

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

**December 21, 2015**

The Board of Harvey County Commissioners met in regular session on December 21, 2015 with all three commissioners present. Chairman Hague called the meeting to order at 9:00 a.m.

**ITEMS ADDED TO AGENDA:**

1. Commissioner Westfall reported that on Saturday he noticed water standing on the bridge on SE 84<sup>th</sup> St. just east of Old US Highway 81. He will pass the information on to the Road & Bridge department.
2. Commissioner Westfall reported that he met with Newton City/County Airport officials and Harvey County Road & Bridge last Friday at the airport to discuss solutions to the “shot” or small metal particles that exist on the shoulders of the main runway. Harvey County Road & Bridge agreed to run their magnet over the area this morning.
3. Commissioner Hague reported the he attended the legislative forum held at Prairie View last Friday. He reported that Prairie View provided \$1,072,000 in required services without federal funding due to decisions made by the Kansas legislature to not accept federal funding. He reported that 95% of these expenses would have been paid by the federal government instead of solely by Kansas taxpayers.
4. Commissioner Krehbiel reported that Community Corrections will be affected by State budget cuts.

**CALENDAR ITEMS:**

1. Chairman Hague asked whether the commission needed to meet next week. The commissioners and administration discussed it and agreed that it would not be necessary to meet next week. Commissioner Krehbiel made a motion to cancel the December 28 County Commission meeting and authorize staff to issue the warrant checks for next week. Commissioner Westfall seconded the motion and it was passed unanimously. The next Commission meeting will be held on Monday, January 4, 2016.

Minutes of the December 14 Commission regular meeting were approved upon a motion by Commissioner Westfall, seconded by Commissioner Krehbiel. Motion passed unanimously.

**ADMINISTRATIVE ITEMS:**

1. John Waltner, Administrator, reported that the new generator for Emergency Management, Communications and the Law Enforcement Center has been ordered and should be installed in the spring of 2016.
2. John reported that he contacted the City of North Newton administrator to discuss the issue of the dirt piles left in the right-of-way on Hesston Rd. after the installation of the sewer pipe from North Newton to Hesston. He was informed that they are working on finalizing the installation and cleaning up the right-of-way.
3. John reported that he attended a Workforce Area 4 meeting. Communication between the five Workforce groups was emphasized at the meeting. A discussion was held by the commission regarding whether Harvey County should continue as a member of

- Workforce Area 1 which includes mostly rural western Kansas counties or whether Harvey County should seek a change to be included as a member of Workforce Area 4 which includes the Wichita metro area.
4. John presented information he received from ICM proposing to use a space near the Harvey County Transfer Station to setup, test and demonstrate a newly developed small platform gasifier. They are proposing to use the same space that they had previously used for testing of a different larger gasifier unit. The new demonstration unit is designed to convert 10-25 tons per day of biomass and forestry based feedstock into both energy and .5 to 2 tons per day of high-carbon biochar products.
  5. John presented some information received via email from Suzanne Loomis, City of Newton Director of Public Works, regarding the Notice of Public Hearing put out by the KS Department of Agriculture, Division of Water Resources. The public hearing is regarding a modification to recharge rates in safe yield calculation in two areas of concern in the Equus Beds Ground Water Management District No. 2 (GMD2) requested by the City of Wichita. The changes would allow the City of Wichita to draw water from GMD2 down to bedrock. The concern for the City of Newton and Harvey County is that GMD2 is their sole source of water and with this change the City of Wichita could pull the water levels down for everyone using water from GMD2 and it would accelerate the chloride migration issue in the aquifer. Suzanne suggested representatives from Harvey County attend the hearing on January 11, 2016.
  6. John presented two letters to the Excel Industries representatives thanking them for hosting the Quad County meeting last week. The commissioners signed the two letters.
  7. John requested direction or guidance from the commission regarding fully utilizing the security features provided by the new electronic door lock system. Administration and the Sheriff recommend locking the North, South and East doors at all times and only allowing public access during business hours through the West doors. Employees will be able to enter through all of the doors using the badge that was issued to them. The commissioners agreed that the three doors be designated as employee entrances and to have them locked at all times with access only allowed using the electronic badge system.
  8. Lynnette Redington, Health Department director, addressed the Local Board of Health (the County Commission). She reported that the multijurisdictional grant that she had previously presented to the commission for approval of a Memorandum of Agreement (MOA) was not applied for due to the realization that grant was only to setup cooperatives between county health departments, which already exist between the Harvey, Reno and Marion County health departments. She reported that the State of Kansas has given approval for the Harvey County Health Department to conduct a WIC program at the Halstead Clinic operated by Health Ministries. She also reported that the WIC program in the City of Sedgwick has been halted stating that they were being allowed to use a closed facility, but had very few appointments per month.
  9. Gary Denny, Emergency Management Director, reported that the damages from the proclaimed Local Disaster Emergency for the flood conditions in the County after the rain event on December 13 & 14 did not come close to meeting the threshold for FEMA public assistance.
  10. Kass Miller, Parks Director, reported that his department is currently in the process of demolishing the Walnut Grove area restroom facility in preparation for the new facility.

He also reported that he was informed that a commercial fishery wants to harvest carp from East Lake.

11. Jim Meier, Road & Bridge Superintendent, reported that they ran a magnet over the shoulders along the runway at the airport this morning as requested by Commissioner Westfall, but very little metal was picked up. The next step will be to run the power broom over the area, but there is a lot of vegetation growing in the cracks.
12. Rick Piepho, County Clerk, reported that County Treasurer Becky Fields has filed as a Republican candidate for Harvey County Treasurer in 2016.

#### **CITIZENS FORUM:**

There were no items presented during Citizen's Forum.

Warrant checks in the amount of \$80,030.10 were approved upon a motion by Commissioner Westfall, seconded by Commissioner Krehbiel. Motion passed unanimously.

A resolution changing the rates at the Harvey County Transfer Station and Construction and Demolition Landfill beginning January 1, 2106 was presented for consideration. John explained that the Reno County Landfill increased their fees to accept the municipal solid waste that Harvey County hauls to their site. The increase in cost is reflected in the seven line items that are being changed; the construction and demolition rates are not being changed. Commissioner Krehbiel made a motion to approve **Resolution 2015-25** as presented. Commissioner Westfall seconded the motion and it was passed unanimously.

Anthony presented the bid tabulation results from the Request for Proposal (RFP) submissions that were opened last week for the publication of legal notices. Anthony stated that both of the proposals submitted met the requirements of the RFP. Anthony recommended awarding the contract to The Newton Kansan who submitted a proposal with a price per column inch of \$6.00 with a column width of 1.5 inches. The awarded contractor will be designated as the "Official County Newspaper" for the period of January 1, 2016 to December 31, 2016. Commissioner Westfall made a motion to award the contract for the Publication of Legal Notices to The Newton Kansan. Commissioner Krehbiel seconded the motion and it was passed unanimously.

Mike Llamas, Panel Administrator for the Harvey County Legal Services Panel (HCLSP), presented a Contract for Legal Services for consideration. The four panel members provide legal representation when appointed by the District Court to certain persons in certain types of cases. He pointed out some changes that were made from the previous contract due to the District Judge appointment of panel member Marilyn Wilder. The law firm of Adrian & Pankratz, P.A. will take her place on the panel with limited participation. The distribution of compensation amongst the four panel members is adjusted to reflect the changes; three panel members will each be paid \$44,333.33 per year and Adrian & Pankratz, P.A. will receive \$12,000 per year to equal the amount included in the Harvey County budget for 2016. Commissioner Westfall made a motion to approve the contract for Contract for Legal Services. Commissioner Krehbiel seconded the motion and it was passed unanimously.

At 10:40 a.m. Commissioner Westfall made a motion to go into executive session for a period of 20 minutes to discuss proprietary information regarding economic development. Commissioner Krehbiel seconded the motion and it was passed unanimously. Also present for the session were John Waltner,

Anthony Swartzendruber, Counselor Greg Nye and Rick Piepho. Executive session ended at 11:00 a.m. with no action being taken.

The meeting was adjourned at 11:00 a.m.

BOARD OF HARVEY COUNTY COMMISSIONERS



ATTEST:

*Rick Piepho*  
Rick Piepho, County Clerk

*Randy Hague*  
Randy Hague, Chairperson

*Ron Krehbiel*  
Ron Krehbiel, Member

*George A. "Chip" Westfall*  
George A. "Chip" Westfall, Member