

MINUTES OF
BOARD OF HARVEY COUNTY COMMISSIONERS

December 3, 2012

The Board of Harvey County Commissioners met in regular session December 3, 2012 with all three commissioners present. Chairman Roberson called the meeting to order at 9:00 a.m.

ITEMS ADDED TO AGENDA:

1. Commissioner Krehbiel said that he read an article which indicated that KDOT has committed to spend several million dollars on roads in Western Kansas. He asked if this region had received any funds. John Waltner said that the only funding he knew about was through the T-Works program.
2. Commissioner Westfall was contacted by Jimmy Senn regarding farm ground leases for ground owned by Harvey County. Mr. Senn had previously sent a letter to the Commissioners inquiring about the leases. Commissioner Krehbiel said that Mr. Senn had been contacted once in response to the letter. John Waltner reported that we are in the process of reviewing all leases and systematizing them.
3. The Courthouse experienced a power outage for several hours last Tuesday. Commissioner Westfall reported that we still do not have a call down list. There were also questions asked about how and if we could actually use the generator that was donated to the county.
4. Commissioner Roberson reported on the legislative dinner with Farm Bureau that all the Commissioners attended last week. There is a lot of concern about what will happen in the legislature when the session convenes next year. She also asked questions about the generator and what it would take to actually be able to use it.

CALENDAR ITEMS:

1. Commissioner Roberson will attend a KCAMP meeting on December 12th and 13th.
2. All commissioners will attend the Planning and Zoning dinner to be held in Burrton on December 4th.

Minutes of the November 26th Commission meeting were approved upon a motion by Commissioner Krehbiel, seconded by Commissioner Westfall. Motion passed unanimously.

ADMINISTRATIVE ITEMS:

1. The ReNewton Bicycle Coalition attended the meeting to discuss bicycle signage for Harvey County roads. Jerry Smith and Dana Shiflett, representing hundreds of bicyclists that ride in Harvey County, presented the commission with information requesting that certain county roads need signage in approximately 50 locations. These signs would identify the road as being used by bicyclists and reinforce that motorists are required by law to stay at least three feet away from bicyclists. Jim Meier, Road & Bridge Superintendent, said that signs would cost approximately \$25.00 each and posts would cost approximately \$12.00 each. Signs could not be

- placed on existing sign posts because they are required to be at a certain level on the post. Commissioner Roberson suggested that the exact locations where the signage should be placed be identified on a map and then research whether there is any grant money that could be used to offset the costs of the signs. Commissioner Westfall stated that the 2013 budget has already been adopted so the earliest time the signage could be budgeted for is the year 2014. A list of attendees who attended the meeting to hear discussion on this item is attached.
2. Commissioner Westfall made a motion to appoint Dr. Doyle Detweiler, M.D. as the Harvey County Public Health Officer. Commissioner Krehbiel seconded the motion and it was passed unanimously. Judge Joe Dickinson performed the swearing in for Dr. Detweiler and Lynnette Redington, Director of the Health Department, presented him with the Public Health Officer badge.
 3. Elizabeth Schmidt, Director of the Harvey/Marion County CDDO, presented a recommendation for the appointment of Marge Roberson to the Harvey-Marion County CDDO Board of Directors. The term of office for this appointment is January 1, 2013 to January 1, 2016. There continues to be one other position on the board that is unfilled. This position would have to be filled by a Marion County resident. Commissioner Krehbiel made a motion to approve the appointment of Marge Roberson to the CDDO Board. Commissioner Westfall seconded the motion and it was passed unanimously.
 4. The REAP Legislative Policy Summit will be held at 11:00 a.m. on December 13 at the Drury Inn in Wichita. Anthony Swartzendruber reported that there is a meeting of the Task Force for the Sustainability Grant at 9:00 a.m. prior the 11:00 meeting.
 5. There will be a meeting of the Kansas Logistics Park Development Authority at the Meridian Center on December 19th from 10:00 to 11:30 a.m.
 6. There have been three task force meetings that included the KLPDA and interested persons from the private sector also. One of the issues that have come out of those meetings is a strong suggestion that the network of individuals that help with the legislative process be expanded. John Waltner, Randy Riggs, Suzanne Loomis, and Bob Myers, met with some attorneys in Kansas City in preparation for trying to obtain funding for some significant projects.
 7. The Commissioners received a copy of a letter from the Kansas Department of Transportation informing them that effective July 1, 2013 there will be \$5,000,000 available through the State Rail Service Improvement Fund for railroad rehabilitation, capacity improvement and construction projects. Application can be made through the SRSIF. Watco, who will be improving tracks for the KLP, will not be eligible for the funds.
 8. Jim Meier, Road & Bridge Superintendent, reported that the annual Township Dinner has tentatively been scheduled for February 4 at 6:30 p.m.
 9. Byron Warta reported that progress is being made with clearances and zoning for a new hangar at the Newton City/County Airport.

CITIZEN'S FORUM

There were no items presented during Citizen's Forum.

Warrant checks in the amount of \$74,241.76 were approved upon a motion by Commissioner Westfall, seconded by Commissioner Krehbiel. Motion passed unanimously.

Dick Sears, of Tall Grass Energy Partners, formerly known as Kinder Morgan, made a presentation regarding preliminary plans to extend the Pony Express Pipeline from Guernsey, Wyoming, through Nebraska, Colorado, and Kansas to Cushing, Oklahoma. The Commissioners received a map of the proposed route. The pipeline was originally built in the 1950's to carry oil. In 1996 KN Energy acquired the pipeline and converted it to natural gas. The proposal is to convert it back to an oil pipeline and extend the line 260 miles from Lincoln, Nebraska to Cushing, Oklahoma. The line will carry a capacity of 230 to 340 barrels of light, sweet crude per day. Many questions were answered regarding the pipeline, the type of crude, emergency plans, the removal of trees on privately owned property, easements, and depth of the pipeline. The pipeline will be buried at a depth of at least 36", with easements of 50 feet, 25 feet on either side of the line. The pipeline routing is determined by regulatory authorities that request that they follow utility corridors. The line is to be operational in August of 2014. Concern was expressed that the company may not be responsive to landowner concerns, especially after the pipeline is installed. One member of the audience pointed out that Tall Grass is a very highly leveraged company. There needs to be definite time frames on lease payments, damage payments, etc. Landowners stated that their property is devalued when a pipeline crosses it. Mr. Sears stated that the company's approach is to operate with respect to landowner's rights under the terms of the agreement. It is not yet known where the pipeline office will be located. Tall Grass representatives Dorothy Cowey, Manager of Right-Of-Way Acquisitions; Steve Jay, Construction Chief; and Cole Perryman, Public Relations Representative, also attended the meeting. Because of time constraints, Commissioner Roberson asked if the representatives could come back to a specially scheduled evening meeting to answer more questions from the public.

At 11:18 a.m. Commissioner Westfall made a motion to go into executive session for a period of 12 minutes to discuss attorney-client privilege and economic development. Commissioner Krehbiel seconded the motion and it was passed unanimously. John Waltner, Anthony Swartzendruber, Counselor Greg Nye, Craig Clough, and Joyce Truskett were also in attendance for the session. Craig Clough left the session before the discussion of economic development. Executive session ended at 11:30 a.m. with no action being taken.

The meeting was recessed at 11:30 a.m. for the Commissioners to attend the annual employee Christmas luncheon.

The meeting reconvened at 1:30 p.m. Anthony Swartzendruber explained that Schowalter Villa and Kidron Bethel have recently merged. They have requested that Harvey County be the conduit entity for refinancing the debt of both entities. He presented **Resolution No. 2012-23**, determining the advisability of issuing revenue bonds to provide funds to finance, refinance, reimburse and refund the costs of facilities for Mennonite Board of Missions and Charities of Kansas, Inc. Commissioner Krehbiel made a motion to approve the resolution. Commissioner Westfall seconded the motion and it was passed unanimously.

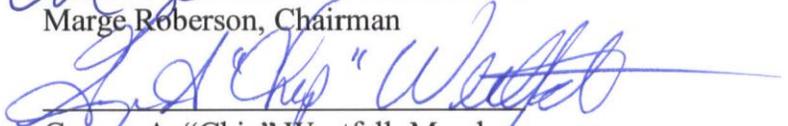
Commissioner Krehbiel made a motion to approve **Resolution No. 2012-24**, determining the advisability of issuing revenue bonds to provide funds to finance, refinance, reimburse and refund

the costs of facilities for Kidron Bethel Retirement Services, Inc. Commissioner Westfall seconded the motion and it was passed unanimously.

The meeting was adjourned at 1:45 p.m.

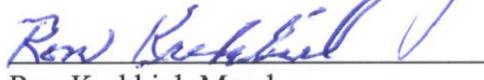
THE BOARD OF HARVEY COUNTY COMMISSIONERS


Marge Roberson, Chairman


George A. "Chip" Westfall, Member

ATTEST:


Joyce Truskett, County Clerk


Ron Krehbiel, Member



Meeting Date: 12-3-12
Meeting Time: 9:00 a.m.

BICYCLE SIGNAGE

Harvey County Commission Public Forum Sign-up

please print name clearly

- | | | | |
|----|---|----|-------|
| 1 | <u>Jerry S. Smith</u> | 26 | _____ |
| 2 | <u>Shirley Smith</u> | 27 | _____ |
| 3 | <u>DANA SHIFFLETT</u> | 28 | _____ |
| 4 | <u>Jim Meier</u> | 29 | _____ |
| 5 | <u>McBride</u> | 30 | _____ |
| 6 | <u>Steve Jay PXP</u> | 31 | _____ |
| 7 | <u>Dorothy Cowey PXP</u> | 32 | _____ |
| 8 | <u>Sue Lee</u> | 33 | _____ |
| 9 | <u>Curto Stibbs</u> | 34 | _____ |
| 10 | <u>Mylin Nader</u> | 35 | _____ |
| 11 | <u>Pat Kelly</u> | 36 | _____ |
| 12 | <u>Mike McBride - Journal Broadcast Group</u> | 37 | _____ |
| 13 | <u>Cole Perryman PXP</u> | 38 | _____ |
| 14 | <u>Dan Brazell</u> | 39 | _____ |
| 15 | <u>Cynthia Brazell</u> | 40 | _____ |
| 16 | <u>Elizabeth Schmitt</u> | 41 | _____ |
| 17 | <u>Cleveland M Barney</u> | 42 | _____ |
| 18 | <u>Dick Sears - PXP</u> | 43 | _____ |
| 19 | <u>Carol Sue Stayrook Hobbs</u> | 44 | _____ |
| 20 | _____ | 45 | _____ |
| 21 | _____ | 46 | _____ |
| 22 | _____ | 47 | _____ |
| 23 | _____ | 48 | _____ |
| 24 | _____ | 49 | _____ |
| 25 | _____ | 50 | _____ |

Meeting Date: 12-3-12
Meeting Time: 9:00 am

PIPELINE

Harvey County Commission Public Forum Sign-up

please print name clearly

- | | | | |
|----|-----------------------------------|----|-------------------------|
| 1 | <u>Greg Simpkins</u> | 26 | <u>William R. Fryer</u> |
| 2 | <u>Nan Brazell</u> | 27 | |
| 3 | <u>Cleland McBurney - Kingman</u> | 28 | |
| 4 | <u>Stephanie Senn</u> | 29 | |
| 5 | <u>Tucky Allen</u> | 30 | |
| 6 | <u>Billi Wilson</u> | 31 | |
| 7 | <u>John A. Senn</u> | 32 | |
| 8 | <u>Mark Andres</u> | 33 | |
| 9 | <u>Steve Jay PXP</u> | 34 | |
| 10 | <u>Dorothy Cowey PXP</u> | 35 | |
| 11 | <u>Gynthia Brazell</u> | 36 | |
| 12 | <u>Ernest and</u> | 37 | |
| 13 | <u>Verathy Thiessen</u> | 38 | |
| 14 | <u>Arden Sauter</u> | 39 | |
| 15 | <u>Paul K. Paul</u> | 40 | |
| 16 | <u>Paul</u> | 41 | |
| 17 | <u>Melvin Andrew</u> | 42 | |
| 18 | <u>Paul Kell</u> | 43 | |
| 19 | <u>Maurice Meriansky</u> | 44 | |
| 20 | <u>D. Smith</u> | 45 | |
| 21 | <u>S. W. PXP</u> | 46 | |
| 22 | <u>Henry Bernhardt</u> | 47 | |
| 23 | <u>MEP</u> | 48 | |
| 24 | <u>SUZANNE LOOMIS</u> | 49 | |
| 25 | <u>David W. Lawrence</u> | 50 | |