

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

**September 30, 2013**

The Board of Harvey County Commissioners met in regular session on September 30, 2013 with all three Commissioners present. Chairman Westfall called the meeting to order at 9:00 a.m.

**ITEMS ADDED TO AGENDA:**

1. Commissioner Hague reported that he went to SE 48th and South Rock Road last Friday to see a repurposed railcar that was installed for use as a bridge culvert. Since it is a cheaper option for bridge structure replacements, he is hopeful that there are other locations where the railcars can be used. Commissioners Westfall and Krehbiel watched the delivery and installation on Wednesday.
2. Commissioners Westfall and Hague attended a meeting at Prairie View last Friday regarding Community Health Clinics. It was a very informative meeting and the Community Health Center to be located in the Professional Building on South Pine is continuing to develop and progress.

**CALENDAR ITEMS:**

1. Following the Commission meeting on Monday October 14<sup>th</sup>, the Courthouse will be closed for an employee in-service day. The Commission will have a short meeting beginning either before or at 8:00 a.m. followed by an employee meeting at 8:30 a.m.
2. Commissioners Westfall and Hague will attend a retirement reception for North Newton Police Chief, Ray Classen, to be held at 3:00 p.m. at the North Newton City Hall.
3. The Aviation Commission meeting scheduled for October 21<sup>st</sup> has been rescheduled to October 28<sup>th</sup>.

Minutes of the September 16 Commission meeting were approved upon a motion by Commissioner Hague, seconded by Commissioner Krehbiel. Motion passed unanimously.

**ADMINISTRATIVE ITEMS:**

1. John Waltner and Anthony Swartzendruber will attend an annual economic outlook meeting in Wichita on Thursday, October 3, 2013.
2. Commissioner Krehbiel made a motion to appoint Chairman Westfall as the voting delegate to the KAC, Joyce Truskett as the first alternate, and Commissioner Hague as the second alternate. Commissioner Hague seconded the motion and it was passed unanimously.
3. Commissioner Krehbiel made a motion to appoint Chairman Westfall to be the voting delegate for KCAMP and authorize the Chairman to sign. No alternate was appointed. Commissioner Hague seconded the motion and it was passed unanimously.

4. Commissioner Hague made a motion to appoint Chairman Westfall as the voting delegate for the annual KWORCC meeting. No alternate was appointed. Commissioner Krehbiel seconded the motion and it was passed unanimously.
5. Counselor Greg Nye reviewed the proposed closing or vacation of Osage Road on Butler/Harvey County border. The Commissioners received a copy of an article written by Norm Bowers, Local Road Engineer, about closing and vacating roads and bridges. Counselor Nye recommended that the road and bridge at this location be vacated rather than closed, which would ensure that the county would be absolved of future liability. He has spoken with the Administrator of Butler County who has stated that he believes their Commissioners would agree to vacate the road. Discussion was held regarding a request by some Harvey County landowners to do some upgrades on the road. Counselor Nye will proceed with the coordination of the two Commissions to vacate the road.
6. Counselor Nye reported that the tax foreclosure sale has been set for Friday, November 8, at 9:00 a.m. in the Courthouse Community Room. Publication notices will appear in the Newton Kansan on October 4, 11, and 18.
7. The Commissioners received copies of letters of commendation to Register of Deeds Employees, Lisa Schmidt and Lori Tedder, for their successful completion of the requirements for the Kansas County Government Institute's Certificate in Customer Service Excellence. The Commissioners also received a copy of a note commending the Driver's License Office staff for their excellent and kind service.
8. The proposed Indigent Defense Contract will be presented to the Commission next week. There are very few changes in the contract.
9. Jim Meier reported that the Road and Bridge Department finished the overlay on South Hertzler Road. The shouldering on the road will begin today. The project at Walton has also been completed. Discussion was held on whether to sell the paint striping machine.
10. Sheriff T. Walton reported that Randy Jordan has been named as the new North Newton Police Chief. He also reported that the Fire Department took first place in the Chili cook off held last weekend and the Police Department took second place. He is also working on a security plan for the Courthouse in the case of an armed intruder.
11. Commissioner Westfall said the EAA fly-in will be held this weekend. Jack Pelton, President of the EAA, will be the speaker at the meeting. Sheriff Walton reported that there was another theft at the airport at the same building where there was a theft of air conditioners on an earlier date.
12. Anthony Swartzendruber provided a sales and compensating use tax collection report. The third quarter collections are up 1.03% over last years collections for the same period and year-to-date is up 2.32% over last years.
13. Anthony reported that there is a check in the warrant checks this week for Baseline Creatives, who is the host for the Harvey County Website, to pay for an upgrade to the platform. This will provide greater security for the website. There will be minor changes to the layout of the website. They will also present a proposal for a full scale redesign of the website.
14. Anthony also gave an update on the bonds for the community hangar at the airport. The bonds are to be 20 year bonds, a portion of which are taxable. The financial

advisors have recommended that a negotiated sale be done because of the complexity of this particular bond sale. They have therefore sent requests to five underwriters to submit proposals to be the underwriter for the sale, with the proposals due by October 10. The PBC will need to meet after that to choose an underwriter. The bonds will most likely be sold in December, with the money not being distributed until January of 2014. The City of Newton and the County will need to draft an inter-local agreement to move the project forward.

15. Anthony provided the Commissioners with a spreadsheet of comparisons of the debt level of several counties that are demographically similar to Harvey County. The County is 4.2 million under the debt limit for general obligation bonds. He would like to draft a debt policy for the Commission to consider later this year. This policy would contain guidelines for issuing bonds and limits on debt limit per capita, overlapping debt per capita, and debt as a percentage of assessed value. Other best practices and benchmarks recommended by the Government Finance Officers Association will also be included. At the current time Harvey County debt is 4.2 million below their debt limit.

#### **CITIZENS FORUM:**

Byron Warta asked if the five underwriters that have received information for the airport hangar bond sale have any experience in those types of projects. Anthony reported that the financial advisor for the County has worked with all five on prior occasions and they all have knowledge in bonds of this nature. Byron also commended the Newton Kansan and the Harvey County Independent for their articles about the French Flying Team.

Ken Horst of 1 Indian Lane in Newton expressed concern regarding the amount of money being spent by the Commission to hire a lobbyist. The Commission paid a lobbyist \$6,000 in 2013, but the cost of the lobbyist for 2014 will be \$9,000. He also is questioning the value of a lobbyist because this should be the job of the elected representatives and senators. Chairman Westfall clarified that the Council of Governments actually hired the lobbyist last year and the cost was split between all the cities of the county, the County, and the EDC. He encouraged the Commission to consider the time and money that is being spent on lobbying. John Waltner explained that lobbyists provide a very important service in educating the legislators to understand the complexity of issues and how their decisions affect their constituents.

Warrant checks in the amount of \$181,611.09 were approved upon a motion by Commissioner Hague, seconded by Commissioner Krehbiel. Motion passed unanimously.

Anthony Swartzendruber presented proposed amended KCAMP bylaws. Commissioner Krehbiel made a motion to approve **Resolution No. 2013-19**, changing the inter-local agreement with KCAMP and giving the chairman the authority to sign. Commissioner Hague seconded the motion and it was passed unanimously.

Craig Clough, Appraiser, presented the 2013 Procedural Compliance Review Checklist for the Appraiser's Office. This procedural review is designed to establish whether the County's appraisal performance, as it pertains to appraisal procedures, guidelines and directives, is in substantial

compliance. The State has granted that Harvey County is in constitutional and statutory compliance.

Lynnette Redington, Director of the Health Department, reported on information received at the meeting between public health officers and county commissioners. She reminded the Commissioners that, as Commissioners, they are the Board of Health for Harvey County. Public health is part of the triangle which includes public works and public safety. The Commissioners received a booklet of information which highlights the responsibilities of commissioners in public health. She also pointed out the benefits of collaboration between the entities the importance of support from the Commission.

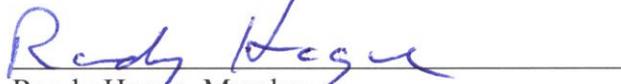
At 10:55 a.m. Commissioner Krehbiel made a motion to go into executive session for a period of 10 minutes to discuss attorney client privilege with regard to litigation. Commissioner Hague seconded the motion and it was passed unanimously. Also in attendance for the session were John Waltner, Anthony Swartzendruber, Joyce Truskett, and Counselor Greg Nye. Executive session ended at 11:05 a.m. with no action taken.

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

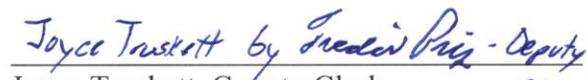
BOARD OF HARVEY COUNTY COMMISSIONERS

  
George A. "Chip" Westfall, Chairperson

  
Ron Krehbiel, Member

  
Randy Hague, Member

ATTEST:

  
Joyce Truskett, County Clerk *Deputy Clerk*

