

MINUTES OF
BOARD OF HARVEY COUNTY COMMISSIONERS

January 3, 2012

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

ITEMS ADDED TO AGENDA:

1. In response to an inquiry by Commissioner Westfall, John Waltner reported that data has been compiled regarding the township use of funds from road impact fees and a report will be given at the annual township dinner to be held on February 13, 2012.

CALENDAR ITEMS:

1. There will be an Airport Advisory meeting held on January 23 at 4:00 p.m.

Minutes of the December 13, 2011 Joint City/County meeting, December 19, 2011 Commission meeting, December 19, 2011 Eagle Drainage District meeting, and the December 23, 2011 Election Canvass meeting were approved upon a motion by Commissioner Roberson, seconded by Commissioner Westfall. Motion passed unanimously.

ADMINISTRATIVE ITEMS:

1. Byron Warta asked about whether the County was still planning to use the two parcels of land purchased across the street south from the Courthouse to add additional parking. One of the buildings on one of the parcels was removed and the other building is being used by the Sheriff's Office. There are no immediate plans to increase parking.
2. Sheriff T. Walton reported that there are 108 inmates currently being housed in the Detention Center. He also reported that the mother and sister of one of the jailers at the Detention Center were badly injured in an accident on the Interstate yesterday. He also said that there are physician contracts that need to be reviewed and a decision made as to who will provide physician services for the Detention Center. Sheriff Walton will provide copies of the contracts to be reviewed.
3. Jim Meier, Road & Bridge Superintendent, reported that we recently paid \$38,000 to replace a transmission and clutch in a 2005 Volvo road grader. Although he was not asked to, Dave Griffin, a salesman from Van Keppel, was able to obtain a credit in the amount of \$6,714. Although the equipment was no longer in warranty, Mr. Griffin felt the transmission should not have failed. Jim also reported that a new sign post driver has been received, so the department will begin installing new signage. Chairman Krehbiel expressed appreciation for the Road & Bridge Department repairing the Chipper/Grinder. It makes the disposal of cleared brush much more efficient. Some of the mulch is being used at the Parks. Commissioner Westfall inquired why the bridge on SW 96th was closed. Jim stated that there are a number of rotted and at least one missing piling. The bridge is not scheduled to be replaced.

4. Anthony Swartzendruber provided the end of year sales tax reports for the County. The reports indicate an increase of \$194,801 in tax collected in 2011 as compared to 2010. He reported that the closing of the end of the year is in process and that those reports will be completed by the middle of February. He also stated that the KCAMP premiums have increased about 1.47% from 2010.
5. The Commissioners received a thank-you note from the family of Elysa Lovelady, former Harvey County Appraiser who recently passed away.
6. John Waltner presented a form from KCAMP that annually requires the signatures of all officers of the County to fulfill requirements for a surety bond. The Commissioners signed the form.
7. KDHE has notified the County that the Environmental Protection Program of the State Water Plan will most likely not be funded this year. However the State is requesting that the program be continued and funded at the county level.
8. The Commissioners received a report on the breast feeding program at the Health Department. Jackie Fisher administers the program.
9. The Commissioners received a copy of a report from Norm Bowers of the KAC that gives some guidance on signage for mud roads. There was a citizen complaint on this issue at the Commission meeting a couple of weeks ago.
10. The Commissioners received a letter from the Clerk of the Kansas Supreme Court regarding the appointments of non-lawyer members to the Ninth District Judicial Nominating Commission. Chairman Krehbiel and George Rogers currently serve on that committee and their terms expire in March of this year. Both are eligible for reappointment. Chairman Krehbiel stated that he is willing to accept reappointment. John will contact George Rogers.
11. Commissioner Westfall made a motion to amend the contract between Harvey County and Habitat for Humanity for the Neighborhood Stabilization Program affiliation agreement, NSP Grant No. 09-008, the civil rights compliance clause. Commissioner Roberson seconded the motion and it was passed unanimously.
12. Harvey County was a pilot county and continues to participate in the NACO Prescription Drug Program. This is a very successful program that saves county residents an average of \$3,700 per month. NACO is making a slight change to the program that is optional for counties who are already participating. If counties so choose, they can charge \$1.00 per prescription and half of the revenue would go to NACO and half would stay with the county. The estimated revenue for the County would be approximately \$50 per month. The Commissioners opted to continue participation in the drug program, but not to charge the extra \$1.00 per prescription.
13. A department head training program will begin later this month. Racquel Thiesen, who works with Kansas Leadership Center, will do some of the training.
14. Willis Heck, who has been appointed to a special tax review committee, has scheduled a taxation meeting on January 6th at Prairie Harvest at 11:00 a.m. The meeting will focus on school finance. Gary Jantz, Interim Superintendent of USD #373, will talk about the proposed school finance program.
15. The Commissioners received information on the extra pay that County Treasurers receive for administering the auto registration program.

16. Commissioner Roberson made a motion to approve **Resolution No. 2012-1**, designating the Newton Kansan as the official county newspaper of Harvey County. Commissioner Westfall seconded the motion and it was passed unanimously.
17. Commissioner Westfall made a motion to approve **Resolution No. 2012-2**, designating the First Bank of Newton as the official depository for the public funds of Harvey County. Commissioner Roberson seconded the motion and it was passed unanimously.

CITIZEN'S FORUM:

There were no citizens present for Citizen's Forum.

Warrant checks in the amount of \$43,211.30 for the week of 12/ 22/11, \$68,748.01 for the week of 12/29/11, and \$12,738.68 for handwritten checks on 12/28/11 were approved upon a motion by Commissioner Roberson, seconded by Commissioner Westfall. Motion passed unanimously.

Todd Hanchett, Undersheriff, explained to the Commission that there are currently no regulations in place that would allow someone to be charged with the removal of serial numbers from any article with the intent to conceal the identity of the article from the rightful owner. The Kansas League of Municipalities Uniform Public Offense Code, section 6.12, lists this offense as a Class C violation. Counselor Greg Nye said that this could be something passed by resolution, however, it would make it a County only crime. He is not aware of any similar resolutions that have been passed by other counties. The Commissioners agreed that this would be a helpful resolution for the County to have on the books. It was also suggested to contact the State Legislators to see if it would be possible to implement this type of a resolution on the state level.

At 10:30 a.m. Chairman Krehbiel opened the public hearing on the proposed 2012 park regulations. In attendance for the hearing were Kevin Stubbs, Dean Heckendorn, and Mike Smurr. With regard to Section 11, on the regulation of domestic animals in the Parks, Mr. Stubbs questioned how the county was going to enforce proof of an animal's current rabies vaccine. Most people do not carry the certificate of vaccination and dog tags can be easily switched. Kass Miller, Park Ranger, stated that the purpose of the regulation is to allow rangers to remove the animal from the park if necessary. Mr. Stubbs also questioned what is defined as an aggressive animal. Commissioner Westfall stated that the County has a resolution that clearly defines an aggressive or nuisance animals. Mike Smurr also attended the hearing because of concern about the animal ordinances. He also asked about the possibility of extra charges. This is to eliminate the possibility of people trying to camp without paying. The public hearing was closed at 10:45 a.m. Commissioner Westfall made a motion to adopt **Resolution No 2012-3**, adopting Park regulations applicable to County Parks located within Harvey County. Commissioner Roberson seconded the motion and it was passed unanimously.

Sheriff T. Walton presented proposed fingerprinting fees for the Sheriff's Office. At the current time, Harvey County does not charge for this service, but many of the surrounding counties do. Therefore, people are coming in from other counties to have fingerprinting done for job requirements or special firearm clearances. Commissioner Roberson made a motion to accept the recommendation of the Sheriff's Department to begin charging as of January 1, 2012 fingerprinting fees of \$15.00 for print cards, up to three cards, and \$10.00 for additional cards.

Fees of \$32.50 will continue to be charged for Conceal and Carry. Commissioner Westfall seconded the motion and it was passed unanimously.

Jim Meier, Road and Bridge supervisor, reported on the annual bridge inspection. He introduced Paul Ferguson, Engineer from Poe and Associates that performed the bridge inspections and report. He stated that KDOT unveiled some new inspection criteria. There are five criteria that determine whether a bridge has to be inspected annually. Of approximately 289 bridges in Harvey County, 28 fall into this criteria. If it meets one of the criteria, it has to be inspected every year instead of the normal 2 year inspection. He provided a list of bridges that he inspected. There are two bridges that are closed; B-20.4- on SW 96th Street, critical pilings are severely rotted and R-13.5-between N Essex Heights and North Mission on NW 96th Street, severely rotted timber pilings. R-13.5 on SW 96th was built in 1965, has been closed since 2006, is 107 ft long and the estimated replacement cost is \$560,000. B-20.4 on NW 96th was built in 1960, closed in 2011, is 158 ft long and the estimated replacement cost is \$490,000. They are both well barricaded. Jim Meier asked the commission what the future plans for these two bridges should be. There was a discussion as to whether they should be removed completely, left the way they are, repaired or replaced. Jim Meier suggested that they be removed and taken off the county inventory. The commission agreed that a removal plan should be prepared for future approval. Paul also presented a maintenance list of items to be monitored or repaired for most of the other bridges on the list.

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

The meeting was adjourned at 11:50 a.m.

THE BOARD OF HARVEY COUNTY COMMISSIONERS

Ron Krehbiel, Chairman

ATTEST:

Marge Roberson, Member

Joyce Truskett, County Clerk

George A. "Chip" Westfall, Member