

MINUTES OF
BOARD OF HARVEY COUNTY COMMISSIONERS

February 22, 2016

The Board of Harvey County Commissioners met in regular session on February 22, 2016 with Commissioner Westfall and Commissioner Hague present. Commissioner Krehbiel was absent. Chairman Westfall called the meeting to order at 9:00 a.m.

ITEMS ADDED TO AGENDA:

1. Commissioner Westfall reported that Commissioner Krehbiel is absent due the passing of his mother-in-law Dorathy Holzrichter. The funeral service will be held today.
2. Commissioner Westfall stated that he attended the active shooter workshop last week.

CALENDAR ITEMS:

1. A retirement reception will be held for detention deputy Kay Supernois on March 17.
2. Commissioner Westfall is scheduled to speak to a group of senior citizens on March 4 at 11:30 a.m. at the Whistle Stop restaurant in Walton.

Minutes of the February 16 Commission regular meeting were approved upon a motion by Commissioner Hague, seconded by Commissioner Westfall. Motion passed unanimously.

ADMINISTRATIVE ITEMS:

1. John Waltner, Administrator, reported that the Kansas Organization of Recyclers Works conference is scheduled for April 4-7, 2016 in Garden City. The commissioners are invited to attend. Rollin Schmidt, Solid Waste Director, is planning to attend.
2. John distributed copies of hearing notices regarding the rezoning by the Newton/North Newton Area Planning Commission of properties at the Newton City/County Airport. The public hearings will be held on March 7, 2016 at 7:00 p.m. in the Newton City Commission chambers.
3. John reported that last Wednesday evening a meeting was held in Hesston to discuss the Dutch Avenue bridge replacement project. Harvey County Road & Bridge and MKEC representatives presented information about the project to residents and businesses that will be affected.
4. John reported that copies of the resolution that was passed last week calling for legislative repeal of the tax lid were sent to the local legislators and Kansas Senate and House leadership. All of them acknowledged receipt of the resolution.
5. John informed the commissioners that he was informed by the Realtor Association that the agenda for their March meeting is full, but the commissioners may be able to discuss the tax lid with local realtors at their meeting in May.
6. John reported that the next Quad County meeting is scheduled for March 21 in Reno County at the Hutchinson Correctional Facility.
7. Gina Bell, Planning & Zoning Director, presented copies of the preliminary plat for the drainage area for the Newton City/County Airport on the property in the southeast ¼ of section 14 at the corner of Oliver Rd. and 1st Street.
8. Commissioner Hague made a motion to approve **Resolution No. 2016-6**, ordering and

- authorizing the county counselor to initiate and conduct a lawful county tax foreclosure action. Commissioner Westfall seconded the motion and it was passed unanimously.
9. John reported that he and Counselor Greg Nye will be meeting with an auctioneer to prepare the specifications for a Request for Proposal (RFP) to be sent to interested auctioneers for the tax foreclosure sale of the AZP, LLC properties in Halstead.
 10. Gary Denny, Emergency Management Director, reported that he is promoting the severe weather workshop to be conducted on March 3 at 6:30 p.m. at Lindley Hall. A flyer advertising the workshop was distributed to the commissioners. He also reported that the next active shooter workshop is scheduled for April 6.
 11. Kass Miller, Director of Parks, reported that some of reclaimed wood from the barn that was demolished at East Park is being installed as wainscoting in Volunteer Hall. He reported that some of the electricity in the camping areas has been turned on, but the facilities will remain winterized until he is sure that a hard freeze will not occur. He also reported that there was an injury accident at East Park over the weekend.
 12. Byron Warta distributed copies of the EDC prospect report for January 27 through February 16. He briefly discussed each of the projects listed.
 13. Anthony Swartzendruber, Assistant Administrator & Finance Director, reported that the CIP kick-off meeting was held with department heads last week.
 14. Rick Piepho, County Clerk & Election Officer, reported on the status of the election audit bill HB 2543 in the legislature. A number of amendments were made to the bill including implementation beginning in 2017.

CITIZENS FORUM:

There were no items presented during Citizen's Forum.

Warrant checks in the amount of \$101,460.38 were approved upon a motion by Commissioner Hague, seconded by Commissioner Westfall. Motion passed unanimously.

Rex Yohn, Noxious Weed Director, presented the 2015 Annual Noxious Weed Eradication Report required by KSA 2-1316. The report shows the 2015 budget and fund balances for the Noxious Weed Fund along with treatment summaries. He also presented the 2016 Harvey County Annual Noxious Weed Management Plan required by KSA 2-1317 which is similar to the plan used for 2015. Commissioner Hague made a motion to approve the 2015 Annual Noxious Weed Eradication Report and the 2016 Harvey County Annual Noxious Weed Management Plan as printed. Commissioner Westfall seconded the motion and it was passed unanimously.

Rex presented the Noxious Weed Spraying Agreement with KDOT for consideration. The agreement states that KDOT will pay \$36 per hour to treat noxious weeds on State Highway Rights-of-Way. Commissioner Hague made a motion to approve the Noxious Weed Spraying Agreement with KDOT and authorize the chair to sign. Commissioner Westfall seconded the motion and it was passed unanimously.

Gina Bell presented Conditional Use Permit (CUP) 16-2 for consideration. Gina presented information about the CUP that was requested by Budde Enterprises, Inc. for the addition of a building to expand their business on their property at 4502 NE 36th St., Newton. Representatives for Budde Enterprises, Inc. were in attendance to answer any questions. The Harvey County Board of Zoning Appeals

unanimously approved the request at their meeting on February 2, 2016 with the following conditions: (1) any further expansions that would net an increase of 50% of assessed value of this proposed building will need to come back to the planning commission for review. (2) if there are issues with the roadway because of the expansion, Budde Enterprises, Inc. will make every effort to work out an acceptable solution for all parties involved. Commissioner Hague made a motion to approve CUP 16-2 as presented. Commissioner Westfall seconded the motion and it was passed unanimously.

Gina Bell presented Conditional Use Permit (CUP) 16-1 for consideration. Gina presented information about the CUP that was requested by Derek Wiggers, Premier Buildings dealer, to sell portable sheds from his property located at 7500 W. US Hwy 50, Newton. The Harvey County Board of Zoning Appeals unanimously approved the request at their meeting on February 2, 2016 with the following conditions: (1) this CUP be only for selling portable sheds, (2) that there not be more than 20 sheds on site at one time, (3) that Derek will remind buyers that they should check on the requirement for building permits in the city limits but that they are required in the unincorporated areas of Harvey County. Commissioner Hague made a motion to approve CUP 16-1 as presented. Commissioner Westfall seconded the motion and it was passed unanimously.

At 10:25 a.m. Commissioner Hague made a motion to go into executive session for a period of 10 minutes to discuss privileged communication regarding threatened litigation with legal counsel. Commissioner Westfall seconded the motion and it was passed unanimously. Also present for the session were John Waltner, Anthony Swartzendruber, Counselor Greg Nye and Rick Piepho. Executive session ended at 10:35 a.m. with no action being taken.

The meeting was recessed at 10:35 a.m. for the commissioners to travel to and attend the funeral of Dorathy Holzrichter, Commissioner Krehbiel's mother-in-law.

The meeting was adjourned at 1:15 p.m.

BOARD OF HARVEY COUNTY COMMISSIONERS



ATTEST:

Rick Piepho
Rick Piepho, County Clerk

George A. "Chip" Westfall
George A. "Chip" Westfall, Chairperson

Randy Hague
Randy Hague, Member

Ron Krehbiel
Ron Krehbiel, Member