

**MINUTES FOR MARCH 4th, 2013**  
**BOARD OF CHEROKEE COUNTY COMMISSIONERS**  
**CHEROKEE COUNTY, KANSAS**

**CONVENE**

Chairman Richard Hilderbrand called the regular session of the Cherokee County Board of Commissioners to order and led all in attendance in the Pledge of Allegiance at 9:00 AM on Monday, March 4th, 2013 in the Commission Room #109 of the Cherokee County Courthouse. Commissioners Pat Collins, Charles Napier, Richard Hilderbrand, and County Clerk Rodney Edmondson were present.

Members of the press present: Larry Hiatt, Patrick Richardson, and Machel Smith

Visitors: Gerald Messer

**Art Mallory - Sheriff's Department**

He presented a voucher for payment for a new UHF repeater for the Sheriff's Office from Davis Communication in the amount of \$1,495.00.

**Leonard Vanatta - Road & Bridge Supervisor**

**Gene Langerot - Lot Supervisor**

They had nothing new to report.

A motion was made by Commissioner Collins to pass the Minutes of the February 25<sup>th</sup>, 2013 Commission Meeting as written, and was second by Commissioner Napier. The motion carried 3-0 with all voting yes.

**Department Heads - Monthly Reports**

Chairman Hilderbrand - Mense & Mense will be back on April 8th for further consultation on the Penn Gaming settlement money. He suggested that all departments that want a website to get together and work on it, then bring it to the Board.

Barbara Bilke, Register of Deeds - The latest books have been copied, and will be here on Wednesday. She will get pricing on copying old road survey books.

Betha Elliott, Health Dept. - Presented an application for annual Grant for signatures. The Grant, totaling \$90,750, was signed by Chairman Hilderbrand. She is going to replace eye wash station, and also presented a voucher for signatures in the amount of \$682.48 to Bill's Glass to upgrade the privacy/security glass at the front counter.

David Groves, Sheriff - there were 10 vehicle slide offs during the ice/snow storms, but no injuries. Concealed carry applications are still up, 30 last month. There has been only one burglary since February 18th. 12-15 people are in custody in a joint effort with Crawford, Labette, and Cherokee Counties.

RA

Deana Randall, Human Resources - Cutoff's are March 6th and March 20th at noon.

Jason -

Juanita Hodgson, Treasurer – they had three day long state computer shutdown and problems at the end of the month.

Nancy Herrenbruck, Appraiser - Residential values are finished; they are starting commercial values this week.

Nathan -

Ralph -

Rodney Edmondson, Clerk - the office is preparing for the April 2<sup>nd</sup> City and School General Election.

Wayne Elliott, 911/Mapping - they added two new addresses for new houses last month.

### **Nancy Herrenbruck - County Extension Council, President**

They are having problems with the sweet gum trees out in front of the council office. The council voted to take the trees out. Technically, the building belongs to the county. They are asking if the county lot could remove the trees. Pat will ask Johnny, the Board agreed.

They are inquiring about maintenance issues at the Extension Office, when they arise. Ralph has done work before, is this okay? Board stated that's fine if it's something that Ralph or county employees can do.

### **Veterans Memorial - Baxter Springs**

A motion was made by Commissioner Hilderbrand to issue a check to the City of Baxter Springs in the amount of \$10,000 for a donation to the Veterans Memorial being built in Baxter Springs. It was second by Commissioner Collins. The motion carried 3-0 with all voting yes. The money is to be taken from County General Funds.

### **Fred Fisher - Taylor Crane**

He presented a request to close Wyandotte Road. They are bidding a job for the Riverton Power Plant. In 2006 they moved a load and would like to do it again. This one contains several pieces of equipment and would take more time to move. They would like to leave the bridge jumper in place for 10 days in 2014, and 5 days in May of 2015.

Commissioner Hilderbrand reminded them that in 2006 the county wasn't reimbursed as agreed by Taylor Crane and property damage was repaired by the County at our cost. The county also provided traffic control.

The Board discussed several concerns including closing the road near the Memorial Day Holiday. They would also want a Bond for damages and for Taylor Crane to provide their own traffic control this time.

No decision made at this time.

RA

**Kevin Cure - County Counselor**

Provided updates on legal issues.

The Noxious Weeds contracts from Crawford County look okay.

The Board decided to table the idea until March 11<sup>th</sup>.

The land purchase contract for the property next to the county lot should be ready on Wednesday for review.

He also advised the Board that they can invest in other municipalities, but it's complicated. He would need to look at each bond being considered. There are about 12 places the county can invest.

He will finish the Scrap Metal License by next week.

KAMO - litigation has been resolved. PILOT (Payment In Lieu Of Taxes) will be as much as \$1.85 million paid over 10 years to Cherokee County. They would be on the tax rolls after that, unless the law changes.

Treese Street Vacating - The legal paperwork has been sent, and the notices will be published. An April 1<sup>st</sup> hearing date is tentatively set.

**Bob Eades - Neosho River Basin**

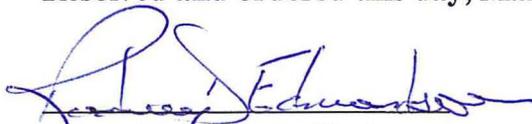
He voiced concerns over the John Redmond Dam and Reservoir. The potential for flooding between Burlington, KS and Miami, OK increases with the proposal. He stated that this has been going on for 14 years. He left materials for the commissioners to review.

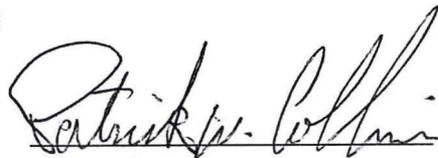
Commissioner Hilderbrand made a motion to adjourn until the next regularly scheduled meeting set for March 11<sup>th</sup>, 2013. It was second by Commissioner Collins and the motion carried 3-0. The motion passed at 11:56 AM.

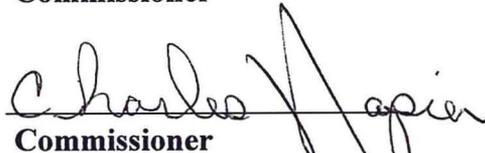
**Commissioner Napier, Counselor Cure, and Clerk Edmondson will be meeting with Oswego Officials at 1:30 PM in Oswego, Kansas.**

**ATTEST:**

**Resolved and ordered this day, March 11, 2013**

  
Cherokee County Clerk

  
Commissioner

  
Commissioner

  
Commissioner



## eDispatches Information & Pricing Document

(Revised Feb 2013 - 3 pages)

Thank you for your interest in eDispatches, a service of Penguin Management, Inc. eDispatches has been delivering reliable service to our clients since 2004. As of October 2012, we have over 200,000 paying recipients. Our system is designed to be completely automated and dispatch involvement is NOT required. We alert responders that an emergency call is in progress by notifying them via cell phone, landlines, or other wireless devices. We can configure our system to notify in a few different ways (accounts can mix and match):

- **Voice Notification** - Your phone rings, you answer, and your exact dispatch is played. If you do not answer, your dispatch is placed on your voice mail in entirety. This notification also works with landlines.
- **Android/iPhone App Notification** - Clients download our FREE app which allows their smart phone to operate similar to a voice pager. The call triggers the phone speaker to open with an alert tone and the exact dispatch comes right out. These apps have a stored voice/call feature included.
- **Text Message Notification** - A text message is sent to the wireless device informing the responder to call the listed dispatch "hotline" number. The user is then prompted to enter a PIN and your exact dispatch is then played for you. A hyper link is available for smart phone users.
- **PRIORITY BLAST** - Call the eDispatches "Hotline" and enter a user access ID/password. Leave a message that rings your entire department's cell phones or landlines. Customizable groups included.
- **CAD Relay System** - Your dispatch CAD system\* sends your call to our distribution system via a single, secure email address. We then relay the message using our reliable distribution system in 5-10 seconds.

Our text, voice and app notification system operates using a radio scanner and a computer that **we provide to your department at no expense**. The computer does not require a screen or keyboard. The scanner monitors your dispatch frequency and the computer recognizes your tones and records your calls. That information is sent to our servers via your Internet connection. Our system accesses your account, which you maintain via our website. It recognizes which members are supposed to receive the call and notifies them with either a text, voice and/or app notification.

Our CAD Relay System is designed to take your dispatcher's CAD entry and send it to you in a text message. The message is limited to 140 characters as dictated by most wireless providers. This will allow you to receive the address and type of call in progress. Your CAD system must be capable of sending this information to an email address. Our reliable distribution system then delivers the message in 5-10 seconds (may depend on wireless carrier). Many departments try doing this on their own but the cellular provider SPAM filters then delay or dump their messages. Our national network is designed to work with SPAM filters, creating a service that can be relied upon. Your dispatch center CAD must be able to forward entered information to an email address. Their cooperation is required for this feature.

PRIORITY BLAST is available as an add-on or standalone system. It is a true back-up in case your dispatch center goes down and can't send out pages or you need to notify the entire department of a situation immediately. You simply call in and leave a message that is "Blasted" out as a phone call to all of your members. They are alerted with a preemptive message that says "Please stand by for a PRIORITY BLAST message from eDispatches", followed by your actual voice message. Your member phones will ring in seconds. This feature can send the message to the entire list of recipients or allows for creation of custom groups. No additional equipment is required for PRIORITY BLAST.

We offer all departments a free 30-day trial for the entire membership to try our text and app notification service. We will allow 20 recipients to try the voice notification (direct phone call) during that same period. Priority Blast now included on free trial! Recipients of voice notification can be changed regularly to allow multiple people to sample voice notification on trial. We pay the shipping expense to send you the equipment, and we will pay the shipping cost to return the equipment if you decide this service is not for you. It is totally free to your department for 30 days. Penguin Management, Inc. is not responsible for text message fees, minute or data usage in your agreement with your wireless providers. Towards the end of your trial, we will contact you to see if you would like to continue with the service. Should you choose to continue, you will be charged a low cost one-time set-up fee and assessed your monthly fees payable in six month or one year increments. No contracts to sign and we will prorate your assessment if you terminate service in the middle of your paid time period. Equipment provided to your department remains property of Penguin Management, Inc. Demo of the CAD Relay System or Priority Blast does not require eDispatches to send you any equipment.

1<sup>st</sup> year \$3,067.00

yearly afterwards \$2,868.00



eDispatches recognizes the need to make sure that your members receive the emergency call so you can provide a high level of service to your residents. Wherever you have wireless service, your call will be delivered to you. Does your fire pager guarantee that?

Our national network has many redundancies so your users can rely on our system. These include the following:

- Back up central servers across North America with auxiliary power.
- Automatic "Detector Down" notification to your account manager and select recipients if your equipment does not check in with our servers every ten minutes.

Furthermore, our account options allow this service to be customized for each individual member. Such options include:

- Blackout periods set to NOT send message during certain hours if desired.
- Ability to not receive your daily tests (keep your minutes, data or texts to a minimum).
- Customized messages to your members informing them of training, equipment out of service or anything you desire. Predetermined groups for custom messaging included.

If you have any other questions, please contact our sales staff at (973)453-5810 x5555 and we can help to meet your needs. Do you have a specific need not addressed in our documents? Customizable solutions may be available.

If you have a website/smartphone, we can assist you with streaming audio so that people can hear your calls from anywhere in the world.

**eDispatches, keeping you in the emergency loop.**

**eDispatches.com**  
Don't **EVER** miss a call

**Your audio dispatch to your phones via these methods:**

- Phone Call Audio Dispatch
- Priority Blast Mass Phone Calling
- Text Notification Audio Dispatch
- Streaming Audio
- App Notification Audio Dispatch
- Mass Messaging Included
- CAD Relay

Our Android/iPhone App allows phone to operate like a stored voice pager!

**FREE DEPARTMENT TRIAL** **973 453-5810**

Available on Google play | Available on the App Store | Facebook | Twitter



Penguin Management, Inc.

2 Kiel Ave, #303  
Kinnelon, NJ 07405

<http://www.edispatches.com>

Providers of:



Invoice

|   |
|---|
| Bill To   |
| Cherokee County Sheriffs Office<br>Terry Clugston<br>P.O. Box 479<br>Columbus, KS 66725<br>US |

|              |              |
|--------------|--------------|
| Date         | Invoice #    |
| 3/5/2013     | 16399        |
| Phone #      | Fax #        |
| 973-453-5810 | 973-291-6529 |

|        |                              |
|--------|------------------------------|
| Terms  | All prices are in US Dollars |
| Net 30 |                              |

| Quantity                | Description   | Rate   | Amount     |
|-------------------------|---|--------|------------|
| 12                      | months of Voice Notification, Gold, 3,000 calls per month, \$0.12 per call overcharge | 179.00 | 2,148.00   |
| 12                      | month(s), Additional Single Tone Pair   | 10.00  | 120.00     |
| 12                      | month(s), Additional Single Tone Pair   | 10.00  | 120.00     |
| 12                      | month(s), Additional Single Tone Pair   | 10.00  | 120.00     |
| 12                      | month(s), Additional Single Tone Pair   | 10.00  | 120.00     |
| 12                      | month(s), Additional Single Tone Pair   | 10.00  | 120.00     |
| 12                      | month(s), Additional Single Tone Pair   | 10.00  | 120.00     |
| 12                      | month(s), Additional Single Tone Pair   | 10.00  | 120.00     |
| 12                      | month(s), Additional Single Tone Pair   | 0.00   | 0.00       |
| 12                      | month(s), Additional Single Tone Pair   | 0.00   | 0.00       |
| 12                      | month(s), Additional Single Tone Pair   | 0.00   | 0.00       |
| 12                      | month(s), Additional Single Tone Pair   | 0.00   | 0.00       |
| 1                       | One Time setup fee  | 199.00 | 199.00     |
| 1                       | Service from March 1, 2013 through February 28, 2014                                  | 0.00   | 0.00       |
| <b>Total</b>            |   |        | \$3,067.00 |
| <b>Payments/Credits</b> |   |        | \$0.00     |

Please make checks payable to:  
**PENGUIN MANAGEMENT, INC.**  
Include Invoice # on all checks, POs and vouchers.  
Thank you!

Please make check payable to Penguin Management, Inc.

**Balance Due** \$3,067.00

Please tear off, complete and send this portion with payment. Thank you!

Pay online at: <https://ipn.intuit.com/vr8t347v>

Cherokee County Sheriffs Office  
Terry Clugston  
P.O. Box 479  
Columbus, KS 66725  
US

|           |
|-----------|
| Invoice # |
| 16399     |

Amount Paid \_\_\_\_\_

Hey Terry,

Here would be the Galena Fire Dept.'s position regarding the E-Dispatch system. We feel that it is a very cost effective tool to additionally help notify our firefighters of emergency calls. With the current pager system, if you are out of range, or even in some type of metal building within our fire district, we might not be able to pick up the page, and subsequently, missing an emergency call. With the E-Dispatch, you will always receive that call. Additionally, if a pager goes down for repair, or worse, a dept has no addition money set aside for additional pagers, the E-Dispatch system allows for a firefighter to still receive calls without the pager. I do believe that the addition of this system to the counties 911 system, has been and will continue to be a huge asset to responders.

Steve Hall  
Asst. Fire Chief  
Galena Fire Dept.



DEPARTMENT OF ARMY  
CORPS OF ENGINEERS, TULSA DISTRICT  
1645 SOUTH 101<sup>ST</sup> EAST AVENUE  
TULSA, OKLAHOMA 74128-4609

February 15, 2013

Planning and Environmental Division

TO INTERESTED PARTIES:

In accordance with the National Environmental Policy Act of 1969, including guidelines in 33 Code of Federal Regulations, Part 230, the Tulsa District has assessed the environmental impacts of Federal actions associated with reallocation of storage at John Redmond Dam and Reservoir, Coffey County, Kansas.

Enclosed for your review is a compact disc containing a Final Supplement to the Final Environmental Statement (FSFES) for this action. By this letter, we are requesting your comments on the FSFES in accordance with 40 Code of Federal Regulations, Section 1503. Comments should be submitted using contact information provided below. In order to be considered, comments must be received no later than **March 26, 2013**. Comments received on the Final SFES will be attached to the Record of Decision (ROD) and included in the record for this action.

In addition to the enclosed electronic copy on disc, a printed hardcopy of the FSFES is available for review during normal business hours at the Burlington Public Library, 410 Juniatta Street, Burlington, Kansas, 66839. An electronic copy is likewise available on the Tulsa District webpage at <http://www.swt.usace.army.mil>.

Contact information for submission of comments is as follows:  
Ms. Patricia Newell, Planning and Environmental Division (CESWT-PE-E),  
1645 S. 101<sup>st</sup> E. Ave, Tulsa, OK 74128-4629; fax: 918-669-7546; e-mail:  
[Patricia.A.Newell@usace.army.mil](mailto:Patricia.A.Newell@usace.army.mil). Should you have questions or  
require further information, Ms. Newell can be reached at  
918-669-4937.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen L. Nolen", is written over a horizontal line.

Stephen L. Nolen  
Chief, Planning and Environmental  
Division

Encl

26 Feb 2013

Page 1

Eddie Wyant  
# 918-542-1125  
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Dr. Mark Osborn  
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David Anderson  
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Gentlemen,

RE: John Redmond Dam and Reservoir  
Final Supplement to the Final Statement and the  
Final Report for the Water Supply Storage Reallocation, Feb 2013

The Tulsa District COE proposes a dangerous action relative to flood control for a reach of the chronically flooded system between John Redmond and Pensacola reservoirs.

In this document the Corps States:

“The state of Kansas and the federal government entered into a water supply agreement in 1975, for 34,900 ac-ft of water storage and through the design life of the project (calendar year 2014). The water

is provided to the Cottonwood and Neosho River Basins Water Assurance District Number 3 and the Wolf Creek Nuclear Generating Station. District Number 3 includes 21 municipal and industrial water users. Water supply storage was to occur within the conservation pool when maintained at the surface elevation of 1039.0 ft. Studies by the USACE have determined that **sediment is accumulating** in the conservation pool and is reducing the amount of water stored there. Without the pool rise, the amount of conservation storage reduction predicted by calendar year 2014 is approximately 16,946 ac-ft. This is **35.7% short of the contractual** agreement. The reallocation report is included in this FSFES in Volume III.”

To bad that an after the fact agreement should trump the original purpose of this dam. Namely flood control. Why would citizens in Miami have to pay for a 35.7% shortfall based on an agreement that we had no part of originating and have no benefit potential?

The Corps continues to say:

“The purpose and need of the proposed federal action is to make an **equitable redistribution** of the storage remaining between the flood control pool and conservation pools due to uneven sediment distribution. Sediment has been **collecting mainly in the conservation pool**, thereby reducing the conservation pool faster than was designed while the flood control pool has not”

What a brilliant statement. Since the conservation pool is in on the bottom and the flood control pool is on the top where else would sediment collect? This is 500 pages of garbage at the expense of our government.

Why is it that when this eleven lake system has a problem the only solution for that problem is to eliminate more flood control storage or to let the reach between Burlington, Kansas and Miami, Oklahoma flood more often, at higher elevations and for longer periods of time?

So the Corps solution would be:

“Lead Agency: US Army Corps of Engineers Title: Final Supplement to the Final Environmental Statement (FSFES) Storage Reallocation: John Redmond Dam and Reservoir, Kansas Designation: Final Supplement to the SFES (FSFES) Proposed Action: **Reallocate water storage from the flood control to the conservation pool by raising the conservation pool elevation 2 ft, in a single, permanent pool raise, from elevation 1039 ft NGVD to 1041 ft NGVD. This action provides a more equitable redistribution of remaining storage capacity** depleted as a result of greater influx of sediment than originally expected and the uneven sediment accumulation and distribution within the conservation pool.”

Page 3

There is nothing equitable about removing flood control storage to benefit conservation pool , especially when the purpose of the dam was billed as flood control with secondary benefits related to the conservation pool.

I hate to interject common sense into this because common sense has never worked in the past. I will give it a shot. If the problem is depleted storage capacity because of sedimentation, would not the solution be to remove the sediment instead of removing flood control potential?

Real problem that The Corps does not want to address:

There would be no illegal flooding in the reach between Burlington, Kansas and Miami, Oklahoma if GRDA and the Corps would abide by the dictates of FERC. The 1992 license with FERC and GRDA requires GRDA to purchase that property which is flooded by the project within five years of 1992. Guess what? They are at least 15 years behind schedule. We continue to flood and they want us to flood more. Notice what is the solution when there is not enough rain? Store more water in the flood pool. What is the solution when there is too much rain? Hold the water above the dam in the Miami area so that no down-stream areas are above bank full and there is no interruption of the navigation channel. Naturally whenever there is a problem with sedimentation we should just eliminate more of the flood pool. Well guess what, there is a huge problem with sedimentation at the Pensacola Project and what do you think they will suggest for that fix? Especially after they set this precedent in fixing the problem at Redmond this way. They will be reducing flood storage at Pensacola to benefit hydropower generation.

There comes a time when enough is enough. Every resident in this effected reach should be up in arms against this "equitable redistribution" . It is way past time to hold the line.

Best Regards,

Jack L. Dalrymple, P.E.