

MINUTES OF
BOARD OF HARVEY COUNTY COMMISSIONERS

August 17, 2009

The Board of Harvey County Commissioners met in regular session on August 17, 2009 with all three commissioners present. Chairman Roberson called the meeting to order at 9:00 a.m.

ITEMS ADDED TO AGENDA:

1. Commissioner Krehbiel reported that McPherson County built a small parking garage for less than \$300,000 to alleviate parking problems at the Courthouse there. Harvey County continues to explore solutions for the parking problems here at the Courthouse.
2. Commissioner Westfall has received calls concerning the pending overlay on Cow Palace Road. Phil Adams assured him that the driveways will be feathered into the road and that the driveway closings will be for as short a time as possible.
3. Commissioner Roberson reported on the Public Private Partnership meeting held last week. USD #373 will hold a ribbon cutting at the new training center on August 28. Hutchinson Community College Brooks Education Center reported record enrollment this fall. The schools are looking at tax credits to help with financial issues. They are expecting next year to be worse than this year. Representative Marc Rhoades has been appointed to the appropriations committee in the House of Representatives. Representative Don Schroeder reported that the State Unemployment Fund is almost out of money and that businesses will have to start paying more into the fund. He also reported that there is financial concern about the KPERS Fund. The City of Newton is developing a new website next year. The Taste of Newton is planned for October 1, 2009.

CALENDAR ITEMS:

There were no new items for the calendar.

Minutes of the August 10, 2009 Commission meeting were corrected and approved upon a motion by Commissioner Westfall, seconded by Commissioner Krehbiel. Motion passed unanimously.

ADMINISTRATIVE ITEMS:

1. At 9:15 a.m. Commissioner Krehbiel made a motion to go into executive session for a period of 15 minutes to discuss property acquisition and economic development. Commissioner Westfall seconded the motion and it was passed unanimously. Counselor Greg Nye also attended the session. Executive session ended at 9:30 a.m. with no action being taken.
2. Commissioner Krehbiel made a motion to sign a commercial real estate contract with Preferred Development for the sale of 1.5 acres of property at the new

fairgrounds site. The legal description of the property is as follows:

Approximately 1 1/2 acres, located along Kansas Avenue, of the north half of the northeast quarter of section five, township twenty-four south, range one east of the sixth P.M., less ROW, Darlington Township, Harvey County, Kansas located generally at the SW corner of SW 36th and South Kansas containing approximately 76 acres.

Commissioner Westfall seconded the motion and it was passed unanimously.

3. Commissioner Roberson will not be able to attend the retirement reception for Marion Rowland on August 26. Mr. Rowland is retiring as Director of Harvey County Parks.

Warrant checks were approved upon a motion by Commissioner Krehbiel, seconded by Commissioner Westfall. Motion passed unanimously. The check to Big A held from last week reflected payment of charges for work at older campsites, and was therefore approved for payment.

At 10:00 a.m. a public hearing for the proposed 2010 budget was held. Craig Simons reported that this is the first time in 20 years that the valuation for the County has gone down. The loss of value precipitates a loss in revenues. There is also a loss of revenue from the sales tax in addition to a loss of revenue from gas taxes which helps fund the maintenance of roads in Harvey County. There will therefore be no salary increases for Harvey County employees in 2010. The public hearing was closed at 10:15 a.m. Commissioner Westfall made a motion to accept the 2010 budget as prepared. Commissioner Krehbiel seconded the motion and it was passed unanimously.

At 10:45 a.m. a public hearing was held to amend the 2009 budget. The general fund will be amended from \$9,184,016 to \$9,328,125. This is primarily due to the repair of the roof at the detention center, the replacement of the air conditioner at the Health Department, the over-run of the trailer built for the donated generator, and the funding for the Highway 50 development group. The emergency telephone fund will be amended from \$110,350 to 110,686. The bond and interest fund will be amended from \$1,152,979 to \$1,159,121, which is due to the purchase of the land for the new fairgrounds development. The transportation fund will be amended from \$232,425 to \$234,964. The public hearing was closed at 10:50 a.m. Commissioner Krehbiel made a motion to amend the budget as presented. Commissioner Westfall seconded the motion and it was passed unanimously.

At 10:52 a.m. Commissioner Westfall made a motion to go into executive session for a period of five minutes to discuss economic development. Commissioner Krehbiel seconded the motion and it was passed unanimously. Counselor Greg Nye and John Waltner were also in attendance. Executive session ended at 10:57 a.m. with no action being taken.

Several citizens attended the meeting to discuss the issue of the City of Wichita installing injection wells and water lines for the purpose of the aquifer recharge project. These are being installed on private property in Harvey County. Those attending were Floyd and Kelly Holly,

Fred Solis, reporter for the Harvey County Independent; Peter Aversa, Sarah Pratt, Wilbur Kurr, and Donald and Mary Ann Drum. Some of the residents did not receive any notification from the City until someone came to their property and informed them that they would be installing the well there. Peter Aversa described to the Commission the progression of events and presented paperwork from the time of purchase of his property. His understanding of agreements made with the City of Wichita permitted the City access to and from the property only. All agreed that the water quality in this area is deteriorating. There were questions as to whether the City has the right to take the land by eminent domain. The property sustains tree damage and debris is left in fields which can damage farm equipment. Counselor Nye said that they could use eminent domain but that property owners should receive compensation. Mr. Aversa has retained legal counsel. The Commission suggested that these citizens form a group with legal representation and a group spokesman and go to the Wichita City Council with their concerns. They need to have an organized presentation to the Council with documentation and pictures of the area. The group thanked the Commission for hearing their concerns.

Commissioner Krehbiel made a motion to accept and give the Chairman permission to sign the contracts for the purchase of property located at 129 E. 7th and 127 E. 7th. These properties are commonly known as Haught's Dental Office and Morgan Law Office. Commissioner Westfall seconded the motion and it was passed unanimously.

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