

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

**March 26, 2012**

The Board of Harvey County Commissioners met in regular session on March 26, 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 attended a morning meeting today regarding waste-to-energy. ICM representatives and Craig Simons attended in addition to Roy Patton, Director of Solid Waste. The gasifier located at the old Harvey County Landfill appears to be ready to be fully functional. Questions remain on the usage of gray water, tire processing, and the involvement of Westar Energy.
2. John Waltner reported that Tindall is postponing the development of their company at the Kansas Logistics Park pending the outcome of decisions on federal tax credits.
3. Commissioner Westfall reported that he received several complaints about county roads following four days of rain. Road & Bridge employees were called to check a bridge east of Spencer on SW 36<sup>th</sup> Street. In addition to a large hole in the surface of the bridge, there was water standing on the bridge.
4. Commissioner Roberson received an e-mail from Ro Adams, a Chatauqua County citizen, who expressed concern about REAP not supporting agriculture. He feels that too much building is being allowed in the County, consuming agricultural land.
5. Commissioner Roberson attended a Health Ministries meeting last week. Prairie View's involvement has been very beneficial for the group. The Health Department has agreed to go to Health Ministries and provide immunizations there. The integration of Health Ministries, the Health Department, and Prairie View is working very well.
6. Commissioner Roberson provided information from KCAMP on counties who have provided defensive driving classes for employees. The counties who have held at least three classes had average total vehicle claims of \$36,829.55. The counties who had held no defensive driving classes had average total vehicle claims of \$160,965.67. However, the totals included deer versus vehicle claims also. Harvey County plans to participate in some of this type of training.

**CALENDAR ITEMS:**

1. Commissioner Westfall will attend a REAP executive meeting on March 29, 2012 at 10:30 a.m. in Wichita, followed by a REAP economic development meeting at 12:00 noon.
2. There will be a legislative forum held at Charlie's Restaurant on April 7<sup>th</sup> at 9:00 a.m.

Minutes of the March 19, 2012 Commission meeting were approved upon a motion by Commissioner Westfall, seconded by Commissioner Krehbiel. Motion passed unanimously.

**ADMINISTRATIVE ITEMS:**

1. John Waltner informed the Commission that a Heritage Trust Fund grant for \$20,000 has been awarded for the preservation of the Warkentin House in Newton. Margaret Hermstein, Register of Deeds, assisted with the program.
2. John also reported that Mike King, of King Enterprises in McPherson, has been appointed as the new Kansas Department of Transportation Secretary.
3. Commissioner Krehbiel, Darrin LeManton, and Jim Meier will attend a steak feed sponsored by Foley Tractor on April 3.
4. John Waltner will be out of town next week.
5. The Commissioners will attend the KCCA meeting held in Lawrence on May 1, 2, & 3<sup>rd</sup>.
6. John provided pictures of damage done at East Park by a vehicle that was driven recklessly in grassy areas after significant rains. The persons driving the vehicle were arrested and charged with criminal damage.
7. Staffing changes at West Park have been completed. By mutual agreement Shannon Metz will now be the West Park Supervisor and Lloyd Stoddard will be the Park Ranger/Maintenance person.
8. There was an incident report filed last Saturday with regard to an injury to a young boy who apparently got too close to the nest of a Canadian goose. The drake attacked the boy and he was slightly injured.
9. Commissioner Westfall reported that he and John met with Rich Denno last Thursday regarding upgrades and repairs needed for the buildings at the existing Fairgrounds. There is some cash in the Fair capital improvement fund, but they may need to approach the Commission to assist with funding.
10. Commissioner Westfall made a motion to approve an addendum to employment agreement for the months of March and April, 2012 with Troy Carlson of Initiatives, Inc. to provide consulting services for economic development. The agreement was discussed at a prior Commission meeting and as requested by the Harvey County Commission, a list of actions and objectives for the months of January through April was provided with the agreement. Commissioner Krehbiel seconded the motion and it was passed unanimously.
11. John reported that he and Counselor Greg Nye engaged in a lengthy unemployment hearing of a former employee last week. At 9:38 a.m. Commissioner Westfall made a motion to go into executive session for a period of 2 minutes to discuss attorney/client privilege. Commissioner Krehbiel 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 9:40 a.m. with no action being taken.
12. John reported that several people met last Friday to view the chip seal that was applied last fall to Hesston Road, which is the Old 81 Highway between Newton and Hesston. In addition to John, Jim Meier, Road & Bridge Superintendent; Counselor Greg Nye; Paul Ferguson, Poe & Associates Engineer; and Steve Heft

and another representative of Heft & Sons Construction attended. The job performed was substandard and the County wants to provide a road that is safe and uniformly sealed with aggregate. The job was performed late in the season, on the 13<sup>th</sup> and 14<sup>th</sup> of September, with the KDOT contract cut-off date being on the 15<sup>th</sup>. It is believed that the oil supplier provided poor quality oil from the bottom of storage tanks and it did not adhere well to the aggregate. The aggregate, which was delivered from Colorado, was also reported to be dusty. There are longitudinal bare spots on the road where there was oil applied, but no aggregate adhered to it. There are other places where the oil has bled through the aggregate and results in a very slick surface. This was a quarter million dollar job and a solution needs to be found to remedy the substandard surface. Another meeting will be held in a couple of weeks to discuss possible solutions.

13. Sheriff T. Walton reported that there were multiple suicide attempts, stolen vehicles, vehicle chases, burglaries, and fugitive foot chases over the weekend. The jail population over the weekend was 128. Cheryl Gallant from the National Institute of Corrections was here last week to perform a required assessment of the Detention Center. Although the final reports from the assessment are not complete, she reported that the Detention Center is under-staffed.
14. John reported that Sharon Arellano, Director of Data Processing, will be retiring on July 1, 2012. In preparation for the transition, the job description has been revamped and advertisements have been placed in the local and surrounding newspapers.
15. There will be a Department Head meeting held on Wednesday morning, March 28, 2012. Budget information will be presented at that time. It is expected that revenues will be flat into the 2013 year, but fuel and energy costs are expected to increase. Department Heads will need to budget with these projections in mind. Departments should start presenting budgets by the end of April.

**CITIZEN’S FORUM:**

There were no citizens present for Citizen’s Forum.

Warrant checks in the amount of \$60,619.43 were approved upon a motion by Commissioner Westfall, seconded by Commissioner Krehbiel. Motion passed unanimously.

The Commission took a five minute recess.

A 10:15 a.m. Bob Cheney, Director of the Noxious Weed Department, opened bids for the purchase of herbicide chemicals for 2012. The following bids were received:

| <u>Chemicals</u>  | <u>Gallons</u> | <u>Farm Kan</u> | <u>Van Diest</u>      | <u>Red River</u> | <u>CPS</u> |
|-------------------|----------------|-----------------|-----------------------|------------------|------------|
| <b>2-4D Amine</b> |                |                 |                       |                  |            |
| 2 ½ Gal           | 300            | \$4,545.00      | \$3,867.00            | \$3,915.00       | \$4,155.00 |
| Bulk or 55 Gal    | 550            | No Bid          | 7,089.50              | 6,290.00*        | 8,326.50** |
|                   |                |                 | (*2-250 gal shuttles) | (**30 Gal Drums) |            |
| 30 Gal            | 60             | 906.00          | 773.40                | 765.00           | 819.00     |

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|------------------------------------|----------------|--|------------------|------------------|-------------|
| <b>2-4D Ester</b>                  |                |  |                  |                  |             |
| 2 ½ Gal                            | 200            | \$3,950.00   | \$3,674.00       | \$3,630.00       | \$3,950.00  |
| <b>Remedy Ultra</b>                |                |  |                  |                  |             |
| 2 ½ Gal                            | 20             | 1,040.00   | 959.40           | 960.00           | 1,100.00    |
| <b>Picloram 22K</b>                |                |  |                  |                  |             |
| 2 ½ Gal                            | 50             | 2,587.50   | 2,158.00         | 2,182.50         | 2,200.00    |
| <b>Dicamba</b>                     |                |  |                  |                  |             |
| 2 ½ Gal                            | 25             | 712.50   | 674.25           | 668.75           | 687.50      |
| <b>Pathway</b>                     |                |  |                  |                  |             |
| 2 ½ Gal                            | 25             | 868.75   | 724.50           | 747.50           | 812.50      |
| <b>Shipping Charges</b>            |                | -0-  | -0-              | 183.75***        | -0-         |
|                                    |                | (***)Only if other chemicals are not purchased from Red River) |                  |                  |             |
| <b>Total</b>                       |                | \$14,609.75  | \$19,920.05      | \$19,159.00      | \$22,050.00 |
| <b>Number of Days for Delivery</b> |                | 30 Days  | 2-3 Days         | 10 Days          | 10 Days     |

After confirmation by Bob and Anthony that all specifications were met, Commissioner Krehbiel made a motion to approve the purchase of herbicides for 2012 from the Van Diest Company. Van Diest was the only bidder who bid the chemicals as specified. Commissioner Westfall seconded the motion and it was passed unanimously.

Mary Ann Eichelberger, Director of the Newton Public Library, gave the 2011 annual report for the library. The library celebrated its 125th anniversary on September 27th. Some of the changes at the library include the addition of 1,500 new patrons, higher computer use, the addition of pinterest to the website, and the continued development of partnerships with other libraries which enables the library to share expenses for items such as e-books and audio books. Although the state library has been providing some data bases which has enabled the library to save money, the state funding in other areas has been reduced which has presented challenges for the library. The library continues to partner with the Salina Public Library through the KanEd Video Conferencing System. A new partnership that was formed in 2011 is with the Newton Area Chamber of Commerce and T2 Wireless. Monthly sessions are held to help businesses network within the community and share information. A marketing survey for the library was conducted to determine perceptions about the library, whether the library meets the approval of the public, if the facility meets the needs of the public, and whether the public has information on what resources the library has. There is a marketing task force that is continuing to develop a plan for the library which includes a possible new facility. Ms. Eichelberger expressed appreciation for the funds provided by Harvey County to help facilitate the Enlite Program which includes large print books that are sometimes delivered to people who cannot come to the library.

Sheriff T. Walton presented a bid proposal for the replacement and installation of video surveillance cameras at the Detention Center. This would include wiring for the possible future expansion of security cameras for the courthouse. Commissioner Westfall made a motion to approve the specifications as listed on the "invitation to bid." Commissioner Krehbiel seconded the motion and it was passed unanimously.

Suzanne Loomis, Newton City Engineer, presented the proposed Runway 17-35 removal and replacement project for the Newton City/County Airport. The current runway pavement is almost 70 years old and now needs to be reconstructed. The project will include shoulder work, edge lights, and drainage pipes that flow under the runway. The project will be split into 3 phases to reduce the length of time that tenants at the airport will have the least disruption possible. Construction on Phase I which would start on the south end of the runway would hopefully begin in August, Phase II would start next spring, and Phase III would start next summer. It is uncertain whether the Federal funding will cover 90% or 95% of the project. The PBC will meet next Monday to approve a resolution of intent to issue bonds. Kevin Timmermeyer, Airport Manager, also attended the meeting. Byron Warta stated that Kevin is doing a great job of working and maintaining a relationship with the FAA in Kansas City and making sure that all the tenants are kept informed as to how the project will proceed. Anthony Swartzendruber gave an update on the status of the community hanger project that was also approved by the PBC. Bonding could include both projects. Commissioner Krehbiel made a motion to approve the plans and specifications and set the bid date of April 26, 2012 at 10:00 a.m. for the Newton City/County Runway 17-35 reconstruction. Commissioner Westfall seconded the motion and it was passed unanimously.

Anthony suggested that the County may want to consider hiring a financial advisor to assist with these types of projects. There are new rules from the SEC that determine who can serve as financial advisors as opposed to an underwriter. These guidelines will have to be followed.

The meeting was adjourned at 11:37 a.m.

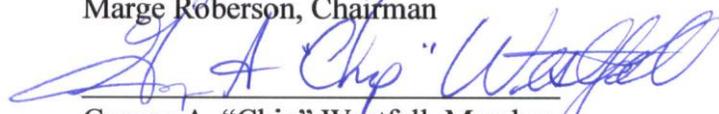
THE BOARD OF HARVEY COUNTY COMMISSIONERS



ATTEST:

  
Joyce Truskett, County Clerk

  
Marge Roberson, Chairman

  
George A. "Chip" Westfall, Member

  
Ron Krehbiel, Member