

MINUTES OF
BOARD OF HARVEY COUNTY COMMISSIONERS

February 4, 2013

The Board of Harvey County Commissioners met in regular session on February 4, 2013 with all three Commissioners present. Chairman Westfall called the meeting to order at 9:00 a.m.

ITEMS ADDED TO AGENDA:

1. Commissioner Hague was approached by a citizen about an incident that occurred on the East Lake Nature Trail. John Waltner reported that he had also received a report about the incident from Kass Miller, East Lake Supervisor. For several years, there is an individual that has been allowed to place traps in some areas of the park in an effort to trap animals that are either predator animals or diseased. The traps are usually located in areas where there would not be an issue, however when the traps were placed this year, some of them were placed too close to the Osage Nature Trail. A small dog belonging to a couple who were walking on the trail became caught in one of the traps. The dog had to be taken to a veterinarian and although injured, it was determined that the dog's leg was not broken. John called the dog's owner and offered to pay the costs related to the injury. The trapper was also asked to remove all the traps located on park property. Commissioner Hague asked if deer hunting was allowed on the property and if there are any state regulations regarding hunting and trapping on park land. John stated that there is no deer hunting allowed on park property, but some waterfowl hunting is allowed. It was also noted that there is a deer stand located directly adjacent to the park boundary. John said that all policies regarding hunting and trapping on park land will be reviewed.
2. Commissioner Krehbiel was contacted by a citizen about a proposal to install another swimming area on the east side of East Lake. The citizen said that the area that is being considered is in the direct path of the ski area. Upon a question by Commissioner Westfall, John said that the Park Board has not reviewed this plan.
3. Commissioner Krehbiel reported on the meeting he attended last Monday in Sedgwick regarding copper thefts in the area. Law enforcement personnel, insurance company representatives, and farmers from Harvey, Reno and Sedgwick Counties attended. The thefts were discussed and law enforcement presented plans on how they plan to handle the situation.
4. Commissioner Krehbiel also reported on a meeting of the Eagle Drainage District that he and John attended last week. Discussions were held about building bigger ditches that could require bridges to be built.
5. Jim Meier, Road & Bridge Superintendent, reported on a meeting he had with the Tallgrass Oil Company. Road conditions after the installation of the pipeline were discussed. Jim reported that the company seems to be very cooperative. They agreed to go back and re-survey roads and right-of-ways that will be involved.

6. Commissioners Krehbiel and Westfall received a complaint about a four mile section of SW 84th Street where the shoulder is higher than the road. Jim Meier said he is aware of the issue and that the road was scheduled for work by the Road & Bridge Department, but the focus has now been shifted to East Lake Road instead. He said although the road needs to be rebuilt, they will look at some temporary solutions.
7. Commissioner Krehbiel received a call from Reno County asking if Harvey County had ever considered implementing term limits for Commissioners. This may be a question on the Reno County ballot in the spring election.
8. Commissioner Westfall asked when the deadline for voter registration is before the spring election on April 2. Joyce Truskett stated that it is now three weeks before every election, which in this case is Tuesday, March 12.

Minutes of the January 28, 2013 Commission meeting were approved upon a motion by Commissioner Krehbiel, seconded by Commissioner Hague. Motion passed unanimously.

CALENDAR ITEMS:

1. A breakfast meeting with Farm Bureau will be held at 7:00 a.m. on February 19th at the Breadbasket.
2. The annual storm spotter's training session will be held on February 28th at 6:30 p.m. in Lindley Hall.

ADMINISTRATIVE ITEMS:

1. John reported that it has been confirmed that the CAST fishing event will be held at East Lake again this year.
2. Carl Heiman, a work comp representative, will meet with John and Anthony Swartzendruber on February 25th to discuss a very significant increase, approximately 30%, for Harvey County in work comp premiums. There has been a change in the rating for certain employment positions in addition to a change in the factor used. Premiums that the county pays are actually an estimated amount and then after the actual usage is determined the County sometimes receives a refund.
3. John reported that the County Treasurer has requested another tax foreclosure sale for approximately 30 tax delinquencies. If the process is begun now, the actual sale will occur sometime at the beginning of 2014. According to state statute, taxes must be at least three years delinquent before they can be sold. It is requested that tax foreclosure sales be held on an annual basis.
4. The Commissioners received a letter from the ReNewton Bicycling Initiative for participating in their road signage project.
5. Anthony reported that he, John, and Kass Miller met with farmers who lease farm ground near East Lake that is owned by the County. The existing contracts with the farmers have been in effect since 2002. They discussed concerns the farmers had and then discussed sharecropping arrangements and hay prices. Anthony will try to set a price determined by a three year hay average. Buffer strips were also discussed. There are also some leases near Halstead. There is one farmer that has indicated he no longer wishes to lease the ground, but formal notification has not yet been

- received. If there is more than one farmer interested in leasing that ground, the farmer will be chosen by a sealed bid process.
6. Anthony reported on the results of a bond rating call with Standard & Poors. Harvey County received an "A" rating with the outlook as "stable." The County has a low overall debt burden and has strong cash reserves. It was suggested that the County budget on a GAAP basis rather than a cash basis, however, there would be some cost involved with that. At this time the 10-year treasury market price continues to tick upwards which means the savings realized by refinancing is decreasing. The bonds for refinancing the Fairgrounds property will be marketed on February 5 and the bond purchase will be ratified by the County Commission and the PBC Commission on Monday, February 11. .
 7. Anthony explained sales tax reports received by the Commissioners. The January sales tax payment was up 6.5% as compared to January of 2012, and 6.6% compared to January of 2011.
 8. Lynnette Redington, Health Department Director, reported that the United Way is also doing a community health assessment, but it is for a larger area than the assessment that the Health Department did. It will be a mail survey only. The kick-off for the results of the Community Health Assessment that has already been completed will be held on February 11 at 3:00 p.m. at 215 S. Pine. There will be representatives there from Newton Medical Center, Health Ministries, Prairie View, and Harvey County. The Health Department has been approached by the Local Community Partnership about putting the Community Resource Directory on the health department website. The Commission agreed to allow this. Lynnette also reported that they still have flu vaccines available.
 9. Sheriff T. Walton reported that a grant through KCAMP was approved for bumper guards for sheriff's vehicles. A forfeiture came in and will be spent for bumper guards for four new sheriff's vehicles..

CITIZEN'S FORUM

Leo Stahly commented that the current road impact fee of \$2,000 is adequate only if the road is an improved road. If the road is an unimproved mud road, the amount is not enough. Mr. Stahly also asked about the farming arrangement on the 80 acres south of Newton that the County purchased to develop a new fairgrounds. John Waltner stated that the original purchase agreement included a request from the seller that the tenant farmer be allowed to continue to farm the ground. It was suggested that it would be better for the county to lease the ground rather than a sharecropping agreement.

Warrant checks in the amount of \$63,074.62 and hand-written checks in the amount of \$500.00 for the week of February 1 were approved upon a motion by Commissioner Hague, seconded by Commissioner Krehbiel. Motion passed unanimously.

Bob Cheney, Noxious Weed Director, presented the Noxious Weed Eradication Report for 2012 which is required to be sent to the State of Kansas on an annual basis. He also presented the 2013 Noxious Weed Management Plan. This is a report of how the Department plans to manage the

noxious weeds in the current year. The management plan reflects changes in the product used to kill Musk Thistle. Rather than using Milestone, they will use Tordon and 2,4-D. Milestone will be used to spray KDOT right-of-ways. Commissioner Krehbiel made a motion to approve the 2012 Annual Noxious Weed Eradication report and the 2013 Noxious Weed Management Plan. Commissioner Hague seconded the motion and it was passed unanimously.

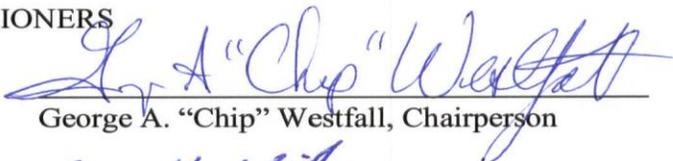
Jim Meier addressed the commission about an issue with a road that divides Butler County and Harvey County. There is a bridge on the road that belongs to Butler County. The road is barely passable and the bridge is in very poor condition. On October 27th of 2012 someone drove off of the bridge. After the accident, Jim determined that there were three different counties involved in the maintenance of the road. Richland Township was responsible for the maintenance of the road but was under the assumption that the road was closed and no longer used. Jim recommended that the road be either vacated or closed. Butler County and Richland Township are in agreement with this. Jim and Counselor Greg Nye will begin the process, and Counselor Nye will prepare a resolution for either vacation or closing of the road.

Shannon Metz, West Park Supervisor, and Carol Dilts, Ranger, presented a report on the Boy Scout Jamboree held at West Park two weeks ago. They reported that pictures were taken of the Jamboree from an airplane that will be used to make postcards that will be sold at the gathering next year. There were at least 11 states represented, with 6,200 scouts registered. At one point there was an estimated 8,200 people in the park. The park realized about \$12,800 in revenues.

At 11:45 a.m. Commissioner Krehbiel made a motion to go into executive session for a period of 30 minutes to discuss attorney client privilege and personnel issues. Commissioner Hague seconded the motion and it was passed unanimously. Also in attendance for the session were John Waltner, Anthony Swartzendruber, Craig Clough, Counselor Greg Nye, and Joyce Truskett. At 11:57 Counselor Nye, Anthony Swartzendruber, and Joyce Truskett left the session. Executive session ended at 12:15 p.m. with no action being taken.

The meeting was adjourned at 12:17p.m.

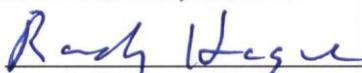
BOARD OF HARVEY COUNTY COMMISSIONERS


George A. "Chip" Westfall, Chairperson


Ron Krehbiel, Member

ATTEST:


Joyce Truskett, County Clerk


Randy Hague, Member

