road Office Manager Lindsay Norris and Undersheriff Brendan Wolvington were present for a portion of the meeting.

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

Commissioner Hall made a motion to approve the County Commission meeting minutes of September 29, 2025 regular meeting as written. Commissioner Collins seconded the motion. Motion carried 3-0.

Fee reports for the month of September 2025 were presented to the County Commission for their review on behalf of the County Clerk, Register of Deeds and Sheriff.

The Jerry K. Dubach Doniphan County Law Enforcement Center currently houses 12 local inmates.

Due to the observance of Columbus Day/Indigenous People's Day on October 13, 2025, the Board of County Commissioners will hold their regular weekly meeting on Tuesday, October 14, 2025 beginning at 8:30 A.M.

Commissioner Grable made a motion to execute annual lease agreement between the City of Troy, Kansas, and Doniphan County, Kansas, for use of the Troy Pioneer Senior Citizens Center. Hall seconded the motion. Motion carried 3-0.

Commissioner Grable made a motion to execute the Title VI policies and procedures for the Doniphan County Transportation Department. Commissioner Collins seconded the motion. Motion carried 3-0.

County Clerk Peggy Franken presented the County Commission with the September 2025 departmental budget and cash summary report for their review.

Clerk Franken also gave the County Commissioners data maps compiled by the Kansas Department of Revenue Division of Property Valuation showing the change in valuation and property classification values statewide by County from 2024 to 2025. The following Doniphan County valuation changes were noted:

Overall County Valuation - 1.42%
Agricultural Values -7.11%
Commercial Values +3.71%
Residential Values +5.40%

The Board of County Commissioners were in receipt of correspondence from the Kansas Department of Finance Authority regarding Agricultural Development Revenue Bonds for Todd & Adrienne Neibling as part of the Beginning Farmer program. The project being financed is in Section 9, Township 2, Range 19E, approximately ½ mile west of Highland, Kansas, on 240th Road, 1 mile north on

Castleton Road, ½ mile west on 250th Road, 1 mile north to Buffalo Road and 1/2 mile west on 255th Road.

Chairman Grable executed an Environmental Review Record on behalf of the Board of County Commissioners, as part of Doniphan County's application to the Kansas Department of Commerce for CDBG Grant funding for installation of ADA accessible sidewalk into the courthouse building.

Commissioner Grable made a motion to adopt Doniphan County Resolution 2025-09, a Resolution banning Battery Energy Storage Systems (BESS). Commissioner Collins seconded the motion. Motion carried 3-0. Said Resolution was recorded and is on file in the office of the Doniphan County Clerk, Resolution Book 4 page 25.

Commissioner Grable made a motion to adopt Doniphan County Resolution 2025-10, a Resolution banning data centers including activities involving such systems for cryptocurrency mining as well as related activities within the unincorporated areas of Doniphan County, Kansas. Commissioner Hall seconded the motion. Motion carried 3-0. Said Resolution was recorded and is on file in the office of the Doniphan County Clerk, Resolution Book 4 page 26.

Commissioner Grable made a motion to adopt Doniphan County Resolution 2025-11, a Resolution providing for the amendment of the Zoning Regulations of Doniphan County, Kansas, providing for a prohibition against certain wind energy conversion systems. Commissioner Collins seconded the motion. Motion carried 3-0. Said Resolution was recorded and is on file in the office of the Doniphan County Clerk, Resolution Book 4 page 27.

Commissioner Grable made a motion to adopt Doniphan County Resolution 2025-12, a Resolution providing for the amendment of the Zoning Regulations of Doniphan County, Kansas, providing for a prohibition against certain solar energy conversion systems. Commissioner Hall seconded the motion. Motion carried 3-0. Said Resolution was recorded and is on file in the office of the Doniphan County Clerk, Resolution Book 4 page 28.

Road Office Manager Lindsay Norris reported to the County Commission Vance Brothers' intent to finish chip sealing Doniphan County roadways within the next two weeks, as long as weather conditions are favorable. The 2025 schedule calls for 8.70 miles in First Road District, 6.30 miles in Second Road District and 5.50 miles in Third Road District. Commissioner Grable made a motion to postpone chip sealing 6.30 miles in Second Road District in 2025 due to harvest traffic and cooler temperatures, carrying over 6.30 miles set for 2025 into 2026, to be done along with roads on the 2026 schedule. Commissioner Hall seconded the motion. Motion carried 3-0.

Manager Norris told the County Commission Metal Culverts, Inc. keeps in stock 12" to 24" standard tubes in lengths of 20', 24', 26' and 30', with a limited stock of 3:1 48" up to 120" on hand, per County Commissioner Collins request.

A project bid letter for 150' x 3' metal culvert replacement on Moonlight Road, approximately 400' south of 220th Road and 100' x 24" plastic driveway tube at 1497 Moonlight Road, all in Section 4, Township 3, Range 21E, was presented to the County Commission-

ers for their review by Road Office Manager Lindsay Norris. The Board of County Commissioners made no changes to the project bid letter as presented. Bid letting will be held October 20, 2025 at 9:00 A.M. in the office of the Doniphan County Commission.

Landowner Temporary Work Agreements for concrete box repair on Coronado Road, approximately 10' north of Highland City limits, in the southeast corner of the northeast quarter of Section 22, Township 2, Range 19E, were presented to the County Board for review by Road Office Manager Lindsay Norris. Agreements will be sent to adjoining landowners: Michael M. Higgins, City of Highland, J's & M's Investments LLC, Nicholas D. & Tara A. Schneider and Corn Knife Industries LLC for approval.

Road Office Manager Lindsay Norris informed the County Commissioners adjoining property owner to the 110' x 5' culvert replacement project on 275th Road, Section 1, Township 2, Range 19E, Danny E. Billups was in the Road Office the previous week. However, he did not sign the Temporary Work Agreement pending future discussions on the project with Contractor Pat Urban with Urban Construction.

Per Commissioner Hall's request for additional information on Kansas Department of Transportation Off-System Bridge Program funding for replacement of LPA Bridge T-831-2, south of Highway 36, on Oxide and 195th Road, Section 14, Township 3, Range 21E, Road Office Manager Lindsay Norris presented the County Commission with email correspondence from Engineer David Beach with Schwab-Eaton. Engineer Beach said the purpose and need for replacement is to replace the 85' RTGS and to improve the south approach/intersection with 195th and Oxide Roads to help facilitate truck-trailer traffic movement from US 36. The existing viaduct bridge is in poor condition and is posted 3 tons. Each span has shifted left and right 4"-5" into the roadway over the piers. There is section loss with exposed rebar outside face and underdeck near/at points of bearing. The structural evaluation is a 2 requiring a high priority of replacement. The south approach/intersection with 195th and Oxide Roads needs immediate improvement to help facilitate truck-trailer traffic movement from the south to US 36. Participating cost estimates to be funded by KDOT are \$1,218,000.00 and non-participating costs paid by Doniphan County \$79,000.00.

Commissioner Collins made a motion to approve a Request and Permission for RVW, contractor for Rainbow Communications, for placement of fiber optic cable in County rights-of-way along 240th Road, west of Highland, Kansas. Commissioner Hall seconded the motion. Motion carried 3-0.

Commissioner Hall made a motion to approve Road and Bridge expenditure to Highland Hardware in the amount of \$558.00. Collins seconded the motion. Motion carried 3-0.

Commissioner Hall told the County Commission he addressed with Sheriff Mark Allen concerns regarding a 911 Dispatch call the evening of October 5, 2025 dispatching out emergency responders to an injury accident. The call stated "No Street Found". Sheriff Allen said the lack of information given to emergency responders was a dispatch error and is being addressed. Commissioner Hall recommended the County Commissioners give consideration to increasing pay for 911 Dispatch in order to hire qualified employees, as they handle every emergency resulting in life or death matters.

Undersheriff Brendan Wolvington appeared before the County Commission to request an increase on the Sheriff's Department Visa credit card limit, due to training, lodging and meal costs for officers. The Board of County Commissioners recommended Sheriff's Department personnel review automatic payments on the credit card to determine if the charges can be direct billed in order to free up allowance on the credit card, prior to the Board taking any action on increasing the spending limit.

At 9:47 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 Commissioners at 9:52 A.M.

There being no further business before the Board, Commissioner Hall made a motion to adjourn at 9:59 A.M. Collins seconded the motion. Motion carried 3-0.

PUBLIC NOTICE

(First published in the Kansas Chief October 16, 2025)

RESOLUTION NO. 2025-11

A RESOLUTION PROVIDING FOR THE AMENDMENT OF THE ZONING REGULATIONS OF DONIPHAN COUNTY, KANSAS PROVIDING FOR A PROHIBITION AGAINST CERTAIN WIND ENERGY CONVERSION SYSTEMS

WHEREAS, the Board of County Commissioners of Doniphan County desires to maintain effective and efficient regulations governing the use of land throughout the unincorporated area; and

WHEREAS, to provide for effective administration of the zoning regulations in the unincorporated area, said regulations will need to be amended from time to time; and

WHEREAS, the Board of County Commissioners of Doniphan County have found that preserving the natural, historical and rural landscapes of Doniphan County; maintaining agricultural farm ground and natural environmental constraints; and protecting airspace and hazard zones are all priorities; and

WHEREAS, the Board of County Commissioners of Doniphan County have found that protecting the health, welfare and general well-being of the citizens of Doniphan County is a priority of Doniphan County and the Doniphan County Zoning Regulations; and

WHEREAS, the Board of County Commissioners of Doniphan County have found that Limited (Community Scale) and Commercial (Utility Scale) Wind Energy Conversion Systems and Projects, do not comply with Doniphan County's priorities and goals at this time; and

WHEREAS, pursuant to K.S.A. 19-101 et seq., and K.S.A. 19-2956 et seq., the Board of County Commissioners has the police power and statutory authority to regulate the conduct of land use development through this Resolution; and

WHEREAS, the proposed amendment will update the Doniphan County Zoning Regulations by incorporating provisions regarding Limited (Community Scale) and Commercial (Utility Scale) Wind Energy Conversion Systems and Projects within.

NOW THEREFORE, on this 6th day of October, 2025, the Board of County Commissioners of the County of Doniphan County, Kansas, meeting in regular session and intending to exercise its power of home rule legislation pursuant to K.S.A. 19-101a and statutory authority pursuant to K.S.A. 19-2956, et seq does hereby resolve as follows:

1. Article 14 of the Doniphan County Zoning Regulations is hereby amended to add the following:

A. Prohibition of Wind Energy Conversion Systems

1. All Limited (Community Scale) Wind Energy Conversion Systems and Projects are prohibited in all zoning district classifications within the unincorporated area of Doniphan County.

2. All Commercial (Utility Scale) Wind Energy Conversion Systems and Projects are prohibited in all zoning district classifications within the unincorporated area of Doniphan County.

3. The Board of County Commissioners has directed the Doniphan County Zoning Department and the Doniphan County Regional Planning Commission to reject any application received for the issuance of a Conditional Use Permit, or any building permit, for the erection and construction of any Limited (Community Scale) and Commercial (Utility Scale) Wind Energy Conversion System(s) and Project(s) or any component thereof.

4. The Board of County Commissioners has declared the establishment of any Limited (Community Scale) or Commercial (Utility Scale) Wind Energy Conversion System(s) and Project(s) in the unincorporated area of Doniphan County a violation of the public interest of Doniphan County.

B. Personal/Home Wind Energy Conversion Systems

1. Personal/Home Wind Energy Conversion Systems are allowed in an A-1, Agricultural Zoning District and must meet the following requirements:

a. A single Wind Energy erected on an owner-occupied parcel of land for private use;

b. No taller than 150 feet in height;

c. Setback from the nearest property line no less than the height of the turbine tower, plus 50 feet; and

d. Located no closer than 500 feet from the nearest neighboring residential dwelling.

2. This Resolution shall become effective immediately upon its adoption.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF DONIPHAN COUNTY, KANSAS, on this 6th day of October, 2025

BOARD OF COUNTY COMMISSIONERS

DONIPHAN COUNTY, KANSAS

Wayne Grable, Chair

Tim Collins, Member

Bobby Hall, Member

ATTEST:

Peggy Franken, County Clerk

Prayers

Saint Theresa's Prayer

May today there be peace within. May you trust God that you are exactly where you are meant to be. May you not forget the infinite possibilities that are born of faith. May you use those gifts that you have received, and pass on the love that has been given to you. May you be content knowing you are a child of God. Let this presence settle into your bones, and allow your soul the freedom to sing, dance, praise and love. It is there for each and everybody.

PUBLIC NOTICE

(First published in the Kansas Chief October 16, 2025)

RESOLUTION NO. 2025-12

A RESOLUTION PROVIDING FOR THE AMENDMENT OF THE ZONING REGULATIONS OF DONIPHAN COUNTY, KANSAS PROVIDING FOR A PROHIBITION AGAINST CERTAIN SOLAR ENERGY CONVERSION SYSTEMS

WHEREAS, the Board of County Commissioners of Doniphan County desires to maintain effective and efficient regulations governing the use of land throughout the unincorporated area; and

WHEREAS, to provide for effective administration of the zoning regulations in the unincorporated area, said regulations will need to be amended from time to time; and

WHEREAS, the Board of County Commissioners of Doniphan County have found that preserving the natural, historical and rural landscapes of Doniphan County; maintaining agricultural farm ground and natural environmental constraints; and protecting airspace and hazard zones are all priorities; and

WHEREAS, the Board of County Commissioners of Doniphan County have found that protecting the health, welfare and general well-being of the citizens of Doniphan County is a priority of Doniphan County and the Doniphan County Zoning Regulations; and

WHEREAS, the Board of County Commissioners of Doniphan County have found that Small (Community Scale) and Commercial (Utility Scale) Solar Energy Conversion System(s) and Project(s) in the unincorporated area of Doniphan County a violation of the public interest of Doniphan County.

B. Personal/Home Wind Energy Conversion Systems

1. Personal/Home Solar Energy Conversion Systems and Projects are allowed in all zoning district classifications and must meet the following requirements:

a. Ground mounted Personal/Home Solar Energy Conversion Systems and Projects height shall not be greater than fifteen (15) feet at maximum tilt of the solar panel(s).

b. Structure mounted Personal/Home Solar Energy Conversion Systems and Projects height shall not be greater than the allowable height of any structure within the zoning district in which it is to be installed.

c. Ground mounted Personal/Home Solar Energy Conversion Systems and Projects shall follow all setback requirements for the zoning district in which it is to be installed.

2. This resolution shall become effective immediately upon its adoption.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF DONIPHAN COUNTY, KANSAS, on this 6th day of October, 2025.

BOARD OF COUNTY COMMISSIONERS

DONIPHAN COUNTY, KANSAS

Wayne Grable, Chairman

Tim Collins, Commissioner

Bobby Hall, Commissioner

ATTEST:

Peggy Franken, County Clerk

Energy Conversion Systems and Projects are prohibited in all zoning district classifications within the unincorporated area of Doniphan County. Small (Community Scale) Solar Energy Conversion Systems and Projects have a rated capacity greater than 100 kilowatts to one (1) megawatt under a common ownership whose main purpose is to supply electricity to on and off-site customers.

2. All Commercial (Utility Scale) Solar Energy Conversion Systems and Projects are prohibited in all zoning district classifications within the unincorporated area of Doniphan County. Commercial (Utility Scale) Solar Energy Conversion Systems and Projects have a rated capacity greater than one (1) megawatt that includes substations, cables/wire, converters and other building accessories. The primary purpose is to supply electricity to off-site customers through wholesale or retail sales.

3. The Board of County Commissioners has directed the Doniphan County Zoning Department and the Doniphan County Regional Planning Commission to reject any application received for the issuance of a Conditional Use Permit, or any building permit, for the erection and construction of any Small (Community Scale) and Commercial (Utility Scale) Solar Energy Conversion System(s) and Project(s) or any component thereof.

4. The Board of County Commissioners has declared the establishment of any Small (Community Scale) or Commercial (Utility Scale) Solar Energy Conversion System(s) and Project(s) in the unincorporated area of Doniphan County a violation of the public interest of Doniphan County.

B. Personal/Home Wind Energy Conversion Systems

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b. Structure mounted Personal/Home Solar Energy Conversion Systems and Projects height shall not be greater than the allowable height of any structure within the zoning district in which it is to be installed.

c. Ground mounted Personal/Home Solar Energy Conversion Systems and Projects shall follow all setback requirements for the zoning district in which it is to be installed.

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BOARD OF COUNTY COMMISSIONERS

DONIPHAN COUNTY, KANSAS

Wayne Grable, Chairman

Tim Collins, Commissioner

Bobby Hall, Commissioner

ATTEST:

Peggy Franken, County Clerk

Housing Discrimination Hotline 1-800-669-9777

available in English & Spanish

AUCTION

Antiques & Collectibles-Household-Miscellaneous

Saturday October 25th, 2025

Starts 9:30 A.M.

560 Kansas Ave. Muscotah, KS.

Owner: Janiece & (The Late) Terril Huntley

For listing and photos go to:
www.kansasauctions.net or www.estatesales.net

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Chew Auction Service
Robert Chew Auctioneer/Real Estate Agent
913-370-2265



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Bendena, KS 66008-0147
785-988-4453



HOURS: Mon.-Thurs 8:00-4:00; Friday 8:00-5:00

BANK OF HIGHLAND

a branch of Bendena State Bank

402 W. Main, PO Box 425, Highland, KS 66035

Phone 785-442-3223



HOURS: Mon.-Thurs 8:00-4:00; Friday 8:00-5:00