

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

**September 28, 2015**

The Board of Harvey County Commissioners met in regular session on September 28, 2015 with all three commissioners present. Chairman Hague called the meeting to order at 9:00 a.m.

**ITEMS ADDED TO AGENDA:**

1. Commissioner Krehbiel commented that the employee picnic held yesterday went well and there was a good turnout.
2. Commissioner Westfall reported that he has received a number of positive comments about the roads that received Hot-in-Place resurfacing.

**CALENDAR ITEMS:**

1. Commissioner Westfall will attend the REAP executive committee meeting on Thursday, October 1 in Wichita.

Minutes of the September 21 Commission regular meeting were approved upon a motion by Commissioner Krehbiel, seconded by Commissioner Westfall. Motion passed unanimously.

**ADMINISTRATIVE ITEMS:**

1. John Waltner, Administrator, presented Resolution 2015-18 authorizing the sale of equipment on Purple Wave On-Line Auction for consideration. He reported that in addition to the original request by the Transportation Department to sell a 2006 Chevy Uplander, the resolution now contains the suggested addition of the 1968 Allis-Chalmers tractor from the Parks Department. He also explained that the Emergency Management Department requested the addition of some of their unused equipment from the mobile generator trailer; a 1957 generator, a 300 gallon fuel tank and a transformer. He stated that the Solid Waste Department will remove the components to be sold and will retain the trailer and job-box for use by their department. Commissioner Krehbiel made a motion to approve **Resolution No. 2015-18**, stating that certain equipment is no longer required for use by the County and is authorized to be sold. Commissioner Westfall seconded the motion and it was passed unanimously.
2. Craig Clough, Appraiser, presented the 2015 Procedural Compliance results for Harvey County from the Property Valuation Division of the Kansas Department of Revenue. The compliance review is a comprehensive review of the property tax appraisal process. The report congratulates Harvey County for meeting the criteria to be considered in substantial compliance.
3. Craig also presented a request from Johnson County for Harvey County and other counties to join as co-plaintiff a mandamus action to determine the constitutionality of K.S.A. 79-1460. Johnson County will bear all of the costs and provide all of the labor required. Craig explained that KSA 79-1460 was amended by the legislature so that as of January 1, 2015 county appraisers would be required to maintain the value of properties reduced pursuant to the hearing process for two years instead of the previously required one year. He stated that the statute also defined the term “substantial and compelling reasons” to exclude changes in market condition as an

allowable reason to increase the valuation. He stated that most importantly the changes violate the Kansas Constitution, article 11, section 1, requiring the legislature to provide for uniform and equal basis of taxation, but a segment of taxpayers would be treated differently than others. Commissioner Krehbiel made a motion to authorize Counselor Nye to contact Johnson County to join the action as a co-plaintiff. Commissioner Westfall seconded the motion and it was passed unanimously.

4. John presented copies of the Request for Qualifications (RFQ) being sent out by the City of Newton for an Airport consultant or engineer. The request is being sent to 6 vendors including the current consultant, HNTB Corporation.
5. Rick Piepho, County Clerk, stated that there was an article in the Wichita Eagle on Sunday regarding the number of incomplete registrations statewide and a new KAR that will take effect on October 2 that will remove people from the list after 90 days. He reported that Harvey County currently has 174 incomplete voter registrations due to the lack of citizenship documentation. He reported that since the citizenship part of the SAFE act took affect on January 1, 2013 there have been 495 voter registrations that did not initially provide citizenship documentation, but 321 of those have subsequently provided the documentation and become fully registered voters. Rick stated that prior to their removal from the list, another notice will be sent to the approximately 130 registrants in Harvey County that will be affected.

#### **CITIZENS FORUM:**

There were no items presented during Citizen's Forum.

Warrant checks in the amount of \$389,655.56 were approved upon a motion by Commissioner Krehbiel, seconded by Commissioner Westfall. Motion passed unanimously.

A presentation was given regarding the Harvey County Domestic Violence/Sexual Assault Task Force and Safe House. Jan Jones, Executive Director, and Heather Boswell, Police Response Advocate Coordinator, presented information and statistics about the activities of the agency. Many other board members and employees were in attendance and provided additional comments and information. The commissioners thanked all of them for their service to the citizens of Harvey County.

At 10:55 a.m., the public hearing was opened to hear possible protests of the solid waste fee, as required by State Statute. Kathy Espana, Solid Waste Clerk, presented a list of 2014 delinquent solid waste fees. The list was reviewed and discussed, but there were no citizen protests. The hearing was closed at 11:00 a.m. Commissioner Westfall made a motion to approve the report as presented. Commissioner Krehbiel seconded the motion and it was passed unanimously.

The meeting was recessed at 11:00 a.m. to visit the Harvey County Safe House.

The meeting was adjourned at 11:45 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