

MINUTES FOR JULY 27, 2015
BOARD OF CHEROKEE COUNTY COMMISSIONERS
CHEROKEE COUNTY, KANSAS

CONVENE

Commissioner Hilderbrand called the regular session of the Cherokee County Board of Commissioners (The Board), to order and led all in attendance in the Pledge of Allegiance at 9:00 a.m. on Monday, July 27, 2015 in the Commission Room, #109 of the Cherokee County Courthouse located at 110 West Maple, Columbus, Kansas. Commissioners Richard Hilderbrand, Charles Napier, Pat Collins, and County Clerk Rodney Edmondson were present.

Members of the press present: Larry Hiatt, Machel Smith, Jordan Zabel

Jim Zaleski – Vice President, Southeast Kansas Tourism Region.

He appeared before the Board asking them to reconsider the lawsuit that has been brought against the casino. Commissioner Hilderbrand stated that since he was here concerning legal matters, that he hold his questions until the Board's legal counsel is here. Mr. Zaleski opted not to stay and left.

Motion made by Commissioner Napier to approve the Minutes of the BOCC Meeting for July 20, 2015. Motion was seconded by Commissioner Collins. Motion carried 3-0.

Scott Jackson – Director, Spring River Mental Health & Wellness

He appeared before the Board along with Susan Lopez, Assistant Director, to present the Spring River Mental Health & Wellness Request for County Funding for 2016 and to provide an update on their services. They are requesting county funding for 2016 in the amount of \$117,030 for mental health and substance abuse treatment services. This reflects a 5% increase over the annual financial support received since 2013.

Commissioner Hilderbrand asked County Treasurer Juanita Hodgson about the status of the email sent to her by DeAnn Hill on May 4, 2015. Hill hasn't received a reply yet. Hodgson stated that she had asked Hill what information was needed, but she has been working on other things since then. Commissioner Hilderbrand asked her to follow up with DeAnn so we can get this cleared up.

Nathan Coleman – County Counselor

He appeared before the Board regarding legal matters concerning Cherokee County.

RH

Motion made by Commissioner Hilderbrand to enter an Executive Session with the Board, County Counselor Nathan Coleman, and County Clerk Rodney Edmondson to discuss an open records request for a period of 10 minutes. Motion was seconded by Commissioner Collins. Motion carried 3-0 at 11:32 a.m.

Meeting reconvened at 11:42 a.m.

Motion made by Commissioner Hilderbrand to enter an Executive Session with the Board, Mr. Coleman, and Carl Hayes from the County Health Department and Solid Waste Committee Chairman for the purpose of Attorney/Client Privilege for a period of 20 minutes. Motion carried 3-0 at 11:45 a.m.

Meeting reconvened at 12:05 a.m.

No action was taken during either of the executive sessions.

Carl Hayes provided a written summary of landfill requirements as stated in the Cherokee County Solid Waste Management Plan.

Commissioner Hilderbrand, in response to the letter received from an attorney representing the City of Galena demanding this Board to take action on an application permit for a landfill, opened the floor for public comments.

Commissioner Hilderbrand asked if anyone was present to represent the City of Galena. There was none.

Carl Hayes, Chairman of the Solid Waste Committee, stated that the Committee stands by the fact that the application is not consistent with the Solid Waste Management Plan.

Jill Fichtner, representing the Citizens Activist Group, stated that they are confused as to the validity of the application concerning the ownership of the property at the proposed site. They are also concerned with the expansion from 30 to 94 acres. She stated that there are bits and pieces on the application that they don't feel are truthful. She asks the Board to take a step back and take a close look at the application in whole.

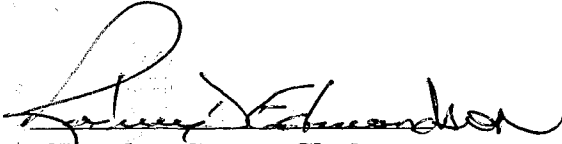
Chairman Hilderbrand asked the Board's approval for him as Chairman of the Board of County Commissioners, to sign a letter on behalf of the Cherokee County Commissioners addressed to Galena Mayor Dale Oglesby. Chairman Hilderbrand read the letter. A copy is attached to the minutes.

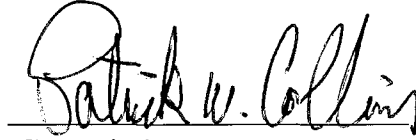
Motion made by Commissioner Collins to authorize Chairman Hilderbrand to sign the document. Motion was seconded by Commissioner Napier. Motion carried 3-0.


County Clerk Edmondson will forward the letter to the appropriate persons.

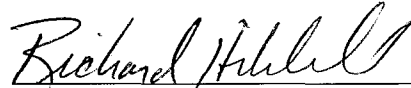
Commissioner Hilderbrand made a motion to adjourn until the next regularly scheduled meeting set for August 3, 2015 at 9:00 a.m. Motion was seconded by Commissioner Collins. Motion carried 3-0 with all voting yes at 12:17 a.m.

ATTEST: Resolved and ordered this 31 day of August, 2015


Cherokee County Clerk


Commissioner


Commissioner


Commissioner

Request for County Funding for 2016

Presented to

The Cherokee County Commission

July 27, 2015

Scott Jackson, Executive Director

Susan Lopez, Assistant Director

2015 SPRING RIVER MENTAL HEALTH & WELLNESS, INC.
Request for 2016 County Funding

Review of 2014 Services

In 2014 we saw the client demand for services increase by 11% over 2013 and the highest average number of persons served per month in outpatient mental health and substance abuse services in our thirty-four year history. The chart below shows the demand for clinic services by month every year for the last seven years.

	2007	2008	2009	2010	2011	2012	2013	2014
JAN	416	455	529	574	584	591	559	557
FEB	427	452	510	567	590	591	536	564
MAR	462	460	517	586	628	608	559	572
APR	477	476	540	586	643	619	572	592
MAY	466	464	523	581	648	594	550	614
JUN	438	462	514	564	630	578	541	628
JUL	438	472	488	564	598	554	513	629
AUG	434	484	523	558	590	562	533	641
SEP	454	488	532	592	578	565	539	659
OCT	461	506	551	596	599	578	558	666
NOV	468	514	553	606	592	591	580	686
DEC	449	523	559	608	590	558	569	679
Average/MO	450	480 +6%	529 +9%	582 +9%	606 +4%	582 -4%	551 -5%	623 +11%

SRMHW experienced turnover in three Case Manager positions in 2014 which is reflected in a 2.6% decrease in the total number of direct service hours provided from 2013 to 2014. In 2014 we provided 39,039 direct service hours.

People Served from 1999 thru 2014

Spring River Mental Health and Wellness is a critical health resource to Cherokee County citizens. January 1, 1999 through December 31, 2014 we provided 7735 residents with mental health or substance abuse treatment services. That is 33% of the Cherokee County Population. The age and severity breakdown is below.

- 458 - Children - 6%
- 1802 - Children with a Serious Emotional Disturbance - 23%
- 4796 - Adults - 62%
- 679 - Adults with a Serious Mental Illness - 9%
- 7735 Individuals served since January 1999

Numbers of People Served in 2014

The number of Cherokee County residents receiving traditional mental health or substance abuse services in 2014 was 1,593. In 2014 SRMHW provided 39039 hours of service; 37,612 of those hours were direct client service. In addition to the above outpatient programs SRMHW administered the Alcohol and Drug Safety Action Program and the Parenting in Divorce Program for the 11th Judicial District (Cherokee, Labette and Crawford Counties). In 2014, 268 individuals attended the Parenting in Divorce education class, 292 persons were evaluated for the DUI and SB 123 alternate to jail program, and 185 children were served in the Maternal Infant Early Childhood Home Visitation. Including the programs we administered for the 11th Judicial District, a total of 2408 unduplicated persons received services from SRMHW in 2014 and 389 average monthly memberships to the Wellness Center provided access to fitness equipment and programs to over 900 individuals.

Mental Health Services

Outpatient therapy, psychiatry, and day programs for youth continue to be the most utilized programs we offer. In addition to those persons having a mental/emotional and behavioral disorders, SRMHW continues to provide services for those with a substance abuse disorder and their families.

Judicial Support and Mediation Services

In 2014 SRMHW ceased administering the Judicial Support and Mediation Services for the 11th Judicial District, (previously known as the Alcohol and Drug Safety Action Program). The numbers of individuals referred to the program for mediation and DUI assessments had decreased to a level that we could not financially support an office in Pittsburg and travel to all three of the counties in the 11th Judicial District to perform the evaluations and mediation services. That program was closed in a planned fashion with Court Services and the Judiciary informed and involved in the transfer of DUI assessment responsibilities.

Juvenile Justice Programs

Our Juvenile Justice programs continue to provide a much needed service. The number of youth referred for Juvenile Intake and Assessment Services in 2014 was 104 which is an 8.5% increase over 2013. This service provides an immediate assessment 24/7 for juveniles coming in contact with law enforcement with a recommendation for law enforcement about a suggested placement for the youth.

Truancy Tracking and Counseling Program

For the past two years the school districts have paid the cost of this program that is above what funding the Labette/Cherokee Juvenile Justice Service provides. This past year 70 youth were served in the program. Eighty-one percent (81%) of the youth served successfully completed the program and improved their attendance. We secured JJA funding for the past school year for the Truancy tracking and counseling program and for the coming school year all the school districts will participate in funding the costs above the Juvenile Justice funding to continue the program.

Health Home Services for Medicaid Recipients with a Severe Mental Illness

This service was new for SRMHW in 2014. It is a service that helps coordinate all of the medical and mental health care of Medicaid recipients that have a severe mental illness. Two registered nurses make personal contact with those individuals offering to help coordinate all of the individual's health care. Additionally the nurses provide educational information specific to that individual and about improving health in general. SRMHW offers scholarships to the Fitness Center to the Health Home members. The service started in July of 2014 and averaged 189 individuals each month eligible for this service. The overall goal is to improve the health status of members and reduce Medicaid expenditures.

Recreation and Wellness Center

The Spring River Wellness Center finished its fourth year of operations in 2014. It continues to maintain approximately 389 memberships. Those 389 memberships represent over 900 individuals utilizing the fitness center. In addition to members using the programs to improve health and fitness, groups continue to reserve the gymnasium for special functions like basketball tournaments and birthday parties. The Wellness Center continues to have a positive impact on the health and fitness of Cherokee County residents.

FEMA Storm Shelter

The FEMA storm shelter is available for area residents on a 24/7 basis. It has been utilized many times since we opened in December 2010. We have local citizen volunteers available to open the facility after hours in the event of a tornado warning and the Cherokee County Sheriff's Department has access to open the facility as well. The back-up generator allows continuous operation in the event of a power outage and the gymnasium could be utilized for short term housing if a major natural disaster should occur. In coordination with the Local Emergency Planning Committee and the Cherokee County Health Department the site can be identified as the emergency preparedness site for the south end of Cherokee County.

Budget and 2016 Request

General state grants have been steadily reduced and Medicaid reimbursements for mental health services we provide are down statewide and overall reimbursements have increased for general medical expenses. This has impacted our ability to serve everyone regardless of ability to pay. We anticipate our caseloads may go even higher. We have not seen an increase in the number of persons with private insurance as was envisioned in the passage of the Patient Protection and Affordable Care Act. With Kansas not participating in the Medicaid expansion we continue to see more county residents without private insurance or Medicaid. We have been able so far to continue to provide some services to those without the resources or insurance to cover the cost. Our funding reductions in state grants simply will not allow us to continue to

provide every needed service regardless of one's ability to pay. Unfortunately those who are unable to pay are usually those county residents that are unemployed and/or have no insurance or Medicaid.

Residents will always receive emergency mental health services and screenings for state psychiatric hospitalization and we hope to continue to meet the need without having to limit services. The County Mill Levy/general support funding has not increased for three years. We are requesting County support in 2016 of \$117,030 for our mental health and substance abuse treatment services. This is an increase of 5% over the annual financial support we have received since 2013. We also wish to remain the Substance Abuse Service Provider for Cherokee County and continue to receive the portion of the Liquor by the Drink Tax returned to Cherokee County that must go to a special alcohol and drug program fund.

See attachments:

1. Summary that details the services provided in 2014.
2. Mill levy comparison for surrounding counties and the state as a whole.
3. Revenue and Expense estimated budget for 2016.
4. List of Programs SRMHW offers

2015 Spring River Mental Health and Wellness, Inc.
Services Provided and People Served 2014

<u>Type of Service</u>	<u>Direct Service Hours</u>
Individual Counseling	6,394
Family Counseling	896
Group Counseling	72
Intake (Admission Evaluations)	1,151
Psychological Testing	290
Medication Check	1,183
Screening / Emergency	1637
Case Management/A&D Case Mgmt	12,465
PSR Group - Adult	938
PSR Group - Children	9,740
Attendant Care Services/PR	2,178
JJA Truancy, Connections	668
Total Direct Service Hours	37,612

<u>Type of Service</u>	<u>Indirect Service Hours</u>
Phone Consultation	91
Case Conference	50
Consultation and Education	1,286
Total Indirect Service Hours	1427
TOTAL HOURS OF SERVICE PROVIDED	39039

Number of People Served - Outpatient Svs.

Severe & Persistently Mentally Ill Adults	168
Other Adults	656
Seriously Emotionally Disturbed Children	357
Other Children	119
Juvenile Intake and Assessment	104
Health Home Services (Ave Members/Month	189
Total # Served – Outpatient Services	1,593

Number of People Served - Educ & Eval Svs.

MIECHV (Early Childhood Home Visitation & Referral)	120 Families	185
Parenting in Divorce Program		268
DUI Evaluations/MIP/SB-123		292
Truancy Tracking Program		70
Total # Served – Educ & Eval Svs		815
TOTAL UNDUPL. PERSONS SERVED IN 2014		2408

Total Wellness Center Monthly Average Memberships **900+**
in 2014 was 389 serving 900 + individuals.

Southeast Kansas Mill Levy Amounts 2015
13 Counties Representing 4 Mental Health Centers

County	Pop.	2013			2014			2015		
		2013	2014	2015	2013	2014	2015	2013	2014	2015
Cherokee	21,226	0.700	0.688	0.805	\$111,457	\$111,457	\$111,457	\$5.16	\$5.25	\$5.25
Crawford	39,361	1.964	2.350	2.352	\$538,100	\$525,000	\$553,900	\$14.82	\$13.34	\$14.18
Wilson	9,409	0.487	0.535	0.427	\$40,000	\$41,545	\$42,500	\$4.25	\$4.67	\$4.67
Elk	2,882	1.393	1.613	1.445	\$33,000	\$33,000	\$33,000	\$11.45	\$12.19	\$12.13
Chautauque	3,669	0.922	0.924	0.884	\$30,000	\$30,000	\$30,000	\$8.18	\$8.40	\$8.40
Montgomery	35,471	0.721	0.796	0.330	\$333,782	\$238,291	\$157,813	\$9.41	\$6.92	\$4.58
Labette	21,607	1.000	1.233	1.214	\$138,992	\$148,200	\$142,250	\$6.43	\$6.96	\$6.68
Allen	13,371	1.011	1.050	1.039	\$110,300	\$113,600	\$117,000	\$8.25	\$8.53	\$8.78
Anderson	8,102	0.832	0.821	0.949	\$69,600	\$71,700	\$72,785	\$8.59	\$9.06	\$9.33
Bourbon	15,173	0.717	0.732	7.380	\$75,000	\$70,000	\$70,000	\$4.94	\$4.70	\$4.70
Linn	9,656		0.575	0.575	\$93,300	\$99,000	\$102,000	\$9.66	\$10.49	\$10.80
Neosho	16,512	0.650	0.764	0.589	\$102,000	\$106,511	\$85,339	\$6.18	\$6.07	\$5.20
Woodson	3,309	0.988	1.130	0.905	\$35,000	\$35,058	\$35,000	\$10.58	\$10.68	\$10.68
TOTAL								Average		\$7.78

All of the counties above comprise the area served by the five mental health centers in southeast corner of the state.

The statewide average includes all 105 counties.

*Average when Johnson County removed from formula.

Spring River Mental Health & Wellness 2016 Budget Revenue & Expenses

July 27, 2015

Client Fees	2,781,216
Parenting in Divorce Program	<u>8,220</u>
Sub total	\$2,789,436

Grants	524,172
County Mil Levy	117,030
County Alcohol Tax	13,632
Health & Wellness Center	147,972
Miscellaneous Income	68,976
Health Home	155,532
Medical Clinic	122,808
Capital Campaign	<u>1,104</u>
Sub total	\$1,151,226

TOTAL REVENUE	\$3,940,662
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Personnel	3,008,004
Travel	77,472
Occupancy Costs	149,568
Supplies & Materials	91,164
Contractual Services	277,548
Other Operating Expenses	<u>336,132</u>
TOTAL EXPENSES	\$3,939,888

NET REVENUE	\$774
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Contractual Services includes: Advertising, Attorney Fees, Audit & CPA, Computer Maintenance Contract, Contract Psychiatry, Equip Lease/Maint, Subscriptions/Dues, Telephone, Computer Phone Lines & Other.

Other Operating Expense includes: Bad Debt expense, Insurance (D&O, Prof Liab, Bonding), Interest, Planning & Development, Recruitment, Depreciation & Other.

Spring River Mental Health and Wellness

Programs 7-27-2015

The following is a list of some of the mental health programs offered by SRMHW with a brief explanation of the service.

Additionally SRMHW provides the services of a fitness center with a focus on health and wellness activities. Within this service we provide the community with a public storm shelter with a backup generator and potential for temporary shelter for county residents in the case of a natural or man-made disaster.

Psychiatry - for evaluation of medications that may help with treatment of mental/emotional disorder

Psychological Evaluation – Use of psychological tests to evaluate for intelligence level, psychopathology, or diagnosis for treatment purposes.

Psychotherapy - Individual, group and family modalities to address identified areas in their life that create personal or family problems.

Alcohol and Substance Abuse Treatment - To help individuals and families suffering from the effects of substance abuse or dependence. The goals are recovery of physical, mental, emotional, social, work, family, and spiritual functioning.

Truancy Counseling – family counseling with a goal of reinforcing parents' insistence and encouragement in seeing that their child attends regularly.

Truancy Tracking – monitoring school attendance of students in the truancy counseling program and working with school personnel to achieve regular attendance.

Juvenile Intake and Assessment – 24/7 response to assess and make recommendations when a youth is involved with law enforcement

Therapeutic Preschool – a program for children with an emotional or behavioral problem that if not addressed would prevent them from doing well in the public preschool and/or kindergarten classroom.

Child Psychosocial Rehabilitation Programs - Group programs for three age groups of children that use positive behavior management to help improve self-control, social skills, school performance, and reduce negative behaviors and negative self concepts.

Adult Psychosocial Rehabilitation Program - To assist adults with a serious and persistent mental illness in independent living, education improvement, vocational skills improvement and employment, social skills and symptom management.

Kansas Partnership of Families – A specific program to adults with a severe and persistent mental illness to reconnect with family and friends to utilize them as natural supports in their recovery from mental illness. KU developed this program and SRMHW is one of only a few mental health centers that were successful in implementing it.

Parent Support Services – introduces parents of children with a serious emotional disorder to the range of services offered at SRMHW and other agencies and explains how to access these services. This is outreach to parents in their homes and regular meetings are held to provide information that will be informative to parents working to help their child.

Children’s Community Psychiatric Supportive Treatment - intensive case management for children in their homes/schools /community.

Adult Community Psychiatric Supportive Treatment – intensive case management for adults with a serious and persistent mental illness in their homes/schools /community.

Housing Assistance - To assist persons with severe and persistent mental illness to locate and afford a safe and clean independent living environment

Vocational Assistance - To assist individuals with significant impairments and/or disabilities in obtaining and maintaining competitive employment.

Child Attendant Care – Providing basic support on a short term basis to children with a serious emotional disorder (usually in the classroom or another social setting) to assist the child in applying appropriate behaviors learned in the education or community setting.

Adult Attendant Care - Providing basic support on a short term basis to adults with a serious and persistent mental illness (usually in a community setting to assist them in getting accustomed to other community resources).

State Psychiatric Hospital Screening – a 24/7 clinical assessment for individuals displaying symptoms of mental illness. Individuals must meet all three criteria prior to involuntary commitment to Osawatomie State Hospital for treatment.

Competency to Stand Trial Evaluation – Psychological evaluation to determine if an individual is psychologically competent to stand trial.

Civil Guardianship Evaluation – Evaluation of an individual’s ability to manage their own personal and financial affairs or needs the assistance of a guardian/conservator.

24 hour Emergency Services – Respond 24/7 for emergency mental health services by telephone and face to face when needed.

Head Start Consultation Services – Evaluation and recommendation for students that may need a mental health intervention.

Parenting in Divorce Class – for parents going divorce or child visitation disputes. Required by court for all divorcing parents prior to divorce being heard by the court.

DUI Evaluations - Evaluate whether an education program or treatment for substance/alcohol abuse is recommended as the result of DUI. We administer this program for the 11th Judicial District.

Non-Violent Felony Drug Assessments - To determine need and type of treatment that individuals sentenced for non-violent drug felonies will receive.

Maternal, Infant and Early Childhood Home Visiting Program – To develop and coordinate a centralized outreach, screening, intake and referral system in Cherokee County. High risk children and families

Positive Behavior Support Program – A program that uses an in-depth assessment of a child’s challenging behaviors and then applies positive behavior support strategies and monitoring to strengthen deficit skills to prepare them to be included in the classroom.

Respite care - Provides family members a needed break from the continual care of their family member that has a serious emotional disorder (child) or serious mental illness (adult).

Autism Diagnostic Team – Performs a professional diagnostic assessment of children displaying behaviors related to autism. Testing results are forwarded to a pediatrician on the team for formal diagnosis.

Independent Living – training and support in all aspects of living independently such money management, seeking housing, acquiring furniture and kitchen utensil, cooking, etc.

Medical Clinic – Family Practice Primary care services provided by a Physician, Physicians Assistant or Advanced Practice Registered Nurse and a nurse. Certification as a federally recognized Rural Health Clinic received May 1, 2015.

Health Home Services - Coordinates the primary and behavioral healthcare of Medicaid recipients with the goal of improving overall health as evidenced by specific health indicators and lower overall Medicaid expenditures.

Cherokee County Solid Waste Management Plan

(summary of landfill requirements)

Per House Bill 2801 – each region (group of counties) or individual counties must develop and adopt a solid waste mgt plan (SWMP):

- ~ to identify an integrated approach to solid waste mgt,
- ~ to address specific needs of all involved counties,
- ~ not precluded from using disposal and mgt facilities outside planning jurisdiction,
- ~ once adopted by the Cherokee County Solid Waste Advisory Committee, the SWMP is approved by the County Commissioners, Southeast Kansas Solid Waste Operating Authority and KDHE,
- ~ SWMP is managed by the Cherokee County Solid Waste Advisory Committee.

SWMP is required to provide (at a minimum):

- ~ establishment of a schedule to reduce waste volumes, considering: source reduction; reuse, recycling and composting; land disposal,
- ~ development of specific mgt programs for wastes, including: lead-acid batteries, yard waste, waste tires, household hazardous waste, pesticides (and containers), sm quantities of hazardous waste, white goods and used oil,
- ~ includes six additional requirements.

Purpose and goals of the SWMP:

- ~ to expand aspects of the conventional waste mgt system to include a more detailed investigation of waste origins and generation of various waste streams,
- ~ explore alternatives to landfilling solid waste,
- ~ develop programs to emphasize reduction, reuse, recycling and composting, with less emphasis on landfilling.

Solid Waste Advisory Committees serve as advisors to local officials and consultants and perform the following functions:

- ~ suggest the broad policies that should govern the solid waste mgt program,
- ~ define and document the nature/extent of the problems to be resolved by the Plan,
- ~ develop one or more methods for financing the operation of the program(s),
- ~ provide a technical advisory board to work with the consultant or agency assisting in the plan development,
- ~ review and revise, if needed, the plan annually,
- ~ hold public hearings on the plan every 5 years.

Section 5 of Cherokee County's SWMP addresses landfill siting restrictions:

- ~ including Federal and State restrictions,
- ~ to insure that a new landfill facility will not adversely affect nearby land uses,
- ~ County's Solid Waste Advisory Committee has developed a Land Disposal Plan that establishes specific requirements for existing and new disposal facilities.

Land Disposal Plan addresses 11 requirements for new landfills, including the following:

- ~ all new municipal solid waste (MSW) landfills are required to obtain site approval from the County by submission of preliminary data to the County's Solid Waste Advisory Committee, such as but not limited to:
 - < description of the location,
 - < information about the owner and operator,
 - < description of the source, type and amount of waste,
 - < general description of the regional characteristics of the proposed location,
 - < site specific details on the topography, hydrology, geology, hydrogeology and water quality,
 - < preliminary proposed design.
- ~ required to promote and encourage recycling:
 - < provide facilities for recycling activities,
 - < cooperate with regional efforts to implement recycling programs,
 - < develop markets for recycled materials,
 - < assist local recycling groups,
 - < accept and process recyclable materials collected by such groups free of charge,
 - < provide documentation of recycling efforts.
- ~ required to provide a documented waste screening program that is satisfactory to the County.

Carl I. Hayes
Chair,
Cherokee County Solid Waste Advisory Committee
7/24/14

Bureau of Waste Management
Curtis State Office Building
1000 SW Jackson St., Suite 320
Topeka, KS 66612-1366



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APR 08 2015

Phone: 785-296-1600
Fax: 785-296-1592 or 785-296-8909
bwmweb@kdheks.gov
www.kdheks.gov/waste

Susan Mosaicr, MD, Secretary

Department of Health & Environment

Sam Brownback, Governor

April 6, 2015

Mr. Chet Hiatt
Triad Environmental Consulting
2000 East Atkinson Ave
Pittsburg, KS 66762

Re: Southeast Kansas Solid Waste Authority 5-Year Solid Waste Mgmt Plan Update Approval

Dear Mr. Hiatt,

The 2015 SE KS SWA 5-Year SWMP Update has been reviewed and approved. The addendum to the Cherokee County SWMP was received and added to the SE KS SWA SWMP. The 2016 SE KS SWA Annual Review will be due on April 6, 2016.

The 2016 Annual Review will consist of an updated regional solid waste management committee list, a list of any changes that have occurred to the 2015 5-Year Update, and signed resolutions by the county commissioners of each regional county approving the Annual Review.

If you have any questions please contact me at 785-291-3764 or email me at jwalker@kdheks.gov.

Sincerely,

Jeff Walker, MS
Environmental Scientist
KDHE-BWM

CC: SE KS SWA Planning File

Cherokee County Commissioners

COURTHOUSE • 110 W. MAPLE ST.

COLUMBUS, KANSAS 66725

PHONE 620-429-3256

FAX 620-429-1591

E-MAIL: ckcomm@columbus-ks.com

July 27, 2015

Dale Oglesby, Mayor
City of Galena
211 W 7th Street
Galena, Kansas 66739

Re: Application for solid waste landfill permit

Mayor Oglesby:

The Board of County Commissioners of the County of Cherokee, Kansas (BOCC), is in receipt of an application by the City of Galena for a solid waste landfill permit. The BOCC is also in receipt of a letter dated July 13, 2015, in which attorney J. Gordon Gregory demands on behalf of the City that the BOCC take the action that Mr. Gregory claims to be required of the BOCC to complete the application. The BOCC is unable to complete the local government certifications contained within the City's application for the following reasons:

1. On March 23, 2015, the BOCC adopted revisions recommended by the County's Solid Waste Management Committee to the County's solid Waste Management Plan that the existing landfills meet the needs of the County, that there is no need for a new solid waste landfill in Cherokee County, and that no further solid waste landfills should be permitted or built in Cherokee County. *See* Cherokee County Resolution No. 8-2015. Thus, the landfill proposed in the application is not consistent with the county's solid waste management plan. Therefore, the BOCC cannot supply certification under K.S.A. 65-3407(m)(1).
2. While there is no zoning in Cherokee County that affects the proposed site, the BOCC cannot certify that the facility described in the application is consistent with surrounding land use as required by K.S.A. 65-3407(m)(2). The surrounding land use is agricultural and rural residential. The watershed for the proposed site drains immediately to Shawnee Creek and then to Spring River. Furthermore, the proposed site is approximately one-half mile from the well field for Cherokee County Rural Water District No. 2 which provides the potable water supply for that District. Therefore, the BOCC is also unable to certify that the proposed facility is consistent with surrounding land use under K.S.A. 65-3407(m)(2).

PAT COLLINS
First District

CHARLES NAPIER
Second District

RICHARD HILDERBRAND
Third District

Dale Oglesby, Mayor
City of Galena
July 27, 2015
Page 2

In summary, the BOCC is unable to “take the necessary action to complete the Landfill application so that said application will be complete and can be submitted to KDHE for consideration” as is demanded in Mr. Gregory’s letter. The application form provides only for certification of consistency under K.S.A. 65-3407(m)(1)-(2). The BOCC cannot make such certifications of consistency because, as set forth above, the proposed facility is not consistent with the solid waste management plan nor is it consistent with surrounding land use. Therefore, there is no action required of, nor to be taken by, the BOCC.

Sincerely,



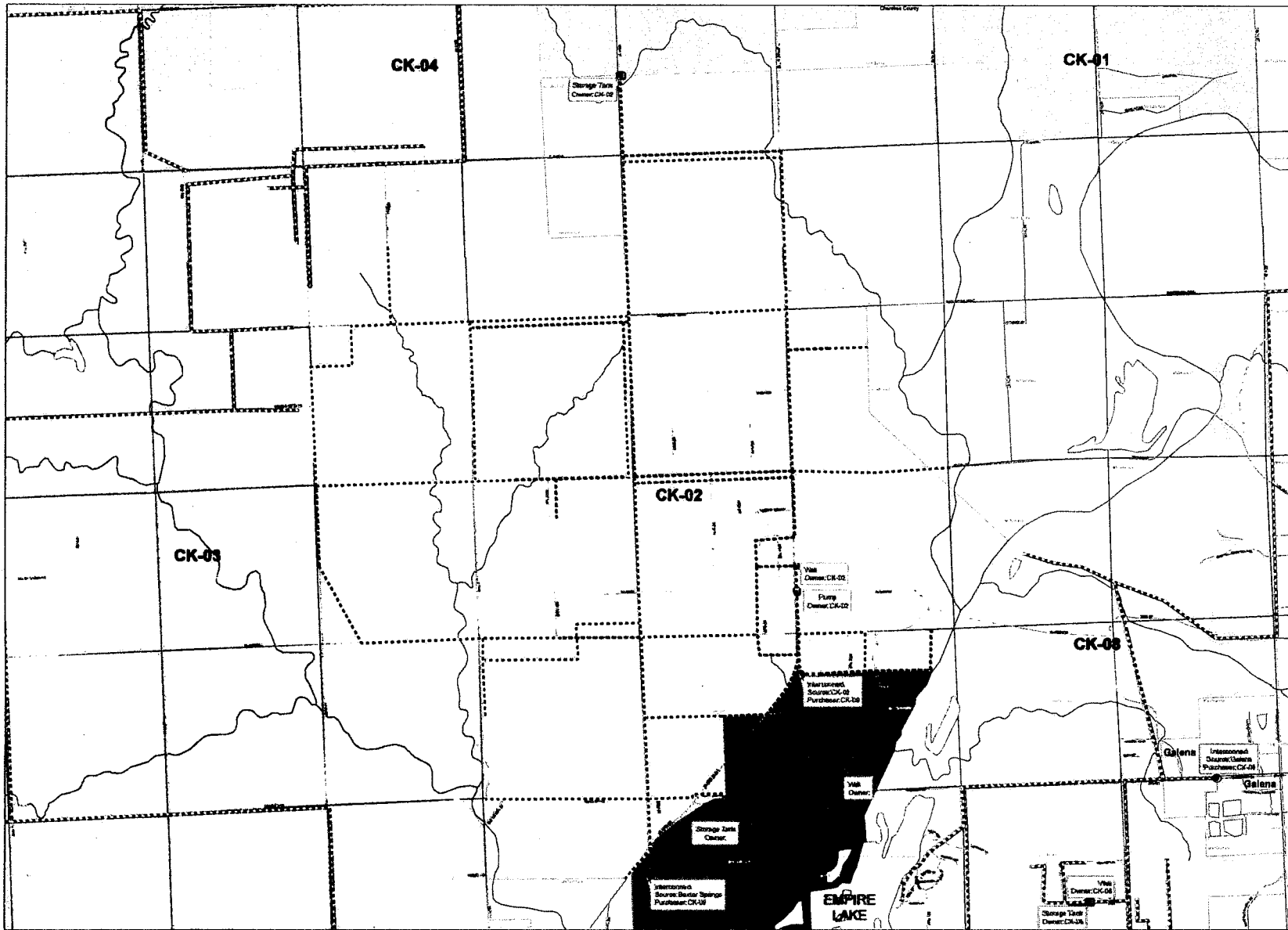
Richard Hilderbrand, Chairman
Board of County Commissioners
Cherokee County, Kansas

Enclosures: Topographical Map depicting proposed site by Terracon
Aerial Photograph depicting proposed site by Terracon
Map of Cherokee RWD#2 from Kansas Rural Water Association

cc: Kansas Department of Health and Environment
Division of Environment, Bureau of Waste Management
ATTN: Dennis Degner, Section Chief of Solid Waste Permits Section
1000 SW Jackson, Suite 320
Topeka, KS 66612-1366

J. Gordon Gregory
Wilbert Towner
506 North Pine Street
Pittsburg, Kansas 66762

Cherokee RWD #02



Legend

- ▣ Interconnects
- Pump
- Storage Tank
- Surface Intake
- Treatment Facility
- ⊕ Well

Mainline Diameter

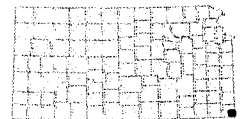
- Pipelines Outside of Study Area
- Less than 4 inch
- 4 to 6 inch
- Greater than 6 inch

- Roads
- Streams
- PLSS
- County Boundary
- City Boundary
- ▨ Lakes

0 0.25 0.5 1 Miles

+

Locator Map: Study Area



Cherokee RWD #02
July 2005



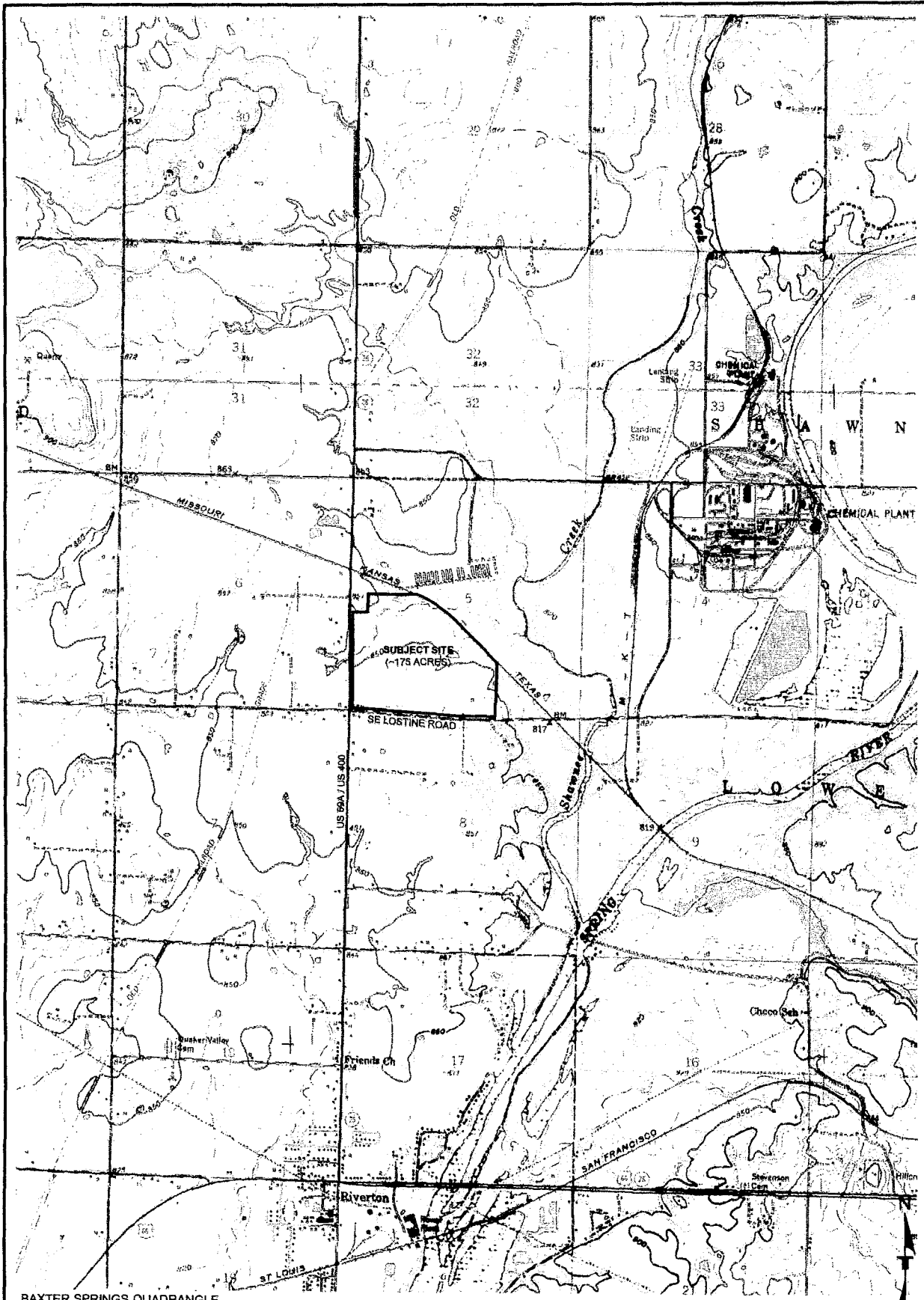
NOTE
 1) PROPOSED WASTE DISPOSAL AREA SUBJECT TO CHANGE BASED
 ON AGENCY REVIEWS AND DETAILED DESIGN.

2014 AERIAL PHOTOGRAPH PROVIDED
 BY THE STATE OF KANSAS DATA
 ACCESS AND SUPPORT CENTER.

DIAGRAM IS INTENDED FOR GENERAL USE ONLY, AND IS NOT
 FOR CONSTRUCTION PURPOSES. LOCATIONS ARE APPROXIMATE.

0 500' 1,000' 2,000'

Project No: ARM Checked By: SHL Approved By: ARM Drawn by: BCB	Name: SHOWN Date: 3/20/15 Project No: 01147085 File Name: 7085FRA.dwg	Terracon Consulting Engineers and Scientists 1815 South Bluebonnet Wichita, Kansas 67260 Phone: (316) 262-0171 Fax: (316) 262-4897	FACILITY - PROPOSED DISPOSAL AREA CONCEPTUAL DESIGN GALENA SOLID WASTE MANAGEMENT FACILITY CHEROKEE COUNTY, KANSAS	FIGURE 2
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BAXTER SPRINGS QUADRANGLE
 KANSAS - CHEROKEE COUNTY
 7.5 MINUTE SERIES (TOPOGRAPHIC)
 1959 - PHOTO REVISED IN 1978

APPROXIMATE SW/4
 OF SECTION 5, TOWNSHIP 34
 SOUTH, RANGE 25 EAST.

DIAGRAM IS INTENDED FOR GENERAL USE ONLY, AND IS NOT
 FOR CONSTRUCTION PURPOSES, LOCATIONS AND APPROXIMATE

Project by:	ARM	Date:	3/20/15
Checked by:	SML	Drawn by:	01147085
Approved by:	ARM	File Name:	7045E1.dwg
Drawn by:	BCR		

Terracon
 Consulting Engineers and Scientists
 1815 South Eisenhower
 Wichita, Kansas 67202
 Phone: (316) 262-4171 Fax: (316) 262-9847

TOPOGRAPHIC MAP
 CONCEPTUAL DESIGN
GALENA SOLID WASTE MANAGEMENT FACILITY
 CHEROKEE COUNTY, KANSAS

FIGURE
1

Cherokee County Board of County Commissioners

Public Attendance Log: July 27, 2015

Printed Name	Phone Number	Address	Company or Organization
Jim Zaleski	620-820-3556	1357 22000 Road Pugors KS 67357	SEKTR
Jim Tuppell	620-848-9852		
Jerry Messer	674-1550		
OTTO MARTIN	(620)848-3189	6160 SE 74 th TER, Riverton	
ZACH MARTIN	(620)674-2051	7391 SE Gilstamps LN, Riverton	
Jack Smallwood	620-848-3137	7220 SE 63 rd , Riverton	
Jill Fichtner			
GREG WALKER	417-434-4934	6008 SE 74 th ST RIVERTON KS	
Kyle Fleming	620-230-0832	Pittsburg	Be Kansas Crossin
Kelvin WARD		GALENA	
Susan Lopez	620-848-2300	Spring River Mental Health	
Scott Jackson	620-848-2300	' ' ' '	
WILL MALLATT	620-474-5183		
Janet Skifow	620-389-2566		