

MINUTES OF
BOARD OF HARVEY COUNTY COMMISSIONERS

May 9, 2011

The Board of Harvey County Commissioners met in regular session on May 9, 2011 with all three commissioners present. Chairman Krehbiel called the meeting to order at 10:30 a.m. following the REAP meeting.

ITEMS ADDED TO AGENDA:

1. Commissioner Westfall stated that the GIS Director at Dickinson County has developed a program to assist with redistricting in 2012.
2. The President of the National Association of Counties President spoke at the Kansas County Commissioners Association meeting last week. The County can piggyback with bids submitted by other municipalities. NACO provides assistance with grant writing and research and is developing a pilot dental program for counties.

CALENDAR ITEMS:

1. Commissioner Roberson will attend a KCAMP meeting in Topeka on May 18 and a KCAMP - KWORC joint meeting on May 19.
2. There will be a ceremony at the Law Enforcement Memorial on May 18.

Minutes of the May 2, 2011 Commission meeting were approved upon a motion by Commissioner Roberson, seconded by Commissioner Westfall. Motion passed unanimously.

ADMINISTRATIVE ITEMS:

1. Sheriff T. Walton reported that the Detention Center population is 110 inmates. He also reported that SRS will be making some significant changes in July, switching their focus from intervention to prevention. He also reported that the Heart to Heart office will be moving out of the Newton City Building. They are still searching for a new location.
2. Counselor Greg Nye reported that the property where the gun range was located in Western Harvey County has been sold to a new owner. Since there is a pending appeal of a lawsuit pertaining to the property, Counselor Greg Nye and Attorney Tom Adrian prepared an affidavit for the new owner to sign which states that the owner does not wish to pursue the lawsuit and requests that the case be dismissed.
3. Anthony Swartzendruber reported that the bond closing for funding the Kansas Logistics Park will occur on Wednesday, May 11. He also reported that the 1099 reporting requirements implemented by the new Health Care Law have been repealed. The repeal will cost the government 24.7 billion.
4. The scheduled presentation by the robotics instructor from Newton High School will be rescheduled for a later date. The NHS robotics team recently placed

- seventh in a national robotics competition.
5. The Little Arkansas River Watershed Restoration and Protection Strategy (WRAPS) meeting will be held on May 19th at the Community Building at West Park. Commissioner Krehbiel will attend.
 6. The Commissioners received copies of press releases from ICM, Inc. announcing commercial deployment of its Biomass Gasifier Technology.
 7. The EDC annual banquet and industry appreciation dinner will be held on Wednesday, June 1 at the Water's Edge Restaurant in Hesston. Commissioners Roberson and spouse, Krehbiel and spouse, and Commissioner Westfall will attend.
 8. National Police Week begins May 15th. A lunch will be served from 11:30 a.m. to 1:00 p.m. at the Law Enforcement Center on Wednesday, May 18, followed by a memorial service at the Law Enforcement Memorial at 1:00 p.m. Seventh Street will be closed in front of the Law Enforcement Center from 11:00 to 1:00.
 9. Ed Roberts, who is the listing agent on the frontage property at the new Fairgrounds, contacted John Waltner regarding the renewal of the listing contract. The Commission will discuss whether to renew the contract at a later date.
 10. The County Treasurer received a call from a disgruntled taxpayer about the fees that Harvey County charges for a taxpayer to pay by credit card. Because the County goes through the State, the charge is 3% in addition to a \$1.00 transaction fee. In Sedgwick County the fees are absorbed by the County.
 11. Paul Ferguson, Poe and Associates designated Engineer for Harvey County, has completed all design estimates for the road sealing project which is scheduled for this summer.
 12. Joyce Truskett, County Clerk, reported that the Kansas County Clerks Association voted last week to withdraw their membership in the Kansas County Elected Officials Association. The membership will end on December 31, 2011.
 13. Commissioner Krehbiel asked about the possibility of the implementation of a county wide burn ban in consideration of the newly implemented burn permit process. Further discussion will be held with Lonnie Buller, Emergency Management Director.

CITIZEN'S FORUM:

Eugene Wendling commented that the new burn permit process is too restrictive and not farmer friendly.

Warrant checks in the amount of \$396,889.91 were approved upon a motion by Commissioner Westfall, seconded by Commissioner Roberson. Motion passed unanimously.

Commissioner Westfall made a motion to approve **Resolution No. 2011-13**, requesting Harvey County Public Building Commission to issue revenue bonds in an amount not to exceed \$1,045,000 for the purpose of paying all or a portion of the costs to construct a community hangar facility at the Newton City/County Airport. Commissioner Roberson seconded the motion and it was passed unanimously.

PUBLIC BUILDING COMMISSION:

At 11:45 a.m., PBC Chairman Eugene Wendling called the meeting of the PBC to order. Byron Motter made a motion to approve the minutes of the December 13, 2010 meeting. Tim Johnson seconded the motion and it was passed unanimously. The PBC considered a resolution of intent to issue bonds to construct and equip a community hangar at the Newton City/County Airport. Although the City and the County will jointly be responsible for the debt payment on the bonds, the revenue generated by the hangar should cover the debt payments. If the revenue does not cover the debt payments, then the City and the County will each be responsible for 50% of the debt. Richard Denno moved to approve **PBC Resolution No. 2011-1**, to issue bonds to construct and equip a community hangar. Byron Motter seconded the motion and it was passed unanimously. The PBC was adjourned at 11:55 a.m. upon a motion by Tim Johnson, seconded by Richard Denno.

The meeting was recessed at 12:00 p.m. for lunch.

The meeting was reconvened at 1:15 p.m. Scott Davies, Director of Planning and Zoning, presented information about a proposed moratorium on minimum road setback variances. The Planning Commission met on May 3rd and discussed the large number of requests being received for road setback variances. The Planning Commission proposes to implement a moratorium on these types of variances while information is gathered from other counties to determine whether the Harvey County regulations are too strict or if changes need to be made. All information gathered would then be presented at the June 7th Planning Board meeting. The Board of County Commissioners requested that the gathering of information be completed without the implementation of a moratorium.

Roy Patton, Director of Solid Waste, presented the 2012 proposed budget for Solid Waste. The following is a comparison between actual 2010 expenses and proposed 2012 budget:

	<u>2010 Actual</u>	<u>2012 Budget</u>
Post Closure Costs Division	\$106,060	\$108,598
Construction & Demolition Division	320,386	672,249
Composting Division	6,010	6,691
Municipal Division	1,306,866	1,345,568
Recycling Division	<u>109,071</u>	<u>97,797</u>
	\$1,830,075	\$2,252,474

The proposed budget includes a capital outlay request of \$160,000 to overhaul the dozer and \$200,000 to replace the grinder with a used machine. The Commission will take the budget under advisement.

Bob Cheney, Director of Noxious Weeds, presented the proposed budget for the Noxious Weed Department. The proposed budget contains a capital outlay request of \$1,000 to purchase a new radio for the office. The total budget request is for \$159,197 compared to the 2010 actual budget of \$146,092. The Commission will take the budget under advisement.

Bob Myers, Newton City Attorney, presented an interlocal agreement between the City of

Newton and Harvey County for the formation of the Kansas Logistic Park Development Authority, Inc., a community based, non-profit economic development corporation, to function as provided in the agreement. The authority shall be governed by a Board of Directors consisting of professionals or administrative-level employees from the City and County plus one member of the public at large. The agreement has been studied and approved by Counselor Greg Nye. Commissioner Westfall made a motion to approve **Resolution No. 2011-14** to enter into an interlocal agreement with the City of Newton to form the Kansas Logistic Park Development Authority, Inc., with the County Administrator and Commission Chairman as the County appointed members of the Authority and the Vice-Chair as alternate. Commissioner Roberson seconded the motion and it was passed unanimously. Commissioner Roberson made a motion to accept and sign the interlocal agreement governing the Kansas Logistics Park Development Authority. Commissioner Westfall seconded the motion and it was passed unanimously.

The meeting was adjourned at 2:50 p.m.

THE BOARD OF HARVEY COUNTY COMMISSIONERS

Ron Krehbiel, Chairman

ATTEST:

Marge Roberson, Member

Joyce Truskett, County Clerk

George A. "Chip" Westfall, Member