

MINUTES OF
BOARD OF HARVEY COUNTY COMMISSIONERS

November 21, 2011

The Board of Harvey County Commissioners met in regular session on November 21, 2011 with all three commissioners present. Chairman Krehbiel called the meeting to order at 9:00 a.m.

ITEMS ADDED TO THE AGENDA:

1. Commissioner Westfall reported on some of the meetings he attended at the KAC Conference last week. He also reported on a REAP meeting he attended.
2. Commissioner Westfall reported that there is a website to study fracking. The website is fracfocus.org.

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

CALENDAR ITEMS:

1. A reception to honor the retirement of Jim Sauerwein, Sheriff's Investigator, will be held today at 3:00 p.m. in the Community Room.
2. Commissioners Krehbiel and spouse and Westfall and spouse will attend the annual Extension Council dinner to be held on November 22, 2011.
3. All three commissioners and their spouses will attend the annual Farm Bureau dinner to be held at the Water's Edge on December 1 at 6:30 p.m.

ADMINISTRATIVE ITEMS:

1. Sheriff T. Walton reported that there has been a significant increase in deer versus vehicle accidents in the past week. He also said that there will be several changes in the Sheriff's Office, with the retirement of both Jim Sauerwein and Vern Schmidt. In addition to the addition of new employees, there will be current employees changing positions.
2. Jim Meier, Road & Bridge Superintendent, reported that the Road & Bridge Department put a new deck on a bridge on NE 24th Street. This was an older plank bridge and the new deck is a corrugated tin layer with an asphalt cap.
3. Commissioner Westfall reported that there is a focus group that is scheduled to attend the Commission meeting on December 19 to request that NE 24th be paved from North Newton to US 50 Highway.
4. Counselor Greg Nye reported that Regier Title submitted a bid of \$75 per case to prepare Certificates of Title for the upcoming tax sale. It is estimated that there will be approximately 30 to 40 properties on the sale. Commissioner Roberson made a motion to accept the bid from Regier Title for the 2011 tax foreclosure sale. Commissioner Westfall seconded the motion and it was passed unanimously.
5. Commissioner Westfall made a motion to approve **Resolution 2011-27**, requesting a waiver from GAAP reporting in the preparation of the Harvey County Comprehensive Financial Statements and Reports in accordance with

- K.S.A. 75-1120(c)(1). Commissioner Roberson seconded the motion and it was passed unanimously.
6. Commissioner Roberson made a motion to pass **Resolution 2011-28**, to transfer funds from the road and bridge fund to the special highway improvement fund. Commissioner Westfall seconded the motion and it was passed unanimously.
 7. The Commissioners discussed the proposed holidays for 2012. The State has added Christmas Eve to their 2012 list of holidays and the Commissioners agreed to also make it a holiday for Harvey County employees.
 8. Commissioner Westfall made a motion to approve the recommendation of Janet Cagle, Director of Harvey/McPherson County Community Corrections, to re-appoint Chad Childs to the Harvey/McPherson Counties Community Corrections Advisory Board for the period of November 1, 2011 through October 31, 2014. Commissioner Roberson seconded the motion and it was passed unanimously.
 9. The Commissioners received a letter of recommendation from Prairie View to appoint Cheryl Bell, pastor of Trinity Heights United Methodist Church, as a replacement for Jim Anderson on the Harvey County Advisory Committee.
 10. The Commissioners received a note from Alvin Schmidt expressing concern that North Oliver from 96th north to the McPherson County Line is now being farmed and has become a dumping ground. The Road & Bridge Department has confirmed that the road is being farmed and has talked to the Highland Township Trustee. There are no plans at this time to do anything with the road.
 11. There will be changes for the OT Cab Company in order to comply with federal regulations. Since they receive public transportation funding, their services will now have to be open to anyone beginning with the contract period.
 12. The current program of road impact fees is now being reviewed in order to hopefully clarify and simplify the process. The amount of the fee is being studied in addition to the length of the plan and how the money may be used. It will then be presented to the townships at the annual township dinner.
 13. Administration is in the process of scheduling interviews for the position of Planning and Zoning Director. The interviews will either take place on December 2 or December 7.

CITIZEN'S FORUM:

There were no items presented during Citizen's Forum.

Warrant checks in the amount of \$94,897.07 and \$449,240.55, with the exception of document number 30171 for \$227.17 to be held until further discussion with the vendor by Anthony Swartzendruber, were approved upon a motion by Commissioner Westfall, seconded by Commissioner Roberson. Motion passed unanimously.

Bob Meyer, Newton City Attorney, presented the terms of the development agreement for New Millennium, a wind energy company planning to locate at the Kansas Logistics Park. Commissioner Westfall made a motion to approve the agreement with New Millennium Wind Energy, LLC. Commissioner Roberson seconded the motion and it was passed unanimously.

Commissioner Roberson made a motion for Harvey County, the City of Newton, and the Kansas

Logistics Park Development Council to proceed with the performance of the development agreement with New Millennium, LLC. Commissioner Westfall seconded the motion and it was passed unanimously.

Commissioner Roberson made a motion to approve **Resolution 2011-29**, determining the necessity of appropriating certain private property for use by the Board of County Commissioners, and authorizing a survey and description of the property to be prepared and filed with the County Clerk. The resolution will enable the further development of a rail line and roads for the development of the KLP. Commissioner Westfall seconded the motion and it was passed unanimously.

Suzanne Loomis, Engineer for the City of Newton, presented a supplemental agreement to remove and re-construct Runway 17-35 at the Newton City/County Airport. The agreement is with HNTB, who is an authorized, certified contractor for the construction of airport runways. Commissioner Westfall made a motion to proceed with the agreement with HNTB. Commissioner Roberson seconded the motion and it was passed unanimously.

At 10:50 a.m. the Commission recessed for a short break.

At 10:59 a.m. Commissioner Roberson made a motion to go into executive session for a period of 21 minutes to discuss personnel issues and attorney/client privilege. Commissioner Westfall seconded the motion and it was passed unanimously. Also in attendance for the session were Anthony Swartzendruber, Joyce Truskett, and Counselor Greg Nye. Executive session ended at 11:20 a.m. with no action being taken.

The meeting was adjourned at 11:30 a.m.

THE BOARD OF HARVEY COUNTY COMMISSIONERS

Ron Krehbiel, Chairman

ATTEST:

Marge Roberson, Member

Joyce Truskett, County Clerk

George A. "Chip" Westfall, Member