

MINUTES OF
BOARD OF HARVEY COUNTY COMMISSIONERS

April 19, 2010

The Board of Harvey County Commissioners met in regular session on April 19, 2010 with all three commissioners present. Chairman Westfall called the meeting to order at 9:00 a.m.

ITEMS ADDED TO AGENDA:

1. Commissioner Roberson has had a change of plans and will not be going to Philadelphia as planned. She will also not be able to attend the KCAMP meeting this week.

CALENDAR ITEMS:

1. Commissioner Krehbiel will attend a CKRSWA meeting at 7:00 p.m. on April 21st in McPherson, KS.
2. Commissioner Krehbiel will attend a Community Corrections meeting in Judge Walker's Chambers at 12:00 p.m. on April 23rd. .
3. There will be an Aviation Board meeting on May 17 at 4:00 p.m.
4. There will be a Walton Fire Department fund raiser held on May 1st.
5. A joint meeting of the Newton City Commission and the County Commission will be held on May 26th at 5:00 p.m. in the conference room at the Newton City Building. The Kansas Department of Transportation has conducted a rail study for a proposed route that includes the City of Newton and the results of this study will be discussed.

Minutes of the April 12, 2010 Commission meeting were approved upon a motion by Commissioner Roberson, seconded by Commissioner Krehbiel. Motion passed unanimously.

ADMINISTRATIVE ITEMS:

1. John Waltner informed the Commission that former Harvey County Administrative Assistant, Evelyn Reimer, passed away on Saturday. Services will be held later this week.
2. Lonnie Buller, Director of Emergency Management, recommended that the burn ban currently in effect for Harvey County be extended for another week. Commissioner Krehbiel made a motion to extend the burn ban until April 26. Commissioner Roberson seconded the motion and it was passed unanimously. Mr. Buller has the authorization of the Commission to discontinue the ban if conditions warrant.
3. Scott Davies, Director of Planning & Zoning, reported that the new FEMA Flood Maps will become effective on October 6, 2010. Prior to that date the Commission will need to adopt the new maps into the Harvey County floodplain regulations. Although the Commission does not necessarily agree with the boundaries on the new flood maps, to reject the maps would mean mandatory discontinuation of County participation in the National Flood Insurance Program, which would

- prevent residents from obtaining flood insurance. The Planning & Zoning Office will invite all landowners whose property is either very close or lies within the new flood plain to an open house to be held in late May or early June to provide as much information as possible regarding the new flood plain boundaries on the maps.
4. John Waltner conveyed the wishes of the Council of Governments to the area Legislators at a legislative meeting held at Charlie's Restaurant last weekend. The COG suggests that the legislature should not try to balance the budget with only budget cuts, but should consider added sales taxes and the adoption of a highway plan that is not funded exclusively through motor vehicle taxes.
 5. Commissioner Krehbiel made a motion to approve a proclamation celebrating 42 years of fair housing in Harvey County and proclaiming the month of April as Fair Housing Month. Commissioner Roberson seconded the motion and it was passed unanimously.
 6. The Commissioners reviewed information regarding the finalized route of the new Westar Energy 138-kilovolt transmission line that will connect the proposed Bentley West Switching Station, located on the south side of 125th Street with a proposed water treatment facility located approximately two miles east of Bentley. All affected landowners have been notified by Westar.
 7. John gave the Commissioners information about the increase in Harvey County juvenile care costs. The cost for juvenile care in the Hutchinson facility is \$140 per day and has totaled \$67,000 for Harvey County since January of 2009. One of the factors that can dramatically increase these costs is when a court judge grants a continuance in a juvenile case. John has talked to Judge Walker and asked if the cases can be expedited if possible. All Judges will be given information as to how a continuance can adversely affect the County financially.
 8. Phil Adams, Road & Bridge Superintendent, reported that the preconstruction work for the bridge replacement on west 12th Street has been completed.
 9. Sheriff T. Walton reported that there are currently 132 inmates in the Harvey County Detention Center. There will be a Heart to Heart fundraiser at 7:00 p.m. tomorrow at Karen's Kitchen on Main Street.
 10. Counselor Greg Nye asked for a short executive session at the end of the agenda today.

CITIZEN'S FORUM:

1. Mr. & Mrs. Rex Schecter reported that they have still not received any communication from the City of Newton regarding the construction of the Logistics Park.
2. Leo Stahley, Darlington Township officer, attended the meeting to express concern about SW 64th Street, a new road being built in the Township for a 4-lot housing addition. He does not feel that the road has been compacted and built to standard. The Township will not agree to take over the road maintenance if the road is not built properly. Mr. Stahley suggested that a designated person from the County inspect the road to make sure it is up to standard.

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

Marion Nichols, Mid Cap Community Services and Housing Coordinator, and Christa Jahay presented a grant application for \$47,475 to be used for emergency housing at the Homeless Shelter in Newton. The only match required of the grant is volunteer hours, which totaled 11,481 hours in 2009. The Homeless Shelter currently has 20 individual beds and 12 family beds. Harvey County would be the sponsoring agent for the grant which would begin on July 1, 2010 and run through June 30, 2011. Commissioner Roberson made a motion to approve and authorize the Chairman to sign the application for the Mid Cap emergency housing grant. Commissioner Krehbiel seconded the motion and it was passed unanimously.

Scott Davies, Director of Planning & Zoning, presented a request from Stan Graber of Graber Excavating for an exemption from the road impact fee. Mr. Graber is in the process of relocating his business from Butler County to Oliver road north of NE 12th Street. Oliver is paved north of 1st Street to NE 12th Street, but is an unpaved Township road north of NE 12th Street. Bob Maier, Newton Township Trustee, and Bob McNeill, Newton Township Treasurer, stated that it would be unfair to grant an exemption of the fee to one person or business and not to others. They also expressed concern about the impact of the heavy equipment on the road. Commissioner Roberson made a motion to deny the request for exemption from the road impact fee for Graber Excavating, located on Oliver north of NE 12th Street near the airport. Commissioner Krehbiel seconded the motion and it was passed unanimously.

Lonnie Buller presented **Resolution No. 2010-9**, regulating the sale, handling, use and storage of fireworks within Harvey County. This resolution would repeal **Resolution No. 2009-11**. The new resolution allows the discharge of fireworks on private property with adult supervision. The former resolution allowed only commercial displays. Commissioner Krehbiel made a motion to accept **Resolution No. 2010-9**, regulating the sale, handling, use, and storage of fireworks within Harvey County. Commissioner Roberson seconded the motion and it was passed unanimously.

Commissioner Westfall reported that there will be a meeting of the Fairgrounds Development Committee on April 20. This will be the last opportunity to make changes on the proposed plan. The development is now called the Complex.

At 11:00 a.m. Commissioner Krehbiel made a motion to go into executive session for a period of 15 minutes to discuss attorney client privilege. Commissioner Roberson seconded the motion and it was passed unanimously. Also in attendance for the session were Counselor Greg Nye and Charlie Summers. Executive session ended at 11:15 a.m. with no action being taken.

The meeting was adjourned at 11:15 a.m.

THE BOARD OF HARVEY COUNTY COMMISSIONERS

George A. "Chip" Westfall, Chairman

ATTEST:

Ron Krehbiel, Member

Joyce Truskett, County Clerk

Marge Roberson, Member