

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

**September 16, 2013**

The Board of Harvey County Commissioners met in regular session on September 16, 2013 with all three Commissioners present. Chairman Westfall called the meeting to order at 9:00 a.m.

**ITEMS ADDED TO AGENDA:**

1. Chairman Westfall met last week with Jason Verbeckmoes, Director of Prevention and Wellness Services at Mirror Inc. He coordinates senior high youth programs that encourage young people to make good choices. The programs are funded by a grant awarded to Mirror Inc., but Mr. Verbeckmoes is requesting that Harvey County agree to be a sponsor for them. The Commissioners would occasionally need to present awards, etc. to young people in the program. The programs run in every high school in the county.
2. Margaret Hermstein, Register of Deeds, has been appointed to the State Committee on Document Preservation, representing the Register of Deeds Organization.

**CALENDAR ITEMS:**

1. The Aviation Commission meeting scheduled for later today has been moved to Monday, September 23<sup>rd</sup>. The French Flying team will also be at the meeting.
2. Sheriff T. Walton will represent the county at the monthly Chamber of Commerce breakfast.
3. Commissioner Krehbiel will attend a Community Corrections meeting on September 19<sup>th</sup> at noon in Judge Walker's Chambers.
4. Reservations will be made for the Commissioners to attend the KAC meeting in Wichita on October 29 – 31.

Minutes of the September 9 Commission meeting were approved upon a motion by Commissioner Hague, seconded by Commissioner Krehbiel. Motion passed unanimously.

**ADMINISTRATIVE ITEMS:**

1. A retirement reception for North Newton Police Chief, Ray Classen, will be held from 3:00 to 5:00 p.m. on Monday September 30, 2013.
2. The Sedgwick Senior Center will host an open house on October 4<sup>th</sup> at 7:00 p.m.
3. The Commissioners received information about the South Central Kansas Prosperity Initiative. This includes the counties of Harvey, Butler, Reno, Sedgwick, and Sumner.
4. A job opening ad for Director of the Harvey County Parks system will be published in the Newton Kansan very soon.
5. In order to prepare for the joint City/County meeting at 11:00 a.m. John will leave the meeting at 10:00 a.m. and Anthony Swartzendruber will continue in his place.
6. Gina Bell, Director of Planning, Zoning, and Environmental, informed the Commissioners that a special Board of Zoning Appeals meeting was held last month.

One item on the agenda was a property on north K-15. The owner wanted to place a building on a small part of the property that was not in the flood plain. However, that part of the property was within the 250 foot setback from the highway. Therefore, a variance was granted. The other issue considered by the board was a 27 acre property west of the Spring Lake RV Park. The owner would like to build a residence there, but the property is below the 40-acre requirement. The owner asked for a variance and the Appeals Board granted it. Gina explained that the Zoning Appeals Board is made up of the same people that serve on the Planning Commission, but the Appeals Board has quasi-judicial powers, making decisions on variances and hearing appeals on decisions made by the Director of Planning & Zoning. The Commissioners held a discussion about the 40-acre rule and whether it should be changed. Commissioner Hague expressed concern about changing the rule. Because of the limited time in the meeting today, the issue will be discussed at a later time.

7. John presented an agreement with Gary Denny to provide services to develop and coordinate a functional table top exercise for Harvey County Emergency Management and to help qualify and meet the annual requirements of funding eligibility under KDEM. Mr. Denny will work with and coordinate with Lonnie Buller, Director of Emergency Management. Commissioner Krehbiel made a motion to approve the agreement. Commissioner Hague seconded the motion and it was passed unanimously.
8. Sheriff T. Walton presented the agreement for the provision of inmate/detainee healthcare services with Advanced Correctional Healthcare, Inc. The Commissioners asked for clarification on several items. The agreement contains a thirty day trial period. Commissioner Krehbiel made a motion to approve the agreement with Advanced Correctional Healthcare Inc. Commissioner Hague seconded the motion and it was passed unanimously.
9. Sheriff T. Walton reported that the Sheriff's Department had a busy weekend with several DUI arrests, a suicide attempt, and a vehicle chase that ended in a foot chase. The driver was arrested and the passenger was admitted to the hospital.
10. Jim Meier, Road & Bridge Superintendent, reported that paving continues on south Hertzler Road and work will begin on the projects in Walton next week. The milling on Lincoln Street in Hesston has been completed. He also reported that all the equipment that was posted on Purple Wave has been sold for a total of \$25,664.

#### **CITIZENS FORUM:**

There were no items presented during Citizen's forum.

Warrant checks in the amount of \$90,283.90 were approved upon a motion by Commissioner Krehbiel, seconded by Commissioner Hague. Motion passed unanimously.

Anthony Swartzendruber presented **Resolution No. 2013-18**, requesting Harvey County Public Building Commission to issue revenue bonds in an amount not to exceed \$1,700,000 to construct a community hangar facility at the Newton City/County Airport, and repealing **Resolution No. 2011-13**. Kevin Cowan, bond counsel from Gilmore & Bell, gave an overview of the legal aspects of the

process. The building will be leased jointly to the City and County by the PBC. There will be a 30-day protest period. Commissioner Hague asked that the matter be tabled for a time because he feels the public will be against the increasing the debt of the County and the City. Chairman Westfall pointed out that the hangar will be self sustaining, with the debt payments paid by rental revenues. Commissioner Hague requested that the issue be tabled until a later time. Commissioner Krehbiel made a motion to approve the resolution to request that the PBC issue the bonds. Chairman Westfall seconded the motion and it was passed with Chairman Westfall and Commissioner Krehbiel voting aye and Commissioner Hague voting nay.

Chairman Westfall recessed the regular Commission meeting at 10:17 a.m.

Richard Denno, Chairman of the Public Building Commission, called the PBC meeting to order at 10:18 a.m. Those present for the meeting were Richard Denno, Robert Nattier, Eugene Wendling, Tim Johnson, and Commissioner Randy Hague.

The minutes of the previous PBC meeting were approved upon a motion by Robert Nattier, seconded by Eugene Wendling. Motion passed unanimously.

A short discussion was held regarding the bonding of the community hangar at the Newton City/County Airport. Eugene Wendling made a motion to approve **PBC Resolution No. 2013-3**, Tim Johnson seconded the motion and it was passed by a vote of four aye and Commissioner Hague voting nay.

Robert Nattier made a motion to adjourn the PBC meeting at 10:21 a.m. Commissioner Hague seconded the motion and it was passed unanimously.

The regular Commission meeting was called back to order at 10:21 a.m. Chairman Westfall thanked the PBC Board members for serving on the board and for coming in for the meeting today. The meeting was recessed until 11:00 a.m.

At 11:00 a.m. Chairman Westfall called the Commission meeting out of recess and Mayor Jim Nickel called the joint Harvey County and Newton City Commission meeting to order. In addition to the County Commissioners, City Commissioners attending were Mayor Jim Nickel, Commissioner Leroy Koehn, Commissioner Raquel Thiessen, Commissioner Glen Davis, and Commissioner Bob Smyth.

Chairman Westfall explained that the purpose of the meeting is to keep both governing bodies informed as to what each is doing and how the two collaborate and work together. Chairman Westfall introduced Gary Flory of KIPCOR, who will serve as moderator of the meeting. Each of the Commissioners introduced themselves.

Jim Meier, Road & Bridge Superintendent, gave a presentation detailing some of the road projects where the City has partnered with the County. The benefits of this collaboration include cost savings for the city because of the scope of the contract, no design or engineering costs for the City, and pavement joints at the mile line rather than at the city limits. The County also hauls salt to the

city yard for use during the winter months, and the county stocks culverts that are readily available for purchase by the city if needed. Discussion was held regarding the possibility of bidding road and street work in a package. Suzanne Loomis, City Engineer, said that short runs on city streets could increase the cost of contracts. Discussion was held about the possibility of partnering on the purchase of equipment; however the city and county do not use the same type of equipment. When asked about combining equipment purchases, Ms. Loomis said they piggyback onto the state contract.

Sheriff T. Walton introduced himself and gave some background the territorial nature of the city and county jurisdictions in the past. However, that atmosphere has changed and the two departments not only share a facility, but work very well together. Any requests for assistance and equipment are granted. The city canine unit provided assistance and helped to crack a burglary ring in the county and the county OSCAR program has enabled the city to apprehend cyber sex offenders. The inmate medical charges for the city are provided at the reduced rate that the county receives per a contracted amount. Discussion was held on the possibility of combining the two departments, but there are differences in city and county ordinances. Commissioner Nickel said that the two governing bodies need to discuss the space issues at the law enforcement center.

Bob Myers, Newton City Attorney, gave background on how the Municipal Court and the City Prosecutor functions. There is excellent cooperation between the county attorney and the city attorney. The domestic violence initiative which is a collaboration involving the Newton Municipal Court, City Prosecutor's office, Newton Police Department, Harvey County District Court, the County Attorney's Office, the Sheriff's office, Harvey County 911 Communications, and the Harvey County Domestic Violence/Sexual Assault Task Force have been able to significantly reduce the number of case dismissals of domestic violence. Two thirds of these types of cases are dismissed because of no cooperation from the victim. This has been reduced to one third. They now do video conferencing for municipal court appearances which eliminates the need for a police escort for the defendant. Counselor Myers also reported that the City and County have cooperated on several projects through interlocal agreements including the Sand Creek Station golf course, recycling program, joint Law Enforcement Center, Neighborhood Revitalization, and the Justice Assistance Grant program.

Mark Willis, Director of Newton Fire and EMS, gave a report on how their agency works with Harvey County 911 Communications and the Harvey County Emergency Management Department. Harvey County provides all emergency dispatching services and Newton Fire/EMS serves as the primary local hazardous materials response team for the County. They also serve together on the Local Emergency Planning Committee. There is a very robust mutual aid response plan in place. They are currently working together on a solution to the problems with radio communication within the county and surrounding counties. All fire departments in the county are being encouraged to apply for federal grants to obtain 800 MHz radios.

Mickey Fornaro-Dean, Executive Director of the Harvey County EDC, gave an overview of several projects that have benefitted the cities and the county. They include the AGCO state-of-the-art paint and finishing facility, the EDC Facebook page and website, the Healthcare Reform Workshop, the 2013 Job Fair, the Engineer Placement program through an H1B grant, the Central Kansas

WorkREADY Corridor program, the Newton City/County Airport, the USA 800 Center in the old Halsted Hospital facility, and the Fox Theater.

Lynnette Redington, Director of the Harvey County Health Department, presented examples the benefits of the collaborative efforts of the Harvey County Health Department. This represents a greater outreach to more residents, more efficient use of resources, and more creativity to solve challenges, expand networking avenues, and reduce the duplication of grants. She also explained the collaboration of the Health Ministries Clinic, Prairie View, and the Health Department. Although more funding is needed before the move can take place, they will co-locate in the Professional Building on South Pine Street. Other examples of collaboration include the Local Emergency Planning Commission, the Healthy Harvey Coalition, the Prescription Take-Back Day, and the school located flue and vaccination clinics in all school districts in the county.

Anthony Swartzendruber, Assistant County Administrator, gave a presentation on the proposed Community Hangar project at the Newton City/County Airport. Although the project was first introduced in 2011, it was delayed until now. The hangar will be approximately 14,000 feet which includes 2,000 square feet of office space and the apron connecting the hangar to the taxiway. It is anticipated that there will be no local tax dollars used for the project, as the payment of the bonds will be made using lease revenues. The tentative timeline proposed is as follows:

October – City and County consider Interlocal agreement

November – Bid letting and bid award

December – Issue bonds

December- January, 2014 – Begin construction

May – June, 2014 – Complete Construction

Discussion was held as to why the hangar is needed. Tim Johnson said that the airport is the 2<sup>nd</sup> busiest airport in the region with Mid-Continent being the busiest. There are 400 employees housed at the airport, only five of which are City of Newton employees. The City and the County fund the airport jointly with each contributing \$80,000.

Mr. Flory gave closing comments with a recommendation to hold regular joint meetings. Mayor Nickel stated that this is part of the transparency in government that everyone is so interested in these days. Chairman Westfall stated that if we want to save government dollars then it is important to stay in communication with each other.

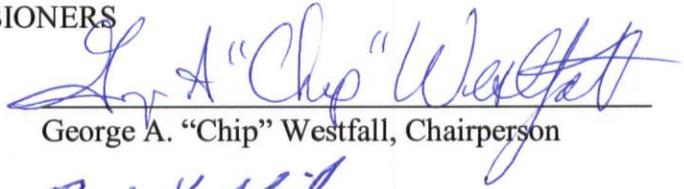
Commissioner Hague brought up the issue of the high debt of the City of Newton, Harvey County, and Newton USD #373. He expressed concern over what level of debt is sustainable for governments. Commissioner Davis said we need to educate the public on what our needs are and how things work. Commissioner Westfall is concerned that stated and federal mandates continue to be passed with no funding for local governments to comply. The legislature also needs to be educated. Commissioner Nickel said that 30% of the City's debt is bonding for infrastructure for housing developments.

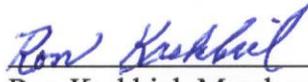
Commissioner Westfall suggested that we study a health care plan developed by the school district of Independence, Missouri. They have devised a plan to help save money on health insurance premiums.

Although there needs to be a joint meeting between the governing bodies within the next month, Commissioner Westfall suggested regular quarterly meetings be held thereafter. Commissioner Thiessen stated that her position requires that she make policy decisions, and allow staff to make decisions on the day-to-day functions of their respective departments. The joint meetings of the City and County should deal with those policy-making issues. The City and County administrators were directed to plan and set up the next and future joint meetings.

The joint meeting was adjourned at 1:20 p.m.

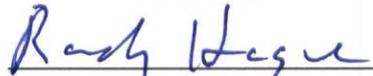
BOARD OF HARVEY COUNTY COMMISSIONERS

  
George A. "Chip" Westfall, Chairperson

  
Ron Krehbiel, Member

ATTEST:

  
Joyce Truskett, County Clerk

  
Randy Hague, Member

