

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

**January 25, 2016**

The Board of Harvey County Commissioners met in regular session on January 25, 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 asked if a determination has been made regarding whether Motorola or the County will be responsible for the damage from falling ice to the equipment on the tower at Camp Hawk. He also asked if Motorola, Communications and Administration were aware that there is also equipment damage on the tower near Burrton. John Waltner, Administrator, responded that Motorola has ordered the replacement equipment, including the damaged equipment on the Burrton tower, but it has not yet been determined who will pay for the repairs.

**CALENDAR ITEMS:**

1. Commissioner Westfall noted that the REAP quarterly membership meeting scheduled for January 28 has been rescheduled to Thursday, February 4 at 11:45 a.m. in Wichita.

Minutes of the January 19 Commission regular meeting were approved, with a correction to item 7 on page 2, upon a motion by Commissioner Hague, seconded by Commissioner Krehbiel. Motion passed unanimously.

**ADMINISTRATIVE ITEMS:**

1. John reported that Gene Wendling would be willing to serve on the Public Building Commission (PBC) again if the commission appointed him, but he would not be disappointed if the commission chose to appoint someone else to fill his expired position on the PBC. The commissioners would like to hear input and recommendations from residents prior to appointing a person to fill the position.
2. John presented copies of a webpage created by the Kansas Board of Realtors to support the tax lid.
3. John presented copies of information from Asphalt Contractor magazine regarding the FAST Act, a five-year \$305 billion federal highway bill that was recently enacted.
4. Gina Bell, Planning, Zoning & Environmental Director, presented information on the Harvey County Regional Planning Commission/Board of Zoning Appeals (HCRPC). She stated that the HCRPC is made up of 15 members, 1 member each from the 8 rural districts and 1 member from each incorporated city in the county. She stated that there are currently five vacant positions; 1 rural position and 4 city positions. She also showed a map of where the current HCRPC members reside. The commissioners discussed the makeup of the HCRPC including whether a 15 member commission was practical and why having a member from each city is necessary. The next meeting of the HCRPC is scheduled for February 2 at 7:00 p.m. in the courthouse.
5. John presented a Lease Agreement between the County and ICM, Inc. for the use of a site at the Harvey County C & D landfill by ICM for a gasifier demonstration unit. John

explained that the agreement is very similar to the agreement that was executed for the previous use of the same site by ICM. The commissioners discussed some of the concerns that arose during the previous usage by ICM such as the emissions from the gasifier, storage of feedstock and cleanup of the site. Commissioner Krehbiel made a motion to approve the Lease Agreement with ICM for use of the site for the period of February 1, 2016 to December 31, 2016 with the correction of a few typographical errors in the document. Commissioner Hague seconded the motion and it was passed unanimously.

6. Kass Miller, Director of Parks, reported that there were no bidders for the Barn Reclamation Request for Proposal (RFP) that were due last Friday. He reported that there were a few companies that contacted him regarding the project but none of them submitted a proposal. Commissioner Krehbiel made a motion to close the RFP and authorize staff to negotiate an agreement with a contractor to remove the structure. Commissioner Hague seconded the motion and it was passed unanimously.
7. John stated that the terms of office for the non-lawyer members of the Ninth District Judicial Nominating Commission will expire the first Monday in March. The current non-lawyer members are Ronnie L. Krehbiel and George Rogers. In accordance with KSA 20-2905(a)(2) it is necessary for the board of county commissioners to appoint two non-lawyer members of the nominating commission. Commissioner Hague made a motion to waive the second reading and reappoint Ronnie L. Krehbiel and George Rogers as non-lawyer members of the Ninth District Judicial Nominating Commission for the term of March 7, 2016 to March 2, 2020. Commissioner Westfall seconded the motion and it was passed unanimously.
8. Kass Miller reported that the Boy Scouts Trappers Rendezvous event held at West Park was well attended with 5,567 registered attendees.
9. Anthony Swartzendruber, Assistant Administrator & Finance Director, reported that the year end has been completed and the budget process will begin soon.
10. Rick Piepho, County Clerk, presented a Certificate to renew the Cereal Malt Beverage license for Wedgewood Golf Course. Commissioner Hague made a motion to approve the renewal of the Cereal Malt Beverage license for Wedgewood Golf Course for the term February 1, 2016 to February 1, 2017 and authorize the chair to sign the certificate. Commissioner Krehbiel 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 \$135,773.95 were approved upon a motion by Commissioner Hague, seconded by Commissioner Krehbiel. Motion passed unanimously.

John and Counselor Greg Nye presented Resolution 2016-4 for consideration. It is a resolution ordering the County Clerk to execute a Quitclaim Deed to transfer ownership of lots Ten (10), Twelve (12) and Fourteen (14) on Washington Avenue in the City of Sedgwick owned by Harvey County to the City of Sedgwick. Commissioner Krehbiel made a motion to approve **Resolution 2016-4** as presented. Commissioner Hague seconded the motion and it was passed unanimously.

Tim Boese, Groundwater Management District #2 (GMD2) Manager, presented a report of the activity and status of GMD2 or Equus Beds. He was invited to present information and discuss the proposed KAR change requested by the City of Wichita to use recharge or ASR credits to draw to bedrock instead of the 1993 levels. He reported that they manage over 2,000 permitted wells in the district including the wells owned and operated by the City of Wichita. He stated that the City of Wichita is permitted to draw 40,000 acre feet per year (AFY) from the Equus Beds, but they have only been using about 8,000 AFY. He reported that currently the Equus Beds are at about 95% of capacity. He stated that the City of Wichita created and has been active in a recharge project for the Equus Beds and GMD2 is currently the only Groundwater Management District in the state with a recharge program. He reported that the original regulations regarding recharge or ASR credits were written by GMD2 and the City of Wichita. He stated that if the KAR is passed then the City of Wichita would still need to submit a request to change their permits to allow them to draw water to the new level created by the KAR. He stated that GMD2 is opposed to the change being requested.

A resident of Sedgwick County, Jim Breitenbach, who attended the commission meeting to hear the presentation by GMD2 suggested installing lights or a system to draw more attention to the stop signs at Burmac Rd. and Dutch Ave. similar to Halstead Rd. and Dutch Ave. He stated that that intersection is dangerous and a number of accidents have occurred at that location.

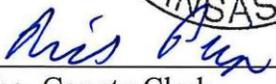
At 11:20 a.m. Commissioner Hague made a motion to go into executive session for a period of 10 minutes to discuss privileged communication with legal counsel. Commissioner Krehbiel seconded the motion and it was passed unanimously. Also present for the session were John Waltner, Anthony Swartzendruber, Counselor Greg Nye and Rick Piepho. Executive session ended at 11:30 a.m. with no action being taken.

The meeting was adjourned at 11:30 a.m.

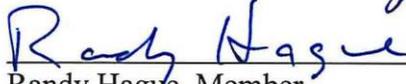
BOARD OF HARVEY COUNTY COMMISSIONERS



ATTEST:

  
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Rick Piepho, County Clerk

  
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George A. "Chip" Westfall, Chairperson

  
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Randy Hague, Member

  
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Ron Krehbiel, Member