

MINUTES FOR MARCH 17, 2014
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 AM on Monday, March 17, 2014 in the Commission Room, #109 of the Cherokee County Courthouse located at 110 W Maple St., 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, and Shawnda Qualls

Murray Balk - KDHE Chief of Surface Mining Section

Randy Johnson - KDHE Inspection Supervisor Surface Mining Section

They appeared before the Board regarding the Deer Creek 2 Reclamation Project. The location of the project is on Lawton Road between NW 90th St. and NW 100th St. They are closing approximately 20 acres of the existing pit due to soil erosion bringing the water closer to the road. They are creating a 5 acre pond for fish habitat and spawning as well as adding wetlands for hunting. They expect to replace the water acre for acre. They have offered to meet with anyone that is concerned about their project, but have yet to be contacted.

Leonard Vanatta - County Road Supervisor

He appeared on routine county road business.

Doug Mogle and Mike King - Cherokee County Ambulance

They appeared before the Board to provided year-end statements for the ambulance district in Columbus and Galena. Last year 2 new ambulances were put in service. They also had one more refurbished. The Board took a few minutes to go out and look at the new ambulance.

Janet Miller and Trish Carroll - Certified Work Ready Communities

They appeared before the Board as a follow-up, asking Cherokee County to become a participating employer for the Certified Work Ready Communities Program. They explained the program to the Department Heads. They stated that the ACT Academic Assessments have a tie to Common Core, not to the Certified Work Ready Communities Program. They need 17 employers county wide to agree to recognize the credentials. The Board took it under advisement.

RLH

Department Heads - Monthly Reports

They met with the Board for their routine monthly meeting with the following Department Heads present: Barbara Bilke, Register of Deeds; Betha Elliott, Health Department; David Groves, Sheriff; Deana Randall, Human Resources; Juanita Hodgson, Treasurer; Ralph Houser, Maintenance; Rodney Edmondson, Clerk; and Wayne Elliott, 911 Mapping & Addressing.

Barb Bilke - provided updates on mortgage registration legislation.

Betha Elliott - presented an application for a KDHE Grant in the amount of \$90,395.00. She asked that the Board consider adding a generator at the Health Department. The building and grounds are in need of some repairs and updates. The Board will schedule 30 minutes next Monday to inspect the property. They asked her to get an estimate on a generator.

David Groves - He presented an estimated size and cost for a storage building for the Law Enforcement Center. The Board asked him to send it out for bids.

Quade Quesenberry and Stan Sechler - Corporate Business System

They appeared before the Board to talk about what they can offer the county for IT services. Response time and resolution of a breakdown is expected to be 4 hours or less. Their technical personnel would come out of Springfield, Missouri. They did a walk-through of the courthouse, but will need to come back next week with an IT Engineer.

Mitch Horner and James Richards - Stronghold Data

They appeared before the Board to address the IT services that they are providing to Cherokee county, and the level of customer service that is being received. They have been providing IT Services to Cherokee County for 17 years. A problem developed in February with the firewall. The manufacturer had a bug in the software that has now been fixed. They recommend the county consider a managed services contract instead of the break/fix arrangement that is currently being utilized. They will prepare a proposal for consideration.

Trish Carroll - Columbus Telephone

She appeared as the Fiber Optic and Internet Provider to Cherokee County, and to offer any assistance that is needed.

A motion was made by Commissioner Collins to approve the Minutes of the March 10, 2014 BOCC Meeting as written. The motion was seconded by Commissioner Napier. The motion carried 3-0 with all voting yes.

A motion was made by Commissioner Collins to support the Certified Work Ready Communities as a participating employer. The motion was seconded by Commissioner Hilderbrand. The motion carried 2-1 with Commissioner Napier voting no.

A motion was made by Commissioner Collins to enter into an Executive Session with the Board for a period of 10 minutes for the purpose of Non/Elected Personnel. The motion was seconded by Commissioner Napier. The motion carried 3-0 at 11:20 AM.

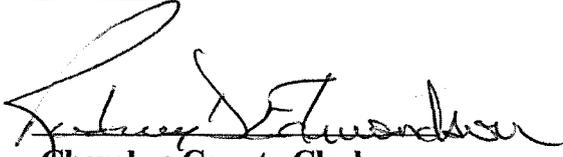
RA

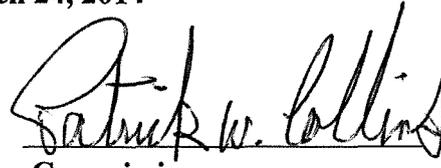
The meeting reconvened at 11:30 AM.

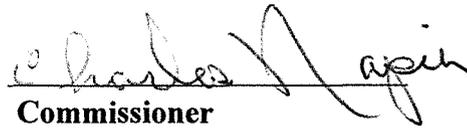
No action taken as a result of the Executive Session.

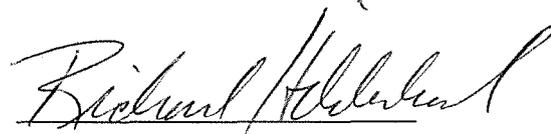
Commissioner Hilderbrand made a motion to adjourn until the next regularly scheduled meeting set for March 24, 2014 at 9:00 AM. The motion was seconded by Commissioner Napier. The motion carried 3-0 with all voting yes at 11:39 AM.

ATTEST: Resolved and ordered this day, March 24, 2014


Cherokee County Clerk


Commissioner


Commissioner


Commissioner

JANET A. GRAHAM

Public Accountant, Inc.

128 South Kansas • P.O. Box 81
Columbus, Kansas 66725
(620) 429-2662
FAX (620) 429-1743

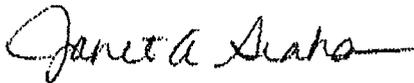
To the Board of Directors
Cherokee County Ambulance
Association, Inc.
Columbus, KS 66725

I have compiled the accompanying balance sheet of Cherokee County Ambulance Association, Inc., a non-profit organization, as of December 31, 2013, and the related statement of income for the month and the twelve months then ended in accordance with Statements on Standards for Accounting and Review Services adopted by the Public Accountants Association of Kansas.

A compilation is limited to presenting in the form of financial statements information that is the representation of management. I have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or any other form of assurance on them.

Management has elected to omit substantially all of the disclosures, statement of retained earnings and statement of cash flow required by generally accepted accounting principles. If the omitted disclosures, statement of retained earnings and statement of cash flow were included in the financial statements, they might influence the user's conclusions about the Organization's financial position, results of operations, and cash flows. Accordingly, these financial statements are not designed for those who are not informed about such matters.

JANET A. GRAHAM, PUBLIC ACCOUNTANT, INC.



January 14, 2014

CHEROKEE COUNTY AMBULANCE ASSN, INC.
Balance Sheet
December 31, 2013

ASSETS

Current Assets		
Checking-Exchange	\$	53,131.66
Checking - Commerce		6,606.99
Savings - Labette Bank		8,523.27
Galena - Travel		451.83
Columbus - Travel		2,530.60
CD - Exchange #2001919		10,270.24
CD - Exchange #2001997		5,170.83
CD - Exchange #2002056		5,140.82
CD - Exchange #2002066		10,212.90
CD - Exchange #2002128		10,183.93
CD - Exchange #2002185		10,064.97
Accounts Receivable		19,091.82
Prepaid Expenses		24,732.52
		<u>166,112.38</u>
Total Current Assets		
		166,112.38
Property and Equipment		
Furniture & Fixtures		20,170.19
Machinery & Equipment		361,124.94
Buildings & Land		116,489.97
Building-Powrachute		302,677.79
Building-Galena		108,708.25
Land-Powrachute		90,000.00
Improvements-Powrachute		81,240.61
Vehicles		655,596.88
Accumulated Depreciation		(1,222,668.08)
		<u>513,340.55</u>
Total Property and Equipment		
		513,340.55
Other Assets		
Loan Costs		421.50
Less: Accum Amortization		(302.36)
		<u>119.14</u>
Total Other Assets		
		119.14
Total Assets		
	\$	<u><u>679,572.07</u></u>

"See Accountant's Compilation Report"

CHEROKEE COUNTY AMBULANCE ASSN, INC.
Balance Sheet
December 31, 2013

LIABILITIES AND CAPITAL

Current Liabilities		
Accounts Payable	\$	2,556.10
Payroll Taxes Payable		6,891.31
Garnishment Payable		1,866.88
Retirement Payable		(41.38)
		<u> </u>
Total Current Liabilities		11,272.91
Long-Term Liabilities		
Notes Payable-LOC		87,000.00
		<u> </u>
Total Long-Term Liabilities		87,000.00
		<u> </u>
Total Liabilities		98,272.91
Capital		
Contributed Capital		44,844.23
Retained Earnings		669,106.28
Net Income		(132,651.35)
		<u> </u>
Total Capital		581,299.16
		<u> </u>
Total Liabilities & Capital	\$	<u>679,572.07</u>

"See Accountant's Compilation Report"

CHEROKEE COUNTY AMBULANCE ASSN, INC.
Income Statement
For the Twelve Months Ending December 31, 2013

	Current Month		Year to Date	
Revenues				
Ambulance Service	\$ 46,120.32	59.22	\$ 514,703.97	69.96
County Subsidies	31,754.66	40.78	208,064.06	28.28
Miscellaneous Income	0.00	0.00	14,841.32	2.02
Discounts & Refunds	0.00	0.00	(2,112.00)	(0.29)
Interest Income	1.38	0.00	213.25	0.03
	<u>77,876.36</u>	<u>100.00</u>	<u>735,710.60</u>	<u>100.00</u>
Expenses				
Telephone - Columbus	305.36	0.39	3,582.93	0.49
Telephone - Galena	289.30	0.37	3,319.94	0.45
Electricity - Columbus	692.76	0.89	12,060.90	1.64
Electricity - Galena	342.00	0.44	4,055.35	0.55
Gas/Propane - Columbus	143.43	0.18	2,551.38	0.35
Water - Columbus	43.51	0.06	548.94	0.07
	<u>1,816.36</u>	<u>2.33</u>	<u>26,119.44</u>	<u>3.55</u>
Total Utilities				
Ambulance Replacement	0.00	0.00	37,036.76	5.03
Fuel	2,226.46	2.86	31,411.93	4.27
Ambulance Maintenance	431.82	0.55	8,052.17	1.09
	<u>2,658.28</u>	<u>3.41</u>	<u>76,500.86</u>	<u>10.40</u>
Total Ambulance				
New Equipment	0.00	0.00	11,253.10	1.53
Equipment Repair - Col.	0.00	0.00	44.20	0.01
Medical Supplies	1,463.67	1.88	29,008.65	3.94
Oxygen	99.15	0.13	2,469.60	0.34
	<u>1,562.82</u>	<u>2.01</u>	<u>42,775.55</u>	<u>5.81</u>
Total Equipment & Supplies				
Salaries - Full Time	44,398.22	57.01	473,849.57	64.41
Salaries - Part Time EMT	5,178.12	6.65	77,968.10	10.60
Social Security Expense	3,790.80	4.87	42,187.70	5.73
Employee Benefits	0.00	0.00	4,157.00	0.57
Health Insurance	2,497.51	3.21	31,044.39	4.22
Workman's Compensation	3,287.00	4.22	27,199.00	3.70
Unemployment Taxes	226.90	0.29	8,281.18	1.13
	<u>59,378.55</u>	<u>76.25</u>	<u>664,686.94</u>	<u>90.35</u>
Total Payroll				
Operating Supplies	38.57	0.05	85.61	0.01
Repairs - Columbus	81.54	0.10	1,952.29	0.27
Repairs - Galena	14.97	0.02	1,105.18	0.15
Depreciation Expense	1,953.33	2.51	23,439.93	3.19
	<u>2,088.41</u>	<u>2.68</u>	<u>26,583.01</u>	<u>3.61</u>
Total Building				
Amortization Expense	2.80	0.00	34.04	0.00
Postage	0.00	0.00	200.41	0.03
Interest Expense	380.74	0.49	1,963.17	0.27
Office Expense	108.64	0.14	2,506.62	0.34
Professional Services	610.00	0.78	4,650.16	0.63
Office Equip. - Repair	0.00	0.00	59.95	0.01
Insurance	843.42	1.08	11,718.36	1.59
Bank Charges	54.56	0.07	574.77	0.08
Dues & Subscriptions	0.00	0.00	132.00	0.02

"See Accountant's Compilation Report"

CHEROKEE COUNTY AMBULANCE ASSN, INC.
Income Statement
For the Twelve Months Ending December 31, 2013

	Current Month		Year to Date	
Taxes & Licenses	527.17	0.68	1,700.17	0.23
Total Office	2,527.33	3.25	23,539.65	3.20
Miscellaneous Training	62.75	0.08	1,442.75	0.20
Total Training	62.75	0.08	1,442.75	0.20
Miscellaneous Expense	741.22	0.95	3,029.00	0.41
Travel Reimbursement	283.60	0.36	3,684.75	0.50
Total Miscellaneous	1,024.82	1.32	6,713.75	0.91
Total Expenses	71,119.32	91.32	868,361.95	118.03
Net Income	\$ 6,757.04	8.68	\$ (132,651.35)	(18.03)

"See Accountant's Compilation Report"

The ACT Paper

The 2010 document that refers to a relationship between ACT's K-12 assessment systems in 8th grade (EXPLORE), 10th grade (PLAN), and the ACT college entrance exam refers to standards and benchmarks of academic achievement in middle and high school academic classes that are predictive of success in postsecondary academic institutions. Because it measures academic attainment related to predictable success after high school, the developers of the Common Core looked at them and used ACT's benchmark data, developed over 50 years, as a starting point. But, the Common Core does not influence ACT's objective, expert correlation of K-12 achievement benchmarks in relation to nationwide expectations for first year students in postsecondary institutions. The Common Core was developed by state representatives on its own, but of course commonalities remain. ACT's academic standards and benchmarks are continuously updated through curriculum surveys of postsecondary teachers nationwide to determine what students need to know to succeed in first year courses. They are evidence-based, and market-driven to help students understand what they need to know and be able to do to achieve their goals in the real world.

Different Measurement Systems

The paper has virtually nothing to do with the employer-derived assessments of workplace skills under the National Career Readiness Certificate system used as part of the Certified Work Ready Communities initiative. The content of these various assessment systems and what they measure are very different. The National Career Readiness Certificate is not designed to measure a person's academic knowledge or provide a numerical achievement score. It is designed to measure the application of knowledge to a range of priority tasks and requirements necessary to succeed in the workplace. It can measure how knowledge is used to perform job functions. The NCRC measures levels of skills in "ranges," and not by a cut score, because most jobs are not that precise in application of skills day to day. The way ACT assesses these skills are different and measured differently. ACT assesses skills used in the workplace by analyzing jobs with employers and employees. ACT determines from employers what skills are needed for what jobs in which occupational fields, what levels of skills are needed for particular jobs, and what skills are of the highest priority for those jobs. These data, derived from the work place and from current job holders, determine the range of skills that are necessary for success in those jobs. The NCRC is not only a credential that shows how well prepared someone is for work, and how high their skill levels are, but also whether they will fit well in a particular job. An individual's NCRC levels can always be improved as the individual's skill levels improve.

Clarifying the Term "ACT's College and Career Readiness System."

The paper uses this term to reflect research findings from a 2006 ACT study which found that the basic levels of skills in reading and mathematics that an individual needed to succeed in postsecondary education or postsecondary job training were similar and higher than most people expected. But, they are not the same. So, our use of the term refers to ACT's broad range of education and workplace solutions across the continuum of learning and work. It does not correlate academic standards that we have developed for K-12 education systems with workplace standards under the NCRC system.

The Value of the NCRC.

The National Career Readiness Certificate is an industry-recognized credential, nationally portable, and, depending on the level of skill achieved, reflects the skill levels needed in about 90% of the jobs in America. It is a national industry standard for work readiness, and a reliable predictor of an individual's success in a job that matches the individual's skills to the job requirements. It can be used along the continuum of an individual's work life from entry level to the highest levels of a profession. Additionally, it can measure the non-cognitive skills (or "soft skills") that are demanded by employers in 21st century jobs – team work, problem solving, communication, leadership, customer service, self-direction, etc.

The NCRC is a workplace credential. It is grounded in the skills employers know are necessary to succeed in the modern workplace. Most individuals who earn these credentials are applying for jobs, are in postsecondary training or community college programs, or are in training under local American Job Centers. Some secondary school systems are integrating the job ready skills and training into high school curriculum, so that students can graduate with both a diploma and a National Career Readiness Certificate. It may then supplement whatever academic standards are adopted by local school districts. The NCRC may not directly correlate to academic standards, but it certainly reflects the real world standards and expectations of jobs in America.

Lori Baldwin
Quality Manager, Community and Economic Development
3355 Lenox Road NE, Suite 320
Atlanta, GA 30326-1332

404.231.5018

Cell: 319.321.9385

**Deer Creek II AML Project
Cherokee County Road Improvements**

Item	Bid Price
Deer Creek on Lawton Road	
58" x 91" x 40lf RCP Elliptical Culvert	\$40,000.00
58" x 91" RCP Elliptical End Section (2)	\$10,000.00
Lawton Road and NW 90th (portions within ROW)	
1,680 lf of Berm Reconstruction	\$11,582.00
Deer Creek Culvert and NW 90th Culvert	
750 lf Guardrail (only along culverts)	\$43,433.00
County Roads	
1,050 tons* of AB-3 Roadstone	\$15,750.00
*Additional roadstone will be purchased as needed to maintain county roadways.	
Total Cherokee County Road Improvements	
	\$120,765.00

Deer Creek II Reclamation Project
Cherokee County, Kansas
Project Overview

Introduction

Deer Creek II Reclamation is an Abandoned Mine Land Project located in the south ½ of Section 28, Township 32 South, Range 22 East, Cherokee County, Kansas as shown on an accompanying Project Location Map. The land is owned by the State of Kansas and is being utilized and maintained by the Kansas Department of Wildlife and Parks (KDWP) as a public use area. The traveling public is exposed to safety hazards (1) along 90th Street to the east due to the proximity of Deer Creek, (2) along Lawton Road to the south due to the proximity of Deer Creek and a major pit pond (Pond 1) and highwall, and (3) along 100th Street to the west due to the proximity of Pond 1 and highwall. In all, almost 2 miles of potential hazard to vehicular traffic exist around the site.

The primary goal of the reclamation is to address the safety hazards attributable to past mining on the site. The reclamation project is being administered by the Kansas Department of Health and Environment (KDHE), Surface Mining Section (SMS). It is being funded by the U.S. Department of Interior's Office of Surface Mining Reclamation and Enforcement through grants to KDHE, and is being conducted in cooperation with KDWP.

Background

Attached is a color aerial photo of the project area, courtesy of MapQuest. This photo provides perhaps the best view of the principal features of the site. The site was mined in 1968 by P&M Coal Company with the famous shovel "Big Brutus." To facilitate the mining, the existing stream, Deer Creek, which cut diagonally through the eastern portion of the property, was diverted to parallel 90th Street and Lawton Road. After the mining, the last cut left a highwall along the north edge of Lawton Road and along the west edge of relocated Deer Creek, and also left a major pit pond (Pond 1) over 1-1/2 miles long. The site was later partially regraded by P&M Coal Company in 1974 by leveling the tops of the spoil ridges into the valleys with a dozer equipped with a very large V-shaped plow blade referred to as the "Big Dude Blade." This leveling is evident not only in the photo, but clearly when visiting the site or studying the current topography: existing grades are far

less abrupt than would otherwise be expected on a site mined by Big Brutus, and the regraded portion is visibly less well vegetated (on photo, compare mined land north versus south of Lawton Road, the east-west road).

Hydrology

At Lawton Road, Deer Creek's watershed, which actually originates where Big Brutus is now parked and where it last mined, is approximately 3,653 acres (5.7 square miles). Hydraulic structures at road crossings upstream and downstream of the site are all of significant size. Only at Lawton Road is the structure (a 6' diameter CMP) grossly undersized for its drainage area. As such, flooding of Lawton Road occurs routinely.

The south half of Section 28, the project site itself, receives virtually no off-site runoff. Furthermore, almost all on-site drainage discharges to a major pit pond (Pond 1), except runoff from a small portion (approximately 13 acres) which discharges via a reinforced concrete box culvert to the northwest. Pond 1 itself discharges into Deer Creek via a 4' diameter CMP just upstream of where Deer Creek crosses Lawton Road. During significant rainfall events (3" and above), Deer Creek backs up at Lawton Road and begins back flowing into Pond 1 via the 4' diameter CMP. But the interconnecting pipe is much too small to relieve Deer Creek sufficiently fast enough, and the stream soon overtops Lawton Road. From a hydrology standpoint, the goal of the reclamation effort is to not alter the present routing of site runoff, i.e. pre- and post-reclamation runoff are essentially the same. Improvements to the hydraulics at Lawton Road, while perhaps desirable, are not a driving force of the reclamation project and are, therefore, modest in scope.

Delineated Waters

A preliminary jurisdictional determination of the site was performed by Shafer, Kline, & Warren, Inc., Overland Park, Kansas. In all, 77 delineated water features were identified on site:

- 1 intermittent stream (Deer Creek, 3,722 linear feet, considered jurisdictional);
- 27 ephemeral streams (drainage and/or erosion ditches, totaling 14,454 linear feet, some/all possibly jurisdictional but may not need mitigation even if disturbed);
- 10 palustrine emergent wetlands (totaling 1.48 acres, considered jurisdictional);
- 32 palustrine emergent isolated wetlands (totaling 2.50 acres, considered non-jurisdictional); and
- 7 ponds (open waters totaling 34.46 acres).

In regards to delineated waters, the goal of the reclamation is to minimize disturbance to *all* features to the maximum extent possible. Except as necessary to permit construction of a concrete weir for Pond 1 and installation of a new culvert at Lawton Road, no disturbance to Deer Creek is planned. Seventeen of the 27 ephemeral streams totaling 9,267 linear feet will be left undisturbed. Of the 10 jurisdictional wetlands identified, only 2 totaling less than ¼-acre will be disturbed. Of the 32 isolated wetlands identified, only 10 totaling less than ¾-acre will be disturbed. And 5 of the 7 ponds, including their individual contributing drainage areas, will be left undisturbed. Pond 1, the major safety concern, will be partially backfilled, but only where deemed necessary by the SMS. Pond 3, a small (less than 0.2 acres), shallow pond with steep banks, is considered marginal in every respect and will be eliminated. In view of the 20 acres of remaining open waters on this site, coupled with the very large amount of open waters existing on adjacent lands, the overall loss in the region of about 15 acres of open waters attributable to the reclamation effort is believed to be acceptable.

Reclamation Plan

It is desired to address the safety hazards while minimizing impacts to existing vegetation and wildlife and aquatic habitats. To accomplish this goal, considerable earthmoving (in excess of 1.5 million cubic yards) will be required simply to fill a portion of the main pit pond (Pond 1). Existing on-site spoils will provide the necessary fill materials. After final site grading is complete, all disturbed areas will be limed, fertilized, seeded and mulched. Seeding will be a mixture of warm and cool season grasses, together with a mixture of forbs.

Before and during grading operations, as part of the contractor's storm water pollution prevention plan (SWPPP), temporary devices will be used to control erosion and minimize sediment transport. Erosion control devices will remain in place until acceptable vegetative cover has been achieved. Existing ditches which are to remain and newly constructed ditches will be protected with either vegetative cover alone, temporary or permanent erosion control mat and vegetation, or with riprap, depending upon anticipated design flows and velocities. After the grading is complete, "permanent" erosion control devices will be installed as shown on the accompanying 11 x 17 plan overview.

It is recognized the partial filling of Pond 1, if not accompanied by other proposed changes, would significantly impact the hydraulics of Deer Creek at Lawton Road. To replace the lost storage the filling of Pond 1 causes, it is necessary to provide unhindered transfer capability of water between Deer Creek and Pond 1, and vice versa. This is accomplished by constructing a major hydraulic structure, a two-way concrete weir of significant size (almost 60' long) and capacity. And, by replacing the 6' diameter CMP at Lawton Road with a 6' equivalent diameter RCP elliptical culvert, and raising the road a maximum of 1 foot, the hydraulic capacity at Lawton Road essentially remains unchanged, though slightly increased. The *available* storage volume in post-reclamation Pond 1 and Extended Pond 1, which volume is comprised of a smaller horizontal area but a greater usable depth than existing, replaces the *usable* storage volume in pre-reclamation Pond 1 which is significantly curtailed by the limited rate of flow possible through the existing interconnecting 4' diameter CMP. The post-reclamation available storage is restored between rain events by allowing Pond 1 to drain back down, via four 2-foot diameter openings in the concrete weir, at the same rate it is now permitted to do so via the existing 4' diameter CMP which will be removed. The weir elevation is selected to take advantage of *all* storage available in post-reclamation Pond 1, prior to Deer Creek overtopping Lawton Road.

The accompanying plan overview also highlights other aspects of the reclamation. To address the safety concerns posed by the proximity of Deer Creek to the west edge of 90th Street and the north edge of Lawton Road, the top of the existing berm beyond the roadside ditch will be raised and where absent, constructed new. So as to not disturb the floodplain of Deer Creek, all work along the berm will be performed road-side rather than stream-side. New guardrail will also be provided at

2 culverts. Other project amenities include improved site access for the public as well as for KDWP, new parking areas, and a new concrete boat ramp to replace the one which the reclamation will destroy.

Any effects to fish and wildlife are expected to be of short duration. To avoid the taking of migratory birds by destruction of nests, no clearing of trees and brush will be allowed between April 1 and July 15. To mitigate loss of wildlife and aquatic habitat, most cleared materials will be piled in specified locations around the site, and some will be placed below water level in Extended Pond 1. A rock toe/cofferdam utilized to initiate stable fill in Pond 1, as well as 2 new shallow water bodies including a 5.3-acre and a 10.6-acre KDWP-managed wetland, will provide additional diverse aquatic habitat. In addition, and at the request of KDWP, the grading contractor will be encouraged to locally push narrow fingers of land part way into Extended Pond 1 for more diversity.

Conclusion

The reclamation of the Deer Creek site, despite its size and cost, is relatively straightforward. Nevertheless, every effort has been made to limit disturbing valuable existing features, while still addressing the important safety issues which make the site eligible for funding. The net increase of 15.6 acres of KDWP-managed wetlands alone makes the project exciting and environmentally attractive. Though only modest improvements to the hydraulics at Lawton Road are planned, the installation of the concrete weir, together with the new culvert and raising the road, all combine to reduce future occurrences of flooding at this location.

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★ **Hallowell, KS US**

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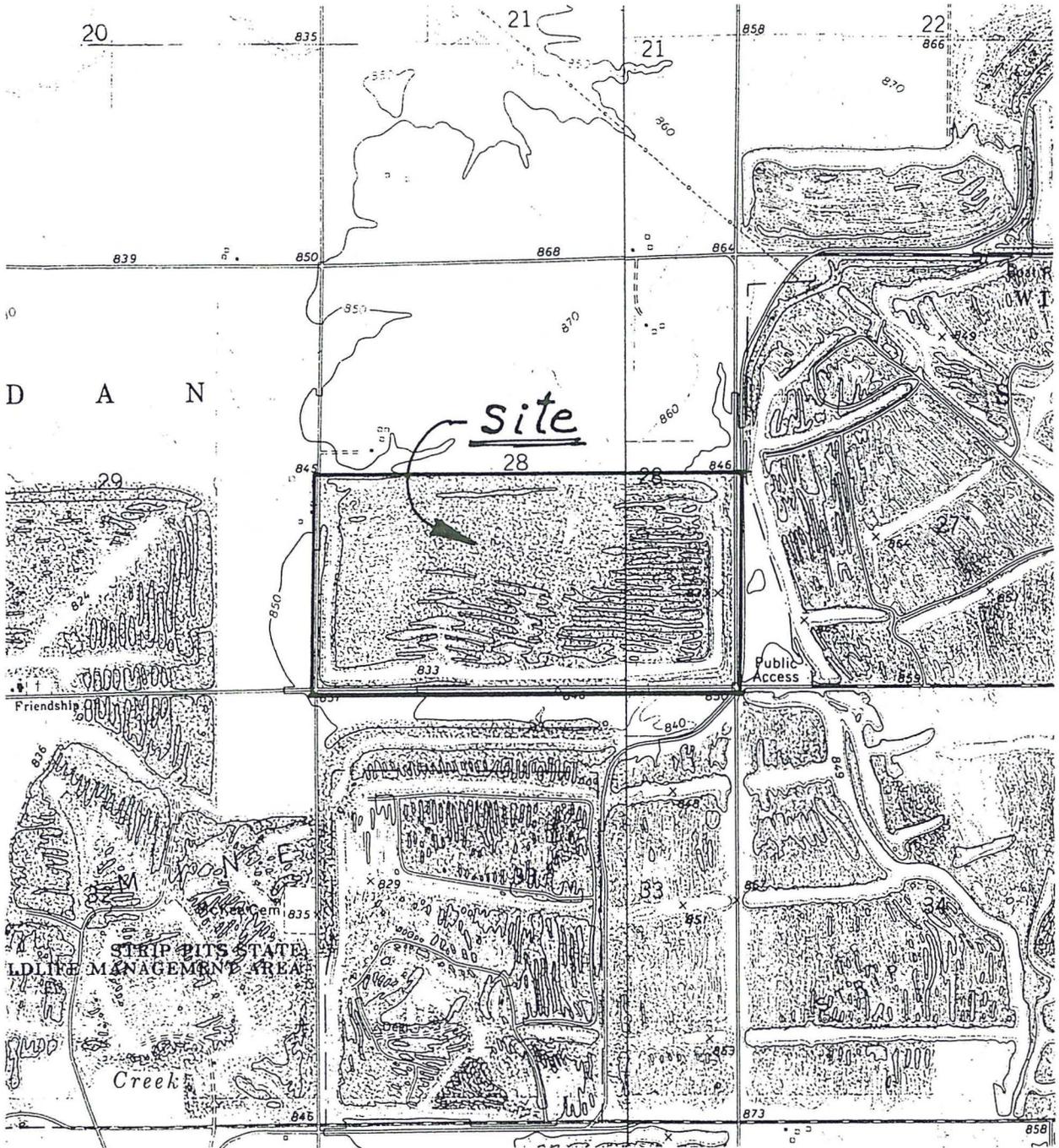
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SCALE 1" = 2000'
 0 2000'

OSWEGO & HALLOWELL QUADRANGLES

KANSAS - CHEROKEE CO.
 7.5 MINUTE SERIES (TOPOGRAPHIC)



Oswego Quadrangle
 (1974)



Hallowell Quadrangle
 (1974)

PROJECT LOCATION MAP



MIKON CORPORATION
 4414 SOUTH 40th STREET, Suite B
 ST. JOSEPH, MISSOURI 64503
 816-364-2890 fax: 816-364-2126
 email: mikon@mikoncorp.com

DEER CREEK RECLAMATION

1/2 SECTION 28, TOWNSHIP 32 SOUTH, RANGE 22 EAST
 CHEROKEE COUNTY, KANSAS

PROOF OF PUBLICATION

STATE OF KANSAS
CHEROKEE
COUNTY

SS:

Chris Zimmerman, of lawful age, being first duly sworn. Deposes and Says: That she is principal publisher of Cherokee County News-Advocate, a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Cherokee County, Kansas, with a general paid circulation on a daily, weekly, monthly, yearly basis in Cherokee County, Kansas, and that said newspaper is not a trade, religious, or fraternal publication.

Said newspaper is a weekly newspaper published at least weekly 50 times a year, has been so published continuously and uninterrupted in said county and state for a period of more than five years prior to the first publication of said notice, and has been admitted at the post office of Columbus in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ONE time, the first publication thereof being made as aforesaid on the 15th of May, 2013



Subscribed and sworn to before me this 15th day of May, 2013



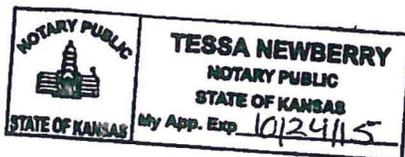
Notary Public

My commission expires: 10/24/15

Printers Fee: \$47.71

Additional copies:

Total Publication Fee: \$47.71



Public Notice

(First Published in The Cherokee County News-Advocate, May 15, 2013.)

NOTICE OF AVAILABILITY:

Environmental Assessment and Finding of No Significant Impacts for Abandoned Surface Coal Mine Reclamation Project.

The United States Department of the Interior, Office of Surface Mining Reclamation and Enforcement is advising the public of the Kansas Department of Health and Environment, Surface Mining Section (KDHE) prepared environmental assessment for the Deer Creek II Reclamation Project. The project is located north of Hallowell, Kansas on publically owned land in Cherokee County. The approximate 160-acre project is in Sections 28, Township 32 South, Range 22 East in Cherokee County, Kansas on the Oswego and Hallowell, Kansas USGS 7.5 minute quadrangle maps. The project will address public safety hazards associated with approximately 6,000 linear feet of Priority 2 dangerous highwalls. No significant long-term adverse impacts to fish and wildlife or water resources are anticipated from project activities. Project construction will not adversely impact the flood plain. Project cost is estimated at \$3,600,000.

The environmental assessment prepared for the project provided the basis for the conclusion that the proposed construction will have no significant adverse impacts on the quality of the human environment. The environmental assessment and finding of no significant impact are available for viewing by the public. Interested parties should contact LaChelle Harris, Office of Surface Mining Reclamation and Enforcement, Tulsa Field Office, 1645 South 101st East Avenue, Room 145, Tulsa, Oklahoma 74128-4629; phone (918) 581-6431 extension 280 or Murray, J. Balk, Chief, Surface Mining Section, Kansas Department of Health and Environment, 4033 Parkview Drive, Frontenac, Kansas, 66763; phone (620) 231-8540

(May 15)



SCALE 1" = 400'
 2' CONTOUR INTERVAL
 0 400

DRAWING NOTES:

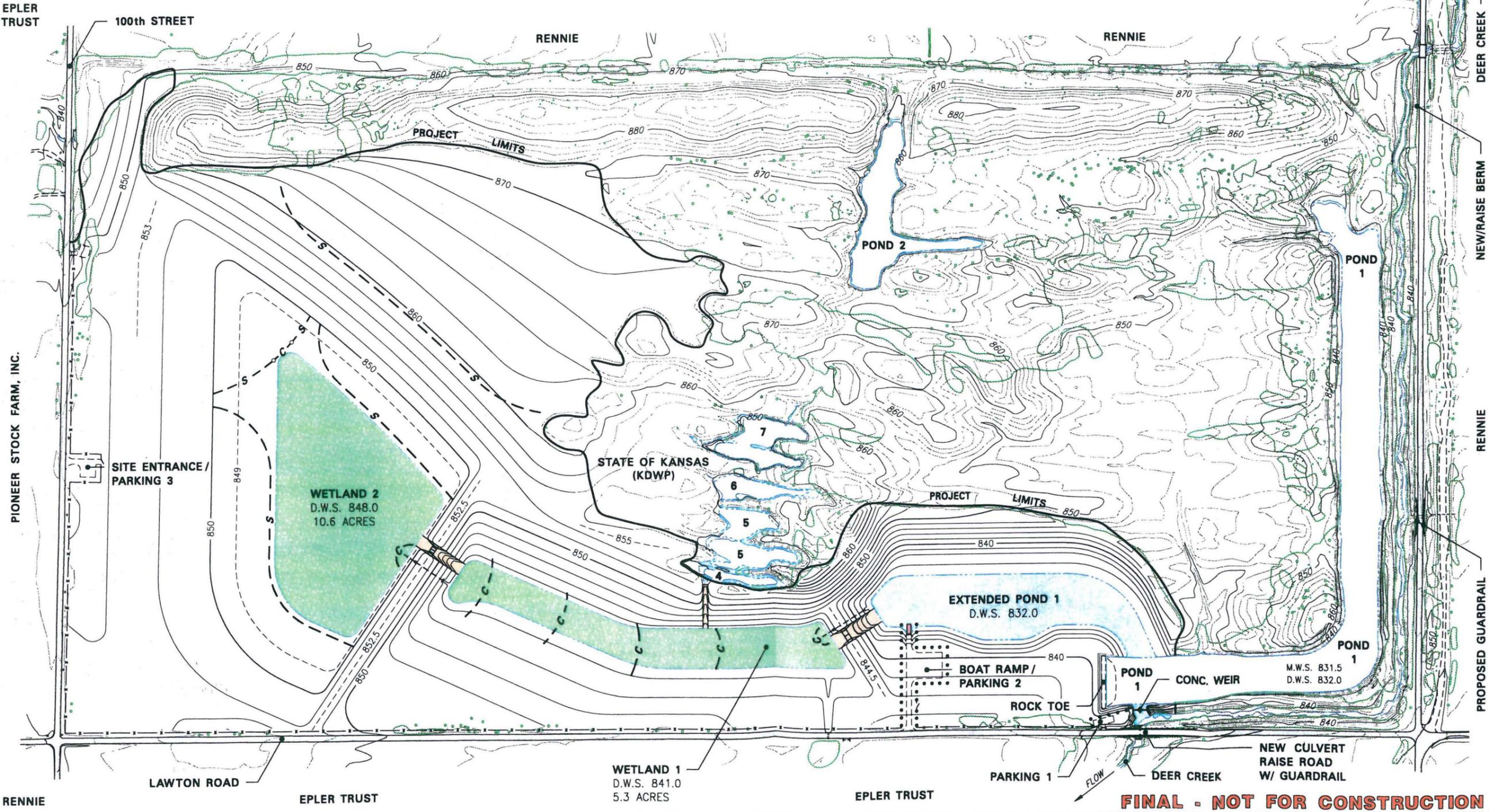
1. TOPOGRAPHIC MAPPING IN NON-RECLAIMED AREAS BY LAND & MAPPING SERVICES, CLEARFIELD, PA. FLIGHT DATE: 01/18/2006.
2. LANDOWNERS OBTAINED FROM CHEROKEE COUNTY ASSESSOR'S RECORDS.

POND	M.W.S.	D.W.S.	REMARKS
1	831.5	832.0	
2	855.8	-	EX. OVERFLOW ELEV. 857.5±
3	839.8	-	FILLED BY RECLAMATION
4	845.5	850.0	
5	846.3	850.0	
6	846.9	850.0	
7	847.5	-	EX. OVERFLOW ELEV. 852.6±

M.W.S. = MAPPED WATER SURFACE
 D.W.S. = DESIGN WATER SURFACE

COLOR LEGEND

- EXISTING TREES/BRUSH
- EXISTING WATER BODY
- PROPOSED WATER BODY
- JURISDICTIONAL WETLAND
- PROPOSED WETLAND
- GRAVEL ROAD
- EXISTING ACCESS
- PROPOSED ACCESS/ROADSTONE
- SPILLWAYS/OUTLETS
- SILT FENCE
- HAY BALE DIKE
- COMBINATION BARRIER
- BOULDER BARRICADE
- PROPOSED GUARDRAIL



DEER CREEK II RECLAMATION
 S½ SECTION 28, TOWNSHIP 32 S, RANGE 22 E, CHEROKEE COUNTY, KS



RECORD COPY SIGNED IN BLUE
 K.S-0165

RECLAMATION PLAN OVERVIEW

DATE: 4/22/2008
 DRAWING 1 of 1

FINAL - NOT FOR CONSTRUCTION