

MINUTES OF
BOARD OF HARVEY COUNTY COMMISSIONERS

February 14, 2011

The Board of Harvey County Commissioners met in regular session on February 14, 2011 with all three commissioners present. Commissioner Krehbiel called the meeting to order at 10:30 a.m. following the REAP meeting.

ITEMS ADDED TO AGENDA:

1. Commissioner Westfall and John Waltner attended the Partnership meeting last Friday morning. Commissioner Westfall explained the availability of funds for the Home Rehabilitation Program. There is a volunteer group from Bethel College that has asked how they might be able to help with volunteer hours for the program.
2. Commissioner Westfall inquired as to the time line for filling the position of Road and Bridge Superintendent. Phil Adams is planning to retire in April. The deadline for the submission of applications is February 15. After that deadline has passed, the process of selection will begin and could take several weeks.
3. Chairman Krehbiel reported that Burrton Fire District #5 is proposing to build a new fire station in Burrton, as well as three satellite locations, one at Sand Hill Road and 48th Street, one at Patterson, and one at another location in the district. Although the mill levy for residents in the district would increase the new stations would lower the ISO ratings, which would reduce insurance rates for homeowners. The fire stations will not be staffed continuously.

CALENDAR ITEMS:

1. There is a proposed joint meeting with the City of Newton tentatively scheduled for 4:30 p.m. on February 22 at the Newton City Building.

Minutes of the February 7, 2011 Commission meeting were approved upon a motion by Commissioner Roberson, seconded by Commissioner Westfall. Motion passed unanimously.

ADMINISTRATIVE ITEMS:

1. Commissioner Westfall made a motion to approve and authorize the Chairman to sign the annual agreement with the Kansas Department of Transportation, which sets the fees for spraying noxious weeds at \$32 per hour for an operator and \$35 per hour for equipment. The fees are unchanged from last year. Commissioner Roberson seconded the motion and it was passed unanimously.
2. The Commissioners reviewed a letter from Health Ministries requesting the appropriated amount of \$40,000 be paid in one lump sum within 10 days. It is the policy of the County to pay this amount in quarterly payments. The Commission concurred that the County should continue to pay amounts quarterly.
3. KWORCC has requested that Harvey County send letters to each of our

- legislators asking them to support HB 2134. The Kansas Supreme Court recently made a decision that causes workers compensation costs to increase due to benefits being paid to injured workers who are unwilling to seek employment. HB 2134 amends the Workers Compensation statute to correct this situation. The Commissioners asked for more information on the bill prior to sending letters to the legislators.
4. Commissioner Roberson made a motion to accept and approve **Resolution No. 2011-6**, in support of the continuance of funding for the Kansas Local Environment Protection Program (LEPP). The resolution is also supported by the Kansas Environmental Health Association. Commissioner Westfall seconded the motion and it was passed unanimously.
 5. Sheriff T. Walton asked for consideration of a proposal to construct a wall in the foyer of the east entrance to the courthouse that would provide increased security during the transport of prisoners from the Detention Center to District Court. The Commission will take the suggestion under advisement.
 6. Counselor Greg Nye reviewed the deed for the Tindall property at the Kansas Logistics Park. The Commission received a copy of the deed, plat, and the closing statement. There is a restrictive covenant regarding drainage included in the deed.
 7. Phil Adams, Road & Bridge Superintendant reported that Lake Township has inquired about purchasing one of the older snow plows that is no longer used at Road & Bridge. Phil will research regulations regarding selling unused property.
 8. Anthony Swartzendruber, Assistant Administrator, presented an update from Piper Jaffray regarding the municipal bond market. The general market interest rate has raised 95 basis points since November, but still remains comparatively low.
 9. Anthony also presented a spreadsheet which details the publication costs by fund of 2010 legal notices. Legal publications for the County totaled \$31,753.74.

CITIZEN'S FORUM:

There were no items presented during Citizen's Forum

Warrant checks in the amount of \$161,420.14 were approved upon a motion by Commissioner Westfall, seconded by Commissioner Roberson. Motion passed unanimously.

Lonnie Buller presented **Resolution No. 2011-5**, regulating open burning in Harvey County. The proposed procedures would not require a permitting process, but instead enumerates the regulations within the resolution. Citizens would be required to call 911 to inform them that there will be a controlled burn. 911 will inform the citizen as to whether burning is permissible according to weather conditions, burn bans, Grassland Fire Danger Index, available fire apparatus, etc. In attendance for the discussion were Rick Schlender, John Gray, Allen Short, Tom Cowan, Bruce Cowan, Eugene Wendling, Rollin Camp, Janice Camp, Dana Shifflett, Chief Jim VanSchaick, Steven Johnson, Chief Merlyn Johnson, Courtney Becker, Russell Buller, Gary Walton, and Kelley DeGraffenreid. Suggestions were made to include the 10 digit telephone

number of the 911 center, include the estimated acreage of the proposed burn, and specifically state that the 911 Communications Center can deny the request. The final draft of the resolution will be presented to the Commissioners next week for approval.

The Commission recessed for lunch at 12:30 p.m.

At 1:15 p.m., Commissioner Westfall made a motion to go into executive session for a period of 45 minutes to discuss economic development and items of proprietary interest. Commissioner Roberson seconded the motion and it was passed unanimously. Also included in the session were Bob Myers, Newton City Attorney; Mickey Fornaro-Dean, Director of the EDC; Roger Ahrens and Ray Penner, EDC Board members; Counselor Greg Nye; Anthony Swartzendruber, Assistant County Administrator; and Joyce Truskett, County Clerk. At 2:00 p.m. Commissioner Roberson made a motion to extend the session for a period of 15 minutes with the same participants. Commissioner Westfall seconded the motion and it was passed unanimously. Executive session ended at 2:15 p.m. with no action being taken.

The meeting was adjourned at 2:20 p.m.

THE BOARD OF HARVEY COUNTY COMMISSIONERS

Ron Krehbiel, Chairman

ATTEST:

Marge Roberson, Member

Joyce Truskett, County Clerk

George A. "Chip" Westfall, Member