

**MINUTES OF**  
**BOARD OF HARVEY COUNTY COMMISSIONERS**  
**December 22, 2008**

The Board of Harvey County Commissioners met in regular session on December 22, 2008 with all three commissioners present. Chairman Krehbiel called the meeting to order at 9:00 a.m.

**ITEMS ADDED TO AGENDA:**

1. Commissioner Westfall updated the Commission on the future development of the County Fairgrounds.

**CALENDAR ITEMS:**

1. There will be no Commission Meeting on December 29.

Minutes of the December 15, 2008 Commission meeting were approved upon a motion by Commissioner Westfall, seconded by Commissioner Roberson. Motion passed unanimously.

**ADMINISTRATIVE ITEMS:**

1. The compensation paid to the Sheriff for food for the Detention Center will be discussed at a January Commission meeting.
2. Craig Simons indicated that the Newton City/County Airport is preparing a list of items at the Airport that need to be repaired or updated to bring the buildings there into good repair. The list includes items such as roof repairs, insulation, door repairs, etc. This would not only improve the look of the Industrial Park, but would enable the Airport to maintain the buildings on an "as needed basis." This would require the issuance of bonds for funding.
3. Appointments to the Fairgrounds Committee will be made in January.
4. Greg Nye reported on his findings regarding the Cox Communication franchise agreement that was presented to the Commission last week. The law has changed and Cox Communications now enters into a statewide contract instead of a contract with individual cities. Counties can charge rural residents in unincorporated areas that have cable service a franchise fee of up to 5%. Most all of the counties in Kansas have elected to do this. Commissioner Roberson made a motion to approve the agreement with Cox Communications and charge a 5% franchise fee to rural residents. This would include the issuance of acknowledgement to Cox Communications and allow Craig Simons the authority to sign the agreement. Commissioner Westfall seconded the motion and it was passed unanimously.
5. Greg Nye, County Counselor, informed the Commission that a deed to the parcel of land that was sold to J. S. Mitch (Jason Mitchell) two weeks ago will need to be executed by the County Clerk on January 2. Commissioner Westfall made a motion to approve **Resolution No. 2008-35**, which orders the County Clerk to execute a certain deed for the property to be delivered on January 2. Commissioner Roberson seconded the motion and it was passed unanimously.

6. Commissioner Westfall made a motion to approve **Resolution No. 2008-34**, designating the public Holidays for 2009. Commissioner Roberson seconded the motion and it was passed unanimously.

**CITIZENS FORUM:**

There were no citizens present for Citizens Forum.

Warrant checks were approved upon a motion by Commissioner Roberson, seconded by Commissioner Westfall. Motion passed unanimously.

Sarah Steele presented final papers for the Bigs Property that were signed by the Commissioners and the County Clerk.

Joyce Truskett, County Clerk, presented two provisional ballots from the special Sedgwick City election held on December 16 for the Commission to canvass. Both ballots were voters who had not submitted a change of address to the election office. Commissioner Westfall made a motion to count both of the ballots. Commissioner Roberson seconded the motion and it was passed unanimously.

Phil Adams, Road & Bridge Supervisor, presented the findings of a survey done by Poe & Associates Engineering of the bridge postings and load ratings in Harvey County. Paul Ferguson, designated county engineer, made recommendations of how the bridge postings should be changed. Commissioner Roberson made a motion to allow Road & Bridge to change the bridge postings as recommended by the engineer. Commissioner Westfall seconded the motion and it was passed unanimously.

Courtney Becker, Director of Communications, presented proposed changes in alarm connection fees and monthly monitoring fees. The current fees were set by resolution in 2003.

Commissioner Roberson made a motion to approve **Resolution No. 2008-33**, establishing fees of \$100.00 for new alarm hookups, \$10.00 for monthly residential monitoring fees, and \$15.00 for monthly commercial monitoring fees. Commissioner Westfall seconded the motion and it was passed unanimously.

Richard Schroeder presented a document for review by the Commission.

New fees for the Harvey County Parks Department were presented to the Commission. Storage fees at West Park currently set at \$.50 per day were changed to \$20.00 per month.

Commissioner Westfall made a motion to approve **Resolution No. 2008-29**, setting the fees in the Harvey County Parks as of January 1, 2009. Commissioner Roberson seconded the motion and it was passed unanimously.

Roy Patton, Director of Solid Waste, presented a proposed lease agreement between ICM and Harvey County to lease property North of the Harvey County Transfer Station. He presented pictures and maps of the area so the Commission could visualize where the gasifier, which will test the burning of agricultural waste, will be located. Mr. Patton assured the Commission that

there is no trash buried under the area beneath the gasifier unit itself, which is on land occupied by the former Harvey County Landfill. Commissioner Westfall made a motion to approve the lease agreement with ICM. Commissioner Roberson seconded the motion and it was passed unanimously.

Greg Nye reported that the County Treasurer had called him regarding Cricket Communications who filed for bankruptcy in 2003. Partial payments had been received from the company, but the Treasurer was not able to disburse the money because of penalties and interest.

Commissioner Westfall made a motion to sign **Resolution No. 2008-36**, forgiving interest and penalties from Cricket Communications for the tax year 2003 and disperse the money to the proper taxing entities. Commissioner Roberson seconded the motion and it was passed unanimously.

Craig Simons presented paperwork for Temporary Notes for Schaben Industries (Bigs Property). Chairman Krehbiel and the County Clerk signed the papers.

The meeting recessed for lunch at 11:45 a.m.

The meeting was adjourned at 1:00 p.m. by Chairman Krehbiel.

BOARD OF HARVEY COUNTY COMMISSIONERS

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Ron Krehbiel, Chairman

ATTEST:

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Marge Roberson, Member

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Joyce Truskett, County Clerk

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George A. "Chip" Westfall, Member