

MINUTES OF
BOARD OF HARVEY COUNTY COMMISSIONERS

January 31, 2011

The Board of Harvey County Commissioners met in regular session on January 31, 2011 with Commissioner Krehbiel and Commissioner Westfall present. Commissioner Roberson was absent. Commissioner Krehbiel called the meeting to order at 9:00 a.m.

ITEMS ADDED TO AGENDA:

1. Commissioner Westfall reported that he met with Virgil Penner, who is making fund raising contacts for the Fairgrounds Project. He has made 55 contacts to date.
2. Commissioner Westfall asked if any progress had been made regarding proposed changes to the policies and zoning fees for small home-owner wind generators. Scott Davies, Director of Planning and Zoning, is working on the changes.
3. Commissioner Krehbiel informed Phil Adams, Road & Bridge Superintendent, that there is some dirt available on the west side of the County if he wants it. There is a large pond being dug and the dirt contains clay and sand. Mr. Adams was given the name of the person to contact.
4. Commissioner Krehbiel inquired about the progress of proposed changes for burn permit regulations. Lonnie Buller, Director of Emergency Management, is working on a final draft of the regulations.

CALENDAR ITEMS:

1. The Commissioners will meet with Farm Bureau on Tuesday, February 22, 2011, at 7:30 a.m. at the Breadbasket.

Minutes of the January 24, 2011 Commission meeting were approved upon a motion by Commissioner Westfall, seconded by Chairman Krehbiel. Motion passed unanimously.

ADMINISTRATIVE ITEMS:

1. Jayhawk Pipeline has contacted Lloyd Stoddard, Ranger at West Park, with an offer of restitution for damage done at West Park when the pipeline right-of-way was cleared and widened as required by federal mandate. The restitution money would be used to make capital improvements at the parks.
2. Foley Equipment has offered to sponsor the Township meal that will occur at Road & Bridge the first week in February. It was decided that this is a function of the County for the purpose of communicating and discussing issues with the Townships, and that it should continue as such.
3. Skip Cowan, Assistant Director of Community Services at the Harvey County Health Department, submitted the Standard Operating Guide for dispensing of medical materials in the event of an emergency. The Point of Dispensing would be located at the Grace Community Church, with the alternate dispensing site at

Asbury Park. The SOG has been provided to all pertinent County and Community officials and leaders. Commissioner Westfall made a motion to approve the Standard Operating Guide for mass dispensing and authorize the Chairman to sign. Chairman Krehbiel seconded the motion and it was passed unanimously. Skip and Jo Miller, Director of the Health Department gave the Commission an update on what is currently happening at the Health Department. The following were included:

- Harvey County will host a South Central Metro Region mock emergency scenario on April 21st at Grace Community Church.
 - Jo Miller is the new chairman of the South Central Metro Region.
 - WIC served 1,016 clients in 2010 and they recently received a grant for the program.
 - Lisa Bartel has been hired as the new coordinator for the Health and Wellness program.
 - Alice Goering and Doris Mitchell, program coordinators at the Health Department, are attending classes.
 - Jo presented a plaque received by the Health Department for being an “Outstanding Grantee for the South Central Region for the 2010 Chronic Disease Risk Reduction Grant Program.”
 - Skip and Jo will be traveling to Atlanta in both February and March for training.
 - The State of Kansas is starting to recognize Harvey County as a leader and model for Health care programs within the state.
4. An agreement between Harvey County and the Kansas Housing Resources Corporation was presented for approval. There are six houses in Harvey County that qualify for funding and the agreement authorizes funding in the total amount of \$150,000 for the rehabilitation of owner occupied houses. SCKEDD is the funding agent. Commissioner Westfall made a motion to approve and authorize the County Administrator to sign the Homeowner Rehabilitation 2010 Grant Agreement. Chairman Krehbiel seconded the motion and it was passed unanimously.
 5. Commissioner Westfall made a motion to approve the signing of letters to State Senator Carolyn McGinn, Representative Marc Rhoades, Representative Don Schroeder, and Governor Sam Brownback. The letters express opposition to the proposed funding cuts to the LEPP environmental program. Chairman Krehbiel seconded the motion and it was passed unanimously.
 6. Counselor Greg Nye received a letter from Norm Bowers, KAC Representative, who sent information and pictures of some low water bridges within the State of Kansas.
 7. Commissioner Westfall made a motion to authorize Harvey County to enter into an agreement with Espy Services to have them review the land line phone bills received by Harvey County in the preceding 12 months. Chairman Krehbiel seconded the motion and it was passed unanimously. Espy looks for billing errors and irregularities and charges 50% of the recovered amounts. Greg Nye noted that there was a prior error from a cell phone company that totaled approximately

- \$10,000 that Espy should not be able to include in their findings. Anthony Swartzendruber said that the Espy services would extend to land lines only. Anthony will be the contact person for the service.
8. Phil Adams, Road & Bridge Superintendent, asked the Commissioners if they had any issues for Townships that should be discussed at the annual Township dinner. Road signage issues and removal of trash dumps in the townships will most likely be discussed.
 9. Undersheriff, Todd Hanchett, reported that Sheriff T. Walton is attending the Sheriff's Convention in Topeka this week.
 10. Byron Warta was in Topeka last week for the water authority meeting. He reported that there was a bill introduced for dam inspection and remediation. There is also an issue with farmers who irrigate. When they have adequate rainfall and really don't need to irrigate, they are forced to pump water to reach the amount they were permitted to pump, or they risk losing their permit.
 11. Counselor Greg Nye presented the Court approval of the Sheriff's sale that was held on December 29, 2010. He also reported that a judge has declared that the City of Newton and Harvey County have the authority to proceed with joint eminent domain proceedings to condemn certain property to widen the intersections near the Kansas Logistics Park. The condemned land will be appraised to determine the value. He also added that the land that will be developed for the Fairgrounds property is currently being farmed. He reminded the Commission to be sure that the farmer receives notice as to when the improvements are to begin.
 12. Anthony Swartzendruber reported that the new credit cards and purchasing policies are working well so far. He is also working on the final draft of the personnel manual. He also reported that debt will have to be issued for the building, which is to be used by AVCON Industries, at the Newton City/County Airport. This will not be put out to bid, but instead will be done directly through an underwriter.
 13. Bob Cheney, Director of Noxious Weed, presented the 2010 annual report and the 2011 Noxious Weed Management Plan, which are required to be filed each year with the State of Kansas. Commissioner Westfall made a motion to approve and sign the annual report and the 2011 Noxious Weed Management Plan. Chairman Krehbiel seconded the motion and it was passed unanimously.

CITIZEN'S FORUM:

Dana Shiflett attended the meeting to discuss the new regulations for burn permits. He has talked to Lonnie Buller, who is preparing the final draft which will outline the process. Mr. Shiflett expressed his support for the plan that Lonnie explained to him. He asked if a notice will be placed in the paper to notify citizens when this issue will be discussed in the Commission meeting. The Commissioners assured him that it will be well advertised. Mr. Shiflett also expressed concerns about Spencer Avenue with regard to the anticipated traffic from the Kansas Logistics Park. The plans are to mill and overlay the road, with no widening or shoulders. He thinks there would be an advantage to widening the road as it is also used by bicyclists. He is also concerned that if a vehicle has to pull over for any

reason, there is no area to pull off onto. The Commissioners thanked him for coming to the meeting.

Warrant checks in the amount of \$93,929.60 were approved upon a motion by Commissioner Westfall, seconded by Chairman Krehbiel. Motion passed unanimously.

Todd Hanchett, Undersheriff, opened bids for the purchase of vehicles for the Sheriff's Department. The bids are as follows:

Transport van

Resnick Motors	2011 Dodge Caravan	\$18,476 with trade-in
Mike Stevens Motors	2010 Dodge Caravan	17,983 with trade-in

(1) Patrol Car & (2) 4 X 4 Pick Ups

Parks Motors	1 Chevy Patrol Car and (2) 4 X 4 Chevy Pick Ups	73,019 with trade-in
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Commissioner Westfall made a motion to accept the bid from Mike Stevens Motors for the Dodge Caravan and Parks Motors for (1) patrol car and (2) 4 x 4 Chevrolet trucks, providing all specifications are met. Undersheriff Hanchett will check the bids to verify. Chairman Krehbiel seconded the motion and it was passed unanimously.

Courtney Becker, Director of Communications, reported on the progress of Senate Bill No. 50, which deals with fees and funding for 911 services. The new bill sets the fees at \$.55 per month for both land lines and wireless users. The County would receive about 97% of this revenue, which would mean an increase of about \$41,000 per year for Harvey County. Currently the fees are \$.75 per month, of which the County receives only about \$.25. The remainder of this revenue went into the grant fund. With the proposed new plan the grant fund would be funded by a 1 1/2% tax from pre-paid phones, which are not currently charged anything. This proposal, if passed, will remain in effect for five years and will be reviewed at that time.

At 11:13 a.m. Commissioner Westfall made a motion to go into executive session for a period of 5 minutes to discuss attorney-client privilege. Chairman Krehbiel seconded the motion and it was passed unanimously. Also included in the session were John Waltner, Counselor Greg Nye, Anthony Swartzendruber, and Joyce Truskett, County Clerk. Executive session ended at 11:18 a.m. with no action being taken.

The meeting was adjourned at 11:28 a.m.

THE BOARD OF HARVEY COUNTY COMMISSIONERS

Ron Krehbiel, Chairman

ATTEST:

Marge Roberson, Member

Joyce Truskett, County Clerk

George A. "Chip" Westfall, Member