

MINUTES OF
BOARD OF HARVEY COUNTY COMMISSIONERS

May 21, 2007

The Board of Harvey County Commissioners met in regular session on May 21, 2007 with all three Commissioners present. Chairman Westfall called the meeting to order at 9:00 a.m.

ITEMS ADDED TO AGENDA:

1. Commissioner Krehbiel informed the Commission that the route chosen by Westar for the high voltage power line in the western part of the County is the one that most people wanted. He thanked the Commission for supporting him as he dealt with Westar in pursuing the best route.
2. The asphalt on the north side of SW 14th Street east of Cow Palace Road has crumpled due to a train derailment near that location. This will need to be repaired by the County and billed to the railroad.

Commissioner Roberson made a motion to approve the minutes of the May 14 Commission meeting. Commissioner Krehbiel seconded the motion and it was passed unanimously.

CALENDAR ITEMS:

1. The REAP Economic Development subcommittee meeting will be held in Wichita on May 23 at 12:00 p.m.
2. The Memorial Day Holiday is Monday, May 28, 2007. If there is enough agenda items, the Commission meeting will be held on Tuesday, May 29.

ADMINISTRATIVE ITEMS:

1. The Commission received a letter of resignation from Bob Grant who is resigning from the Harvey County Parks Advisory Board. Harvey County will present him with a certificate of appreciation.
2. Commissioner Krehbiel made a motion to approve **Resolution No. 2007-16**, appointing Paul Ferguson of Poe & Associates Inc. as the designated County Engineer for Harvey County from June 1, 2007 to June 1, 2008. Commissioner Roberson seconded the motion and it was passed unanimously.
3. Commissioner Roberson made a motion to appoint Dorothy Zook to the Harvey County RSVP Advisory Council. Commissioner Krehbiel seconded the motion and it was passed unanimously.
4. In response to a request from Al Penner, former North Newton Mayor, Craig Simons presented **Resolution 2007-17** requesting the Kansas Oklahoma Railroad remove tree debris and discarded railroad ties from the railroad right-of-way along the tracks from Newton and North Newton through the city of Hesston and ending at the McPherson County line. Jim Meier, Engineering Technician from the Road & Bridge Department, contacted the railroad prior to this request, but was unable to get a response. After discussion regarding the difficulty of enforcing the resolution, the consensus of the Commission was to send a registered letter to the

- railroad with a request to respond by a specified date.
5. Charlie Summers and John Waltner from Harvey County and Bob Meyers, from the City of Newton, traveled to Greensburg last week to assist with the tornado cleanup. They talked with the Mayor of Greensburg and he expressed the need for more trucks and loaders to help with the cleanup. If requested, Harvey County will send a truck and possibly a loader to help for a couple of days. John Waltner briefed the Commission on a project that the City of Hesston is undertaking to replant 1,500 trees in Greensburg.

CITIZEN'S FORUM:

There were no citizens present for Citizen s Forum.

Warrant checks were approved upon a motion by Commissioner Krehbiel, seconded by Commissioner Roberson. Passed unanimously.

As per **Resolution #2007-15** which was passed during last week s Commission meeting, a public hearing was held regarding the sale of two Bomag rollers. The information was published twice in the Newton Kansas as required by statute. No citizens attended the hearing. Commissioner Roberson made a motion to commence with the sale of the two rollers to the cities of Halstead and Hesston. Commissioner Krehbiel seconded the motion and it was passed unanimously.

Scott Davies, Director of Planning & Zoning, presented the proposed regulations on building in dam breach areas. Vern Koch and Ardith Sauerwein, representatives from the watershed district, spoke on behalf of the district. The planning commission and the watershed districts have recommended that any construction within the dam breach areas of watershed dams be prohibited. Commissioner Roberson made a motion to accept the recommendation of the Planning & Zoning Commission to prohibit any construction within the dam breach areas and adding dam breach areas of watershed dams in Harvey County constructed before May 21, 2007. In addition the motion adds, no land uses or structures currently located within a mapped FRD Breach Impact boundary before the effective date of this resolution/amendment shall be or become non-conforming by reason of this overlay district. However, if any residence located in the breach impact area prior to the passage of this overlay is destroyed beyond 51 percent of its real value, it cannot be re-established within the mapped breach area. Commissioner Krehbiel seconded the motion and it was passed unanimously.

Marion Rowland, Director of Parks, presented the Harvey County Parks annual report.

The Commissioners attended a lunch at the Historical Society at 11:30a.m.

Sherrie Buss Rollins presented a request for a .5 mil to fund Harvey County s provision of services for developmentally disabled children from birth to 2 years. At the current time developmentally disabled children between the ages of 3 to 21 are covered under part B of this provision. In the State of Kansas the lead agency for these services is the Kansas Department of Health, however school districts have picked up more and more of the funding to ensure service

needs are met for children birth to 2 years. The number of children with special needs in Harvey County has reached an all-time high and there are basically only three of the 12 school districts that are picking up the cost. The Commissioners will take this issue under advisement with regard to the funding and function of the newly formed CDDO.

Commissioner Roberson reported that many people attended the public hearings held in both Harvey County and Marion County for the new Harvey/Marion County CDDO. The projected timeframe for the new CDDO is that the new board would be in place by July 1, 2007. According to statute each entity involved chooses two candidates to serve on a selection committee. The selection committee chooses the first, new governing board members. In this case Marion County would appoint 2 and Harvey County would appoint 2. Commissioner Krehbiel made a motion that Virgil Penner and Commissioner Roberson be appointed as the two representatives of Harvey County. Chairman Westfall seconded the motion and it was passed unanimously.

Sandy Fraser, a representative from a group of citizens, presented a proposal to build a new indoor arena and event center near the current fairgrounds. Information booklets were distributed to the Commissioners which included approximate dimensions of the building, pictures of the facility in Lyons, statistics with regard to existing arenas in this area, and funding possibilities. In addition to Mrs. Fraser, others in attendance were Rusty Fraser, Tannis Unruh, Sharon Arellano, Virgil Penner, Jonie James, Ann Religa, Scott Eckert, Marlene Beeson, and Richard Denno. The group has formed after visiting an arena of this type in Lyons, Kansas. The group is proposing to obtain land possibly east of the old K-Mart store which is owned by the City of Newton. They propose to fund the project with grant funds, private funds, and fund raising events. The Commission encouraged the group to present their proposal to the City of Newton. etc. that is built from a combination of grant funds and private funds, fund raising events, etc.

Commissioner Krehbiel moved to adjourn the meeting and Commissioner Roberson seconded the motion. Passed unanimously.

BOARD OF HARVEY COUNTY COMMISSIONERS

Chairman

ATTEST:

Member

County Clerk

Member