

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

**August 13, 2007**

The Board of Harvey County Commissioners met in regular session on August 13, 2007 with all three Commissioners present. Chairman Westfall called the meeting to order at 9:00 a.m.

**ITEMS ADDED TO AGENDA:**

1. Chairman Westfall will make a presentation about the Harvey County Waste-to-Energy program to the Newton Lions Club on October 29.
2. Newton USD will hold a bond election on November 6. The State of Kansas will pay 42% of the cost of building the proposed facilities.
3. Tom Williams is the new president of the Newton Chamber of Commerce.
4. The EDC is currently working with five different companies looking to expand in Harvey County.
5. The City of Newton is taking bids from 5 companies to help with the search for a new City Manager.

**CALENDAR:**

1. The next CDDO meeting will be held on August 20, 2007. They will meet on the 3rd Monday of each month at 4:00 p.m.
2. There is a joint City/County meeting scheduled to be held at Newton City Hall on Tuesday at 5:45 p.m. regarding economic development.

Minutes of the August 6 Commission meeting were approved upon a motion by Commissioner Roberson, seconded by Commissioner Krehbiel. Passed unanimously.

**ADMINISTRATIVE ITEMS:**

1. Craig Simons presented recommendation for appointments of Carroll Harder, Clifford Kirk, and Sam Griffin to the Harvey County Regional Planning Commission. Commissioner Roberson made a motion to approve and authorize the Chairman to sign the appointments. Commissioner Krehbiel seconded the motion and it was passed unanimously.
2. Craig Simons presented the recommendation for appointment of Norman Alexander to the Harvey County Parks Advisory Board. Commissioner Krehbiel made a motion to approve and authorize the Chairman to sign the appointment. Commissioner Roberson seconded the motion and it was passed unanimously.

**CITIZEN'S FORUM:**

Several citizens attended the meeting to express concerns about the proposed ethanol plant in Harvey County. Those attending were Diane Wilks, Mary Abbas, Reed Roberts, Justin Blough, LeeRoy Peterson, Kay Ediger, Fremont Regier, Gary Hill, and Jeff Couchman.

Diane Wilkes, Royer West resident has concerns about the proposed location of the plant. Most ethanol plants are located on the northeast side of cities. The proposed location is on the southwest side of Newton within 3/4 miles of the city limits. Emissions odor and residue would float over the City. After talking to the EPA and KDHE, the conclusion is that the equipment functions best when it is new making the air quality in the early years of operation better than it is in later years. There are no guarantees that the equipment is going to be maintained and operating properly. With the County turning the land next to the Landfill into an industrial site, there is a potential for 500 tons of pollutants in the air. Traffic flow is also a concern at Highway 50 and Cow Palace Road. Ms. Wilks asked if the County would be hiring a consultant and encouraged the County to exercise due diligence before making a decision on the plant.

Fremont Regier, North Newton resident, is opposed to ethanol production. Ethanol is less efficient than gasoline and most cars have to be specially reworked to use it. Mr. Regier gave the Commissioners an article about ethanol production which appeared in the Scientific American in January. Corn prices have doubled because of its use in ethanol production. The use of a food source to provide fuel presents an ethical issue.

Jeff Couchman lives at 4019 SW 24th Street, which is across the road from the proposed location. He represents at least 100 other citizens who are not an anti-ethanol group. However, they are opposed to an industrial type business being placed so close to residential areas. The Newton Chamber of Commerce is split on whether or not to back it. Mr. Couchman also encouraged the Commission to perform due diligence before making a decision. The ICM plant in Russell was exceeding the emissions limitations and was assessed fines.

Reid Roberts, Newton resident, would rather the plant not be located so close to town. With the recent explosion and fire at a chemical plant in Valley Center, caution should be exercised in placing a plant of this type in close proximity to Newton.

Leroy Peterson, Stratford Place resident, is concerned about the traffic issues presented, especially for those residents in Lazy Creek addition. Mr. Peterson lived in Los Angeles for eight years and understands the problems in living in dirty air. One of the reasons he moved to this area was because of the clean air here and he doesn't want to lose it. He feels that the proposed location of the plant is a threat to clean air. The use of food for fuel is a philosophical concern.

Mary Abbas, resident on SW 24th Street, is concerned about the problems with increased traffic in the area. She has a daughter that will be driving soon and they also ride horses along that road. She asked that a different location be considered.

Commissioner Roberson stated that she has received several letters from residents and has gone out and looked at every home that she has received letters from. The EDC has

printed and distributed a booklet which has answered some of the questions regarding the ethanol plant. The Harvey County Planning Commission will meet Tuesday evening at 7:00 to consider the request for the special use permit. Commissioner Krehbiel thanked everyone for coming in and sharing their concerns.

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

At 10:00 a.m. a public hearing was held regarding the proposed 2008 Harvey County Budget. The 2008 budget, as proposed, lowers the mill levy from 28.181 to 27.852. There is provision for an approximate 3% increase for employee salaries. The same number of personnel is budgeted with the exception of the addition of an extra jailer. There are several projects budgeted which include a new air-conditioned building at West Park, which is outside the flood plain. There are also provisions for siding improvement to the Ranger s houses. There is not an increase to the Mental Retardation funding, but instead \$100,000 has been earmarked for the newly formed CDDO which will oversee the mental retardation funding. Dr. John Morton, Superintendent of USD 373, Sherry Buss, Director of Mental Retardation for the schools, and Mike Hull, Superintendent of USD 439, attended the hearing. Dr. Morton is concerned that this funding matter not be overlooked in the County Budget. There are 12 school districts hat have some part of their district in Harvey County. Eleven of those districts have passed resolutions that countywide support be given for this issue. The CDDO has not yet made an official decision on how the \$100,000 will be distributed, but the Commission asked for patience while this new Board considers this request. Mike Hull thanked the County for continued consideration through the newly formed CDDO. The budget hearing ended at 10:15 a.m. The Commission commended the Harvey County Staff for their work in preparing the budget in consideration of necessary funding yet being sensitive to the needs of all concerned. Commissioner Roberson made a motion to approve the proposed budget for 2008 with a mill levy of 27.852 and authorize the governing body to sign. Commissioner Krehbiel seconded the motion and it was passed unanimously.

Commissioner Roberson made a motion to go into Executive Session at 10:33 a.m. for a period of 15 minutes to discuss matters of economic development. The executive session will include Hesston Mayor John Waltner, County Clerk Joyce Truskett, and Greg Nye, Harvey County Counselor. Commissioner Krehbiel made a motion to extend the executive session until 11:00 a.m. Commissioner Roberson seconded the motion and it was passed unanimously. No action was taken during executive session.

Commissioner Krehbiel made a motion to sign form JA-100 approving the District Court Budget. Commissioner Roberson seconded the motion and it was passed unanimously.

Commissioner Roberson made a motion to sign the approval of the Conservation District Budget. Commissioner Krehbiel seconded the motion and it was passed unanimously.

Commissioner Roberson made a motion to approve the minutes of the August 1 Special Budget Meeting. Commissioner Krehbiel seconded the motion. Passed unanimously.

Commissioner Krehbiel made a motion to adjourn the meeting at 11:05 a.m. Commissioner Roberson seconded the motion and it was passed unanimously.

BOARD OF HARVEY COUNTY COMMISSIONERS

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Chairman

ATTEST:

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Member

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County Clerk

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Member