

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

**April 9, 2012**

The Board of Harvey County Commissioners met in regular session on April 9, 2012 with all three Commissioners present. Chairman Roberson called the meeting to order at 10:30 a.m. following the REAP meeting.

**ITEMS ADDED TO AGENDA:**

1. Commissioner Westfall gave a report of different items discussed at the REAP meeting today. Items of discussion included the possibility of future water supplies from El Dorado Lake; the transportation budget and what is being spent in the REAP region; Sedgwick County voting to participate in the sustainability grant; the wrap-up session of the state legislature; State and federal redistricting; and using KDOT money for the school funding program.
2. Byron Warta shared that the legislators need to be aware of all the details in the tax bill that proposes that 97 million dollars, over a period of two years, be given to counties who decrease mill levies. There is some hidden language in the bill that could be an issue.
3. Commissioner Westfall talked to a representative from the office of Senator Jerry Moran about the federal funding for the reconstruction of the runway at the Newton City/County Airport. The original contract that was agreed upon and signed indicated that there would be federal funding for 95% of the project. Now the funding has been decreased to fund only 90% of the project. He will talk further by phone with the representative at a later date.
4. Commissioner Roberson had an interview with a reporter from the Kansas Health Institute. His focus was on 15 counties that have passed a resolution to encourage the Governor to re-evaluate his proposal to decrease funding for the developmentally disabled and shift their care to the KanCare Health System.

**CALENDAR ITEMS:**

1. Commissioner Roberson will attend a KCAMP meeting on April 19<sup>th</sup> and 20<sup>th</sup>, and again on May 23<sup>rd</sup> and 24<sup>th</sup>.
2. The annual Chamber of Commerce Steak Feed will be held on May 4<sup>th</sup> at 6:00 p.m.
3. Commissioner Roberson will be out of town April 25<sup>th</sup> -30<sup>th</sup>.

Minutes of the April 2, 2012 Commission meeting were approved upon a motion by Commissioner Krehbiel, seconded by Commissioner Westfall. Motion passed unanimously.

**ADMINISTRATIVE ITEMS:**

1. Anthony Swartzendruber presented a memo from the office of Judicial Administration listing the five proposed dates for the courts to be closed. All court

- functions scheduled for those dates will have to be rescheduled. It would also mean that some inmates will stay longer at the Detention Center.
2. The Commissioners received a copy of the county summary of expenditures that is required to be published quarterly. Chairman Roberson inquired about the balance of the Register of Deeds Technology Fund. There are limitations as to how the funds can be spent, but several items have been paid out of the fund including the salary of a half-time employee in the office, the LIDAR mapping, a tool for the GIS program, the inclusion of GIS maps on the website, and some data processing expenses.
  3. The County received an inquiry with regard to who owns the mineral rights beneath East Lake. The person inquiring will have to research this and then bring it back before the Commission who will then make a decision on whether to lease the mineral rights.
  4. IMMI, a newly located company in Burrton, is ready for the road work and new culvert to be installed as agreed upon through economic development incentives. Jim Meier, Road & Bridge Superintendent, has received the final plans for the work but he still has some questions regarding the length of the culvert and the exact placement.
  5. Clyde Young, Lakin Township Trustee, has requested a meeting with County officials, township board members, the Road & Bridge Superintendent, the Director of Planning and Zoning, and landowners adjacent to a site near SW 48<sup>th</sup> and South Essex Heights Road to discuss an issue regarding fill being removed from the river and placed temporarily on farm ground there.
  6. Anthony reported that Newton Police Chief Daily has approached the county about the possibility of co-renting a building to locate all stored emergency vehicles in one location. This would include the ERT vehicle, generator, SWAT van, Communications van, and other emergency equipment. The rent for the building is \$800 per month and it is proposed that each of the four departments, the Police Department, Sheriff's Department, Communications Department, and Emergency Management would each pay \$200 per month. Commissioner Westfall suggested that it might be more cost effective in the long run to build a storage facility, maybe a generic pole barn, or something similar, rather than paying rent.
  7. The Commissioners received a copy of the bylaws of the Public Building Commission and the resolution that formed it. The bylaws state that the commission shall hold an annual meeting on the first Tuesday of each January. A meeting will be scheduled soon to fulfill the annual meeting requirement. The terms of two of the members, Eugene Wendling and Byron Motter, will end on June 30<sup>th</sup> so they will either need to be reappointed or a new appointment made. The terms of the five-member board are three year terms with no term limitations. The appointment of the member from the County Commission is made at the beginning of every year when the Commission is reorganized. Commissioner Westfall suggested that the PBC annual meeting be held on the same day that the County Commission reorganizes. Anthony stated that by-laws would have to be changed to do that. The Commissioners unanimously agreed to ask Mr. Wendling

- and Mr. Motter if they would be willing to continue to serve as a member of the PBC Board.
8. Commissioner Roberson commended Ashley Bergner, reporter for the Newton Kansan, on how well she records the proceedings of the County Commission meetings and for always being considerate and fair in her reporting.
  9. Counselor Greg Nye reported that he has researched the issue of the possible annexation of the portion of the City of Sedgwick that lies in Sedgwick County. Annexation could be done by resolution by both Harvey and Sedgwick Counties or it could be done by a petition signed by 5% of all the electors in both Harvey County and Sedgwick County. The issue would then be brought to a vote of all the electors of both counties.
  10. Jim Meier, Road & Bridge Superintendent, reported that crews from the Road & Bridge Department are beginning to remove the bridge northwest of Hesston. Great care is being taken so that no asphalt removed from the bridge surface falls into the creek. They are also working on an erosion project over the Little Arkansas River on West 1<sup>st</sup> Street. The Commissioners will schedule a time to look at several sites where illegal dumping has taken place in the County.
  11. Sheriff T. Walton reported that the average daily population at the Detention Center during the month of March was 118. Although final reports are not yet available, the inmate revenue for month should be \$95,000 to \$105,000. The Sheriff's Department also served 952 civil process papers during the month which generated \$2,085 in revenue. Sheriff Walton also reported that he had received a complaint call from Carol Miller about Lakin Township dumping fill material removed from the river onto the Miller's farm land near SW 48<sup>th</sup> and South Essex Heights Road. She is concerned about environmental damage to the farm ground.

#### **CITIZEN'S FORUM:**

Byron Warta updated the Commission on some pertinent water issues. The legislature has passed a bill that will allow groundwater management districts to form an Iguka, which designates an area where all types of water issues are governed by a local board instead of by the state office. Prior to the passage of the bill, only the chief engineer had the authority set these up. There are currently two Igukas that exist in the state. He also reported that the multi-year flex accounts irrigation bill has been passed, however the Department of Water Resources is still working on the details. The MDS, which is the restriction on stream flow, has been taken off of the Little Arkansas River. There are now no restrictions on any river in the State of Kansas. He also reported that the USDA says that 73% of the top soil in the state has adequate moisture and 67% of the sub-soil has adequate moisture.

Byron also added that legal action was taken on a tenant at the airport for non-payment of hangar fees. The tenant has been removed and the building has been rented to another tenant. The airport continues to need additional hangar space for medium size jets. The airport businesses continue to thrive and grow.

Warrant checks in the amount of \$140,272.72 and hand-written checks in the amount of \$113,616.76 were approved upon a motion by Commissioner Westfall, seconded by Commissioner Krehbiel. Motion passed unanimously.

As a requirement of HB 2067, the Secure and Fair Elections Act, every voter show proof of ID when voting. Commissioner Krehbiel made a motion to designate the County Clerk's Office to provide assistance at no charge to any person applying for a birth certificate from the state registrar of vital statistics for the purpose of registering to vote. The County Clerk's Office shall transmit the necessary forms to the state registrar's office at no cost to the person applying for the birth certificate.

At 11:40 a.m. Commissioner Westfall made a motion to go into executive session for a period of 10 minutes to discuss personnel issues. Also in attendance for the session were Anthony Swartzendruber, Counselor Greg Nye, and Joyce Truskett. Commissioner Krehbiel seconded the motion and it was passed unanimously. Executive session ended at 10:50 a.m. with no action being taken.

The meeting was adjourned at 10:55 a.m.

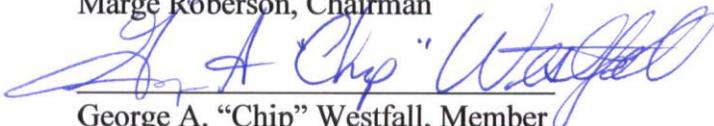
THE BOARD OF HARVEY COUNTY COMMISSIONERS



ATTEST:

  
Joyce Truskett, County Clerk

  
Marge Roberson, Chairman

  
George A. "Chip" Westfall, Member

  
Ron Krehbiel, Member