

MINUTES OF
BOARD OF HARVEY COUNTY COMMISSIONERS

November 12, 2012

The Board of Harvey County Commissioners met in regular session November 12, 2012 for both a regular meeting and to canvass the November 12, 2012 General Election. Chairman Roberson called the meeting to order at 8:00 a.m. with all three Commissioners present.

ITEMS ADDED TO AGENDA:

1. Commissioner Westfall asked how the Road & Bridge Gradall excavator was damaged while trimming trees. John will obtain information and forward it to the Commissioners.
2. Commissioner Krehbiel stated that the western part of Harvey County received 1 ¼” of rainfall. He also stated that the 4-H banquet was well attended.
3. Commissioner Roberson added that the 4-H youth are so impressive and poised.
4. Commissioner Roberson attended a Council of Governments meeting, where discussion was held regarding the continued funding cuts from the State of Kansas. Counties and cities are expected to bear the brunt of filling in the funding gaps. There are also some very controversial bills, such as the Trade Fixtures bill, that will be reintroduced to the legislature that could significantly affect tax revenues received by the county.
5. Commissioner Roberson also attended the Public Private Partnership meeting where the recent elections were discussed. The current shortfall in funding from the State and possible additional cuts were also discussed there.

CALENDAR ITEMS:

1. A meeting of the REAP Legislative Committee will be held on December 13th at the Drury Inn in Wichita.
2. Commissioner Westfall will be the featured speaker at the Walton Lions Club meeting held at the Whistle Stop Café. He will speak about budget issues.
3. All three Commissioners and spouses will attend the annual Extension Council banquet on November 20th.
4. The Harvey County Farm Bureau will hold a legislative meeting on Monday, November 26 at Curtis C’s Restaurant.
5. Commissioner Roberson will attend a KCAMP meeting in Topeka on December 13th and 14th.

Minutes of the November 5th Commission meeting were approved upon a motion by Commissioner Westfall, seconded by Commissioner Krehbiel. Motion passed unanimously.

ADMINISTRATIVE ITEMS:

1. John presented **Resolution No. 2012-19**, requesting an investigation of a railroad crossing on NE 48th Road, located 4 miles northeast of Newton, where a fatal accident occurred a few weeks ago. Commissioner Westfall made a motion to

- approve the resolution. Commissioner Krehbiel seconded the motion and it was passed unanimously.
2. The Commissioners received a request for a tax abatement and a cost-benefit analysis for IMMI (Indiana Mills & Manufacturing, Inc). The request is for a 10-year 100% tax abatement. Commissioner Roberson commented that she is routinely not in favor of a 100% ten year tax abatement, but prefers a tiered 10-year tax abatement, where the amount of taxes the company pays is gradually increased over a ten-year period. Commissioner Krehbiel agreed with Commissioner Roberson, however this agreement was arranged when the business chose to locate in Burrton. Commissioner Krehbiel made a motion to approve the tax abatement and Commissioner Westfall seconded the motion. Motion passed unanimously.
 3. Sheriff T. Walton reported that the jail is now expected to bring in \$1,200,000 in prisoner housing reimbursements for the year rather than the projected \$1,000,000.

CITIZEN'S FORUM:

There were no items discussed during Citizen's Forum.

Warrant checks in the amount of \$457,350.42 were approved upon a motion by Commissioner Krehbiel, seconded by Commissioner Westfall. Motion passed unanimously.

The Canvass of the November 6, 2012 General Election was called to order at 8:45 a.m.

Joyce Truskett, Harvey County Clerk/Election Officer, presented the abstract of votes for the November 6, 2012 General Election. The following reports were read:

Total Harvey County Registered Voters	22,097
Total voters this election	14,290
Voter Turnout	64.67%

Joyce informed the Commission that there are 377 provisional ballots to be canvassed. Two additional provisional ballots were forwarded to Sedgwick County for canvassing there.

Ballots of 172 registered voters were presented who had moved within the County, but did not re-register under their new address. K.S.A. 25-2353 states that the voter may re-register and vote a provisional ballot on Election Day. Commissioner Westfall made a motion to approve 172 ballots determined to be countable. Commissioner Krehbiel seconded the motion and it was passed unanimously.

Ballots of 21 registered voters were presented who had both changed their name by marriage and moved within the county. K.S.A. 25-2316c and 25-2316c(a) states the ballot may count if the voter fills out a new voter registration. Commissioner Krehbiel made a motion to approve the 21 ballots determined to be countable. Commissioner Westfall seconded the motion and it was passed unanimously.

Ballots of 30 registered voters were presented who had changed their name by marriage. K.S.A. 25-2316c(a) states the ballot may count if the voter fills out a new voter registration. Commissioner Westfall made a motion to approve the 30 ballots determined to be countable. Commissioner Krehbiel seconded the motion and it was passed unanimously.

Ballots of 8 registered voters were presented who requested and were sent advance ballots and then came to the polls and voted on Election Day. K.S.A. 25-2908 states the ballots may be counted if the Election Office determines that the advance ballot was not returned. It was verified that these advance ballots were not returned. Commissioner Krehbiel made a motion to approve the counting of 8 ballots. Commissioner Westfall seconded the motion and it was passed unanimously.

Ballots of 2 registered voters were presented who had moved within the county and voted at the wrong precinct. K.S.A. 25-3002 states the ballots may be partially counted. Commissioner Westfall made a motion to approve the ballots for partial counting. Commissioner Krehbiel seconded the motion and it was passed unanimously. The ballots are as follows:

- Voted Ballot 4-1-3 Voter lives at 4-4-3 Both ballots are consistent so all races should count.
- Voted Ballot for Alta Township Voter lives in Garden Township
Races for Township Treasurer, Township Trustee, and FD#5 special question should not count.

Ballots of 2 registered voters were presented who voted in advance by mail and then subsequently passed away before the election. K.S.A. 25-1136(c) these ballots shall not be opened and shall be endorsed with the word “provisional” on the back of the envelope. Commissioner Krehbiel made a motion to reject 2 ballots of deceased voters. Commissioner Westfall seconded the motion and it was passed unanimously.

Ballots of 10 registered voters were presented whose ballots were made provisional because of poll worker error. According to K.S.A. 23-3002 these ballots may count. Commissioner Westfall made a motion to approve 10 ballots determined to be countable. Commissioner Krehbiel seconded the motion and it was passed unanimously.

Ballots of 2 voters were presented who claimed to have registered through the DMV Office. The Election Office was not able to verify their registration. According to KSA 25-2302 these ballots are not countable. Commissioner Krehbiel made a motion to reject 2 ballots deemed uncountable. Commissioner Westfall seconded the motion and it was passed unanimously.

Ballots of 3 registered voters were presented who voted provisional ballots because of Election Office clerical error. One voter’s city of residence was incorrect in the voter registration data base and two voters were incorrectly marked as deceased. Commissioner Westfall made a motion to approve 3 ballots determined to be countable. Commissioner Krehbiel seconded the motion and it was passed unanimously.

Ballots of 2 registered voters were presented, one of which cast their ballot electronically, claimed they did not vote on any of the races, and asked to vote again. The voter was issued a provisional

ballot. The other voter was already marked in the poll book as having voted on Election Day. This voter was also issued a provisional ballot. According to Chapter 3, Pg 11 of the Kansas Election Standards, a voter cannot vote twice. Commissioner Krehbiel made a motion to reject 2 ballots of voters who had already voted once at the poll site. Commissioner Westfall seconded the motion and it was passed unanimously.

The ballot of 1 voter was presented who moved within the county but failed to re-register as required. According to K.S.A. 25-2316c(b) the ballot cannot be counted. Commissioner Westfall made a motion to reject the count of 1 ballot. Commissioner Krehbiel seconded the motion and it was passed unanimously.

Ballots of 3 voters were presented who had moved to another county but did not change their voter registration, so they voted in Harvey County. According to K.S.A. 25-3702 these ballots should not count. Commissioner Krehbiel made a motion to reject 3 ballots deemed uncountable. Commissioner Westfall seconded the motion and it was passed unanimously.

Ballots of 51 voters were presented who were not registered to vote. According to K.S.A. 25-215 voter registration is required. Commissioner Westfall made a motion to reject 51 ballots deemed uncountable. Commissioner Krehbiel seconded the motion and it was passed unanimously.

Ballots of 56 voters were presented for voters who moved from other counties and failed to update their voter registration. According to K.S.A. 25-2316c, voters must register to vote in the district in which they live. Commissioner Krehbiel made a motion to reject the count of 56 ballots. Commissioner Westfall seconded the motion and it was passed unanimously.

Ballots of 8 voters were presented whose registrations were cancelled because of felony convictions or due to return of confirmation election mailing process. According to K.S.A. 25-2316c these ballots should not be counted. Commissioner Westfall made a motion to reject 8 ballots deemed uncountable. Commissioner Krehbiel seconded the motion and it was passed unanimously.

Ballots of 6 registered voters were presented who failed to show photo ID as required by Kansas voting law. According to K.S.A. 25-2908, unless the voter shows proof of photo ID at the Election Office before the canvass the ballots should not count. One of the voters provided photo ID before the canvass. Commissioner Krehbiel made a motion to approve one ballot for counting and reject 5 ballots deemed uncountable. Commissioner Westfall seconded the motion and it was passed unanimously.

Provisional ballots of 247 voters were counted and tallied. Commissioner Westfall made a motion to certify the results of the November 6, 2012 General Election. Commissioner Krehbiel seconded the motion and it was passed unanimously. The following voter turnout was certified:

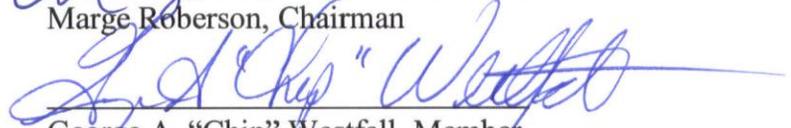
Total voters this election	14,537
Voter Turnout	65.79%

A complete listing of results is attached.

The Election Canvass was adjourned at 10:50 a.m. upon a motion by Commissioner Westfall, seconded by Commissioner Krehbiel.

THE BOARD OF HARVEY COUNTY COMMISSIONERS


Marge Roberson, Chairman


George A. "Chip" Westfall, Member

ATTEST:


Joyce Truskett, County Clerk


Ron Krehbiel, Member



Run Date:11/16/12 02:46 PM

VOTES PERCENT

VOTES PERCENT

PRECINCTS COUNTED (OF 39) 39 100.00
 REGISTERED VOTERS - TOTAL 22,097
 REGISTERED VOTERS - 2ND DISTRICT 7,545
 REGISTERED VOTERS - 3RD DISTRICT 7,460
 BALLOTS CAST - TOTAL 14,537
 BALLOTS CAST - 2ND DISTRICT 4,867
 BALLOTS CAST - 3RD DISTRICT 5,069
 VOTER TURNOUT - TOTAL 65.79
 VOTER TURNOUT - 2ND DISTRICT 64.51
 VOTER TURNOUT - 3RD DISTRICT 67.95

PRESIDENT AND VICE-PRESIDENT
 Vote for One 1
 (WITH 39 OF 39 PRECINCTS COUNTED)
 Mitt Romney (REP) 8,588 59.83
 Barack Obama (DEM) 5,373 37.43
 Gary Johnson (LIB) 235 1.64
 WRITE-IN 89 .62
 Chuck Baldwin (REF) 68 .47
 Total 14,353

UNITED STATES REPRESENTATIVE
 Vote for One 1
 (WITH 39 OF 39 PRECINCTS COUNTED)
 Mike Pompeo (REP) 8,542 61.16
 Robert Leon Tillman (DEM) 4,616 33.05
 Thomas Jefferson (LIB) 791 5.66
 WRITE-IN 18 .13
 Total 13,967

STATE SENATOR 31ST DISTRICT
 Vote for One 1
 (WITH 39 OF 39 PRECINCTS COUNTED)
 Carolyn McGinn (REP) 12,052 97.94
 WRITE-IN 253 2.06
 Total 12,305

STATE REPRESENTATIVE 72ND DISTRICT
 Vote for One 1
 (WITH 19 OF 19 PRECINCTS COUNTED)
 Marc Rhoades (REP) 5,221 59.35
 Glenda Reynolds (DEM) 3,561 40.48
 WRITE-IN 15 .17
 Total 8,797

STATE REPRESENTATIVE 74TH DISTRICT
 Vote for One 1
 (WITH 20 OF 20 PRECINCTS COUNTED)
 Don Schroeder (REP) 4,538 98.78
 WRITE-IN 56 1.22
 Total 4,594

COUNTY COMMISSIONER 2ND DISTRICT
 Vote for One 1
 (WITH 8 OF 8 PRECINCTS COUNTED)
 Randy Hague (REP) 3,054 72.16
 WRITE-IN 1,178 27.84
 Total 4,232

COUNTY COMMISSIONER 3RD DISTRICT
 Vote for One 1
 (WITH 18 OF 18 PRECINCTS COUNTED)
 Ron L. Krehbiel (REP) 3,167 66.55
 Leo B. Stahly (DEM) 1,556 32.70
 WRITE-IN 36 .76
 Total 4,759

COUNTY CLERK
 Vote for One 1
 (WITH 39 OF 39 PRECINCTS COUNTED)
 Joyce Truskett (REP) 12,049 99.18
 WRITE-IN 100 .82
 Total 12,149

COUNTY TREASURER
 Vote for One 1
 (WITH 39 OF 39 PRECINCTS COUNTED)
 E. Rebecca "Becky" Fields (REP) 12,199 99.11
 WRITE-IN 109 .89
 Total 12,308

REGISTER OF DEEDS
 Vote for One 1
 (WITH 39 OF 39 PRECINCTS COUNTED)
 Margaret A. Hermstein (REP) 11,907 99.23
 WRITE-IN 92 .77
 Total 11,999

COUNTY ATTORNEY
 Vote for One 1
 (WITH 39 OF 39 PRECINCTS COUNTED)
 David E. Yoder (REP) 11,802 98.38
 WRITE-IN 194 1.62
 Total 11,996

COUNTY SHERIFF
 Vote for One 1
 (WITH 39 OF 39 PRECINCTS COUNTED)
 T. Walton (DEM) 11,624 97.95
 WRITE-IN 243 2.05
 Total 11,867

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TOWNSHIP TRUSTEE ALTA TOWNSHIP
 Vote for One 1
 (WITH 2 OF 2 PRECINCTS COUNTED)
 John Gaeddert (REP) 114 100.00
 WRITE-IN. 0
 Total 114

TOWNSHIP TRUSTEE BURRTON TOWNSHIP
 Vote for One 1
 (WITH 2 OF 2 PRECINCTS COUNTED)
 Joel W. Dunlavy (REP) 383 99.48
 WRITE-IN. 2 .52
 Total 385

TOWNSHIP TRUSTEE DARLINGTON TOWNSHIP
 Vote for One 1
 (WITH 2 OF 2 PRECINCTS COUNTED)
 Billy Black (DEM). 185 86.85
 WRITE-IN. 28 13.15
 Total 213

TOWNSHIP TRUSTEE EMMA TOWNSHIP
 Vote for One 1
 (WITH 1 OF 1 PRECINCTS COUNTED)
 Preston Neufeld (REP) 222 99.55
 WRITE-IN. 1 .45
 Total 223

TOWNSHIP TRUSTEE GARDEN TOWNSHIP
 Vote for One 1
 (WITH 1 OF 1 PRECINCTS COUNTED)
 Shaun E. Ortman (REP) 119 97.54
 WRITE-IN. 3 2.46
 Total 122

TOWNSHIP TRUSTEE HALSTEAD TOWNSHIP
 Vote for One 1
 (WITH 1 OF 1 PRECINCTS COUNTED)
 Steve Bayless (REP) 108 98.18
 WRITE-IN. 2 1.82
 Total 110

TOWNSHIP TRUSTEE HIGHLAND TOWNSHIP
 Vote for One 1
 (WITH 1 OF 1 PRECINCTS COUNTED)
 Larry Goering (REP) 158 95.76
 WRITE-IN. 7 4.24
 Total 165

TOWNSHIP TRUSTEE LAKE TOWNSHIP
 Vote for One 1
 (WITH 1 OF 1 PRECINCTS COUNTED)
 Harlan Foraker (REP). 70 95.89
 WRITE-IN. 3 4.11
 Total 73

TOWNSHIP TRUSTEE LAKIN TOWNSHIP
 Vote for One 1
 (WITH 1 OF 1 PRECINCTS COUNTED)
 Russell Krauss (REP). 73 71.57
 WRITE-IN. 29 28.43
 Total 102

TOWNSHIP TRUSTEE MACON TOWNSHIP
 Vote for One 1
 (WITH 1 OF 1 PRECINCTS COUNTED)
 Robert M. DuBois (REP) 209 99.05
 WRITE-IN. 2 .95
 Total 211

TOWNSHIP TRUSTEE NEWTON TOWNSHIP
 Vote for One 1
 (WITH 3 OF 3 PRECINCTS COUNTED)
 Robert Glenn Maier (REP) 820 98.80
 WRITE-IN. 10 1.20
 Total 830

TOWNSHIP TRUSTEE PLEASANT TOWNSHIP
 Vote for One 1
 (WITH 1 OF 1 PRECINCTS COUNTED)
 Donald Lanzrath (REP) 212 95.50
 WRITE-IN. 10 4.50
 Total 222

TOWNSHIP TRUSTEE RICHLAND TOWNSHIP
 Vote for One 1
 (WITH 1 OF 1 PRECINCTS COUNTED)
 Douglas E. Entz (REP) 177 96.72
 WRITE-IN. 6 3.28
 Total 183

TOWNSHIP TRUSTEE SEDGWICK TOWNSHIP
 Vote for One 1
 (WITH 2 OF 2 PRECINCTS COUNTED)
 Ted Stein (REP) 608 99.18
 WRITE-IN. 5 .82
 Total 613

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VOTES PERCENT

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TOWNSHIP TRUSTEE WALTON TOWNSHIP

Vote for One 1
(WITH 2 OF 2 PRECINCTS COUNTED)

William R. Hamm (REP)	198	99.00
WRITE-IN.	2	1.00
Total	200	

TOWNSHIP TREASURER HIGHLAND TOWNSHIP

Vote for One 1
(WITH 1 OF 1 PRECINCTS COUNTED)

Michael Hiebert (REP)	162	98.18
WRITE-IN.	3	1.82
Total	165	

TOWNSHIP TREASURER ALTA TOWNSHIP

Vote for One 1
(WITH 2 OF 2 PRECINCTS COUNTED)

Kelton E. Pitts (REP)	105	99.06
WRITE-IN.	1	.94
Total	106	

TOWNSHIP TREASURER LAKE TOWNSHIP

Vote for One 1
(WITH 1 OF 1 PRECINCTS COUNTED)

Darrell Allen (REP)	71	97.26
WRITE-IN.	2	2.74
Total	73	

TOWNSHIP TREASURER BURRTON TOWNSHIP

Vote for One 1
(WITH 2 OF 2 PRECINCTS COUNTED)

Larry Ressler (REP)	375	98.94
WRITE-IN.	4	1.06
Total	379	

TOWNSHIP TREASURER LAKIN TOWNSHIP

Vote for One 1
(WITH 1 OF 1 PRECINCTS COUNTED)

Randy L. O'Neal (DEM)	61	67.03
WRITE-IN.	30	32.97
Total	91	

TOWNSHIP TREASURER DARLINGTON TOWNSHIP

Vote for One 1
(WITH 2 OF 2 PRECINCTS COUNTED)

Stephen Koerner (DEM)	200	93.90
WRITE-IN.	13	6.10
Total	213	

TOWNSHIP TREASURER MACON TOWNSHIP

Vote for One 1
(WITH 1 OF 1 PRECINCTS COUNTED)

Mike Watkins (REP)	157	67.09
J. Mark Sizelove (DEM)	77	32.91
WRITE-IN.	0	
Total	234	

TOWNSHIP TREASURER EMMA TOWNSHIP

Vote for One 1
(WITH 1 OF 1 PRECINCTS COUNTED)

Terry Knott (REP)	227	99.13
WRITE-IN.	2	.87
Total	229	

TOWNSHIP TREASURER NEWTON TOWNSHIP

Vote for One 1
(WITH 3 OF 3 PRECINCTS COUNTED)

Robert L. McNeill (DEM)	855	98.96
WRITE-IN.	9	1.04
Total	864	

TOWNSHIP TREASURER GARDEN TOWNSHIP

Vote for One 1
(WITH 1 OF 1 PRECINCTS COUNTED)

Dale E. Dick (REP)	120	97.56
WRITE-IN.	3	2.44
Total	123	

TOWNSHIP TREASURER PLEASANT TOWNSHIP

Vote for One 1
(WITH 1 OF 1 PRECINCTS COUNTED)

Ruth E. Sperling (REP)	229	100.00
WRITE-IN.	0	
Total	229	

TOWNSHIP TREASURER HALSTEAD TOWNSHIP

Vote for One 1
(WITH 1 OF 1 PRECINCTS COUNTED)

Walter G. Clark (REP)	107	98.17
WRITE-IN.	2	1.83
Total	109	

TOWNSHIP TREASURER RICHLAND TOWNSHIP

Vote for One 1
(WITH 1 OF 1 PRECINCTS COUNTED)

Danny Hamilton (REP)	167	97.09
WRITE-IN.	5	2.91
Total	172	



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TOWNSHIP TREASURER SEDGWICK TOWNSHIP
Vote for One 1
(WITH 2 OF 2 PRECINCTS COUNTED)

Joe Detweiler (REP)	609	99.51
WRITE-IN.	3	.49
Total	612	

TOWNSHIP TREASURER WALTON TOWNSHIP
Vote for One 1
(WITH 2 OF 2 PRECINCTS COUNTED)

Kevin Sauerwein (REP)	207	99.04
WRITE-IN.	2	.96
Total	209	

Supreme Court Justice., Pos. 7
Vote for One 1
(WITH 39 OF 39 PRECINCTS COUNTED)

Yes	8,416	73.06
No.	3,104	26.94
Total	11,520	

COURT OF APPEALS, POSITION NO. 2
Vote for One 1
(WITH 39 OF 39 PRECINCTS COUNTED)

Yes	8,538	77.15
No.	2,529	22.85
Total	11,067	

COURT OF APPEALS, POSITION NO. 3
Vote for One 1
(WITH 39 OF 39 PRECINCTS COUNTED)

Yes	8,630	78.23
No.	2,401	21.77
Total	11,031	

COURT OF APPEALS, POSITION NO. 6
Vote for One 1
(WITH 39 OF 39 PRECINCTS COUNTED)

Yes	8,976	80.36
No.	2,194	19.64
Total	11,170	

COURT OF APPEALS, POSITION NO. 8
Vote for One 1
(WITH 39 OF 39 PRECINCTS COUNTED)

Yes	8,130	74.42
No.	2,794	25.58
Total	10,924	

COURT OF APPEALS, POSITION NO. 9
Vote for One 1
(WITH 39 OF 39 PRECINCTS COUNTED)

Yes	8,208	74.74
No.	2,774	25.26
Total	10,982	

COURT OF APPEALS, POSITION NO. 10
Vote for One 1
(WITH 39 OF 39 PRECINCTS COUNTED)

Yes	8,441	77.65
No.	2,429	22.35
Total	10,870	

DISTRICT COURT JUDGE - DIV 9, POS 1
Vote for One 1
(WITH 39 OF 39 PRECINCTS COUNTED)

Yes	10,037	85.46
No.	1,708	14.54
Total	11,745	

DISTRICT COURT JUDGE - DIV 9, POS 3
Vote for One 1
(WITH 39 OF 39 PRECINCTS COUNTED)

Yes	8,841	80.58
No.	2,131	19.42
Total	10,972	

Constitutional Amendment 1
Vote for One 1
(WITH 39 OF 39 PRECINCTS COUNTED)

Yes	8,166	64.48
No.	4,498	35.52
Total	12,664	

Fire District 5 Bond
BURRTON CONSOLIDATED FIRE DISTRICT #5
Vote for One 1
(WITH 4 OF 4 PRECINCTS COUNTED)

Yes	361	67.86
No.	171	32.14
Total	532	

I certify that the counts are secured and accurate.

Joyce J. Truskett



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