

MINUTES OF
BOARD OF HARVEY COUNTY COMMISSIONERS

July 30, 2012

The Board of Harvey County Commissioners met in regular session on July 30, 2012 with all three Commissioners present. Commissioner Roberson called the meeting to order at 9:00 a.m.

ITEMS ADDED TO AGENDA:

1. Commissioner Westfall was contacted by someone who will be participating in the Harvey County Fair about the possibility of removing the metal siding from the livestock building at the Fairgrounds to try to increase the ventilation and make the building cooler. The Fair Board has been contacted about this and is not in favor of doing this. The Harvey County Fair will begin Friday, August 3. The parade will be August 4th at 6:00 p.m.
2. Commissioner Krehbiel was asked by a citizen about the possibility of scheduling some of the Commission meetings in the evening, rather than during working hours. Commissioner Westfall said that Butler County holds Commission meetings at different locations around the County. Commissioner Roberson expressed concern about the cost associated with making that type of change because of the number of staff involved in the meetings.
3. Commissioner Roberson reported that the candidate forum at the Republican Ice Cream Social was held last Thursday evening and was very well attended.
4. Commissioner Roberson attended the KCAMP retreat and board meeting last week. The board members have all received a laptop computer to keep track of the KCAMP business and make notes of the meetings. The Board elected not to be able to send and receive e-mail on them.
5. Commissioner Westfall reported that both Channel 10 and Channel 12 did a news story on the Harvey County Driver's License Office and the possible increase in fees for Sedgwick County residents.

CALENDAR ITEMS:

1. There will be a Candidates Forum for County Commission candidates on Thursday, August 2 at 7:00 p.m. at the Newton Public Library.
2. The canvass of the primary election will be held either Monday, August 13 or Thursday, August 16.
3. Commissioner Roberson will attend a KCAMP meeting on August 23 and 24.

Minutes of the July 23rd Commission meeting were corrected and approved upon a motion by Commissioner Westfall, seconded by Commissioner Krehbiel. Motion passed unanimously.

ADMINISTRATIVE ITEMS:

1. Craig Clough, Appraiser, presented the annual contract with McCully and Associates for specialized appraisal services. They are consultants for the ORION Appraisal system, construction table maintenance, construction indexes, reports, commercial valuations, etc. McCully & Associates work with several counties in this region, which is an advantage. The proposed contract price is \$26,900. Commissioner Krehbiel made a motion to approve the contract with McCully and Associates. Commissioner Westfall seconded the motion and it was passed unanimously. Craig reported that the January through June sales for 2012 indicate an increase in sales for both new residential construction and existing residence sales. He reported that the market is stable. Discussion was held regarding the tax appeal for AGCO. Craig estimates that it could be March of 2013 before the issue is settled.
2. Commissioner Westfall made a motion to approve a lease agreement jointly between Harvey County and the City of Newton with WWCP Investments LLC to lease a storage facility on South Meridian to store emergency vehicles. The Harvey County monthly lease fee, which includes an amount for real estate tax, is \$460.00. Commissioner Westfall made a motion to approve the lease and authorize the chairman to sign. Commissioner Krehbiel seconded the motion and it was passed unanimously.
3. The second reading for an appointment to the Harvey County Parks Advisory Board was heard. Commissioner Krehbiel made a motion to approve the appointment of Terry Gowin to the Harvey County Parks Advisory Board. Commissioner Westfall seconded the motion and it was passed unanimously.
4. John Waltner presented a proposed contract from Lindburg, Vogel, Pierce, and Faris to perform auditing services for Harvey County. The firm has provided auditing services for the county for the past three years and the contract proposal is for auditing services for 2012 in the amount of \$32,500 and 2013 in the amount of \$34,000, with additional charges for a single audit if necessary. Commissioner Westfall made a motion to renew the contract with Lindburg, Vogel, Pierce, and Faris for auditing services for 2012 and 2013. Commissioner Krehbiel seconded the motion and it was passed unanimously.
5. John reported that the meeting with Westar Energy and representatives of the ICM Company, John Orr, Burt Bennett, and Trevor Hinz went very well. This was a preliminary meeting to discuss the waste-to-energy system being designed and tested by ICM.
6. John and Jim Meier, Road and Bridge Superintendent, met with John Carder, Hesston City Manager, about the improvement of Lincoln through the City of Hesston east to west. In the past, the county participates in the construction and repair of those county roads that pass through municipalities. The road design work has now been completed and the Hesston City Council will meet on August 13 to discuss it. It is believed that there is a state statute that governs that the county shares the cost with city municipalities, depending on the class of the city.

7. Sheriff T Walton reported that the Sheriff's Department exceeded their "Click It or Ticket" campaign so they received some money from the State to purchase some additional equipment. The Sheriff's Department will be the first law enforcement agency in the state that will use thermal imaging cameras. The cameras were obtained through a JAG Grant.
8. Jim Meier reported that the new Bomag that was obtained through a lease/purchase agreement will arrive later this week. He also reported that milling will begin on the butt joints on the side roads of Meridian on August 9th. Paving will begin on August 10. He also added that there are drainage issues that have contributed to the problems on Dutch Avenue in Hesston.
9. Byron Warta reported that the entire state is under drought warning. The USDA has confirmed drought disaster aid for 91 counties in Kansas. There are a total of 1,061 counties in 26 states that are eligible for drought assistance. The cities of Hays and Russell have asked residents to restrict water usage. Goessel also continues to have problems with their water system. Commissioner Krehbiel asked if there have been any restrictions placed on water usage for well fracking. Mr. Warta replied that there have been none.
10. Counselor Greg Nye said the oil and gas lease has been reviewed and suggestions for changes have been made.
11. Anthony Swartzendruber presented the summary of expenditures and balances for the quarter ending June 30, 2012. A report of sales tax collections by month for the last three years was also presented. Collections were up by 8.77% over the previous year. The Notice of Budget Hearing, which will be held on August 6th, was published in the Newton Kansan. He also reported that the Emergency Shelter Grant request that was submitted last week by Jan Jones has been changed slightly. Although the total amount of the grant remains unchanged, some of the money was shifted to different categories of the grant.

CITIZEN'S FORUM:

Rod Nicholson came before the Commission to report that he voted in advance last week and, due to an error by a poll worker, was given a ballot from the wrong precinct. He questioned the poll worker about whether it was the correct ballot and he was assured that it was the right ballot. He went ahead and voted and then contacted the County Election Officer who then verified that he was given the wrong ballot. The ballot was retrieved, marked as spoiled, and he was then issued a correct ballot. Because he believes there could be other errors, Mr. Nicholson recommended that all ballots that have been voted up to this point, be voided and all voters be contacted and asked to re-vote. Joyce Truskett, Election Officer, said that there have been 131 advanced voters and it would be impossible to contact all of them so they could re-vote. Some of them are now out of the country and would not be able to re-vote. Ms. Truskett said that this is an error that unfortunately sometimes happens, but that it is not an indication of intentional fraud. She assured Mr. Nicholson that additional procedures have been put into place at the advanced poll site to make sure that voters receive the correct ballot. Ms. Truskett will shut down the electronic voting and verify whether some type of audit can be performed to determine if any other

voters received the wrong ballot style. All three Commissioners said that the existing ballots should not be nullified.

Bob Smyth came before the Commission to ask about discretionary spending with regard to the EDC. There was a report quoted at the candidate's forum at the Republican ice cream social indicating job creation as a result of EDC functions. He submits that the report of jobs created is not accurate because some were actually workers re-hired after being laid off. Also included in the report of jobs created were employees of both Tindall and New Millennium, who have not yet located at the Logistics Park. He is concerned that these reports are misleading. He said the reports of revenue from the recent amateur golf tournament, which had only 156 players, are also misleading. He does not agree with funding a 13% increase for the EDC when he believes the information they are giving the public is incorrect.

Phil Adams, former Road & Bridge Superintendent, invited the Commissioners to participate in the Old Settlers Day events and parade in Halstead on August 11th. The parade begins at 10:00 a.m.

Warrant checks in the amount of \$61,730.85 and hand-written checks in the amount of \$1,518.33 were approved upon a motion by Commissioner Krehbiel, seconded by Commissioner Westfall. Motion passed unanimously.

At 10:55 a.m. Commissioner Krehbiel made a motion to go into executive session for a period of 10 minutes to discuss attorney/client privilege regarding pending litigation. Commissioner Westfall seconded the motion and it was passed unanimously. Also in attendance for the session were Sheriff T. Walton, as party named; Counselor Greg Nye, Anthony Swartzendruber, and Joyce Truskett. Executive session ended at 11:05 a.m. with no action being taken.

The meeting was adjourned at 11:10 a.m.

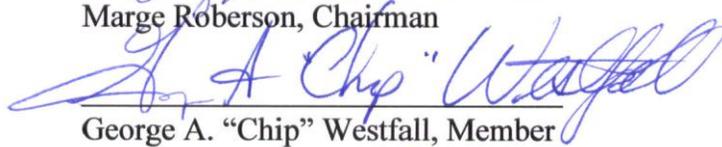
THE BOARD OF HARVEY COUNTY COMMISSIONERS

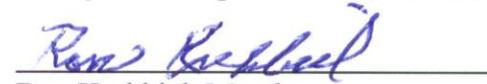


ATTEST:


Joyce Truskett, County Clerk


Marge Roberson, Chairman


George A. "Chip" Westfall, Member


Ron Krehbiel, Member