

MINUTES OF
BOARD OF HARVEY COUNTY COMMISSIONERS

March 21, 2011

The Board of Harvey County Commissioners met in regular session on March 21, 2011 with all three commissioners present. Chairman Krehbiel called the meeting to order at 8:30 a.m.

ITEMS ADDED TO AGENDA:

1. Richard Denno contacted Commissioner Westfall about the need to apply some millings around the existing fairgrounds buildings.
2. Commissioner Westfall was contacted by Weldon Epp, Chairman of the Sand Creek Watershed Board. A building permit was issued for the construction of a home near, but outside of, a dam breach area west of Walton. The contractor building the home went into the emergency spillway area below the watershed dam and pulled some dirt out in order to build a small pond for the home owner. The Watershed Board is concerned that the Corp of Engineers will need to inspect the dam and the hazard rating will be reassigned because there has now been a change in the water channel. The homeowner and the builder have contacted both the Corp of Engineers and the Watershed Board.
3. Commissioner Westfall received a complaint that the portable restrooms at East Lake are full and need to be emptied. The permanent restrooms are not yet open for the season.
4. Commissioner Roberson reported that she attended a KCAMP meeting in Topeka last week. She also inquired as to whether the county could purchase the burned scraper and then rebuild it. KCAMP has received a couple of bids to purchase the scraper and they may be receiving at least one more. The county can purchase the scraper for one dollar more than the highest bid.

CALENDAR ITEMS:

1. Commissioner Westfall will attend a REAP Executive Committee meeting at 3:00 p.m. on March 29 in Wichita.
2. Commissioner Krehbiel will attend a Judicial District Nominating Commission meeting on Friday, March 25, 2011.
3. Phil Adams invited the Commission to attend a breakfast on Wednesday, March 30, in honor of his retirement. The breakfast will begin at about 7:30 a.m.

Minutes of the March 14, 2011 Commission meeting were corrected and approved upon a motion by Commissioner Roberson, seconded by Commissioner Westfall. Motion passed unanimously.

ADMINISTRATIVE ITEMS:

1. John Waltner reported that he will be out of the office from April 1 through April 8. He will therefore not be attending the April 4, 2011 Commission meeting.
2. John updated the Commission regarding Senate Bill 89, which relates to the reduction of funding for county health departments. Each health department that applies for state aid would receive \$7,000 and then the remainder of available money would be distributed on the basis of population ratio to the total state population. Harvey County currently receives approximately \$24,000 annually.
3. The Commission received a copy of a letter sent to Don Rogers of Waste Connections. The letter will serve as an agreement for payment of electricity costs to run a second shift at the Recycle Center. In addition, the letter addressed the revenue shortfall created when Waste Connections purchased Stutzman Refuse and did not continue to honor the existing contract between Stutzman and Harvey County. Waste Connections has agreed to pay for the shortfall.
4. Roy Patton, Director of Solid Waste, presented **Resolution No. 2011-8**, changing the rates at the Harvey County Transfer Station and Construction and Demolition Landfill beginning March 21, 2011. Commissioner Westfall made a motion to approve the resolution changing the rates. Commissioner Roberson seconded the motion and it was passed unanimously.
5. Dustin Avey, Senior Vice President of PiperJaffray, presented a preliminary financial analysis for general obligation bonds, series 2011. Bids for the bonds will be accepted on April 18 at 11:00 a.m. Commissioner Roberson made a motion to approve **Resolution No. 2011-9**, authorizing the offering for sale of general obligation bonds, Series 2011, of Harvey County. Commissioner Westfall seconded the motion and it was passed unanimously.

CITIZEN'S FORUM:

There were no citizens present for Citizen's Forum.

Warrant checks in the amount of \$143,632.01 were approved upon a motion by Commissioner Westfall, seconded by Commissioner Roberson. Motion passed unanimously.

At 9:45 a.m. Commissioner Westfall made a motion to go into executive session for a period of 10 minutes to discuss economic development and legal issues. Commissioner Roberson seconded the motion and it was passed unanimously. Also in attendance for the session were John Waltner, Anthony Swartzendruber, Counselor Greg Nye, and Joyce Truskett. Executive session ended at 9:55 a.m. with no action being taken.

Commissioner Westfall made a motion to authorize Counselor Greg Nye to spend up to 10 hours of time to represent Alta Township in recent litigation. More time will be authorized if needed. Commissioner Roberson seconded the motion and it was passed unanimously.

Scott Davies presented an amendment to the zoning regulations to allow private wind turbines in the A-1 agricultural zoning district. Current regulations require a landowner to obtain a

conditional use permit to construct a wind turbine. The amendment would allow private wind turbines on minimum parcels of 5 acres or more, with no conditional use permit. The turbines could be no higher than 100 feet with a setback minimum of the height of the tower plus 50 feet. The Planning Commission considered the amendment and recommended approval by a unanimous vote. Upon the recommendation of the Planning Commission, Commissioner Roberson made a motion to approve the amendment to the zoning regulations, allowing the construction of private wind turbines in the A-1 Agricultural Zoning District. Commissioner Westfall seconded the motion and it was passed unanimously.

Kass Miller, East Lake Park Supervisor, presented bids for fish stocking at Harvey County Parks. The bids are as follows:

Harbin Fish Farm:	Catfish	\$1.60 per pound
	Bluegill	.63 each
Culver Fish Farm:	Catfish	1.93 per pound
	Bluegill	.90 each
Wallace Fish Farm	Catfish	2.70 per pound
	Bluegill	1.50 each

Commissioner Westfall made a motion to accept the bid from Harbin Fish Farm for Catfish at \$1.60 per pound and Bluegill at \$.63 each. Commissioner Roberson seconded the motion and it was passed unanimously.

The meeting was recessed at 10:30 a.m. to attend the Quad county meeting in Hutchinson.

The commissioners returned from the Quad County meeting and adjourned at 2:00 p.m.

THE BOARD OF HARVEY COUNTY COMMISSIONERS

Ron Krehbiel, Chairman

ATTEST:

Marge Roberson, Member

Joyce Truskett, County Clerk

George A. "Chip" Westfall, Member