

MINUTES OF
BOARD OF HARVEY COUNTY COMMISSIONERS
September 27, 2010

The Board of Harvey County Commissioners met in regular session on September 27, 2010 with all three Commissioners present. Chairman Westfall called the meeting to order at 9:00 a.m.

ITEMS ADDED TO AGENDA:

1. Commissioner Krehbiel, John Waltner, Phil Adams, and Scott Davies met last week with Township officers of Lakin Township and landowners in the area regarding the re-opening of a portion of Old Settler's Road in the southern portion of the county. The road is set to be surveyed this week.
2. Commissioner Roberson reported that beginning January 1, KCAMP will be including cyber theft insurance to provide additional coverage for information theft. The coverage will be offered at no additional charge to entities who are KCAMP members. The insurance will cover up to \$150,000 on the first incident.
3. The Commissioners received notification from the Kansas Department of Health and Environment that there is a pending water pollution control permit application for Spring Lake Calf Ranch on North Spring Lake Road near the McPherson County line. This is a new permit for an existing animal feeding facility. Upon completion the facility will have capacity for 1,998 head of calves or 999 animal units.
4. Commissioner Krehbiel may be absent from the October 4 Commission meeting as well as the October 11 and October 18 meetings.
5. The final proposed hunting regulations for Harvey County Parks will most likely be presented at the October 4 Commission meeting.

CALENDAR ITEMS:

1. The Commissioners received an invitation to attend the Farm Bureau meeting to be held on October 5. Commissioner Westfall and spouse and Commissioner Roberson will attend.
2. The Commissioners received an invitation to attend the 4-H Achievement Banquet to be held at Slate Creek Elementary School on October 9 at 6:30 p.m. Commissioner Roberson and spouse and Chairman Westfall will attend.

Minutes of the September 20, 2010 Commission meeting were approved upon a motion by Commissioner Roberson, seconded by Commissioner Krehbiel. Motion passed unanimously.

CITIZEN'S FORUM:

There were no items presented during Citizen's Forum.

ADMINISTRATIVE ITEMS:

1. Anthony Swartzendruber has reviewed the employee policy manual to assess what changes need to be made. The County can attempt to make the changes

using staff time and legal counsel or there is an option to hire Foulston and Siefkin, who has handled recent litigation for the County. The estimated cost for the update of the manual would be \$3,200. Jeff Hurt, Attorney with Foulston and Siefkin, is experienced with this type of project and would be performing the work. Commissioners directed staff to contract with them for the review and update of the employee manual.

2. The annual Taste of Newton will be held on Thursday, October 7. Harvey County has been asked by the Chamber of Commerce to help pay for the portable restrooms for the event. The Commission agreed to pay 1/3 of the cost of the portable restrooms at a sum of \$250.00.
3. John reported that Don Gruver, Assistant Director of the Communications Department, was taken to the Heart Hospital in Wichita. Medical tests performed indicated a gastrointestinal problem rather than a heart problem. He returned to work today.
4. The Commissioners received bonding information from Dustin Avey of Piper Jaffrey and Associates, who is interested in assisting with bond financing for the Fairgrounds project. Twenty year bonds could be obtained right now at an interest rate of approximately 3 1/2%.
5. John Waltner and Linda Kientz, Personnel Director, have met with Jennifer Elliott, representative from Group Benefit Specialists, a company that is interested in providing administration of the county flex plan. The current flex plan is administered by Allen, Gibbs, and Houlak at a cost of \$7.00 per month per participant. Group Benefit Specialists has proposed providing the participants with debit cards, rather than information having to be faxed for reimbursement at a cost of \$6.49 per month per participant.
6. John has met with several of the attorneys who serve on the indigent defense panel to attempt to work out a different system for the year 2011. There should be a more workable system finalized within the next couple of weeks.
7. Harvey County has been contacted by Jayhawk Pipeline who has requested permission to install a 12 inch line next to the existing 8 inch line that runs through Harvey County West Park. After locating the existing line, the pipeline company is planning to cut a swath 75 feet wide which would enable compliance with new federal regulations which require the pipeline to be monitored by air. Jayhawk Pipeline has a non-expiring blanket easement that dates back to 1958. There is concern because of the possible designation of the park as a wildlife refuge.
8. The 2011 budget set for District Court does not include funding for supplemental compensation for the position of Magistrate Judge. The County has provided additional funding for the position for the past few years. Commissioner Krehbiel made a motion to sign a letter to Jerry Sloan, Office of Judicial Administration at the Kansas Judicial Center, stating that Harvey County will not provide supplemental compensation for the position in 2011. Commissioner Roberson seconded the motion and it was passed unanimously.

9. John has received a request from a local insurance agent who wants to bid on the Work Comp, property and casualty, and liability insurance for the County. The Commissioners agreed that it would be a good idea to allow bids for insurance coverage. However, they also agreed that because of the late date, it would not be feasible to solicit bids for the insurance this year.
10. Phil Adams, Road and Bridge Superintendent reported that the Harvest Hill culvert replacement project is behind schedule because of recent rains. He also reported that the decking on the Centennial Park Bridge is scheduled to be poured this week.

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

At 10:00 a.m., a public hearing was held to allow property owners to protest their delinquent solid waste fees. There was no one in attendance to protest. Rhonda Gnatowski, designated Solid Waste Clerk, presented the information for the 2009 delinquencies. The total amount of delinquent solid waste fees for the year 2009 is \$17,442.00. The hearing was closed at 10:15 a.m. Commissioner Krehbiel made a motion to approve **Resolution No. 2010-24**, certifying the 2009 delinquent solid waste fees to the County Clerk for collection in the same manner as county ad valorem taxes are collected. Commissioner Roberson seconded the motion and it was passed unanimously.

Rich Hanley, Director of Department on Aging, gave the Commissioners a copy of the proposed drug testing policy for the department. The Commissioners will review the policy before next week's commission meeting.

Larry Sharp, representative from Kansas County Association Multi-line Pool, presented information on insured property appraisals that were recently done for Harvey County. The insurance policy provided by KCAMP provides coverage for replacement value which made it important to get a more accurate assessment of the value of the property insured. Hiron & Associates, Inc. appraised all real property owned by Harvey County. The reappraisal will not have a negative impact on the premiums paid by the County. The Courthouse building was valued at \$28,247,800 and the contents were valued at \$2,995,300.

Commissioner Roberson made a motion to assign Chairman Westfall as the voting delegate for the Kansas Association of Counties 35th Annual Conference. Joyce Truskett shall be the 1st alternate, and Commissioner Roberson shall be the 2nd alternate. Commissioner Krehbiel seconded the motion and it was passed unanimously.

At 11:08 a.m. Commissioner Krehbiel made a motion to go into executive session for a period of 17 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, John Waltner, Anthony Swartzendruber, and Joyce Truskett. Executive session ended at 11:25 a.m. with no action being taken.

The meeting was adjourned at 11:30 a.m.

THE BOARD OF HARVEY COUNTY COMMISSIONERS

George A. "Chip" Westfall, Chairman

ATTEST:

Ron Krehbiel, Member

Joyce Truskett, County Clerk

Marge Roberson, Member