

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

**April 11, 2016**

The Board of Harvey County Commissioners met in regular session on April 11, 2016 with all three commissioners present. Chairman Westfall called the meeting to order at 9:00 a.m.

**ITEMS ADDED TO AGENDA:**

1. Commissioner Krehbiel reported that the Kansas economy is ranked 46<sup>th</sup> in the nation according to an article in the Hutchinson News.
2. Commissioner Krehbiel reported that he attended the USDA Farm Services Agency meeting last week with residents affected by the wildfires. FSA officials discussed reimbursements for losses of fencing and windbreaks.
3. Commissioner Westfall reported that building permits in Sandcreek Watershed easement areas were discussed with commissioners during the Sandcreek Watershed board meeting last Thursday evening.
4. Chairman Westfall reported that last Wednesday he signed a declaration prohibiting open fires, careless use of smoking materials and prescribed burning in Harvey County for the period of 4-6-2016 thru 4-18-2016. The commissioners discussed whether farmers are exempt from the burn ban. A memo from Gary Denny, Emergency Management Director, was distributed stating that the jurisdictional Fire Chief can grant written permission to burn only if necessary for crop survival.

**CALENDAR ITEMS:**

1. The commissioners are invited to attend the Fair Board meeting at 5:00 p.m. on April 14 at the Fairgrounds.
2. Commissioner Krehbiel is scheduled to attend the Harvey/McPherson County Community Corrections meeting at noon on April 21 in Judge Dickinson's chambers.
3. A ribbon cutting for the new 800 MHz radio system is scheduled at 10:30 a.m. on April 21 in the courthouse community room.
4. Commissioner Westfall is scheduled to attend the Harvey County 911 meeting at 9:00 a.m. on Thursday, April 21 at the Law Enforcement Center.
5. Commissioner Hague stated that the Council of Governments meeting is scheduled for April 13 at 7:00 a.m. at the Breadbasket.

Minutes of the April 4 Commission regular meeting were approved upon a motion by Commissioner Krehbiel, seconded by Commissioner Hague. Motion passed unanimously.

**ADMINISTRATIVE ITEMS:**

1. John Waltner, Administrator, reported that an after action review meeting for the Hesston and Newton shooting event is scheduled for April 13 at 1:00 p.m. at Dyck Arboretum.
2. John encouraged the commissioners to plan to attend the REAP meeting at 11:45 a.m. on April 21 at Eisenhower Airport in Wichita where KAC and LKM representatives will discuss the status of the tax lid legislation.
3. John reported the he and Gary Denny met with Stan Smith from KDEM last week

- regarding possible participation in the FEMA Fire Management Assistance Grant Program (FMAGP) for reimbursement of firefighting expenses related to the wildfires in the western part of the county. Stan informed them that firefighting expenses in Harvey County did not meet the threshold and Harvey County was not included in the declaration area with the Anderson Creek (Barber County) fires so will not be eligible for FMAGP. Harvey County is appealing the ruling.
4. John invited Commissioner Krehbiel to attend a meeting with a property owner in his district regarding buildings in a floodway. John and Planning & Zoning Director Gina Bell are scheduled to meet with the owner on his property near Halstead at 2 p.m. on Tuesday, April 12.
  5. Craig Clough, Appraiser, reported that an error was made in the 2016 agricultural land values recently prepared by the Property Valuation Division of the Kansas Department of Revenue. The 2016 agricultural land values in 66 Kansas Counties including Harvey County will decrease slightly from the values previously reported. Craig reported that the corrected values have not been received yet, but the error only affects dry land values and should have a minimal impact in Harvey County. Craig stated that corrected valuation notices are not required to be sent to affected property owners.
  6. Commissioner Hague made a motion to waive the second reading of the Recommendation for Appointment and appoint Pat Wendling to the Harvey County Regional Planning Commission & Board of Zoning Appeals for the term 4-11-16 to 3-22-19 and authorize the chair to sign. Commissioner Krehbiel seconded the motion and it was passed unanimously.
  7. Commissioner Krehbiel made a motion to waive the second reading of the Recommendation for Appointment and appoint Michael Koehn to the Harvey County Regional Planning Commission & Board of Zoning Appeals for the term 4-11-16 to 3-22-19 and authorize the chair to sign. Commissioner Hague seconded the motion and it was passed unanimously.
  8. John reported that the Notice of Public Auction advertisement of the tax foreclosure sale of the Halstead Hospital properties on April 27 has been posted on the county website and will be published at least once in all of the area newspapers. Maps and additional information for each of the properties is available to all interested parties.

#### **CITIZENS FORUM:**

There were no items presented during Citizen's Forum.

Warrant checks in the amount of \$140,750.91 were approved upon a motion by Commissioner Krehbiel, seconded by Commissioner Hague. Motion passed unanimously.

Kass Miller, Director of Parks, requested permission to renew the Parks mowing contract with Unruh Mowing for the 2016 mowing season. Unruh has agreed to keep the fee structure the same as last year; \$3,500 per mowing cycle for the proposed 12 cycles or \$42,000 total if all cycles are required. Unruh mowing was the winning bidder when bid requests were sent in both of the last two years; they were the only bidder last year. The county purchasing policy allows for the renewal of contracts for up to five years without bids. Commissioner Hague suggested sending out bid requests again next year. Commissioner Hague made a motion to approve the contract with Unruh Mowing for mowing for the Parks Department for 2016 for \$42,000 total and authorize the chairman to sign the contract. Commissioner Krehbiel seconded the motion and it was passed unanimously.

Kass reported that the Conquer the Gauntlet obstacle course event will be held at East Park this Saturday, April 16, 2016. He stated that there will be a total of 12 waves with up to 100 participants each started every 15 minutes beginning at 9:00 a.m. Spectators are welcome to attend with a \$5 admission fee.

Anthony Swartzendruber, Assistant Administrator & Finance Director, presented a detailed quarterly report for the first quarter of 2016. He reviewed all revenues and expenses by category and gave an analysis of why they were low or high. Total revenues to the end of the quarter reflect 45% of the budgeted amount. The report included details of the county investments at the end of the quarter. Anthony reported that the county has a total of \$11,319,977 invested with various amounts invested at different rates with a total blended rate of return of .506%.

A discussion was held regarding the fence viewing that was conducted last week at 5827 S. Ridge Rd. Counselor Nye presented information and copies of the statutes regarding fence viewing by the commission to resolve partition fence controversies. Greg stated that there are no statutes or AG opinions addressing minimum or maximum property size. He also stated that Kansas statutes and AG opinions state that both parties are equally liable for the expense of erecting a partition fence unless the land is in common use by both landowners and one party does not want the land enclosed. Greg will review all applicable statutes, AG opinions, case law and information from the landowners and prepare a recommended order from the commission for consideration at next week's commission meeting.

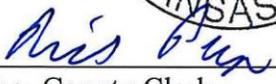
At 10:55 a.m. Commissioner Hague made a motion to go into executive session for a period of 5 minutes to discuss privileged communication with legal counsel. Commissioner Krehbiel seconded the motion and it was passed unanimously. Also present for the session were John Waltner, Anthony Swartzendruber, 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.

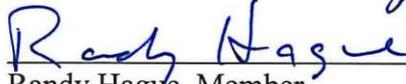
BOARD OF HARVEY COUNTY COMMISSIONERS



ATTEST:

  
Rick Piepho, County Clerk

  
George A. "Chip" Westfall, Chairperson

  
Randy Hague, Member

  
Ron Krehbiel, Member