

MINUTES OF
BOARD OF HARVEY COUNTY COMMISSIONERS

August 10, 2009

The Board of Harvey County Commissioners met in regular session on August 10, 2009 with all three commissioners present. Chairman Roberson called the meeting to order at 9:00 a.m. following a breakfast meeting with the Harvey County Farm Bureau Association.

ITEMS ADDED TO AGENDA:

1. Chairman Roberson gave information on the issues discussed at the meeting with Farm Bureau this morning at the Breadbasket. The association is concerned about the move to lower the allowed parts per million for atrazine in stream water. Although they definitely want to keep the atrazine runoff out of streams, they also contend that there is a need to be able to continue to use atrazine. They feel control of runoff can be attained by stripping. They also expressed support for the budget proposed for Harvey County in 2010 and how the Commission dealt with the cutbacks from the State and the lower property values. Another concern is that citizens are beginning to manipulate the 40 acre rule for building a residence in rural areas of the County. The zoning requirement stipulates that in order to build on less than 40 acres, the land has to be deemed unsuitable for agricultural use. The concern is that people would alter the land in some way to make it not farmable. The Farm Bureau Association is also very supportive of wind energy.

CALENDAR ITEMS:

1. The Commissioners have been invited to participate in the Burrton Festival Parade on September 26, 2009.
2. Commissioner Roberson said the Council of Governments meeting scheduled on Wednesday, August 12 may be cancelled. The scheduled speaker from the Census Bureau will not be able to attend.
3. Commissioner Roberson will attend a KCAMP meeting on August 26th and 27th.

Minutes of the August 3, 2009 Commission meeting were approved upon a motion by Commissioner Krehbiel, seconded by Commissioner Westfall. Motion passed unanimously.

Minutes of the August 4, 2009 special budget meeting were approved upon a motion by Commissioner Krehbiel, seconded by Commissioner Westfall. Motion passed unanimously.

ADMINISTRATIVE ITEMS:

1. Tina Payne, Director of Health Ministries, introduced Chris Kelly, who will become the new interim director of Health Ministries. Ms. Payne has resigned to accept a position in Pittsburg, Kansas. She thanked the Commission for the increased appropriation for Health Ministries in the 2010 budget. The Commissioners expressed their appreciation to Ms. Payne for her leadership and

- management of Health Ministries. Mr. Kelly will assume the new position on Wednesday, August 12.
2. Craig Simons presented an amendment to an oil and gas lease with J. Fred Hambright, Inc. The lease is located on land owned by Harvey County just to the west of Hesston on Lincoln Blvd, the Hesston Road & Bridge Shop. The legal description is Township 22-South, Range 1-West, Section 8, in the SE ¼, beginning at the southeast corner thence west 230 feet, thence north 860 feet, thence east 230 feet, thence south 860 feet to point of beginning. The tract contains 4.5 acres, more or less. The amendment proposed is to delete the wording “of tracts contiguous to one another and to be.” Commissioner Krehbiel made a motion to approve the amendment. Commissioner Westfall seconded the motion and it was passed unanimously.
 3. Commissioner Westfall made a motion to accept the recommendation of the Walton City Council for the appointment of Al Heine to the Harvey County Regional Planning Commission. The one week waiting period for the appointment shall be waived. Commissioner Krehbiel seconded the motion and it was passed unanimously. Scott Davies, Director of Planning and Zoning, reported that the only position not filled on the Planning Commission is the member from the southeast part of the County.
 4. Mr. Davies also reported that the proposed construction of an Alltel cell phone tower near the City of Sedgwick has now been cancelled.
 5. Sheriff T. Walton reported that he was not notified when a recent house explosion occurred in Harvey County north of the city of North Newton. There was one person badly burned in the incident.
 6. The Senior Patrol won an award for their entry in the Halstead Old Settler’s Day Parade. Phil Adams presented the award to Sheriff T. Walton.

With the exception of a check to Big A Auto Parts, warrant checks were approved upon a motion by Commissioner Westfall, seconded by Commissioner Krehbiel. The motion includes authorization to pay the charge from Big A if it is found to be for camping sites other than the new sites at the West Park Community Center, which should have been included in the bid for the construction of the new building. Motion passed unanimously.

Jim Meier, Engineering Tech with the Road & Bridge Department, discussed the use of low water crossings as opposed to expensive bridge replacements in the County. Mr. Meier has gathered information on the crossings which the Commissioners have reviewed. There are important issues which need to be considered before low water crossings are proposed. They should only be used on low traffic roads, and should not be used on roads that serve as school bus routes. Low water crossings also have inherent maintenance issues as opposed to bridges which are now built to last 100 years. Bridges have occasional drift problems, but that does not necessarily close the bridge to traffic. Rice County built an experimental low water bridge and Phil Adams will follow up with the Road & Bridge Department there. Mr. Meier suggested that the Commission would have to look at each situation to determine the feasibility of using low water crossings. The County Engineer would also have to sign off on all bridge or crossing

plans.

At 10:30 a.m. Commissioner Westfall made a motion to go into executive session for a period of 45 minutes to discuss property acquisition and economic development. Commissioner Krehbiel seconded the motion and it was passed unanimously. John Waltner was also in attendance for part of the session. Executive session ended at 11:15 a.m. with no action being taken.

At 11:30 p.m., Paul Ferguson, Engineer with Poe & Associates, opened bids for a 2" bituminous overlay on Cow Palace Road from Highway 50 south to SW 24th Street. Tom Castor, representative from APAC-Kansas, Inc., and Mike Roudybush, representative from Lafarge North America, were in attendance for the opening. The total bids for the project were as follows:

APAC-Kansas, Inc.	\$145,307.80
Lafarge North America	121,171.60

Both bids included the required 5% bid bond. Commissioner Westfall made a motion to accept the low bid from Lafarge North America in the amount of \$121,171.60. Commissioner Krehbiel seconded the motion and it was passed unanimously. The approximate start date for the project is September 15, 2009.

The meeting was adjourned at 1:00 p.m. following the lunch break.

BOARD OF HARVEY COUNTY COMMISSIONERS

Marge Roberson, Chairman

ATTEST:

George A. "Chip" Westfall, Member

Joyce Truskett, County Clerk

Ron Krehbiel, Member