

Minutes of the Treece Relocation Assistance Trust

March 21, 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 February 28, 2013 meeting minutes.

Payment Status: McBride reported bank balances of \$10,453.70 in American Bank and \$80,752.91 in Exchange State Bank. Trustee compensation presented for approval.

MMSC 4-0: (Hamilton/Delmont) to accept the report and pay the trust compensation.

Purchase/Closing Updates:

- **ORM03:** Received 4th promissory note payment of \$107.44. A total of \$429.76 has been received to date.

Buyout expenditure requests: None

Property update:

- **Deeds not recorded:** ORM-19 (Lamb) – Morin still not able to talk to the Lambs in person. Morin will stop by residence again today.
- **V-17** – Wendy Bedore-Ashworth: Closed on the vacant lot on 3/5/13.
- **ORM03-Johnston property swap:** Need mortgage release removed from the title report because it the mortgage lien is not for the property in questions. Morin will review the lien himself to facilitate the property transfer.

2013 Cherokee County Tax Sale: Summer 2013? – Encourage Cherokee County Commission to speed up the process, if possible. The County Counselor is reportedly investigating potential properties for inclusion into the tax sale. Morin and McBride will discuss the issue with the County Commission on April 1st. After the discussions are completed, the Trust will consider a Treece Relocation Assistance Trust project close date at the next meeting.

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

- Street vacation request was submitted by Bill Morin to the City Clerk on January 31, 2013, for presentation to the County Commissioners. April 1, 2013 hearing is planned.

Easements:

- **Water Main Easements:** Morin will contact Jon Houser RWD #3 to discuss easements and need to include additional sections in the RWD boundaries.
- **Ingress/Egress Easement:** An ingress/egress easement for access to the Busby property off of Grove Road using Kansas Avenue was provided by Morin to Della & Timothy Busby for review. Gene Bicknell, Chair will sign since it is disposition of property rights.

Environmental Use Controls (EUC):

- EUCs for S-03/ORM19/ORM30 combined property and City Limits/ORM09 still pending.

Complete Title of SW Missouri/Sterling Title: Jurgens sent a letter to Brett Loethen, former owner of the now defunct Sterling Title, Joplin, Missouri indicating receipt of \$2,037.39 for returned escrow funds. Mr. Loethen had requested in writing the payment be accepted as payment in full for the funds owed to the TRA Trust. The letter informed Mr. Loethen the Trust denied his request and \$2,740.04 is still due. A copy was sent to update Vicki Bronson (wife of deceased owner of Complete Title) of the current status per her request. Jurgens was directed to notify Loethen and Bronson of the Trust’s willingness to accept payments to facilitate the return of owed funds.

EPA Soil Remediation in Treece: Jurgens reported EPA soil remediation has been slowed due to wet weather. KDHE’s Bureau of Water provided the Trust with guidance to submit a letter request to close the Storm Water Pollution Prevention permit since EPA’s soil removal activities overlie the city limits property. A letter detailing a lagoon closure proposed plan was submitted to KDHE’s Bureau of Water on March 18, 2013, for official closure of the old sewage lagoons.

Historical Sign: Jurgens provided an update on the historical marker design and inclusion into the Kansas Historical Marker Program. The Kansas Historical Society provided comments for recommended revisions to be included in the Kansas Historical Marker Program. An alternative option was discussed to construct the marker out of a granite slab set on edge on granite supports (similar to a grave ledger) vs. the standard cast metal historical marker used for the official State of Kansas Historical Markers. A primary concern is theft of a metal sign for recycling. Si Memorials, Pittsburg, Kansas was asked on March 20, 2013 to submit a quote for the granite marker with text/graphics engraving and installed at the site. The text will remain the same as previously approved by the Trust.

LICRA Class Action Lawsuit: The Trustees discussed March 2013 media articles concerning a class action lawsuit concerning the LICRA Trust in Picher, OK. Jurgens will secure copies of the Joplin Globe articles and distribute to the trustees.

Next Meeting: April 18, 2013, 1:00 pm, Cherokee County Court House.
Minutes Prepared by Bob Jurgens, KDHE

Betty McBride, Vice Chairperson

Approval Date