

MINUTES OF
BOARD OF HARVEY COUNTY COMMISSIONERS

June 30, 2014

The Board of Harvey County Commissioners met in regular session on June 30, 2014 with all three commissioners present. Chairman Krehbiel called the meeting to order at 8:30 a.m.

The results of the special mail ballot election held on June 24, 2014 were presented by Joyce Truskett, Election Officer. The election question requested the district be allowed to raise their Local Option Budget percentage by 1%. There were 2,685 ballots mailed to residents of the school district, and 1018 were returned. This represents a 38.4% turnout. Eleven ballots were identified as provisional ballots.

Four ballots of residents who had moved within the district but did not change their voter registration address were presented. Commissioner Westfall made a motion to approve the four ballots for counting. Commissioner Hague seconded the motion and it was passed unanimously.

Seven ballots were presented that had been voided during the counting of the ballots. Five of the ballots were defaced in some manner and two of the ballots were cut. Commissioner Hague made a motion to count two ballots that were voided during the original count because the ballots were cut. Five ballots that were defaced shall not count. Commissioner Westfall seconded the motion and it was passed unanimously.

Commissioner Westfall made a motion to certify the USD #460 LOB election with the final vote tally as follows:

Yes	667
No	357

Commissioner Hague seconded the motion and it was passed unanimously.

The canvass was closed at 8:40 a.m. and the meeting was recessed until 9:00 a.m.

Chairman Krehbiel called the meeting back to order at 9:00 a.m.

ITEMS ADDED TO AGENDA:

1. Chairman Krehbiel reported on the meeting held with Commissioners of Marion, Chase, and Lyon counties to discuss making Highway 50 four lanes from Emporia to Newton. Although the Commissioners of the other counties were not in favor of joining the Highway 50 Association, they support the four-lane proposal. They will write letters of support to the Kansas Department of Transportation.
2. Chairman Krehbiel reported on the meeting held with the Newton City Commissioners. Although the County will be funding the infrastructure of the project, each of the cities will be responsible for funding the purchase of their own radios.
3. Commissioner Westfall reported that he and John Waltner attended the announcement of a KDOT funding project for small bridges. KDOT will make ten million dollars available, paying up to a \$120,000 match for each bridge selected. The bridges must be

20 to 50 feet in length and carry under 100 vehicles per day. Harvey County has 68 deficient bridges and Jim Meier, Road & Bridge Superintendent, has selected two and will apply for the funding for them. The deadline to apply is September.

CALENDAR ITEMS:

1. The 4th of July party held by the Register of Deeds Office and the Extension Office will be held on Wednesday, July 2nd.

Minutes of the June 23, 2014 Commission meeting were approved upon a motion by Commissioner Hague, seconded by Commissioner Westfall. Motion passed unanimously.

ADMINISTRATIVE ITEMS:

1. John reported that the adoption of the new flood plain maps will be made later this summer. Gina Bell, Director of Planning and Zoning, is preparing the necessary paperwork.
2. Phil Schmidt, officer from the Little Arkansas River Drainage District, is working to remove debris from the north side of the bridge over the Little Arkansas River on NW 36th Street. The debris will be burned. Wet weather is hampering the removal.
3. John reported that he and Don Gruver, Director of 911 Communications, met with Dr. Carter File, new Hutchinson Community College President, and Gary Meagher, Reno County Administrator about locating radio equipment on their existing tower. Although they are amenable to that, it may not be possible because of the cost. Another meeting with them will be held in two weeks. A meeting has also been scheduled with Hayden Tower Company about them building a tower and then leasing space on it to the County.
4. Commissioner Hague made a motion to re-appoint Rich Denno and Tim Johnson to the Harvey County Public Building Commission, waive the week waiting period, and authorize the Chairman to sign. Commissioner Westfall seconded the motion and it was passed unanimously. The terms of the appointments will expire on June 30, 2017.
5. Commissioner Westfall made a motion to re-appoint Ray Penner and Byron Warta as the Harvey County representatives to the Economic Development Council, waive the week waiting period, and authorize the Chairman to sign. Commissioner Hague seconded the motion and it was passed unanimously. The appointments will expire in April of 2016.
6. Craig Clough, Appraiser, presented the 2013 final real estate appraisal/sales ratio study. This is a report of substantial compliance which includes both statistical and procedural compliance for Harvey County. He reviewed the results for all types of real property sales. Craig also presented data obtained from the Wichita Area Realtors Association comparing average sale prices on homes in Harvey County for the first five months of the year for 2014 as compared to the same period in 2013. The average sale amount of homes in 2014 is \$112,755 as compared to \$101,267 in 2013. The average sale of new construction in 2014 is \$214,875 compared to \$155,295 in 2013.
7. Anthony Swartzendruber presented proposed changes to the personnel manual to comply with new laws passed by the legislature that go into effect on July 1. The changes allow employees who have a conceal carry permit to carry a weapon without notifying the Human Resources Department. New signs will be placed in the courthouse to prevent open carry and a different sign will be placed in the Detention

- Center and the Law Enforcement Center. Commissioner Westfall made a motion to approve the changes as presented. Commissioner Hague seconded the motion and it was passed unanimously. Employees will be notified of the changes today.
8. Anthony presented the sales tax reports for the second quarter. Collections for the county were up by 10.72%. The second 1% tax collections were up by 8.35%
 9. Anthony reported that he is currently working with the financial advisor for the development of an investment policy. This will hopefully be completed before the next bond rating call.
 10. The asbestos abatement will begin on August 9. Work will begin in the basement on Friday after 5:00 and continue through the weekend. The work will primarily be done on the weekends, moving upward to the main floor when the basement is complete. Another test well was drilled on the front lawn in preparation for the energy upgrade to the courthouse. The well was to be drilled to 350 feet. Discussion was held about designating an overseer to help coordinate the project. The building access code system will be implemented at the same time the doors are replaced.
 11. The recommended budget will be presented next Monday and there will also be a meeting of the PBC to do a bond resolution.
 12. A memo was received from the City of Newton regarding the airport master drainage plan. As the airport develops, some improvements and changes will need to be done. The City is proposing the design and construction of an additional matching 5 X 2 foot concrete culvert on Oliver Road ½ mile north of 1st Street. There is an existing culvert at that site that is not adequate. The city is requesting that Harvey County pay for ½ of the design costs, which are \$17,522 and half of the construction costs, which are \$46,000. There was also a \$43,835 change order for the design of the hangar that is currently under construction at the airport. The City has asked that the County pay half of the charge. There was \$37,828 that is due to penalties charged because the proper permits were not obtained from the FAA.
 13. Byron Warta reported that the drought report indicates that Harvey County is still in a slight state of drought. He also reported that the door is being installed on the new hangar and the work at the ABI site is progressing.
 14. Sheriff T. Walton reported in August of 2015, the Detention Center will have to be in compliance with the Prison Rape Elimination Act. Failure to comply will result in the inability to house federal prisoners. This will have to be funded so he will discuss this with Anthony and John.
 15. Kass Miller, Park Ranger, reported that there will be a fish delivery this Thursday before the holiday weekend. Commissioner Krehbiel said there is some standing water in some of the camping areas at West Park that needs to be pumped out so more campers can use the area.
 16. At 10:15 a.m. Gina Bell, Director of Planning and Zoning, presented a request for a conditional use permit to operate a horse racing track on property located in the A-1 agricultural zoning district. Espiridion Guevara (Speedy) and Adela Gutierrez are the owners of the track, which up to this point, has not been permitted. Counselor Jay Sizemore also attended the meeting. Gina showed several slides of the track and the buildings and facilities there. The request was presented to the Harvey County Planning Commission at a meeting held on April 8, 2014 recommended the approval of the conditional use permit. Chairman Krehbiel said that Speedy has done everything

that we have asked him to do, improving the fencing, railings, building siding, etc. Commissioner Westfall said there is still not a parking plan for the track that would make sure that the Halstead Fire and EMS could get to someone who might be injured. He is also concerned about traffic control there. Counselor Greg Nye suggested that whoever is performing traffic control should be 18 years old and have a valid driver's license. There was concern expressed about the loudness of the music at the track, the lack of potable water or hand washing stations, and the availability of an ADA porta-potty. Commissioner Hague is concerned that this has been run without a permit. He is in favor of a buffer rail being installed along the fence to protect spectators from the animals. Commissioner Westfall made a motion to approve the conditional use permit on a temporary basis with the following compliances.

- Hand washing stations need to be made available
- An ADA porta potty may need to be made available
- The Halstead Fire and EMS Department needs to sign off on the parking plan within 30 days
- Within 90 days the spectator fence should be fitted with a buffer for spectator safety.
- The parking control person should be at least 18 years old and have a valid Kansas driver's license.

Counselor Sizemore expressed concern about what the cost of the fence buffers might be. A design will be brought back before the board for approval. Commissioner Hague seconded the motion and it was passed unanimously.

17. Lonnie Buller, Emergency Management Director, and Gary Denny, Special Project Coordinator, presented the After-Action Report/Improvement Plan on a table top exercise simulating debris from an ice storm that was held on May 29, 2014. Gary reviewed the outcome of the exercise highlighting the strengths and listing the areas that need to be improved. Commissioner Hague made a motion to approve the report for submission to the State. Commissioner Westfall seconded the motion and it was passed unanimously.
18. Commissioner Hague made a motion to approve the revised 2015 Extension Council budget and give the Chairman the authority to sign. Commissioner Westfall seconded the motion and it was passed unanimously.

CITIZENS FORUM:

There were no items presented during Citizen's Forum

Warrant checks in the amount of \$324,092.28, with the exception of the check to the City of Newton to pay for the change order on the airport hangar, were approved upon a motion by Commissioner Hague, seconded by Commissioner Westfall. Motion passed unanimously.

Anthony Swartzendruber presented a list of supplemental budget requests as presented by the departments during budget presentations. Departmental supplemental requests total \$252,818. Each request was explained and discussed. The Commissioners will evaluate and prioritize the requests.

The meeting was adjourned at 12:35p.m.

BOARD OF HARVEY COUNTY COMMISSIONERS

Ron Krehbiel

Ron Krehbiel, Chairperson

Randy Hague

Randy Hague, Member

ATTEST:

Joyce Truskett

Joyce Truskett, County Clerk

George A. "Chip" Westfall

George A. "Chip" Westfall, Member

