

**MINUTES OF**  
**BOARD OF HARVEY COUNTY COMMISSIONERS**

**June 27, 2011**

The Board of Harvey County Commissioners met in regular session on June 27, 2011 with all three commissioners present. Chairman Krehbiel called the meeting to order at 9:00 a.m.

**ITEMS ADDED TO AGENDA:**

1. Commissioner Westfall received a call from Kirby Stucky, resident of the City of Sedgwick, requesting information on tax sales of development property that have several years of delinquent taxes. Commissioners Krehbiel and Roberson also received a call from Mr. Stucky.
2. Commissioner Westfall expressed appreciation for the copy of the minutes of the most recent Parks Board meeting. The Commissioners agreed that they would like to receive this information on a regular basis. Due to a recent dog fighting incident at East Park, the Parks Board made a recommendation that park rangers be given training for the proper ticket writing procedures to impose stricter enforcement for the control of loose animals. The Board also recommended that the Board of County Commissioners allow golf carts to travel on park roads.
3. Commissioner Krehbiel received a call from a resident that lives near the newly constructed communications tower near Sedgwick. The complaint is that the agreed upon tree and shrub screening around the base of the tower is not adequate. Commissioner Krehbiel informed the resident that the Commission had received pictures of the tower base area, and that some of the shrubs and trees that were planted incorrectly or have died will need to be replanted in the fall.
4. Commissioner Roberson reported that she is having lunch with Senator McGinn and asked if anyone had anything they would like her to discuss with the Senator. Sheriff T. Walton asked that the proposal for possibly merging our court district with the Sedgwick County court district should be discouraged. It could result in significant costs for transporting prisoners to court.

**CALENDAR ITEMS:**

1. The Commissioners will participate in a bus trip to the Port of Catoosa on July 19.
2. The County Fair will begin on August 5 and continue through August 9th.
3. The budget session will be held on July 22, starting at 8:00 a.m.

Minutes of the June 20, 2011 Commission meeting were approved upon a motion by Commissioner Westfall, seconded by Commissioner Roberson. Motion passed unanimously.

**ADMINISTRATIVE ITEMS:**

1. Sheriff T. Walton elaborated on the proposal to merge some of the court districts in the State of Kansas in attempt to save the State approximately \$330,000. There is a blue ribbon committee that will make their recommendations to the Supreme

- Court at the end of the year. The State is trying to save \$330,000. However, the costs to the County could increase significantly. He also reported that the Detention Center population is 109.
2. Counselor Greg Nye presented a revised draft of an agreement between the Commission, Darlington Township, and Harold Schorn regarding upgrades to South Spencer Road between 48th and 60th Streets. This would include installing appropriate entranceways, ditches and gravel for the south half of the mile. Commissioner Roberson made a motion to approve and sign the agreement. Commissioner Westfall seconded the motion and it was passed unanimously.
  3. Rich Hanley, Director of the Department on Aging, and Annette Graham, Director of the Central Plains Area Agency on Aging, presented the 2012 update and grant application for the Area Plan on Aging. There are approximately 80,000 people served in the area which includes Butler, Harvey, and Sedgwick Counties. Harvey County receives 8% of the funding, Butler County receives 12%, and Sedgwick County receives 80%. Commissioner Westfall made a motion to accept the fiscal year 2012 update of the agreement with CPAAA and authorize the Chairman of the Sedgwick County Commission to sign. Commissioner Roberson seconded the motion and it was passed unanimously.
  4. Commissioner Roberson made a motion to authorize and sign **Resolution No. 2011-16**, setting a service fee for solid waste facilities, assessing the fee on real property owners, and setting the manner of collection of the solid waste fee. The fee for residential property will be \$36.00 per unit and the fee for commercial property will be \$39.00 per unit. Commissioner Westfall seconded the motion and it was passed unanimously.
  5. John Waltner presented a draft of a letter to Suzanne Loomis, City of Newton Engineer, stating that Harvey County considers an apartment complex or housing complex consisting of five family units or more, where a common municipal waste disposal receptacle is used, as commercial. The Commission authorized the letter to be sent.
  6. Upon a letter of recommendation from Janet Cagle, Director of Harvey/McPherson Counties Community Corrections, Commissioner Roberson made a motion to re-appoint Commissioner Ron Krehbiel to the Harvey/McPherson Counties Community Corrections Advisory Board for the period of July 1, 2011 through June 30, 2014. The second reading will be waived and the Chairman will be authorized to sign. Commissioner Westfall seconded the motion and it was passed unanimously.
  7. Becky Fields, Treasurer, informed the Commission that the Harvey County Treasurer's office has been selected to be a registration site for the International Registration Plan, which is a reciprocity agreement among states of the United States, the District of Columbia, and provinces of Canada providing for payment of license fees on the basis of fleet distance operated in various jurisdictions. This service will be implemented beginning August 2, 2011.
  8. The Health Department will implement a change in hours of operations. On Tuesdays, Thursdays, and Fridays, the Department will be open until 6:00 p.m.

9. Judge Walker has notified John that there is an offender who will require representation and will need to undergo a hearing and examination. The Indigent Defense Panel will not be representing him and the charges will have to be paid at the state rate of \$62.00 per hour. The County will pay for these costs and then request reimbursement from the State.
10. The Commission received a copy of a condemnation suit filed by the City of Wichita versus Peter H. Aversa and Sarah J. Pratt to obtain an easement for a water pipeline, which is a part of the equus beds recharge project. The perimeter around the well houses is required to be fenced and Mr. Aversa views this as a taking.
11. Craig Clough, Appraiser, presented the official 2010 Real Estate Appraisal/Sales Ratio Study as required by K.S.A. 79-1489. The statistical compliance report was received from David Harper, Acting Director of the Kansas Division of Property Valuation.
12. Jim Meier, Road and Bridge Superintendent, reported that Dutch Avenue between K-15 and Hesston, has been milled down and smoothed out. Ridge Road will be closed soon to accommodate the repair of Highway 50 at that location.

**CITIZEN'S FORUM:**

There were no items presented during Citizen's Forum.

Warrant checks in the amount of \$61,915.14 were approved upon a motion by Commissioner Westfall, seconded by Commissioner Roberson. Motion passed unanimously.

Elizabeth Schmidt, Executive Director of the Harvey-Marion County Community Developmental Disability Organization, presented an overview of the organization, including the mission and utilization of funds. The proposed 2012 budget for Mental Retardation was also presented. The budget request is \$102,500 in comparison with \$100,000 in 2011.

Rich Denno presented the proposed 2012 Harvey County Fair budget. The total budget request is \$25,000 which is the same amount that has been requested for several years.

Jan Jones, Executive Director of the Harvey County Safe House for Domestic Violence and Sexual Assault, gave a presentation on the accomplishments and goals of the Harvey County Safe House and domestic violence program. The program uses federal grant monies from GTEAP, which is a federal grant to encourage arrest policies and enforcement of protection orders program. Detective Mitch Nedrow also gave an overview of the Domestic Violence Response Team (DVRT).

Scott Davies, Planning & Zoning Director, presented a request for a conditional use permit by Leland Entz to operate a farm tire business in the A-1 Agricultural Zoning District. The property is located one mile south of K-196 on the southwest corner of South Grace Hill Road and Southeast 84th Street. The request was considered by the Planning Commission on June 7th, and they recommended approval of the permit. Commissioner Westfall made a motion to authorize

the conditional use permit and Commissioner Roberson seconded the motion. Motion passed unanimously.

Scott Davies presented a request for a conditional use permit by Walden Becker to operate a soil extraction business on property in the A-1 Agricultural zoning district. The property is located approximately 1/2 mile south of SW 24th on the east side of South Essex Heights Road. On June 7th, the request was considered by the Harvey County Regional Planning Commission who unanimously recommended approval of the permit. Commissioner Roberson made a motion to approve the permit and Commissioner Westfall seconded the motion. Motion passed unanimously.

Commissioner Westfall made a motion to approve and authorize the chairman to sign an Oil Division Order and Agreement with Coffeyville Resources Refining & Marketing, LLC to purchase crude oil from Harvey County Lease No. 202618 located on the East Lake property. Commissioner Roberson seconded the motion and it was passed unanimously.

Jerree Forbes, Director of Health Ministries, presented the proposed 2012 Health Ministries budget. The amount requested is the same amount that was requested for 2011. Mr. Forbes stated that 76% of residents they serve are from Newton, 12% are from somewhere else in the county, and the remainder is from other locations such as Whitewater and McPherson. Health Ministries has made a grant application to become a Federally Funded Community Health Center. The grant awards will be announced in August. The Commission would like to appoint one of the Commissioners to a position on the Health Ministries Board. This would be helpful for communication purposes and would also show the involvement and support of Harvey County. Jo Kasitz, HM Board Chairman, and Jo Miller, Health Department Director agreed. Discussion was held regarding the possible duplication of services between the Health Department and Health Ministries. It was suggested that a "Memorandum of Understanding" between Health Ministries, the Health Department, and Prairie View Mental Health Center, be put into place to eliminate those types of issues.

Christi Leewright Patry and Rod Lowe, representatives of the Harvey County Conservation District, presented the proposed 2012 budget. The budget request from Harvey County is \$20,000 compared to \$16,065 for the 2011 budget year. The additional monies would be used to produce a newsletter and provide more educational programs. The District receives a dollar to dollar funding match from the state based on county funding. The Commission suggested that the District could use the county website and the county parks to distribute information.

The meeting was adjourned at 2:25 p.m.

THE BOARD OF HARVEY COUNTY COMMISSIONERS

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Ron Krehbiel, Chairman

ATTEST:

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Marge Roberson, Member

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Joyce Truskett, County Clerk

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George A. "Chip" Westfall, Member