

MINUTES OF
BOARD OF HARVEY COUNTY COMMISSIONERS

December 31, 2012

The Board of Harvey County Commissioners met in regular session on December 31, 2012 with Commissioners Westfall and Krehbiel present. Commissioner Roberson was absent. Vice-Chairman Westfall called the meeting to order at 9:00 a.m.

ITEMS ADDED TO AGENDA:

1. Commissioner Krehbiel reported that Judge Anderson from McPherson County is retiring due to health reasons. Commissioner Krehbiel is a member of the nominating committee to fill the position. Commissioner Westfall asked if Judge Hilgers, a magistrate judge, were to be nominated, would he have to re-apply to be a district judge. John will research this and report back at the next Commission meeting. The Commission will also write a letter to thank Judge Anderson for his service.
2. Commissioner Krehbiel reported that he read an article that stated that if the federal government does not renew tax credits for wind energy, it will take approximately six years for the cost of wind energy to be low enough to be competitive with natural gas. He also heard that big oil companies that moved into Southwest and South Central Kansas for horizontal drilling have now left those areas because of the lack of production.
3. Commissioner Krehbiel reported that there is an article in the NACO County News about 16 counties in northeast North Dakota that have received a federal license to use a small helicopter drone in law enforcement. The remote-controlled drone weighs 2 pounds and is outfitted with a camera. The unit is called a Draganflyer X6 and can be carried in the back of a squad car. Commissioner Westfall said that Kansas State University is testing these units, but they are not yet authorized for use in this area.
4. Commissioner Westfall received a complaint about lighting problems on the drilling site north of Highway 196. He contacted the Sheriff's Office who was able to make sure the lights were adjusted.
5. Commissioner Westfall reported that Lonnie Buller, Director of Emergency Management, has been appointed to the Kansas Association of Counties Board of Directors as the representative for Emergency Management.

CALENDAR ITEMS:

1. The Public Building Commission will meet on Tuesday, January 8 at the China Inn Restaurant at 12:00 p.m. New officers will be elected.
2. The annual Boy Scout Jamboree will be held at West Park beginning on January 18th. Four thousand boy scouts and leaders are expected to attend.
3. County elected officials will be sworn in at the January 14th commission meeting. Commissioner Westfall will assume the duties of Chairman of the Commission at that time.

Minutes of the December 10th Commission meeting were corrected and approved upon a motion by Commissioner Krehbiel, seconded by Commissioner Westfall. Motion passed unanimously.

ADMINISTRATIVE ITEMS:

1. Jan Jones, Executive Director of the office for Domestic Violence and Sexual Assault, invited the Commissioners to a town hall meeting on domestic & sexual violence in Harvey County. The meeting will be held in the Newton City Commission Chambers on January 8 from noon to 1:30. Presenters will be State Representatives Marc Rhoades and Don Schroder, possibly Senator Carolyn McGinn, and the Domestic Violence Response Team. Jan reported that the DVRT is funded by a federal grant that was recently renewed for another year. They also received a new grant that will fund an additional staff member to work with victims of domestic violence.
2. A farewell reception for outgoing Commissioner Marge Roberson will be held in the Courthouse Community Room on January 11th from 3:00 to 4:30 p.m.
3. The Commissioners received pictures that were taken at the CAST fishing event held last summer at East Lake.
4. The Commissioners received an invitation from the Caring Hands Humane Society to attend the 2013 Harvey County Area Summit on Animal Health and Well-being. The summit will be held at the Meridian Center at 1:00 p.m. on Wednesday, January 23rd.
5. The Commissioners received an invitation from Clean Line Energy to attend a meeting on Tuesday, January 15 in Great Bend regarding the Grain Belt Express Clean Line project, an approximately 700-mile overhead high voltage direct current transmission line. The original route for the line would have involved Harvey County; however, the route will now be north of Harvey County.
6. The Commissioners received a copy of the KCAMP insurance renewal. The County is participating in a risk reduction management program in an attempt to keep the rates as low as possible. The 2012 premium was \$148,113 and the 2013 premium is \$147,006 which represents a decrease of .75%.
7. Anthony Swartzendruber reported on the sales tax distribution report for the month of December. Sales tax collections for the County are .1% higher than they were at this same time last year. The amount collected is approximately \$57,000 more than what was budgeted. The sales tax for the County, as a whole, increased by 1.54% from 2011 to 2012.
8. The Commissioners received a smaller bound edition of the 2013 adopted budget.
9. The Commissioners received copies of the renewals for REAP and KAC dues. The payments for these renewals will be included in the warrant check run next week.
10. Anthony explained that the payment to the Kansas Department of Health & Environment in this week's check run is reimbursement for overpayment to the WIC Program.
11. Anthony presented an RFP to replace the county's phone and voice mail system. The request is for a Toshiba system, which would allow for the gradual replacement of the actual phones over a period of five years rather than replacing them all at one

time, which would be very expensive. The RFP is for approximately \$30,000, which would include systems for Road & Bridge, the Transfer Station, and Parks. The proposals will be reviewed on January 22nd. Commissioner Westfall suggested that the proposal include checking all the lines and phones. Commissioner-Elect, Randy Hague, suggested that the RFP be written to request both bids with or without phone replacement. In addition to local dealers, the RFP will be sent to Inside Connection and Great Plains Communications, who are Toshiba dealers. Commissioner Krehbiel made a motion to approve the RFP with the added options suggested. Commissioner Westfall seconded the motion and it was passed unanimously.

12. Beginning Jan 1, 2013 Reno County Landfill will increase their tipping fees by \$2.00 per category for municipal solid waste. Therefore, Harvey County will increase their tipping fees accordingly. Commissioner Krehbiel made a motion to adopt **Resolution No. 2012-29**, changing the rates at the Harvey County Transfer Station and Construction and Demolition Landfill effective January 1, 2013. Commissioner Westfall seconded the motion and it was passed unanimously.
13. Counselor Greg Nye presented a renewal of the lease to ResCare Kansas, Inc. for property located at 700 E. 14th Street in Newton. There are three changes in the lease which have been initialed by Rescare. There were two notations of 15 days that were changed to 30 days for the lessor to respond to written notice of lessor failure to perform lessor obligations. The third change notes that the lessee shall be responsible for replacement of air conditioning units, compressors, and furnaces, if needed. Commissioner Krehbiel made a motion to approve the renewal of the lease to ResCare Kansas, Inc. with the changes noted and authorize the Vice-Chair to sign and initial the changes. The lease shall be effective for a period of one year with the option to renew the lease for four additional years. The building leases for \$21,000 or 1,750 per month. Commissioner Westfall seconded the motion and it was passed unanimously.
14. Lonnie Buller, reported that they have been unable to locate the original signed lease agreement between WWCP Investments, the City of Newton, and Harvey County. There has been a delay in the lessees taking possession of the building while the lessor was making modifications to the building. An addendum to the lease was presented which includes the following:
 - 1) The lease shall commence January 1, 2013.
 - 2) Suite B at 311 S. Meridian now contains 4,252 square feet rather than 3,712 square feet.
 - 3) The monthly rent fee is now \$935. The lessees will pay an additional \$121.84 per month to offset property tax. The City of Newton will pay \$528.42 and Harvey County will pay \$528.42.
 - 4) All remain terms of the lease are ratified and confirmed except as amended. Harvey County's portion of the lease payments will be split between the Sheriff's Office, Communications, and Emergency Management. Commissioner-Elect Randy Hague requested that outside storage be described and included in the addendum. Commissioner Westfall requested that the addendum also include that we be notified of who the lessee is for the other half of the building. Commissioner Krehbiel made

- a motion to approve the addendum with the added changes included and authorize the Vice-Chair to sign the lease. Commissioner Westfall seconded the motion and it was passed unanimously.
15. Anthony reviewed and explained the Harvey County Compensation and Classification Policy. Discussion was held about how a position can be reviewed for a change in compensation. The policy includes a provision for a review board which can include a committee of three other employees. Commissioner Krehbiel made a motion to approve the Compensation and Classification policy. Commissioner Westfall seconded the motion and it was passed unanimously.
 16. Sheriff Walton reported that they have had several officers that have been sick with the flu. He also reported that they received a report about an abandoned vehicle. It was determined that the vehicle was stolen, used as a meth lab, and possibly used during a robbery in Wichita. Officers also had to work a standoff/suicide just before Christmas.

CITIZEN'S FORUM

No items were presented during Citizen's Forum.

Warrant checks in the amount of \$212,897.94 for the week of December 20th, \$45,501.80 for the week of December 27th, and hand-written checks in the amount of \$8,775.70 were approved upon a motion by Commissioner Krehbiel, seconded by Commissioner Westfall. Motion passed unanimously.

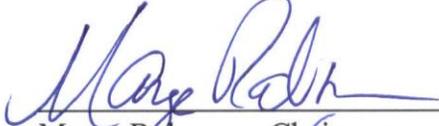
Craig Clough, County Appraiser, and Counselor Greg Nye presented information about a clerical error that was made resulting in understated taxes for Newton Medical Management. The error occurred in 2010 where the Medical center was to pay 60% of taxes, but they were only billed for 40%. In 2011 they were to pay 70%, but they were only billed for 30%. By statute, the Commissioners must correct this error which resulted in a \$77,000 underpayment including the amount that was also understated on the 2012 taxes. Although the additional taxes have been paid, the Medical Center paid them under protest. Commissioner Krehbiel, upon the request of Craig Clough, made a motion to approve **Resolution No. 2012-28**, a resolution and order to correct clerical errors which resulted in understated taxes. Commissioner Westfall seconded the motion and it was passed unanimously. Dave Stuckey from Newton Medical Center attended the meeting to hear this agenda item.

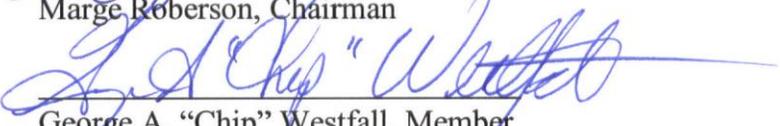
At 10:55 a.m. Commissioner Krehbiel made a motion to go into executive session for a period of 20 minutes to discuss economic development. Commissioner Westfall seconded the motion and it was passed unanimously. Also in attendance for the session were John Waltner, Anthony Swartzendruber, Commissioner-elect Randy Hague, Craig Clough, Counselor Greg Nye, and Joyce Truskett. Craig Clough left the session at 11:03 a.m. Executive session ended at 11:15 a.m. with no action being taken.

The Commissioners reviewed a prototype of a county map to be placed on the south wall of the Commission Room.

The meeting was adjourned at 11:20 a.m.

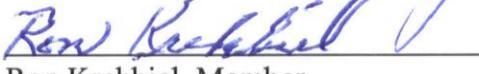
THE BOARD OF HARVEY COUNTY COMMISSIONERS


Marge Roberson, Chairman


George A. "Chip" Westfall, Member

ATTEST:


Joyce Truskett, County Clerk


Ron Krehbiel, Member

