

# Minutes of the Treece Relocation Assistance Trust

April 18, 2013; 1:00 pm - Cherokee County Courthouse

Meeting was called to order by Vice-Chair Betty McBride

Roll call: Betty McBride (arrived at 1:10 p.m.), Eddie Hamilton, John Delmont, Jr., Gene Bicknell (via conference call)

KDHE: Bob Jurgens

Legal: Bill Morin

**MMSC 3-0** (Delmont, Bicknell) to approve the March 21, 2013 meeting minutes, McBride absent.

**Payment Status:** McBride reported bank balances of \$10,453.60 in American Bank and \$80,576.43 in Exchange State Bank. Trustee compensation, IRS and KDoR payments presented for approval.

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

## Purchase/Closing Updates:

- **ORM03:** McBride had not checked post office to determine if 5th promissory note payment of \$107.44 was received. A total of \$429.76 has been received as of March 2013.

**Buyout expenditure requests:** None

## Property update:

- **Deeds not recorded:** ORM-19 (Lamb) – Morin still not able to contact the Lambs in person. Morin to proceed with letter to former owners concerning potential legal action to facilitate recording of a signed deed.
- **MMSC 4-0** (Hamilton, Delmont) to finalize the transfer of easements from the city to the RWD #3 and prepare new easements/paperwork needed to finalize potable water line main from Treece to RWD #3.
- **ORM03-Johnston property swap:** Morin reviewed the lien on file and determined it was not for the property in question. Morin to proceed with property transfer paperwork.

## 4/1/13 County Commission Meeting update:

- **2013 Cherokee County Tax Sale:** Cherokee County Commission desires to have a Summer Tax Sale. The county counselor informed Morin the County will proceed with a tax sale for the Treece properties only. Morin has completed the property research and will share the information to speed up the project.
- **Vacation of City Plat and Adjoiment of Deeds in the City Limits:** Street vacation was completed as requested.

## 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 approved by Della & Timothy Busby. Gene Bicknell, Chair will sign since it is disposition of property rights and return to McBride.

**Environmental Use Controls (EUC):**

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

**Complete Title of SW Missouri/Sterling Title:** No response from Brett Loethen, former owner of the now defunct Sterling Title, Joplin, Missouri concerning his required payment of \$2,740.04 still due to the TRA Trust. Morin will send terms of a payment plan to Loethen payable prior to the end of the project closeout.

**Historical Sign:** Jurgens provided an update on the historical marker design (7'6" x 3' x 4" w/two support legs, drilled and pinned to concrete slab) and bids from SI Memorials (\$5,056.00, w/extra lettering at \$75/name if so desired) and Bath/Naylor Funeral Home (Est. \$6,000.00 w/extra lettering at approx. \$60/name if so desired), both in Pittsburg. SI Memorials was chosen to provide the marker. The Trust determined the marker will not be submitted for inclusion into the Kansas Historical Marker Program with the Kansas Historical Society. Morin will prepare an access easement for approval by the property owner (Jim Woods Marketing) for placement of the sign on property at the northwest corner of Hwy 69 and State Line Road, including access for the public.

**LICRA Lawsuit:** The Trustees were provided information regarding a lawsuit involving the LICRA Trust in Picher, OK.

**Treece Project Wrap Up:** The Trustees' goal is to complete final purchases and subsequent auction by August 31, 2013. Project completion will be dependent upon property closings.

**Next Meeting:** May 23, 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