

**MINUTES OF**  
**BOARD OF HARVEY COUNTY COMMISSIONERS**  
**SEPTEMBER 12, 2005**

The Board of Harvey County Commissioners met in regular session on September 12, 2005 with Commissioners Roberson and Meier present. Chairman Krehbiel was attending a Biocycle Conference in Wisconsin. Vice-Chairman Roberson called the meeting to order at 10:30 a.m., following the REAP meeting.

**ITEMS ADDED TO AGENDA:**

Commissioner Meier advised that he will attend the Northview Developmental Center banquet on September 22, 2005. Commissioners Krehbiel and Roberson will attend the Farm Bureau dinner and meeting that will be held at the same time.

Commissioner Roberson received a citizen complaint about the condition of the 4-H building. The roof is rusty and there are some window boards missing. The Fair Board will be contacted and informed of the situation.

Commissioner Roberson received a citizen complaint by e-mail regarding the County website. It was suggested that the website should have the hours for the transfer station and also a list of items that are recyclable.

The minutes of the September 6, 2005 meeting were approved upon a motion by Commissioner Roberson, seconded by Commissioner Meier. Passed unanimously.

**ADMINISTRATIVE ITEMS:**

1. Virgil Friesen, former bus driver for the Harvey County Transportation Department, passed away. His funeral will be held this week.
2. Commissioner Roberson attended the Local Emergency Preparedness Council meeting regarding the evacuees from the Gulf area hurricane disaster. It was stressed how important it is to continue to monitor the evacuee's health situation because of the exposure to infectious disease. Valley Hope in Halstead has volunteered 50 rooms, if needed. United Way of the Plains is handling the housing situation.
3. Commissioner Meier moved that the Chairperson be authorized to sign the contract and notice to proceed with Beechner Construction for the slurry seal project. Commissioner Roberson seconded the motion. Passed unanimously.
4. Fran Brown, from the Driver's License Office, read a statement of procedure regarding processing of identification and driver's license requests for the displaced citizens of Hurricane Katrina.

CALENDAR ITEMS:

1. The Quad County meeting will be held at Hesston Crosswinds Conference Center on Monday, September 19, 2005.
2. The Kansas Renewable Energy Wind Conference will be held September 20 and 21 in Topeka.
3. A Prosperity Summit will be held at Crosswinds Conference Center in Hesston on September 23.

A public hearing was held regarding the annexation of land into the City of Burrton. Brad Jantz, attorney representing the Commission and staff of Burrton, presented the petition. Russell Walter, Cliff Kirk, and Clark Kirk from the City of Burrton were in attendance. The annexation is not due to any impending development, but rather to square up the boundaries of the city. It is hoped that the annexation will provide new and better housing potential. Utility services in these annexed areas would be provided as needed. Twila McCoy, a property owner in the proposed annexation area, voiced concern about the increase in taxes. Robert Redinger, also a property owner, expressed the need to take care of the downtown area before additional areas were annexed. Commissioner Roberson made a motion to close the public hearing. Commissioner Meier seconded the motion and it passed unanimously.

Under K.S.A. 12-521 the Board of County Commissioners must consider the impact of approving or disapproving the annexation on the entire community involved, including the city and the land proposed to be annexed, in order to insure the orderly growth and development of the community. The Board is also required to make specific written findings of fact and conclusions determining whether such annexation or the annexation of a lesser amount of such area causes manifest injury to the owners of any land proposed to be annexed or to the owners of land in areas near or adjacent to the land to be proposed to be annexed or to the city if the annexation is disapproved.

The board must consider certain criteria in determining whether manifest injury would result from the annexation or disapproval of the annexation. The criteria are as follows:

1. The extent to which any of the area is devoted to agricultural use.
2. The area of platted land relative to unplatted land.
3. Topography, natural boundaries, storm and sanitary sewers, drainage basins, transportation links, or any other physical characteristics which may be an indication of the existence or absence of common interest of the city and the area proposed to be annexed.
4. Extent and age of residential development in the area to be annexed and adjacent land within the city's boundaries.
5. Present population in the area to be annexed and the projected population growth during the next five years in the area proposed to be annexed.
6. The extent of business, commercial, and industrial development in the area.
7. The present cost, methods, and adequacy of governmental services and regulatory controls in the area.

8. The proposed cost, extent, and the necessity of governmental services to be provided by the city proposing annexation and the plan and schedule to extend such services.
9. Tax impact upon property in the city and the area to be annexed.
10. Extent to which the residents of the area are directly or indirectly dependent upon the city for governmental services and for social, economic, employment, cultural, and recreational opportunities and resources.
11. Effect of the proposed annexation on the city and other adjacent areas, including, but not limited to, other cities, sewer and water districts, improvement districts, townships, or industrial districts and, subject to the provisions of K.S.A 12-521a, fire districts.
12. Existing petitions for incorporation of the area as a new city or for the creation of a special district.
13. Likelihood of significant growth in the area and in adjacent areas during the next five years, and
14. Effect of annexation upon the utilities providing services to the area and the ability of those utilities to provide those services in the detailed plan.

Upon review, the Board of County Commissioners finds and determines that the purpose of the proposed annexation is to square up the existing boundaries of the City of Burrton, Kansas. The Board further finds that the plan for extending utility services to the proposed annexed area as detailed in Engineering Report On Existing Utilities And Required Future Utility Extensions To Serve Property Proposed To Be Annexed Into City of Burrton, Harvey County, Kansas dated June 6, 2003 is a suitable and sufficient plan. In addition, it is determined that all of the proposed annexed area is already receiving fire and EMS services and that the area is predominantly agricultural in nature and there are no immediate, specific plans for developing the area.

Following discussion, Commission Roberson moved the approval of the proposed annexation to the City of Burrton as per attached Exhibit 1 –Description of Areas to Be Annexed Into the City of Burrton. Commissioner Meier seconded the motion. Passed unanimously.

#### CITIZEN S'FORUM:

The Burrton Community Development Council stated that the City of Burrton is working very hard to promote growth and be proactive, as opposed to reactive.

Lonnie Buller, Director of Emergency Management, and Rita Flickinger, Health Department Director, gave the Commission an update regarding the evacuees from the Gulf Region. The expected influx of 500 people into the Wichita area will not be occurring. However, the health services, etc. will still be needed for those who are already sheltering in Harvey County.

Warrant checks were approved upon a motion by Commissioner Meier, seconded by Commissioner Roberson. Passed unanimously.

Commissioner Roberson made a motion to adjourn the meeting at 12:06 p.m. Commissioner

Meier seconded the motion. Passed unanimously.

**BOARD OF HARVEY COUNTY COMMISSIONERS**

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Chairman

ATTEST:

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Member

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County Clerk

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Member