

# Minutes of the Treece Relocation Assistance Trust

February 28, 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 4-0** (Delmont, Bicknell) to approve the January 31, 2013 meeting minutes.

**Payment Status:** McBride reported bank balances of \$10,453.70 in American Bank and \$81,662.59 in Exchange State Bank. Invoices presented for approval (Patricia Beatty – accountant for \$229.55).

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

**Buyout expenditure requests:** None

## Property update:

- Deeds not recorded: ORM-19 (Lamb) – Still not able to talk to the Lambs in person. Morin will stop by residence today.
- Deeds Recorded: Completed - ORW-13 and ORW26 (Hargis); ORW-17 (Leatherman). Original recorded deeds provided to Jurgens by Morin.
- 2013 Cherokee County Tax Sale: Summer 2013? – No new update, auction pending.
- V-17 – Bedore/Ashworth: The owner reportedly signed the paperwork and mailed to Crawford County Abstract, but it had not been received as of 2/27/13.

**Audit Status:** Final copies of the audit were received by TRA Trust. Copies were provided to trustees in attendance and the remaining copies are for the administrative record, trustees not in personal attendance, KDHE file and Governor's office submittal.

## Vacation of City Plat and Adjoinder of Deeds in the City Limits:

- Street vacation request was submitted by Bill Morin on January 31, 2013, to the City Clerk for presentation to the County Commissioners. Plats will not be vacated since several lot ownerships are still uncertain. April 1, 2013 hearing is planned.

## Purchase/Closing Updates:

- ORM03: Received 3<sup>rd</sup> promissory note payment of \$107.44. A total of \$322.32 has been received to date.

## Easements:

- **Water Main Easements:** Morin will contact RWD #3 to discuss easements and need to include additional sections in the RWD boundaries.
- **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. Gene Bicknell, Chair will need to sign since it is disposition of property rights. Send to TRA Trust PO Box for McBride signature.

**Environmental Use Controls (EUC):**

- EUCs for ORM21, ORM27, ORM33, ORM12/36, ORM35, ORM41, ORW03, NR8 and S-15 were presented to the TRA Trust for signature. McBride signed the EUCs on behalf of the Trust. Jurgens to record the EUCs with the Cherokee County Register of Deeds following the meeting. Payment of \$4,000/each for ten total EUCS (nine from today and one from January, 2013) to the KDHE EUC Program will be made by KDHE as an interfund transfer per the KDHE/EPA Cooperative Agreement conditions.
  - The EUCs signed today were previously approved during the EUC application stage.
  - Two EUCs remain for completion: One for the city limits properties, including ORW09 and the second for 6 acres near ORM19.

**Complete Title Issue:** Payment of \$2,037.39 for returned escrow funds was received from Brett Loethen, former owner of the now defunct Sterling Title, Joplin, Missouri. Sterling Title took over the closing duties from Complete Title of SW Missouri when their owner passed away. Mr. Loethen requested in writing that this payment be accepted as payment in full for the funds owed to the TRA Trust. He indicated inappropriate charges to the escrow account and discrepancies by Complete Title led to the lack of escrow funds. The Trust decided not to accept Mr. Loethen's proposal for payment in full for funds still due from the escrow account. The check was cashed as partial payment.  $\$4,777.43 - \$2,037.39 = \$2,740.04$  still due. Note: Mr. Loethen indicated he believes the remaining amount due is \$1,226.61. Jurgens will send Mr. Loethen a written notice of payment received and request the past due remaining amount. In addition, Jurgens will update Vicki Bronson (wife of deceased owner of Complete Title) of the current status per her request.

**EPA Testing in Treece:** Jurgens reported EPA started removing the contaminated soil from property in the city limits, but contractors have been slowed due to wet weather and snow. Contaminated soil moved to date has been placed in the old city sewage lagoons to assist with the lagoon closure. A formal request will be made to the KDHE Bureau of Water to close the Storm Water Pollution Prevention permit.

**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 was revised to reflect the standard design used for other Kansas Historical Markers.

- Granite slab: Jurgens will contact local vendors for quotes on a granite slab for placement at the base of or next to the historical marker.

**Next Meeting:** March 21, 2013, 11:00 am, Cherokee County Court House.

*Minutes Prepared by Bob Jurgens, KDHE*

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Betty McBride, Vice Chairperson

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Approval Date