

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

**January 7, 2013**

The Board of Harvey County Commissioners met in regular session on January 7, 2013 with all three Commissioners present. Chairman Roberson called the meeting to order at 9:00 a.m.

**ITEMS ADDED TO AGENDA:**

1. Commissioner Westfall asked if the Commissioners would receive a budget review after the end of the year is finalized and Anthony Swartzendruber confirmed that they would.
2. Since the former ranger residence at West Park has not yet been rented, Commissioner Krehbiel suggested that the proposed amount of the monthly rent be lowered.

**CALENDAR ITEMS:**

1. There will be a REAP Executive meeting at 3:00 p.m. on Wednesday, January 9th at Wichita State University.
2. The Legislative Delegation of South Central Kansas will meet on Thursday afternoon at the Hughes Center in Wichita.
3. A kickoff event for the Sustainable Communities Grant will be held on February 1 at the National Center for Aviation Training from 9:00 to 11:30 a.m. A breakfast for elected officials will be held at 7:30 a.m. prior to the meeting.
4. The Council of Governments breakfast scheduled for January 9th has been cancelled.
5. The grand opening of the permanent facility at the Kansas Star Casino will be held on January 11th.

Minutes were corrected and approved upon a motion by Commissioner Westfall, seconded by Commissioner Krehbiel. Motion passed unanimously.

**ADMINISTRATIVE ITEMS:**

1. The Commissioners received a copy of a letter from the Kansas Department of Revenue stating that after a compliance audit, the Treasurer's Office is at 100 percent approval rate for automobile title transactions that are approved and require no further documentation.
2. The Commissioners received a copy of documentation indicating that Harvey County received a check for \$2,962 for satisfying the Bronze Level requirements of the KCAMP Risk Management Premium Credit Program.
3. John Waltner presented information to the Commissioners about the Kansas Flint Hills Smoke Management Plan. The KDHE submitted an Exceptional Event Demonstration Package under 40 CFR 50.14 because there were days in April, 2011 when there were exceptionally high ozone data readings in Wichita and Kansas City.

These high readings were significantly impacted by ranchers' annual burning of tallgrass prairie pastures. Because of the report submitted by the KDHE, the EPA has granted an exceptional event flag for several days during that period of time that had exceptionally high values. This means that the air quality data from those days is not considered in determining whether the two cities meet the national air quality standards. The Flint Hills Smoke Management program was developed as a result of concern about these impacts of air quality. The program includes education and training of ranchers in addition to non-agricultural burning restrictions in 13 counties during the month of April. There is also a website that was developed by K-State that has extensive information about the plan.

4. John informed the Commissioners that the bicycle safety signs that were ordered have been delivered. However, although the wording on the signs has been approved by the legislature, it is not yet listed on the KDOT list of approved signage. The signs will not be installed until verification is received from KDOT.
5. Over the next few days, there will be changes occurring at the Recycling Center, operated by Waste Connections, located at the Harvey County Transfer Station. The fully automated line is now operational at the South Hutchinson facility which means that the Recycling Center will now transition to a transfer center.
6. The farewell reception for Commissioner Marge Roberson will be held Friday, January 11<sup>th</sup> at 3:00 p.m.
7. Commissioner Krehbiel made a motion to approve **Resolution No. 2013-1**, designating The Kansan as the official county newspaper of Harvey County. Commissioner Westfall seconded the motion and it was passed unanimously.
8. Commissioner Westfall made a motion to approve **Resolution No. 2013-2**, designating First Bank of Newton as the official depository for the public funds of Harvey County. Commissioner Krehbiel seconded the motion and it was passed unanimously.
9. Commissioner Krehbiel made a motion to approve the re-appointment of Eugene Wendling to the Public Building Commission and waive the second week reading. Commissioner Westfall seconded the motion and it was passed unanimously.
10. Commissioner Krehbiel made a motion to approve and sign a letter to Judge Carl B. Anderson expressing appreciation for his 35 years of service and leadership in the 9th Judicial District. Commissioner Westfall seconded the motion and it was passed unanimously.
11. John presented a contract between the Boy Scouts of America and Harvey County. The Boy Scouts will hold an annual jamboree at West Park beginning on January 18 and ending on January 20. More than 5,000 scouts, leaders, and sponsors are expected to attend the event. According to the contract, each attendee will pay \$2.00 as opposed to \$1.00 last year. There is concern about vehicle and trailer congestion in the camping area, which would make it difficult for emergency vehicles to get through should the need arise. Commissioner Krehbiel made a motion to approve the agreement between the Boy Scouts and the Board of Harvey County Commissioners. Commissioner Westfall seconded the motion and it was passed unanimously.

12. Sheriff T. Walton reported that he will talk with David Jack, attorney for the Tallgrass Oil Company. Tallgrass is attempting to survey land for a pipeline that will run through Harvey County and has encountered resistance from some of the land owners. Sheriff's deputies have had to provide assistance in a couple of situations. He also reported that the department passed a Governor's grant audit performed for every grant that had been received by the department since 2006.
13. Jim Meier, Road and Bridge Superintendent, has been in contact with the Bureau of Local Project's Traffic Engineer regarding the signage for the bicycle routes. Although the signage has not been approved by KDOT, it does comply with shape color, and reflectivity so it is believed that the signage will be OK. By state statute, bicyclists are to be 2 feet from the edge of the road. Motorists must pass them at a distance of at least three feet, yielding to oncoming traffic.
14. Anthony reported that the CTD, which is the regional transportation district that Harvey County is a part of, has been selected to be audited by an outside firm. The auditors will be here in the Transportation Department on January 23<sup>rd</sup>.
15. Anthony reported that he will be talking this week to Kevin Cowan, Bond Counsel with Gilmore & Bell, and Dustin Avey, Attorney with Piper Jaffray about refinancing the land purchased for the Fairgrounds development. Kevin Cowan has recommended that the bonds be refinanced with taxable bonds because the land is leased for farming.

### **CITIZEN'S FORUM**

Ellen Yocum, President of Business Professional Women, informed the Commission that the organization will again be sponsoring two scholarships, one in the amount of \$500 and the other in the amount of \$250. The deadline to apply for the scholarships is March 1<sup>st</sup>.

Duane Lanier stated that he doesn't think that anyone was really against the pipeline coming through Harvey County, but there was a lack of information given, in addition to misinformation. He does not believe that the Commissioners represented the people that elected them and instead represented the pipeline company. Landowners were not informed about what their rights were. He said that it was never stated what the county would receive in revenues from the pipeline company. Commissioner Westfall responded that every call the Commissioners received from landowners had been researched and then answered. Commissioner Roberson said that the only revenue the County would receive would be in taxes and that was stated in the first informational meeting that was held. A potential tax amount, upon completion of the pipeline, was stated at the second meeting. She also stated that although Mr. Lanier may not have agreed with the decisions the Commission made, they did represent the people and answered every question presented to them. Commissioner-Elect, Randy Hague, said he sympathizes with the landowners and that you don't know how you would feel until it goes through your own back yard. Commissioner Westfall said that one of the issues is that the pipeline company had no local office here that could answer questions. The County Commission really has no authority over this at all. The original route that was proposed by the pipeline company was through the far northeast part of the county and now the route has been moved 12 to 15 miles. Mr. Lanier said that anxiety

increased when Tallgrass, which is a privately owned company, bought out Kinder Morgan. John Waltner said that in the first meeting he had requested the pipeline representative not state a tax revenue amount because it would be pure speculation. It was not an attempt to hide anything.

Laura Thomas asked if the pipeline was the impetus for exchanging federal dollars for KDOT dollars. Commissioner Roberson said that it had nothing to do with it. John explained that the Commission chose to work with the federal exchange program for completely separate reasons. She also asked if the Logistics Park continues to be an ongoing project. Commissioner Roberson explained that regular meetings continue to be held. A task force was assigned and reported back to the Kansas Logistics Park Development Authority two weeks ago. The EDC has reported that there are several additional prospects for the park. There has been some hesitation until there was a final decision about whether tax credits for wind energy were going to be renewed.

Warrant checks in the amount of \$108,055.22 for the week of January 4 were approved upon a motion by Commissioner Krehbiel, seconded by Commissioner Westfall. Motion passed unanimously.

John reported that the Commission meeting will convene at 10:30 a.m. next week following the REAP meeting. The current body will convene and conduct the first orders of business, including items added to the agenda, calendar items, and the approval of the minutes of this meeting. The swearing in of the new Commission will then be held in the district court room. Discussion was held about what committees each commissioner will serve on.

At 10:25 a.m. Commissioner Krehbiel made a motion to go into executive session for a period of 20 minutes to discuss personnel issues. Commissioner Westfall seconded the motion and it was passed unanimously. Also in attendance for the session were John Waltner and Commissioner-Elect Randy Hague. At 10:45 a.m. Commissioner Krehbiel made a motion to extend the session for another 10 minutes. Commissioner Westfall seconded the motion and it was passed unanimously. Executive session ended at 10:55 a.m. with no action being taken.

The meeting was adjourned at 11:00 a.m.

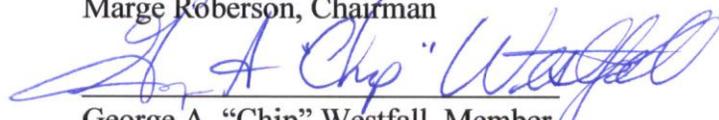
THE BOARD OF HARVEY COUNTY COMMISSIONERS



ATTEST:

  
Joyce Truskett, County Clerk

  
Marge Roberson, Chairman

  
George A. "Chip" Westfall, Member

  
Ron Krehbiel, Member