

MINUTES FOR JULY 8, 2019
BOARD OF CHEROKEE COUNTY COMMISSIONERS
CHEROKEE COUNTY, KANSAS

Chairman Cory Moates called the regular session of the Cherokee County Board of Commissioners (The Board), to order at 9:00 a.m. on Monday, July 8, 2019 in the Commission Room, #109 of the Cherokee County Courthouse located at 110 West Maple, Columbus, Kansas. County Clerk Rodney Edmondson opened the meeting with prayer followed by the Pledge of Allegiance. Commissioners Cory Moates, Myra Carlisle Frazier, County Counselor Barbara Wright, and County Clerk Rodney Edmondson were present. Commissioner Neal Anderson was absent.

Members of the press present: Larry Hiatt

A motion was made by Commissioner Moates to approve the Minutes of the July 1, 2019 BOCC meeting as written. The motion was seconded by Commissioner Frazier. The motion carried 2-0.

Leonard Vanatta, County Road Supervisor appeared before the Board on county road business. Commissioner Moates stated that he has had a meeting on Prairie Rd. and suggested that a few things could be done with the ditches and culverts. Leonard reported that the new grader operator that was supposed to begin working today has received orders for deployment so he will not begin working for the county. Leonard stated that he has been working on the right of way acquisitions for the railroad project. He stated that one of the property owners has submitted a counter offer that KDOT has rejected as being unreasonable. He stated that condemnation proceedings may need to be considered. Commissioner Moates reported that a farmer ran a disc implement along several miles of Belleview Rd. on Friday. Leonard stated that he would check on it.

A motion was made by Commissioner Frazier for an executive session for the discipline of non-elected personnel with the Board, Counselor Wright, and Leonard Vanatta. The meeting will reconvene in the commission room at 10:25 a.m. The motion was seconded by Commissioner Moates. The motion carried 2-0 at 9:53 a.m.

The meeting reconvened at 10:30 a.m.

A motion was made by Commissioner Moates for an executive session for the discipline of non-elected personnel with the Board, Counselor Wright, and Leonard Vanatta. The meeting will reconvene at 10:45 a.m. in the commission room. The motion was seconded by Commissioner Frazier. The motion carried 2-0 at 10:31 a.m.

The meeting reconvened at 10:45 a.m.

No action will be taken as a result of the executive session.

Jason Allison provided an information sheet for the Hazard Mitigation Grant Program Application for the Board to review. He stated that grant funds will be available through a 75/25 grant as a result of the Presidential Disaster Declaration.

Commissioner Moates stated that the problem at the Varck Rd. sewer lift station appears to be lightning damage. There is one pump that is down and needs to be pulled and taken for repairs. Total damage can't be assessed until a working pump is in place.

A motion was made by Commissioner Frazier to nominate Commissioner Anderson as the KAC voting delegate and Commissioner Moates as the alternate for the annual KAC conference in November. The motion was seconded by Commissioner Moates. The motion carried 2-0.

Counselor Wright updated the Board on the issue of vacating roads and alleys in Turk. She stated that public notice is only required if the county is initiating the action. The Board discussed passing a resolution to pass the costs of such actions on to the petitioner so the county doesn't incur the costs when asked to vacate roads.

A motion was made by Commissioner Moates to have Counselor Wright proceed with getting legal descriptions drafted for the roads requested to be vacated and to send them to the News Report for a cost estimate for publication. The motion was seconded by Commissioner Frazier. The motion carried 2-0.

Counselor Wright informed the Board that the Wichita law firm is down to 53 parcels to sell at auction. The rest of them have been redeemed. She stated that they are getting ready to publish the list.

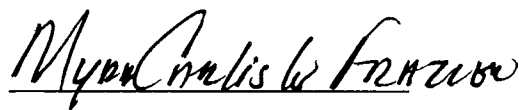
She reported that Gene Barrett and Kevin Cure are working on getting potential updated addresses from all county offices for the parcels on their tax sale list.

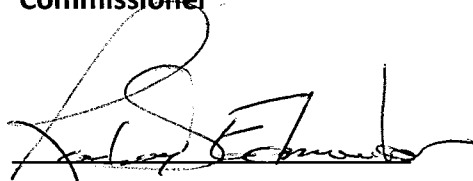
Commissioner Moates made a motion to adjourn until the next regular meeting set for Monday, July 15, 2019 at 9:00 a.m. The motion was seconded by Commissioner Frazier. The motion carried 2-0 at 11:28 a.m.

ATTEST: Resolved and ordered this 15th day of July, 2019


Commissioner

Commissioner


Commissioner


County Clerk



Brigadier General Lee E. Tafanelli
The Adjutant General and Director of
Emergency Management & Homeland Security

Adjutant General's Department

Sam Brownback, Governor

Kansas Emergency Management Agency
Application Information
Hazard Mitigation Grant Program FEMA-4403-DR

Introduction

Federal funds will be available for the Hazard Mitigation Grant Program (HMGP) as a result of the Presidential Disaster Declaration received on September 19, 2018. Through this grant program, the Federal Emergency Management Agency (FEMA) provides funds to States and local governments to implement hazard mitigation measures to reduce losses of life and property damage. The Kansas Division of Emergency Management (KDEM) administers this federal grant program.

KDEM is encouraging all jurisdictions that were in declared counties to take advantage of this opportunity to reduce disaster losses in their communities by applying for these grant funds.

Eligible Applicants

Public agencies, including State and Local governments are eligible to apply for HMGP funds. In addition, certain private non-profit organizations or institutions that provide essential services to the general public are eligible to apply for HMGP funds.

To be eligible for the full range of HMGP projects, jurisdictions must have a FEMA approved hazard mitigation plan, that has been adopted, and all proposed projects must be identified in the plan.

Eligible Project Types

Examples of HMGP projects include, but are not limited to:

- Initiative Projects such as development or improvement of warning systems with mitigation as an essential component;
- Construction of safe rooms for public structures that meet the FEMA construction criteria in FEMA 361 "Design and Construction Guidance for Community Safe Rooms", and ICC 500 "International Code Council 500".
- Acquisition of property and/or relocation of homes, businesses, and public facilities from hazard prone areas;
- Wildfire Mitigation such as creating defensible space, application of ignition-resistant construction, and hazardous fuel reduction;
- Structural Hazard control or protection measures such as flood walls, detention basins and other storm drainage upgrades; and

HMGP Priority

The State's top priority for the HMGP is to fund projects in the declared counties that reduce or eliminate damages to life and property.

Project Funding

The Federal share of HMGP cannot exceed 75% of the total eligible project cost. The 25% non-Federal share may be met with cash, contributions, certain other grants such as Community Development Block Grants, Increased Cost of Compliance (ICC) flood insurance payments, in-kind services, USDA loans (population cannot exceed 20,000).

Application Process and Schedule

Letters of Intent are required for each project and are attached. Letters of Intent must be post-marked or received by **July 31, 2019** to be considered for this funding cycle. These should be mailed to:

Kansas Division of Emergency Management
2800 SW Topeka Blvd
Topeka, KS 66611
Attention: Hazard Mitigation Section

Email –
Jeanne.I.bunting.nfg@mail.mil

Applicant's Letter of Intent (LOI) that appear eligible will be scored by the Kansas Hazard Mitigation Team (KHMT). Only the LOI's that are selected will be sent full applications to apply for this HMGP cycle. The number of LOI's awarded application development will be for double the amount of funds given for the cycle; this will allow for the possibility of applications that are withdrawn or that are ineligible.

Applications that are complete and within HMGP program funding constraints will be submitted for funding consideration to FEMA prior to **September 1, 2019**.

Additional information about the HMGP is available at:
<http://www.fema.gov/government/grant/hmgp/index.shtm>

Application Process/Project Development

A. Concept of Operations

Normal Application: The normal application process letters of intent must be submitted first. Letter of intent will be reviewed for program eligibility and project application packages will be sent out for project development (this is to allow for projects that could be withdrawn and so all Federal funds can be appropriated and expended). Full project applications will be evaluated by the KHMT after the deadline for submission has passed. Projects will then undergo a cost-effectiveness, environmental, and completeness review conducted by mitigation staff. Projects will then be submitted to FEMA for approval. It is hoped that this can occur on or near the one year anniversary date of the disaster declaration.

B. Letter of Intent Submission

1. The community will submit a Letter of Intent to the State Hazard Mitigation Officer (SHMO) by the deadline identified on the Letter of Intent.
2. The Letter of Intent will be scored for approval for further review, so justify, justify, and then justify some more.
3. The letter of intent will include:
 - a. Local point of contact information (name, organization, address, telephone number, and e-mail address)
 - b. An estimated project cost
 - c. A brief description of the project
4. The SHMO will review the letters of intent to ensure the project is eligible for program funding.
5. Only applicants submitting a letter of intent that made the scoring cut will receive an application package.

C. Full Project Application Development and Submission

1. The SHMO is responsible for ensuring that application packages and other supporting information is provided to HMGP applicants. Application forms will be provided to the local point of contact, along with other information to assist them in developing the project.
2. The SHMO will have final determination/approval of all applications submitted to FEMA.

Division of Environment
Southeast District Office
308 W 14th Street
Chanute, KS 66720



Phone: 620-431-2390
Fax: 620-431-1211
KDHE.SEDOADMIN@KS.GOV
www.kdheks.gov

Lee A. Norman, M.D., Secretary

Laura Kelly, Governor

June 26, 2019

Rodney Edmondson, County Clerk
Cherokee County Courthouse
110 W. Maple
Columbus, KS 66725

re: Public notice for the Robison Environmental Services, LLC construction and demolition landfill, Permit 900, rural Baxter Springs, CK Co.

Dear Mr. Edmondson:

Please find enclosed, per your request at the May 22, 2019 meeting between the Cherokee County Solid Waste Advisory Committee and Bureau of Waste Management representatives, a copy of the subject public notice as it will appear in the July 4, 2019 Kansas Register. It will also appear in the Columbus News-Reporter on July 1st.

If you have questions regarding the notice or the landfill expansion please contact me at 620-860-7242 (direct) or 620-431-2390 or by response to this e-mail at charles.bowers@ks.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Bowers". The signature is fluid and cursive, with a long horizontal stroke at the end.

Charles Bowers, P.E.
Bureau of Waste Management, Chanute

Enclosure

State of Kansas, Department of Health and Environment, Public Notice, Robison Environmental Services, LLC,
Application to Expand a Construction and Demolition Landfill

cc. Doug Cole, BEFS, Chanute → SEDO Waste Staff → File: SW, CK Co., CDL 900,
Mindy Bowman, BWM, Topeka → Mike Selm → File: CK, 900, PI

File: SW Permits\CK\RES CDLA\2014 expansion\pblc ntc\2019-06-26 public notice to CK Co Clerk

State of Kansas
Department of Health and Environment
Public Notice
Robison Environmental Services, LLC
Application to Expand a Construction and Demolition Landfill

The Kansas Department of Health and Environment (KDHE) has received an application to expand the Robison Environmental Services, LLC construction and demolition (C&D) landfill, Permit 900, to include an adjacent disposal-without-a-permit (DWOP) area. The DWOP authorization's disposal area was used to dispose wastes generated by the April 27, 2014 tornado that struck Baxter Springs, Kansas and Quapaw, Oklahoma. Incorporating the DWOP area into Permit 900 was a condition of the DWOP authorization.

The C&D landfill is located at 2801 State Line Road, immediately northwest of the intersection of State Line Road and Swalley Avenue. The permit modification will expand the landfill area from 18.31 to 41.41 acres with 13.41 acres used for disposal, increasing the landfill's ultimate disposal volume to 535,000 cubic yards. The proposed landfill expansion would be operated in conformance with state solid waste regulations accepting only C&D as defined by Kansas Statutes.

The Cherokee County Commissioners have certified that the application described herein is consistent with the County's solid waste management plan and local land use restrictions or zoning. KDHE has reviewed the application and found it to be in conformance with the state solid waste statutes and regulations.

KDHE is today providing public notice of the intent to approve the proposed C&D landfill expansion. However, a final decision to approve the expansion has not been made, and KDHE will consider information gathered during the public comment period before making a final decision. A copy of the administrative record which includes the permit application, engineering drawings, draft permit, and other information with respect to this permit action will be available for public review from July 5, 2019 through August 6, 2019 during normal business hours at the following locations:

Kansas Department of Health and Environment
Bureau of Waste Management
1000 SW Jackson, Suite 320
Topeka, Kansas 66612
Contact: Mike Selm
(785) 296-0606

Johnson Public Library
210 W. 10th St
Baxter Springs, Kansas 66713-1555
Contact: Andrea Bresse Director
(620) 856-5591

A copy of the permit application is also available at KDHE's Southeast District Office at 308 West 14th Street, Chanute, Kansas 66720 where permit reviewer Charles Bowers can be contacted at 620-860-7242. Additionally, the permit application form with primary application information is available for public viewing via the Internet at <<http://www.kdheks.gov/waste>>. Anyone wishing to comment on the landfill's permit modification should submit written statements postmarked no later than August 6, 2019 to Charles Bowers at the Chanute address, by fax at (620) 431-1211, or by e-mail to charles.bowers@ks.gov. Mailed comments postmarked on or prior to August 6, 2019 and received within one week thereafter will also be considered.

After consideration of all written comments received during the public notice period, KDHE will make a final decision on whether to issue the permit. Notice of the decision will be given to the applicant, anyone who submitted written comments during the comment period, and those who requested notice of the final permit decision.

Lee A. Norman, M.D.
Secretary
Kansas Department of Health and Environment