

Minutes of the Treece Relocation Assistance Trust

January 31, 2013; 11:00 am - Cherokee County Courthouse

Meeting was called to order by Vice-Chair Betty McBride

Roll call: Betty McBride, Eddie Hamilton, John Delmont, Jr. (via conference call), Gene Bicknell (via conference call)

KDHE: Bob Jurgens

Legal: Bill Morin

MMSC 3-0 (McBride/Delmont, Bicknell absent) to approve the minutes of the December 20, 2012 meeting

Payment Status: McBride reported bank balances of \$10,453.70 in American Bank; \$82,501.07 in Exchange State Bank. Invoices presented for approval (Patricia Beatty - accountant (fees and checks); Kansas Employment Security Fund and Diehl, Banwart and Bolton (audit).

MMSC 4-0: (Bicknell/Hamilton) to accept the report and pay the invoices.

Buyout expenditure requests: None

Property update:

- Deeds not recorded: ORM-19 (Lamb) – Morin will stop by residence; ORW-13 and ORW26 (Hargis) – Hargis agreed to sign and will mail to Morin; ORW-17 (Leatherman) – Leatherman agreed to sign and will mail to Morin.
- S-12 and V-29: Deeds signed over from most of co-owners, but not all. May need to purchase at next tax sale to secure remaining interest. Tax sale is slated for summer 2013. Morin to talk to county counselor and attorney working on legal information to facilitate a sooner date, if possible.
- 2013 Cherokee County Tax Sale: Summer 2013 – V-38 and V-18 needed.
- V-17 – Bedore/Ashworth: The owner reportedly signed the paperwork and mailed to Crawford County Abstract.

Audit Status: Randy Phillips with Diehl, Banwart and Bolton mailed draft of audit in January that was revised following KDHE comments. Revised language was acceptable. No major issues identified in the audit.

- **MMSC 4-0:** (Bicknell/Hamilton) to approve the audit.

Vacation of City Plat and Adjoinment of Deeds in the City Limits:

- Street vacation request is being provided to the City Clerk for presentation to the County Commissioners. Plats will not be vacated since several lot ownerships are still uncertain.
- Kansas Dept of Property Valuation indicated the redefinition of a legal description is up to TRA Trust legal counsel.

Purchase/Closing Updates:

- ORM03: Received 2nd promissory note payment of \$107.44.

Easements:

- **Water Main Easements:** Morin prepared an easement transfer for existing water main easements from the City of Treece to the RWD #3. Gene Bicknell, Chair will need to sign since it is disposition of property rights.
- **Ingress/Egress Easement:** An ingress/egress easement was prepared by Morin to allow Della & Timothy Busby access to their property off of Grove Road using Kansas Avenue. The easement reflects the Busby's are responsible for maintenance of the driveway once vacated. Morin is to send a letter to the Busby's to ensure they are aware of the easement being recorded at the courthouse and the plans to vacate the streets.

County Clerk: Rod Edmondson was introduced as the new Cherokee County Clerk. Rod reported his office is working on revisions to the voter registration since the city has been dissolved.

Survey/Environmental Use Controls:

- **Property Survey:** KDHE will not secure a survey contract since the city plats are not being vacated.
- **EUC:** ORM04 Environmental Use Control was presented to the TRA Trust for approval. McBride signed the EUC on behalf of the Trust. Jurgens to record the EUC with the Register of Deeds following the meeting. Payment of \$4,000 to the KDHE EUC Program will be made by KDHE as an interfund transfer per the KDHE/EPA Cooperative Agreement conditions.
 - **MMSC 4-0:** (Hamilton/Bicknell) to approve the EUC, which is for the former JC and Beverly Box property at 932 Groundhog Drive.
 - The remaining EUCs are nearing completion and will be forwarded to KDHE's Secretary for approval in the near future.
 - Deeds Needed: KDHE submitted a list of 14 properties where original recorded deeds were not sent to KDHE. The Register of Deeds is getting the necessary copies.

Complete Title Issue: No payment received to date. Trust requested Morin send a letter to the Missouri Commissioner of Insurance with a formal complaint regarding Sterling Title's not returning the escrow funds owed to the Trust. Jurgens to contact Vicki Bronson for assistance in getting the escrow funds returned.

EPA Testing in Treece: Jurgens reported EPA provided KDHE a work plan summarizing the remediation efforts in the city limits. EPA has started removing the "hot spots" to minimize disruption to well-vegetated areas with lower levels of contamination and construction of a haul road to the sewage lagoons. Contaminated soil will be placed in the old city sewage lagoons and on nearby property owned by Robert Whisner. EPA is rerouting AT&T's primary line to better facilitate excavation without causing problems with the phone service. A formal request will be made to the KDHE Bureau of Water to close the Storm Water Pollution Prevention permit.

MMSC 3-1: (Delmont/Hamilton, Bicknell against) to approve the Remediation Work Plan.

Historical Sign: Jurgens provided an update on the historical marker design and inclusion into the Kansas Historical Marker Program. The Kansas Historical Society and KDOT are intending to accept new historical markers into the Kansas Historical Marker Program. The sign will need to be paid for and erected by a sponsoring entity, in this case the TRA Trust. The design will be revised to reflect the standard design used for other Kansas Historical Markers. Jim Woods Marketing has offered their property at Hwy 69 and State Line for the marker. The intent is to place the marker on the lower concrete building pad (southeast part of the property at 13 SW Treece Rd.). The marker wording to date was approved by the trustees.

- Granite slab: Cost savings realized by using a standard sign design shape will allow the placement of a granite slab/rock with an area where families/businesses can have their names engraved. The granite will be placed at the base of the sign. A Treece Historical Foundation will manage the granite engraving efforts. Pam Pruitt agreed to help lead a foundation with assistance from other former and current residents. The engravings will be paid for by the people requesting to be included on the slab.
 - **MMSC 4-0:** (Bicknell/Delmont) to approve purchase of the granite rock with funds left over from the original \$7,000 approved for the historical marker.

Next Meeting: February 28, 2013, 11:00 am, Cherokee County Court House.

Minutes Prepared by Bob Jurgens, KDHE

Betty McBride, Vice Chairperson

Approval Date