

MINUTES OF
BOARD OF HARVEY COUNTY COMMISSIONERS
July 29, 2013

The Board of Harvey County Commissioners met in regular session on July 29, 2013 with all three Commissioners present. Chairman Westfall called the meeting to order at 9:00 a.m.

ITEMS ADDED TO AGENDA:

1. Commissioner Krehbiel questioned whether the conditional use permit approved for Joe King needed to be revised based on information received from KAC regarding firearms. Counselor Greg Nye replied and John Waltner concurred that the permit did not need to be revised because it does not specifically regulate firearms or ammo usage.
2. Commissioner Hague stated that he attended the funeral of Mike Huntley.
3. Commissioner Hague requested an item be added to the agenda to discuss possible Road & Bridge budget changes.
4. Commissioner Westfall stated that the Harvey County Fair starts Friday, August 2 and encouraged everyone to attend.
5. Commissioner Westfall, Commissioner Krehbiel, Administrator John Waltner and Planning & Zoning Director Gina Bell attended a FEMA meeting on Wednesday, July 24th at Halstead City Hall to discuss new flood maps. John stated that the meeting was informative and went well.

CALENDAR ITEMS:

1. The Commissioners will participate in the Harvey County Fair Parade on Saturday, August 3 at 6:00 p.m.
2. The Commissioners will participate in the Old Settler's Parade in Halstead on Saturday, August 10 at 10:00 a.m.
3. Commissioner Westfall will attend a REAP executive board meeting on Thursday, August 1 at 1 p.m.

Minutes of the July 16 Special Budget Work Session Commission meeting were approved upon a motion by Commissioner Krehbiel, seconded by Commissioner Hague. Motion passed unanimously. Minutes of the July 22 Commission meeting were approved upon a motion by Commissioner Hague, seconded by Commissioner Krehbiel. Motion passed unanimously.

ADMINISTRATIVE ITEMS:

1. Greg Nye, Counselor, requested a 10 minute executive session at the end of the regular meeting to discuss attorney client privilege.
2. John Waltner stated that he had discussions with a few organizations regarding fundraising for the Statehouse map project. The Boy Scouts would like to assist, but may not be able to raise enough funds by the deadline. KAC is requesting \$1,000 per county by September 30, 2013. John recommended that the \$1,000 be paid from the county general fund with reimbursements to be made from the fundraising efforts.

3. John reported that a retirement party will be held for East Park employee Rick Van Rossun at noon on August 31 at the East Lake old bait shop.
4. Kass Miller, East Park & Camp Hawk Supervisor and Mary Lou Abrahams, County Clerk's office employee, reported that they are planning a "Party in the Park" music festival on September 28 at Camp Hawk. They already have multiple bands from various genres scheduled to play. They are planning to start in the afternoon and go until midnight or later. The stage area will be the covered porch area of the shelter with the audience area to the north of the stage. Parking will go into the Frisbee golf area if needed. They are still looking for food vendors.
5. Counselor Greg Nye stated that the tax foreclosure legal publication will be published in the Newton Kansan.
6. Sheriff T. Walton reported that his son got married last Friday, July 26. He also stated that he is conducting a poll on his Facebook page as to whether respondents would be willing to pay more taxes to secure the courthouse or if they would prefer to allow concealed carry in the courthouse.
7. Jim Meier, Road & Bridge Superintendent, said that he held a preconstruction conference with APAC. The overlay projects for Hertzler Rd. and Lincoln Blvd. should begin in August.
8. Anthony Swartzendruber presented the July sales tax collections reports. Sales tax collections are up 8.62% for the month and they are up 3.88% year to date compared to last year.

CITIZEN'S FORUM

Donna Sheckler and two other residents presented a petition signed by several residents of SW 48th St and SW 60th St in Darlington Township requesting speed limit signs of 30 M.P.H. or less be posted on these two roads. They also requested a "Children Playing" sign be posted. The residents previously contacted Commissioner Krehbiel about this issue, they also contacted Darlington Township trustee Leo Stahly, who brought the issue before the Commission. After this issue was brought to the Commissioners attention a Traffic Engineering Assistance Program (TEAP) request for a speed limit evaluation was submitted to the Kansas DOT by Jim Meier, Road & Bridge Superintendent in December 2012. KDOT replied in a December 31, 2012 letter that the request does qualify for TEAP funding and would be added for consideration dependent on funding availability. The Commissioners expressed concern about the safety issues, but determined that they needed to wait for the results of the study. Jim Meier was directed to call KDOT to find out the status of the (TEAP) request.

Warrant checks in the amount of \$97,959.70 and hand-written checks in the amounts of \$705.00 and \$100.00 were approved upon a motion by Commissioner Krehbiel, seconded by Commissioner Hague. Motion passed unanimously.

Counselor Greg Nye presented the 2013 Harvey County Road Impact Fee Resolution. This resolution and was completely rewritten to include components of the previous two resolutions and changes suggested at the annual township meeting. This resolution supersedes all prior Road Impact Fee resolutions. The proposed resolution changes the exemptions to include all county roads, changes the mileage to 1 mile from the development, changes the fee refund period to 2 years and a few other changes. Commissioner Westfall expressed concern over the county road exemption. He

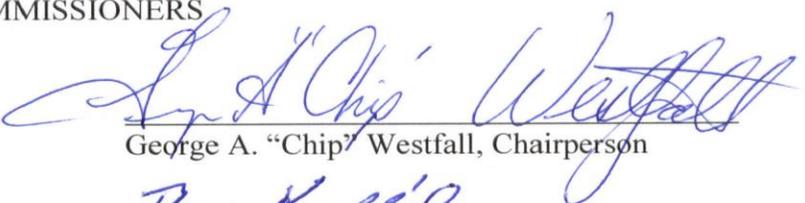
believes that all new construction sites in the county should be charged the fee regardless of whether it is a county road or a township road because the road will probably need improvements before construction or after heavy construction equipment has travelled on it. He stated that if the fee is not needed it will be refunded in 2 years anyway, but that if it is needed we will have already collected it. He felt that it is fairer for the citizens of the county if the new builder pays for the costs associated with road improvements to their site than exempting county roads from the impact fee and spreading the costs among all county taxpayers. After a lengthy discussion, Commissioner Krehbiel made a motion to approve **Resolution 2013-15**. Commissioner Hague seconded the motion and it passed with a vote of 2 to 1. Commissioners Krehbiel and Hague voted yea, Commissioner Westfall voted nay.

Commissioner Hague suggested a possible change to future Road & Bridge budgets. He questioned why Halstead Road and Hertzler Road south of Halstead are both paved, but only 1 mile apart. He suggested that the 6 miles of Hertzler Road south of Halstead be converted to sand to save overlay costs. He proposed that if Hertzler Rd. was changed to sand that 1 mile of SW 96th between Hertzler Rd. and Halstead Rd. be paved to connect Halstead Rd to the current paved portion of SW 96th. He stated that it was too late to try to change the current budgets, but thought it might be a way to save money for future budgets. Jim Meier, Road & Bridge Superintendent stated that he is against changing any paved road to sand, but that if he was to recommend changing any road in the county, this one would be at the top of his list.

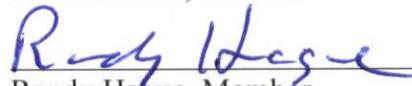
At 11:15 a.m. Commissioner Krehbiel made a motion to go into executive session for a period of 15 minutes to discuss attorney/client privilege. Commissioner Hague seconded the motion and it was passed unanimously. Also in attendance for the session were John Waltner, Anthony Swartzendruber, Counselor Greg Nye, and Deputy Clerk, Rick Piepho. Executive session ended at 11:25 a.m. with no action being taken.

The meeting was adjourned at 11:25 a.m.

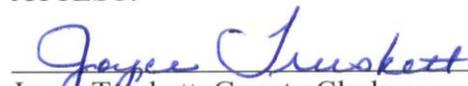
BOARD OF HARVEY COUNTY COMMISSIONERS


George A. "Chip" Westfall, Chairperson


Ron Krehbiel, Member


Randy Hague, Member

ATTEST:


Joyce Truskett, County Clerk

