

**MINUTES OF**  
**BOARD OF HARVEY COUNTY COMMISSIONERS**

**February 23, 2009**

The Board of Harvey County Commissioners met in regular session on February 23, 2009 with all three commissioners present. Chairman Roberson called the meeting to order at 9:00 a.m.

**ITEMS ADDED TO AGENDA:**

1. Commissioners met with Harvey County Farm Bureau for breakfast this morning. They discussed issues with the economy etc.
2. Chairman Roberson will be leaving at 11:00 a.m. today and Vice-Chairman Westfall will finish chairing the meeting.
3. The Commissioners received a letter from the Department of Transportation inviting them to a luncheon on April 15 at Charlie's Restaurant at 11:00 a.m. to discuss traffic safety issues, with an emphasis on seatbelt usage. All three commissioners will be attending.

**CALENDAR ITEMS:**

There were no additional calendar items.

Minutes of the February 17, 2009 Commission meeting were approved upon a motion by Commissioner Westfall, seconded by Commissioner Krehbiel. Motion passed unanimously.

**CITIZENS FORUM:**

There were no items presented during Citizen's Forum.

**ADMINISTRATIVE ITEMS:**

1. Upon a recommendation by Lonnie Buller, Director of Emergency Management, Commissioner Krehbiel made a motion to extend the burn ban through March 2, allowing Lonnie to cancel the ban if weather permits. Commissioner Westfall seconded the motion and it was passed unanimously.
2. Mr. Buller also reported that Lonnie Martin, who is completing the electrical connections for the generator and trailer, expects to receive all the parts for the project later this week. It will then take approximately two weeks to complete the project.
3. ICM expects to start testing the incineration of ag materials in a couple of weeks. Craig has contacted Suzanne Coin of Westar and they will submit an RFP and a confidentiality agreement. Greg Nye has looked over the confidentiality agreement which is dated December 8, 2008. Commissioner Krehbiel made a motion to sign the confidentiality agreement between Harvey County and ICM Inc. Commissioner Westfall seconded the motion and it was passed unanimously.
4. Greg Nye presented an estimate for his fees to conduct a real estate tax foreclosure sale. The County Treasurer presented 54 causes of action and

Counselor Nye estimates the cost to be between \$6,000 and \$7,000.

Commissioner Westfall made a motion to appoint Counselor Nye to conduct the tax foreclosure sale. Commissioner Krehbiel seconded the motion and it was passed unanimously.

5. Commissioner Westfall inquired as to whether Harvey County needed to sign a new inter-local agreement with surrounding counties for law enforcement assistance. Sheriff Walton indicated that new agreements should be signed.
6. The Commission received a final copy of the Sheriff's Office audit performed by Allen, Gibbs, & Houlik. Craig Simons will provide Sheriff T. Walton with a final copy. All accounts have been reviewed and reconciled. There is an existing cell phone charge of \$7,000 that continues to be an issue. The Commission has requested information with regard to spending guidelines on the special accounts administered by the Sheriff's Office.
7. Commissioner Roberson suggested that Commissioner Krehbiel be the 2009 nominee from Harvey County for Vice-Chairman of the Quad County Organization.
8. The Commissioners received a letter from the Kansas Development Finance Authority notifying them that the acquisition of 88 acres of agricultural land will be financed on Agricultural Development Revenue Bond Project Number 000751.
9. There will be 6 to 8 million dollars in stimulus bill Federal funding available for 18 counties in south central Kansas. Harvey County is hoping to get some of this funding to construct a new bridge over Sand Creek on North Kansas Avenue. The current bridge is now closed and Poe and Associates Engineering have committed to finalizing the plans for the new construction as soon as possible so it will be eligible for the funding.

Warrant checks were approved upon a motion by Commissioner Westfall, seconded by Commissioner Krehbiel. Motion passed unanimously.

Bob Cheney, Noxious Weed Director, opened bids for the purchase of a 4 X 4 one-ton, dual wheel truck for the Noxious Weed Department. The bids are as follows:

|                  |                      | <u>With Trade</u> | <u>Without Trade</u> |
|------------------|----------------------|-------------------|----------------------|
| Midway Motors    | Ford F-350, V-10 Gas | 18,971            | 21,371               |
|                  | Optional V-8 Gas     | less (280)        | (280)                |
| Hillsboro Motors | Ford V-10 Gas        | 20,928            | 22,129               |
|                  | Ford V-8             | 20,639            | 21,838               |
|                  | 6.4 V-8 Ford Diesel  | 26,418            | 27,618               |
| Resnik Motors    | Dodge Ram Gas        | 21,301            | 22,301               |
|                  | Dodge Ram Diesel     | 28,432            | 29,432               |

Mr. Cheney will check the bids to make sure all specifications are met and bring them back to the Commission meeting next week.

Scott Davies, Planning & Zoning Director, presented a request by Tim and Brent Sweigart on behalf of Kansas Electric, Inc for a conditional use permit to operate an electrical contractor's business with limited commercial retail business on property located in the A-1 Agricultural zoning district. The request was considered by the Harvey County Regional Planning Commission on February 3, 2009, and by a vote of 9 to 0, with the Chairman abstaining, the Commission recommended approval of the permit. There were no letters or petitions protesting the permit. Since the parcel is a designated stop for a USD 460 school bus, Tim Sweigert of Kansas Electric said they will be talking to the Hesston School District about signing an agreement for the district to use the site. Mr. Sweigert explained that Kansas Electric is the former Harms Electric, and has grown from 3 employees to 75 employees. They are looking at ways to use renewable energy as a marketing venture. The property is located 1/4 mile east of Hesston Road (Old Highway 81), on the north side of NW 36th Street. Commissioner Westfall made a motion to approve the conditional use permit, and Commissioner Krehbiel seconded the motion. Motion passed unanimously.

The Commission recessed for a short break at 10:50 a.m. At 11:00 a.m., Vice-Chairman Westfall called the meeting back to order. Phil Adams, Road & Bridge Superintendent, presented the results of the bid comparisons from bids submitted at last week's Commission meeting for a motor grader for the Road and Bridge Department. Mr. Adams recommended approval of the low bid submitted by Berry Tractor for a 2008 Komatsu GD655-E Demo unit with 419 hours. The submitted bid is \$156,745. Commissioner Krehbiel made a motion to accept the low bid from Berry Tractor. Commissioner Westfall seconded the motion and it was passed unanimously.

Phil also asked for permission from the Commission to use the broken up concrete that will be generated by the demolition of the old Halstead swimming pool as rip rap material for two bridges located on the Little Arkansas River north of Sedgwick.

Roy Patton, Superintendent of Solid Waste, presented the results from bids presented at last week's Commission meeting for a used wheel loader. Mr. Patton recommended the acceptance of the low bid from the Victor L. Phillips Company. Commissioner Krehbiel made a motion to accept the low bid of \$122,376 for the purchase of a 2008 Case 721E w/455 hours. Commissioner Westfall seconded the motion and it was passed unanimously.

Mr. Patton informed the Commission that ICM will soon begin testing the ag waste in the gasifier located at the old landfill site. The initial tests will be done at night. The waste will be tested separately in order to fully test the product's gas production.

T. W. Anderson, Newton City/County Airport Manager, presented a request for the Commission to recommend the City of Newton Commission approve FAA airport grant projects AIP-24 and AIP-25. The cost of the projects for the City and the County portions would not exceed

\$107,435 which would be shared equally by each. Commissioner Krehbiel made a motion to recommend approval of the projects and Commissioner Westfall seconded the motion. Motion passed unanimously. Mr. Anderson informed the Commission that there are three key issues facing the airport at this time. They are fuel containment issues mandated by the federal government, codes for fire suppression systems in airport hangars, and security plans for regional airports.

The commission recessed for lunch at 11:50 a.m.

Vice-Chairman Westfall adjourned the meeting at 1:00 p.m.

BOARD OF HARVEY COUNTY COMMISSIONERS

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Marge Roberson, Chairman

ATTEST:

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George A. "Chip" Westfall, Member

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Joyce Truskett, County Clerk

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Ron Krehbiel, Member