

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

**June 2, 2014**

The Board of Harvey County Commissioners met in regular session on June 2, 2014 with all three Commissioners present. Chairman Krehbiel called the meeting to order at 9:00 a.m.

**ITEMS ADDED TO AGENDA:**

1. Commissioners Westfall and Krehbiel attended the REAP Water Conference last week. It was a very interesting conference.
2. Commissioner Hague received a complaint about the road south of Halstead. The Road & Bridge Department will be working to repair the road following the completion of patching on West Dutch Avenue, NW 12<sup>th</sup>, and South Oliver.
3. Commissioner Krehbiel also received a complaint about West Dutch not having signage that the road was closed. Jim Meier, Road and Bridge Superintendent, assured the Commissioners that the signage is there but several drivers are choosing to ignore it.

**CALENDAR ITEMS:**

1. The Council of Governments will not meet again until September.
2. The meeting to be scheduled with Commissioners from Lyon and Chase Counties to discuss improvements to Highway 50 will be held on June 25 in Cottonwood Falls.
3. The all-day budget work session will be held on Tuesday, July 15.

Minutes of the May 27, 2014 Commission meeting were approved upon a motion by Commissioner Hague, seconded by Commissioner Westfall. Motion passed unanimously.

**ADMINISTRATIVE ITEMS:**

1. John Waltner reported that he will attend a press conference tomorrow afternoon in Wichita at 3:00 p.m. regarding the Prosperity Plan. As a part of the plan, citizens in South Central Kansas are asked to voice their opinions about making better neighborhoods and communities.
2. Jim Meier, Road and Bridge Superintendent, presented an invitation to bidders for the purchase of a new hydraulic excavator. If approved, invitations will be sent to five vendors and bids will be due on June 13 at 4:00 p.m. Bids will be opened on Monday, June 16. Also included in the bid specs is a 42" bucket, a thumb compatible with that bucket, a 72" GD ditch bucket with pins, and a hydraulic quick coupler. Commissioner Westfall made a motion to approve the invitation to bidders and authorize the Road and Bridge Department to send to prospective bidders. Commissioner Hague seconded the motion and it was passed unanimously. Anthony Swartzendruber called attention to item No. 4 on the bid conditions which states that Harvey County does not necessary approve the lowest bid, but approves the lowest responsible bid, determining which bid is the most suitable for its intended use or purpose.

3. Jim Meier reported that Bridge No. 3-0.2, known as the Burmac Bridge, will be closed today for replacement and will be closed until some time in November. He reiterated that crews are having a huge problem with traffic control on roads where crews are patching.
4. Anthony reported that he is working on budgets, reviewing departmental requests and outside requests. The final audit for 2013 has been received and will be included in next week's packet.
5. Kass Miller, Park Ranger, reported that fishing is very good right now at the Parks. Fireside Chat programs are scheduled on one Saturday per month at both East Park and West Park through September.
6. Todd Hanchett, Undersheriff, reported that the Sheriff's Department continues to investigate a fatality accident east of Walton. Charges may be filed against the other driver. A baby was removed from a home in Burrton and hospitalized. He also said they are having some success apprehending metal thieves.
7. Byron Warta reported that the roof and the apron are complete on Hangar W at the Airport. Work has begun to locate utilities at the ABI building site there. He also reported that the REAP Water Conference was exceptionally good. It was very interesting to hear how other states pay for water.

#### **CITIZENS FORUM:**

There were no items presented during Citizens Forum.

Warrant checks in the amount of \$87,330.20 and supplemental refund checks in the amount of \$700.00 were approved upon a motion by Commissioner Westfall, seconded by Commissioner Hague. Motion passed unanimously.

Joyce Truskett, County Clerk, presented the proposed 2015 Clerk and Elections budgets. In review of the 2013 accomplishments, she reported that the department had been able to obtain 10 additional electronic poll books and 4 additional I votronic voting machines at no charge. Additional scanners, printers, and data converter software were purchased with a 50% match through HAVA funds. The Department was also able to purchase a used 24-foot trailer for the delivery of voting equipment. She also displayed a box, built by Rick Piepho, to simplify the hookup of electronic poll books and work stations at poll sites. Goals reviewed and discussed were the closing of a poll site at First and Main in Newton and combining it with Salem Church; increasing the charge for structure moving permits; assisting Townships with budgets; decreasing the number of office staff; and implementation of credit card usage for license fees and miscellaneous purchases in the Clerk's Office. The Clerk's budget contains a capital outlay request of \$1,000 for the purchase of a computer, and the Elections budget contains a capital outlay request of \$1,500 to customize the interior of the delivery trailer.

Duane Roux and Dana Stahl presented the proposed 2015 Conservation District Budget. The budget request from Harvey County is \$16,065, which is the same as last year. Dana reported that they are trying to present more programs in schools teaching children about conservation. Duane reported that they are planning to purchase a new grass drill for rental purposes; however that is budgeted through the enterprise fund.

Becky Opland, Treasurer, presented the proposed 2015 budget for the Treasurer's Office. The budget contains a supplemental request to fund training and office supplies in the amount of \$1,500 out of the General Fund in the Tax Division and \$450 for office supplies in the Driver's License General Fund. These items have formerly been funded through the Motor Vehicle Fund. She also reported that the State of Kansas has cancelled the contract with the 3M Company, who designed the embattled Motor Vehicle program. The State will now try to fix the difficulties and problems with the system.

Craig Clough, Appraiser, presented the proposed 2015 budget for the Appraiser's Office. The budget contains a CIP project in an amount of \$60,000 to fly aerial photography scheduled for 2016. However, there is to be an aerial photography flown this year for someone else and there is a possibility that we could piggyback on this one for significantly less. Craig said they continue to use PC tablets in the field which allow data collectors to enter all information at the time of collection. The budget for the Real Estate Division includes \$1,200 for the purchase of a computer and the Personal Property Division budget includes a request of \$2,400 for the purchase of 2 computers.

Margaret Hermstein, Register of Deeds, presented the proposed 2015 budget. She explained that projected revenue from mortgage registration fees show a decrease of \$79,411 as a result of legislation passed in 2014. The budget includes a supplemental request of \$590 for dues, travel, and office supplies.

LeeAnn Daniels, Data Processing Director, presented the proposed 2015 Budget for the Data Processing Department. The budget includes a supplemental request for \$11,000 to cover the increased costs of maintenance contracts on equipment. Also included is a capital outlay request of \$29,000 for the purchase of a printer, desktop computer, switch, server, and NAS Unit Drive.

Bob Cheney, Noxious Weed Director, presented the proposed 2015 Noxious Weed budget. He reviewed the 2013 accomplishments. One of the 2015 goals is to attempt to get private property owners to take responsibility to control their noxious weeds. Therefore, beginning in 2015, the Noxious Weed Department will not spray on private property unless by legal notice. The proposed budget includes capital outlay requests of \$29,000 for the purchase of a truck and \$4,500 for the purchase of a spray tank, flat bed, and a 2010 Honda G13 Engine.

The meeting was recessed for lunch at 12:00 p.m.

The meeting reconvened at 1:18 p.m. Anthony reported that he, Counselor Greg Nye, and Terry Stuber, from the Kansas Energy Office, have all reviewed the proposed contract between Harvey County and 360 Energy Engineers. Following a conference call this past week to discuss the contract, some changes were made. Once the contract is approved, 360 Energy Engineers will proceed with an energy upgrade for the Courthouse, Law Enforcement Center, and Detention Center. Joe Hurla, representative of 360 Energy Engineers, attended the meeting to answer questions. Terry Stuber from the Kansas State Energy Office also attended the meeting. The Commissioners further discussed the project and relayed any comments they have received from the public. Counselor Greg Nye clarified that the energy savings stated in the contract are

calculated using current rates for water, electricity, and gas. Consumption amounts for the Courthouse, Detention Center, and Law Enforcement Center were taken from a previous 12 month period. There will also be a 10% retention amount for each phase of the project that will not be paid out until that particular phase is completed. The warranties on all new equipment will be managed by Harvey County. Each sub-contractor involved with the project will be required to provide a bid bond and liability insurance. Terry Stuber commented that he would recommend that the entire project be approved rather than delay the windows replacement as discussed at last week's Commission meeting. Anthony informed the Commissioners that because there are different financing options for the project, the County should first consult with their Bond Counsel and then the final decision on the best option can be made at a later time. Commissioner Westfall made a motion to approve **Resolution No. 2014-16**, requesting the Harvey County, Kansas, Public Building Commission issue revenue bonds in an amount not to exceed \$3,700,000 for the purpose of paying all or a portion of the costs to acquire, construct, furnish and equip energy conservation improvements in Harvey County, Kansas. Commissioner Hague seconded the motion and it was passed unanimously.

The commission meeting was recessed at 1:40 p.m.

At 1:40 p.m., Richard Denno, President of the Harvey County Public Building Commission, called the meeting of the PBC to order. Also attending the meeting were Eugene Wendling, Tim Johnson, Robert Nattier, and Commissioner Randy Hague.

The minutes of the March 4 PBC meeting were considered. Robert Nattier made a motion to approve the minutes and Tim Johnson seconded the motion. Motion passed unanimously.

Tim Johnson made a motion to approve **PBC Resolution No. 2014-4**, declaring it necessary for the Harvey County Public Building Commission to construct certain energy conservation improvements to certain public buildings in Harvey County, Kansas; and to issue revenue bonds in an amount not to exceed \$3,700,000 for the purpose of paying all or a portion of the costs thereof and related financing costs. Robert Nattier seconded the motion. Motion passed unanimously.

At 1:50 p.m. Eugene Wendling made a motion to adjourn the meeting of the PBC. Robert Nattier seconded the motion and it was passed unanimously.

The meeting of the Harvey County Board of Commissioners was reconvened at 1:50 p.m.

With no further discussion, Commissioner Hague made a motion to accept the Energy Performance Contract between 360 Energy Engineers and Harvey County for the purpose of installing certain energy, water or other operating cost saving equipment, and providing other services designed to save energy, water or other operating costs for the Harvey Courthouse, the Law Enforcement Center, and the Detention Center, and give the chairman the authority to sign. Commissioner Westfall seconded the motion and it was passed unanimously.

The Commissioners received a memorandum from Anthony, explaining the results of the proposals received on April 14, 2014 for asbestos abatement and third party PMC air clearance testing in the Courthouse. After review of the bids he recommends the Commission accept a proposal from

Integrated Solutions Inc dba iSi Environmental for asbestos abatement. The amount of the bid was \$122,304. He recommends the Commission accept the bid from Paradigm Group, LLC for air clearance testing. The amount bid is \$330 per trip with an estimate of approximately seven trips. Commissioner Hague expressed concern about the air clearance contract. He feels the contract is too open-ended and that the County might have to pay for the asbestos removal company not adequately doing their job. The air clearance tests have to be good before areas can be occupied again. If the air clearance test shows the presence of asbestos, the company will have to make another trip to retest. Following extended discussion, Commissioner Westfall made a motion to approve the contract with Integrated Solutions Inc. dba iSi Environmental in the amount of \$122,304 and allow Administration to negotiate minor adjustments to the contract if needed, and sign on behalf of the Commission. Commissioner Hague seconded the motion and it was passed unanimously.

Commissioner Hague made a motion to approve the contract with Paradigm Group, LLC to perform third party air clearance tests for a fee of \$330 per trip with unlimited clearances, with authorization for staff to negotiate if necessary. Commissioner Westfall seconded the motion and it was passed unanimously.

Administration will be meeting with 360 Energy Engineers Construction Manager next week to begin the process of scheduling how and when each phase of the project will be done.

The meeting was adjourned at 2:40 p.m.

BOARD OF HARVEY COUNTY COMMISSIONERS

  
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Ron Krehbiel, Chairperson

  
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Randy Hague, Member

ATTEST:

  
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Joyce Truskett, County Clerk

  
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George A. "Chip" Westfall, Member

