

MINUTES OF
BOARD OF HARVEY COUNTY COMMISSIONERS

September 7, 2010

The Board of Harvey County Commissioners met in regular session on September 7, 2010 with Commissioners Westfall and Krehbiel present. Commissioner Roberson was absent. Chairman Westfall called the meeting to order at 9:00 a.m.

ITEMS ADDED TO AGENDA:

1. Commissioner Westfall reported that the handicap parking sign in the south parking lot of the courthouse is missing.

CALENDAR ITEMS:

1. Commissioner Krehbiel will attend the meeting of the Eagle Drainage District to be held on September 8 at 10:00 a.m. in the Harvey County Commission Room.
2. The REAP meeting will be held on September 13.
3. There will be a joint City/County Commission meeting held on September 14 at Newton City Hall. Commissioner Westfall will not be able to attend.

Minutes of the August 30, 2010 Commission meeting were approved upon a motion by Commissioner Krehbiel, seconded by Chairman Westfall. Motion passed unanimously.

ADMINISTRATIVE ITEMS:

1. Contracts for the 2010 Bituminous Overlay project were presented for signing. Commissioner Krehbiel made a motion to accept and authorize the chairman to sign both the contracts and the "notice to proceed." Chairman Westfall seconded the motion and it was passed unanimously.
2. Phil Adams, Road & Bridge Superintendent, reported on the progress of the two bridges that are being constructed in Harvey County. The bridge at Centennial Park is progressing well. The construction of the bridge on West 12th Street has encountered difficulty.
3. Scott Davies, Director of Planning & Zoning, responded to a question asked by Commissioner Westfall last week regarding the required setback from the Interstate for the construction of a cell phone tower near Hesston. He reported that K.S.A.12-765 empowers local governments to establish setbacks from roads for structures near highways. Although Mr. Davies will notify KDOT authorities of the tower project, approval from them is not required. The proposed tower is in compliance of all Harvey County zoning regulations. Mr. Davies asked for approval of a policy not to charge a road impact fee for cell towers on the basis that they are a quasi-utility. The Commissioners requested that Township officers be notified that there will not be a road impact fee assessed. They also requested that all future permits for the construction of cell towers include a requirement that the road will be restored to the condition it was in prior to construction.
4. Mr. Davies attended a state flood plain management meeting last week. He reported that the deadline to purchase lower cost flood insurance has been

extended to 2012. This will allow landowners affected by the new FEMA flood maps to save approximately \$1,000 on the purchase of required flood insurance. In an effort to notify landowners of the extension, articles will be published in all area newspapers. Mr. Davies also reported that the LIDAR topographical mapping will be flown in December of 2010 rather than March of 2011.

5. The Commissioners received a letter from Richard Boyles, USDA Rural Development representative, who has been working with the County on the funding of the Fairgrounds project. He reported that the development program is over subscribed and there are not funds available for the Fairgrounds project. An alternative source of funding would be to obtain a partial loan through a commercial lender that USDA Rural Development would then guarantee. However, the rates would most likely be higher.
6. Counselor Greg Nye presented an agreement with Broadway Colonial Funeral Home concerning the funding of cremation of unclaimed bodies and indigent decedents. Commissioner Krehbiel made a motion to approve the agreement. Chairman Westfall seconded the motion and it was passed unanimously.
7. On October 14 at 11:00 a.m. Sheriff T. Walton and the Whitewater Police Chief will meet with officials from the Kansas Department of Transportation regarding the rail crossing on Highway K-96 west of Whitewater where several accidents have occurred.

CITIZEN'S FORUM:

Willis Heck, Harvey County's representative to the Highway 50 association, gave a report of the progress of the association. The group has moved away from the plan of trying to make the highway a four-lane road and instead is focusing on improving it with extended passing lanes. They have identified priority projects for District #5 which includes Harvey and Reno Counties. They will attempt to stay connected with KDOT to further the interests of the region. Commissioner Westfall expressed concern that with funding assistance from local entities, KDOT would prioritize projects according to the assisted funding. Mr. Heck didn't think that was an issue at this time.

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

At 10:03 a.m. a public hearing was held to discuss an exemption for taxation for Parks Aircraft, which is located at the Newton City/County Airport. Mickey Fornaro-Dean, Director of the Harvey County EDC, and Mark Esquivel, Parks Aircraft Manager, attended. They reported that the expansion of the building at the airport is nearly complete and should be in production by the first of the year. The facility currently employs 22 employees, but they also have some positions open that are not filled. The public hearing was closed at 10:12 a.m. Commissioner Krehbiel made a motion to approve **Resolution No. 2010-22**, to grant an exemption from taxation to Parks Aircraft. Chairman Westfall seconded the motion and it was passed unanimously.

John Waltner presented a change in the policy and procedures of the Harvey County Health Department. Commissioner Krehbiel made a motion to accept the change in procedure No. 18.

Chairman Westfall seconded the motion and it was passed unanimously.

The Commissioners received information on the upcoming KWORC Conference. The by-laws have been changed to allow the KWORC board to conduct business with 25% of the board present. Action would require a 75% majority.

Anthony Swartzendruber reported that he and Linda Kientz, Personnel Director, met with representatives from ING, a deferred compensation provider for Kansas public employees. Harvey County currently provides a deferred compensation plan through Nationwide Insurance. The administrative costs for ING are significantly lower because it is a larger pool. Both options would be available to Harvey County employees.

John informed the Commission that the Health Department will be changing the fees and collection policy. Payment for services must be received in advance for child care license inspections.

At 10:50 a.m. Commissioner Krehbiel made a motion to go into executive session for a period of 30 minutes to discuss economic development and attorney/client privilege. Chairman Westfall seconded the motion and it was passed unanimously. Also attending the session were John Waltner, Counselor Greg Nye, Anthony Swartzendruber, Charlie Summers, and Joyce Truskett. Executive session ended at 11:20 p.m. with no action being taken.

The meeting was adjourned at 11:23 p.m.

THE BOARD OF HARVEY COUNTY COMMISSIONERS

George A. "Chip" Westfall, Chairman

ATTEST:

Ron Krehbiel, Member

Joyce Truskett, County Clerk

Marge Roberson, Member